

Intolerance in India at the Wake of 75 Years of Independence: Comprehending the Constitutional Threats

Dr. Sulok B. Raghuwanshi

Asst. Prof. in English

Orange City College of Social Work, Nagpur

Mob. 9850394582:

E-Mail: sulokraghuwanshi@rediffmail.com

Abstract: The present paper ‘Intolerance in India at the Wake of 75 Years of Independence: Comprehending the Constitutional Threats’ essays to comprehend the surge of the intolerance in India, a bitter truth, sacrificing the secularism, a key point of the constitution of India. The sovereignty of the country is at peril in the presence of the wasted political interest of a few. The winds of intolerance, hatred and animosity so prevalent while the country celebrates the ‘Azadi ka Amrutmahotsav’ are nothing short of irony underlining the failure to remove the intolerance towards the minority group. On the contrary, the same has risen. It is significant to address the challenges posed before the human rights of minority groups at the wake of 75 years of independence. The paper suggests that the progress is feasible only on the lines of the inclusive growth. The attempts would be made to draw the conclusions by studying and analyzing the newspaper and E-paper articles and editorials, official websites of government, speech, etc. depicting the intolerance and absence of the empathy towards the minority groups at the backdrop of the 75 years of independence. The conclusions would be drawn based on discussion and analysis and suggestions and recommendations would be made. The referencing would be done in APA 7th Edition.

Keywords: Fundamental Rights, Intolerance, Minority Groups, Independence.

Introduction: Seventy-seven years ago, on 15th August, 1947 India’s first Prime Minister Pandit Jawaharlal Nehru remarked in his stirring speech on India attaining freedom at midnight:

“The achievement we celebrate today is but a step, an opening of opportunity, to the greater triumphs and achievements that await us. Are we brave enough and wise enough to grasp this opportunity and accept the challenge of the future?” (Pt. J. Nehru, Personal Communication, 14th Aug. 1947)

These words ring true even today. Just as when independence unshackled India from British rule — a milestone that, in some cases, inspired the birth of other new nation-states across the world, freed from the yoke of colonialism. Independent India embarked upon a new journey, imbued with the vision of its freedom fighters and a mission set on course by the members of the Constituent Assembly who worked on its unique liberal democratic Constitution. There have been significant achievements — a constitutional scheme guaranteeing rights that included freedom of speech, religion and a secular state, implementation of universal adult franchise in periodic elections, a thriving legislature, establishments allowing for a formal separation of powers, a quasi-federal union of States that were reorganized on a linguistic basis, the building of institutions (industrial, educational, medical) that heralded progress, and the unleashing of knowledge and communication sectors that tied India beneficially to the world economy.

Objectives: 1. Understanding the emergence and consolidation of a dominant political force seeking to centralize power and homogenize the idea of India.

2. Stressing the significance of economic progress through inclusive growth at the backdrop of inter-state disparities.

3. Discussing the problems of calling for the infringement of fundamental rights due to the winds of intense hatred, animosity, and intolerance.

4. Drawing attention towards the challenges of human rights of minority groups at the wake of 75 years of independence.

Post Independence Challenges in India: There have also been missteps and failings — the inability to eradicate extreme poverty and marginalization even though these did come down dramatically since 1947, the strains in implementing the constitutional order and values, burgeoning communal majority, which was decidedly rejected by both the freedom fighters as well as the framers of the Constitution, the incomplete nature of decentralization of power, and rising economic inequality. Today, on the one hand, India stands tall as one of the worlds’ emerging economies with an advantageous demographic dividend, a vibrant democracy that ensures enthusiastic participation in elections, a diverse polity, and a diversified economy. But it also faces humongous challenges. Its people live in a more chaotic world where cooperation and liberal trade relations have taken a beating and where climate change is a challenge. Also, the emergence and consolidation of a dominant political force that seeks to centralize power and homogenize the idea of India has threatened to unravel the constitutional structure of recognition of diversity and inclusion as the means for overall progress.

