

The Communal Polarisation of Indian Politics

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Till the Constitution (42nd Amendment) Act 1976 was enacted the words ‘socialist’ ‘secular’ and ‘integrity’ did not form a part of the Preamble to the Constitution. However, when the Constitution is read as a whole these three words are already a part of the foundation of the Constitution and their inclusion in the Preamble was really not called for. In fact there is some doubt whether the Preamble can be amended at all because the opening words of the Preamble are, “We, the people of India” The people, as represented by the Constituent Assembly, adopted not only the Constitution but gave us the Preamble which precedes the Constitution. The question arises whether a preamble can be amended at all. As per the Chambers 21st Century dictionary preamble is defined as “an introduction or preface, e.g. to a speech or document, opening statement”. An opening statement cannot be considered to be a substantive part of the main document. If the Preamble, therefore, does not form a part of the substantive contents of the Constitution how can it be amended under Article 368?

Actually Articles 25, 26, 27 and 28 which give freedom of conscience and free profession, practice and propagation of religion, freedom to manage religious affairs, freedom as to payment of taxes for promotion of any particular religion and freedom to attend or not attend religious instructions or worship in educational institutions, already declared India to be a secular nation. Article 15 prohibits discrimination on grounds of religion, race, caste, sex or place of birth. Articles 29 and 30 provide for specific protection of the interests of minorities. In other words, the chapter on Fundamental Rights mandates the secular nature of the Indian State. The original Preamble promises justice, liberty, equality and fraternity to every Indian and in combination this means that India will be secular, nondiscriminatory and socialist in terms of promoting equity and equality. Articles 42, 43 and 44 direct the State to look after the interests of workers, which is what any socialist State would do. That is also the tenor of Article 14 which mandates equality before law.

This opening statement is made because in the democratic republic of India, where there is no State religion, no theocracy and complete equality before law, no practices can be permitted which communalise any situation in terms of religion, caste or region. There are no separate electorates in India and this is the hallmark of a secular State. In a secular State it is not permissible to communalise politics or seek votes on account of community, religion, caste, etc. In fact under section 29(A) of the Representation of People Act, 1951 every political party, association or body, when applying for registration with the Election Commission, is required to state that it “shall bear true faith and allegiance to the Constitution of India as by law established and to the principles of socialism, secularism and democracy, and would uphold the sovereignty, unity and integrity of India”.

Let us look at the party scenario in India. There are two parties which specifically represent the interests of a particular religious group. The first is the Indian Union Muslim League which is the successor to the pre partition Muslim League. By and large this party has a significant presence only in Kerala. The other party which represents a particular religious group is the Shiromani Akali Dal which represents the Sikhs. Strictly speaking

IUML and SAD should be considered communal parties, but SAD has Hindu members also and IUML, while promoting Muslim interests, does not project a blatantly religious image which calls for hostility against other communities. BJP is accused of being a party of the Hindus because it has the backing of RSS, but BJP has kept its doors open to other communities and it has a number of Muslim, Christian and Sikh members. It also has India's best known and most highly respected Jew, Lt. Gen. JRF Jacob, as a member. It, therefore, firmly and rightly rejects its identification by the Congress, Samajwadi Party, etc., as being a communal Hindu party.

For the elections of 2014 there is a systematic attempt to dub BJP as a communal party and its leader Narendra Modi as a man with Muslim blood on his hands. The merits of what happened in Gujarat in 2002 have been deliberately obfuscated by the shrill voice of those who in the name of secularism would in fact communalise politics. In this rhetoric of hate facts are glossed over or even deliberately ignored. Therefore, mobilise and polarise Muslim votes so that collectively they can keep BJP out of power. For this purpose have a pact with Ahmed Bukhari, the Imam of Jama Masjid. Muslims, mind you, not citizens at large. The Congress, when appealing to the Muslims, has virtually stated that they should keep communal forces at bay by voting for the Congress. This means that all Muslims are secular and, ipso facto, all Hindus are communal. Add to this the kind of speeches being made by Masood and Azam Khan in U.P. Azam Khan has gone to the extent of saying that the victory in Kargil was won by Muslim soldiers and that Hindu elements of the Indian Army were not instrumental for it. The one institution which prides itself on being above politics, caste and creed is sought to be thrown into the cauldron of communalism.

Those who are trying to communalise politics by polarising Muslim votes must realise the disservice which they are doing to India. The Hindu vote is almost impossible to polarise. The Hindu votes according to party ideology, caste, region, even language. The very heterogeneity of Hindu society makes it highly resistant to polarisation. There is, however, an exception to this. So long as Muslims vote anti BJP the Hindu is prepared to live with this. Even in the heyday of Mahatma Gandhi not more than five percent of Muslims have voted for Congress. However, if in Hindu perception the Muslims are seen to be united against Hindus as such, we are in grave danger of seeing this resulting in polarisation of at least a section of Hindu votes. The present effort at treating at least a section of Hindus as communal bigots who will destroy the minorities is likely to rebound in that it may lead to a certain amount of polarisation of Hindu votes.. The one bright light in this murky scenario is BJP's refusal to respond to provocation and to stick to development with equity as its election platform.

The legitimacy of the BJP seeking power comes from the Constitution which mandates free and fair elections. The Election Commission of India is armed with sufficient powers to ensure that the BJP fights the election with a secular orientation. However, if the Congress, Samajwadi Party, etc., try and polarise Muslim votes then the possibility of an equivalent and opposite polarisation of Hindu votes cannot be ruled out and for this the so called secular parties have only themselves to blame..
