

Minority Protection and India [UPSC Notes for GS I]

This article will describe in detail the issues concerning minority groups in India.

These UPSC Notes on minority protection and India are aligned with the UPSC Syllabus and aspirants should prepare this topic for General Studies Paper I.

Minority's condition and the politics of it are often seen in the news today, and hence its relevance for the UPSC Mains.

IAS Exam aspirants can find more notes for UPSC Mains General Studies topics from the links given at the end of the article.

Minority Protection and India

Context

- Recent political developments have put the issues of minority appeasements and minority harassment back into the forefront.
- The recent increase in hate crimes has also triggered debates about the need for separate legislation to protect minorities against lynching and hate crimes.

Background

- Article 1 of the UN Declaration of Human Rights states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."
- Across the globe, the anti-immigrant/ anti-minority sentiments are on the rise.
- The shooter responsible for the massacre at "El Paso" claimed to have been troubled by minorities gaining more power after alleged unregulated immigration.
- Europe has also witnessed a few anti-minority hate crimes. A same-sex couple was attacked in London recently while they were travelling on the bus. Brexit campaign in the UK also had strong anti-immigration messages.
- The rising civil unrest and conflicts in many parts of the world are causing a rise in refugees. Climate change has also forced a large section of the population to seek shelter in other countries.
- But when such refugees reach relatively safe countries they are targeted for their religion, race, ethnicity etc.

Indian context

- Even though the term minority has been used in our constitution, the constitution has not attempted to define it.
- The National Commission for Minorities Act, 1992 in Section 2(c) of the act defines a minority as “a community notified as such by the Central government”. In India, this applies to Muslim, Christians, Sikhs, Buddhist and Parsis (Zoroastrian), Jain religions.
- As per TMA Pai Foundation vs. State of Karnataka case in the Supreme Court, a minority either linguistic or religious is determinable only by reference to the demography of the State and not by taking into consideration the population of the country as a whole.
- When we discuss the term minorities we should not limit ourselves to religious minorities. Linguistic minorities, transgender etc are also considered minorities in the larger socio-political framework.
- Simple numerical majority-minority constructs fail to include regional (like non-dominant tribe groups in the North East), linguistic (Bengali speakers in erstwhile East Pakistan) and other "pattern of life follower" (ethnic) minorities.
- People holding responsible political positions also have been repeatedly caught using fake or questionable sources to make false claims.
- This atmosphere has been further vitiated by irresponsible TV debates supposedly designed to cause shock and outrage.

Points of Discussion

- In order to protect our constitutional values of individual dignity, Equality and liberty we must strive to discourage and remove hate-filled messages from our society.
- Political leadership must take a leadership role in disowning hateful elements within their party and uphold their commitment to our constitution.
- Comprehensive anti-hate legislation and policy must be brought to act as a deterrent against hate crimes.
- Recent positive developments like decriminalisation of homosexuality have shown that our society is empathetic towards minorities. A few anti-social elements must not be allowed to jeopardise gains made in this regard.