Economic progress through inclusive growth — a process that was accelerated following comprehensive reforms in the early 1990s and the institution of a rights-based approach towards welfare in the mid-2000s — has slowed down in the last few years. Meanwhile, there is an exacerbation of inter-State disparities, with southern and western India delivering better outcomes in education, health care and thoroughgoing economic growth than other regions, an issue that requires careful deliberation in the near future **A Tryst with the Past (2022)**.

The Threats and Challenges so Missed: 75 years later, celebration “Azadi Ka Amrit Mahotsav” is a wonderful initiative to remember India’s 75 years of independence as well as the glorious past of its people, culture, and triumphs. Since its conception, several initiatives have been launched to recognize the significance of shared identity and culture. However, the initiative would have been more successful if it had focused on the prevention of rising religious fundamentalism, fanaticism, orthodoxy, and intolerance which is bent on hollowing out the diversity of our peaceful, democratic, and tolerant society, instead of making citizens comply with the norms of displaying flags in or outside of residences. It is apt to remember Karl R. Popper who writes,

“Unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them. We should therefore claim, in the name of tolerance, the right not to tolerate the intolerant.”

Historically speaking, there has been a long shared cultural tolerance. In his book, “Mughal Darbar”, the renowned Pakistani historian Dr. Mubarak Ali writes,

“In the court of Akbar there used to be gatherings of individuals coming from different ethnic groups to celebrate Eid, Holy, and other significant festivals of the times.”

The phrase “Divide and Rule” was an exclusively British invention that they used for their own benefit. Perceiving the rising hate Mahatma Gandhi described “a social tension between Hindus and Muslims as “the problem of problems.” However, because the hatred was intensely politicised, no one dared to pacify it. Mahatma Gandhi made an effort in this regard, but what followed is clearly visible.

Endangered Fundamental Rights at the Wake of Mounting Intolerance: At this crucial juncture of civilization and religious difference where unimaginable intolerance is present everywhere around us, it is

impossible to even call for the infringement of fundamental rights due to the winds of intense hatred, animosity, and intolerance. Shaheen Bagh is a living example of such a trend – how a nonviolent protest was mounted as a challenge to India’s descent into the majority notion of hate and exclusivity. Furthermore, it should be noted that hatred is not only focused on a particular ethnic group but also on the same group when its beliefs conflict with those of the hardcore orthodox. India’s ongoing Hindu-Muslim cultural strife endangers not just the nation’s prosperity but also its peace and civic relations. If truth be told, India still remains a developing country with the lowest per capita income and the least index happiness score **Arshad Azmi (2022)**.

By 1947 when India got Independence, in many villages the life and human disconnection was such that the Dalit Bahujan masses did not even know what was Independence or colonialism. The masses aspiring for equality, self- respect, dignity and state and private industrial sector employment now, existed mostly around animal, artisanal and agrarian economies in the villages and forest and semi-forest zones. Poverty, illiteracy and minimal mortality rate of life were all around them.

In pre-Independence India the state for them was an extractor of resources, without the hope of offering welfare. There was no positive understanding of the state among them because it was a merciless exploiter. Though the peasant and Adivasi revolts against the British rulers took place in several parts of India before the freedom struggle started, they were not seriously connected to the First War of Independence of 1857 and the role of such rebellious leaders was not acknowledged. The food producers, without any written history of their own, fought against the British and princely rulers for their survival. Among all of them, the sections of the Dalits – Untouchables of India – were in a hopeless condition **Kancha Ilaiah Shepherd (2022)**.

Review of Literature: In 75 years since independence, India as a nation has shown stellar growth. Today, the country is an economic powerhouse with significant progress made from agriculture to space technology, from manufacturing to services industries, from world class educational institutions to improving access & affordability of healthcare for all and consequently lifting millions from extreme poverty. India has come a long way over past 75 years in transforming itself as a nation and improving the quality of lives for its citizens starting with increased focus on maternal and child health. A 95% reduction in MMR is a significant achievement. However, the last 5% will need changes in our approach and reinforcing our commitment towards this goal, if we are to stand next to countries like Finland (with MMR <5). This would be a fantastic goal to pursue while we march towards India @ 100 **Nitin Nag (2022)**.

As per the western concept of secularism, secularism can be defined as a strict separation of state from religion. India's case, where religion has a significant role in individuals' personal lives, is quite different from Western ones. In India, there is no discrimination in the treatment of any religion. Religious freedom is a fundamental right in India, and one cannot discriminate based on religion. This paper tries to look into various theories of secularism in India along with religious freedom as enshrined in the Indian constitution. Furthermore, it highlights the importance of both secularism and religious freedom in India **Jameel Anas (2021)**.

For the past many years, India has been striving for inclusive growth where different sections of society equally share the benefits of economic development. This research attempts to analyze the various factors that determine and shape the level of inclusive development in India during the period 2004 to 2017. The study finds that inclusive growth in the Indian economy in terms of many social and development parameters is still inferior to other emerging economies despite its significant advancement in economic growth parameters. The research ultimately suggested that more measures at the governmental level are

highly needed to bring a large mass of India's socially and economically deprived citizens into the inclusive growth agenda of the economy **Saji T. G. (2019)**.

More than 70 years after India became free from colonial rule, Indians generally feel their country has lived up to one of its post-independence ideals: a society where followers of many religions can live and practice freely. India's massive population is diverse as well as devout. Not only do most of the world's Hindus, Jains and Sikhs live in India, but it also is home to one of the world's largest Muslim populations and to millions of Christians and Buddhists. A major new Pew Research Center survey of religion across India, based on nearly 30,000 face-to-face interviews of adults conducted in 17 languages between late 2019 and early 2020 (before the COVID-19 pandemic), finds that Indians of all these religious backgrounds overwhelmingly say they are very free to practice their faiths. Indians see religious tolerance as a central part of who they are as a nation. Across the major religious groups, most people say it is very important to respect all religions to be "truly Indian." And tolerance is a religious as well as civic value: Indians are united in the view that respecting *other* religions is a very important part of what it means to be a member of *their own* religious community **Neha Sahgal, et. al. (2021)**.

'Casteism' and 'politicization of caste' are common phenomena of Indian society since the beginning of the twentieth century. Violation of social rights and caste discriminations of plural characters have added additional complexity to them. Casteism has thus appeared as a burden of postcolonial Indian society. As a subject of study, it is, however, not a comfortable one. Being a sensitive issue, it often gets mixed up with political, class, cultural and regional conflicts. Thus, academic scholars, general readers and policy makers do often face serious trouble in highlighting the basic premises of casteism. Academic studies on casteism and caste-discrimination in the context of West Bengal are also not free from this limitation. Moreover, there has been a common perception among the intellectuals as well as in the academic world that West Bengal is free from caste violence. Print, electronic and social media have also equally contributed to the creation of this perception in the late twentieth century, especially for considering 'caste' merely as a parameter of 'class'. This 'invented notion' on caste has encouraged the people of the state to understand 'caste' simply as a social phenomenon irrespective of its social and class differences. However, it would be an utter lie to accept the general propaganda that casteism has no presence in West Bengal. Rather, our field surveys either through interviews or 'face-to-face group discussions' as well as contemporary media reports reveal that psychological, oral and behavioral casteism are social realities of West Bengal **Rup Kumar Barman (2016)**.

Human ability to reason has been credited extensively within the field of human rights for achieving equality, which is the basis for human rights. Human rights are traditionally a highly rational matter in scholarship. In fact, however, reason does not function without emotions. Equality depends on an emotional appeal. Empathy, a universal human faculty, can be seen as connecting individual minds via neurological processes. It is speculated therefore that it is through empathy and less through pure reason that another person is perceived as being equal – equal in the sense of being an equally sentient being. This leads to the theory that impaired empathy leads to discrimination. Discrimination usually occurs in inter-group relations. Identification with norms and ideas of collectives can lead to a reduced empathic view and exclusion of out-group members. An out-group member, here frequently called "the other", is easily stereotyped, prejudiced and dehumanized. It can be assumed that it needs empathy to overcome discrimination, which is based on an "empathy gap" **Nadine Schultz (2012/2013)**.

Research Methodology: The present paper essays to comprehend the surge of the intolerance in India, a bitter truth, sacrificing the secularism, a key point of the constitution of India. The paper suggests that the progress is feasible only on the lines of the inclusive growth. The paper would attempt to draw the

conclusions by studying and analyzing the latest records, depicting the intolerance and absence of the empathy towards the minority groups at the backdrop of the 75 years of independence. The referencing style so used for the present paper happens to be APA7. The suggestions and recommendations would be made based on the inferences so arrived at.

Discussions and Analysis: The growing likeness has struck others, not least Salman Rushdie, whose acclaimed allegorical novel ‘Midnight’s Children’ (1981) centered on India and Pakistan’s inextricably linked fates. At a seminar at Brown University in the US last November, Rushdie noted that in these past seven decades, neither country had fared well.

“I used to think that India had got things right to a degree that Pakistan had not,” said Rushdie. “I find it hard to believe that any more – not because of the improvement of Pakistan, but because of the deterioration of India.”

The 2022 edition of the Bertelsmann Transformation Index (BTI) – which compares transformation processes towards democracy in 137 countries – puts India in the category of “defective democracies” and Pakistan on the list of “hard-line autocracies”. Indeed, the fundamentals of Pakistan’s democratic structure have remained dispiritingly unchanged for decades. Political success depends on support from the powerful military, with the generals serving as “both usurpers and law-givers”, in the phrase of a Pakistani analyst.

Religious groups also enjoy considerable power, with BTI’s Pakistan country report noting the importance of “powerful religious parties and political movements in Pakistan, with many of these assuming a more violent and extremist orientation in recent years”. A 2019 Human Rights Watch report, ‘Violent Cow Protection in India’, said that “at least 44 people – 36 of them Muslims – were killed across 12 Indian states” since May 2015. Such attacks often target Muslim, Dalit and Indigenous communities, the report said, with police stalling investigations and several elected officials defending the violence. Just weeks ago, the killing of two tribal men in the central state of Madhya Pradesh had a senior police officer explaining that “12kg of meat was found in the house of the deceased”. In December 2019, parliament passed the Citizenship Amendment Act, which granted persecuted minorities in Afghanistan, Bangladesh and Pakistan fast-track naturalization – so long as they weren’t Muslim. It was the first time in independent India’s history that religious faith explicitly became a criterion for citizenship and it set off alarms both in India and abroad. A spokesperson for the UN High Commissioner for Human Rights described the legislation as “fundamentally discriminatory in nature” **Rashmee Roshan Lall (2022)**.

In the face of such anti-Muslim hostility, it is no surprise that India has not taken any steps to tackle Islamophobia. In March of this year, India, France, and the EU (a bloc of 27 countries) objected to creating a United Nations recognised international day to combat Islamophobia. Indeed, lynchings, Islamophobic misinformation campaigns and cultural intimidation are an everyday facet of the lives of Indian Muslims.

In recent years, the government also prevented several activists and journalists critical of its policies from travelling abroad. Many government critics have also been spied on, arrested on terror-related charges, and then held without trial. Police have been accused of planting incriminating evidence on the computers of activists and arresting them on bogus charges. As a result of all this, India went down eight places compared with 2019 and ranked 150 among 180 nations in Reporters Without Borders’ 2022 Press Freedom Index. It also scored just 66 out of 100 in this year’s Freedom House Democracy Index and has been placed in the category of “partially free” **Somdeep Sen (2022)**.

Conclusion: Admittedly, as this “report card” demonstrates, if the country wants to have something real to celebrate at its next milestone birthday in 2047, it needs to start acknowledging its many failings and

working towards building a more free, equal, democratic and most significantly a secular society and state, that the constitution of India, so vividly underlines right from the Preamble. The emergence and consolidation of a dominant political force that seeks to centralize power and homogenize the idea of India has threatened to unravel the constitutional structure of recognition of diversity and inclusion as the means for overall progress. The problems like the inter-state disparities, rising religious fundamentalism, fanaticism, orthodoxy, and intolerance is bent on hollowing out the diversity of our peaceful, democratic, and tolerant society. Economic progress should be realized only through inclusive growth. There is no alternative to this. At this crucial juncture of civilization and religious difference where unimaginable intolerance is present everywhere, it is impossible to even call for the infringement of fundamental rights due to the winds of intense hatred, animosity, and intolerance. The saga of 75 years of Independence is a saga of struggles for the Dalitbhujan with the weapons handed down by Mahatma Phule, Periyar Ramasamy and Dr. B. R. Ambedkar. The real future of the nation depends on the very survival of this Constitution while the nation looks forward to the Centenary Celebration of Independence in 2047.

Suggestions and Recommendations:

Based on the discussion and analysis, the paper suggests the following suggestions and recommendations.

- The economic progress should be ensured on the lines of the principle of inclusivity as was expected by the architect of the constitution of India Dr. Babasaheb Ambedkar.
- The political will should be aimed at the federal decentralization of the power so the soul of the constitution of India remains intact under any circumstances.
- The onus of maintaining the fundamental rights as second to none should be bear and ensured, sans falling prey to any animosity and hatred.
- The safeguard of the fundamental rights of the minority group should be ensured. The responsibility not solely falls upon the executive, legislative and the judicial wings but also on the citizens of India.

Work Cited:

1. A Tryst with the Past 2022, Aug 15 A Tryst with the Past [Editorial]. The Hindu @ 145.
2. Anas, Jameel. (2021). Secularism and Religious Freedom in India: An Overview. *International Journal of Creative Research Thought*, 9(3), 4605-4611. https://www.researchgate.net/publication/356844367_Secularism_and_Religious_Freedom_in_India_An_Overview
3. Azmi, A. (2022, Aug 15). *India's 75th Independence Day and Religious Intolerance*. Cafe Dissensus Everyday. <https://cafedissensuseveryday.com/2022/08/15/indias-75th-independence-day-and-religious-intolerance/>
4. Barman, Rup Kumar. (2020, Feb. 17). *Casteism and Caste Intolerance in India: A Study on Casteism of Contemporary West Bengal*, 12(3), <https://doi.org/10.1177/2455328X19898451>
5. Lall, Rashmee Roshan. (2022, Aug. 11). *United in Intolerance: India and Pakistan are More Alike than Ever*. Open Democracy. <https://www.opendemocracy.net/en/india-pakistan-75-partition-religious-intolerance/>
6. Nag, Nitin. (2022, Aug. 7). *India has come a long way over past 75 years in transforming itself as a nation and improving the quality of lives*. The Times of India.
7. Nehru, J. (1947, Aug. 14). *A Tryst with the Destiny*. Thewire.in <https://thewire.in/history/india-at-75-jawaharlal-nehru-tryst-with-destiny-full-text>.
8. Schultz, Nadine. (2012-2013). *An Investigation of Empathy's Role in Inter-Group Relations and Discrimination* [Dissertation]. [Adam Mickiewicz, University Poznan]. Adam Mickiewicz

University Poznan Repository.

<https://repository.gchumanrights.org/server/api/core/bitstreams/11b58b8e-9696-4864-b01c-3332f9dcc6db/content>

9. Sehgal, Neha. et. al. (2021) *Religion in India: Tolerance and Segregation* Pew Research Center <https://www.pewresearch.org/religion/2021/06/29/religion-in-india-tolerance-and-segregation/>
10. Sen, Somdeep. (2022, Aug 15) As India Turns 75 there is Little to Celebrate: On its Milestone Birthday, the Country is Faltering at Several Fronts. *Al Jazeera*.
11. Shepherd, Kancha Ilaiah. (2022, Aug 15). *Independent India in 75 Years Has Not Fulfilled All Expectations of the Dalitbahujan*. The Wire. <https://thewire.in/caste/independent-india-in-75-years-has-not-fulfilled-all-expectations-of-the-dalitbahujan>
12. T. G., Saji. (2019) Inclusive Growth in India: Some Realities *Indian Journal of Economics and Development*, 15 (3) 410-417. https://www.researchgate.net/publication/336259768_Inclusive_Growth_in_India_Some_Realities