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Ilm Haasil Karna: Muslims, madrassas and education in post 1990 India

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In the years that followed 9/11, one saw partial convergence of the Indian national discourse on 'Muslim minorities' with that of the global one launched by the US on 'Islamic terrorism' in the course of which centers of Islamic religious learning in India, i.e., the madrassas became the subject of intense public scrutiny and debate. Even as the state intensified its intervention through financial support and regulation, the public debate focused on their (ir)relevance to Muslims in contemporary society, their (central) relationship to the question of Indian Muslim identity, their (ambivalent) relationship with the state and (yet to be found links) to terrorism and more recently, their (possible) role in educational development of Muslims. The changing internal dynamic, form and profile of Indian madrassas, the aspirations of the students, the traffic between madrassas and state educational institutions as well as their impact on the Muslim communities figured as minor concerns in this debate. Most importantly, what is rarely found in these debates is a defense of the madrassas as 'religious' institutions under the constitutionally guaranteed group rights for Muslims. Such an ambivalence of 'secular legitimacy' for Islamic education in the contemporary Indian debate on madrassas, this paper argues, cannot be merely attributed to the rise of majoritarian Hindu ideology, but also should be placed in the context of the rise of 'development' ideology that foregrounds 'backwardness' of Muslim communities after 1990. Here, the protection of Muslim cultural and religious rights, designated 'identity' issues are deemed relatively unimportant while 'developmental backwardness' i.e., education, health, civic amenities, employment, including begin to assume equal importance the Muslim question. As such, this paper argues that the debate around madrassa reform needs to be placed in the broader context of the changes in the discourse of secularization by the Indian state in relation to Muslims, from considering them as a recalcitrant religious group insistent on maintaining its separate identity and autonomy to a neglected population that requires special governmental attention in the post 1990 period.

Before we begin a discussion of the madrassas, it is important to see the kind of formative location that the Muslims occupy in the discourse of liberal democracy and the Indian state. The Indian discourse of liberal democracy, shaped in and through the anti-colonial struggle against the British, was seriously confronted with the question of minorities by 1930. The challenge came from Depressed Classes and the Muslims who problematized the newly establishing representative model of democracy based on one person-one vote system, arguing that such a model would not ensure the minorities an effective representation in the decision making bodies (Ambedkar 1930, Tejani, 2008; Bajpai 2011). Colonial government's practice of 'communal representation' (that ensured limited legislative representation to select interest groups, including Muslims, through the institution of separate electorates) began to be seen as 'divisive' and 'unfair', as the nationalist movement grew in strength. Over the decades, Tejani argues, the phrase 'communal' got increasingly attached to 'religious minority' and to Muslims, as the ideology of liberal democracy with its electoral majorities became more established wherein, rather than representative of certain opinions, majority and minority began to be considered in numerical terms. As the voices of such Muslim 'communalists' got vociferous seeking adequate representation or a separate nation-state, it became essential for the nationalists to constitute themselves as (Hindu) majority, even if it meant grudging concessions to the Depressed classes, who refused to call themselves Hindu (Tejani, 2008). Assured representation to the Depressed classes and Muslims through 'reservation' was the form that the compromise that the Congress nationalists offered. Such political safeguards for religious and other minorities repeatedly figured in the different drafts of the Constitution till after the formation of India and Pakistan in 1948, even after the Partition related riots broke out.

Even though the Partition riots adversely affected the Indian Constituent Assembly's deliberations on the constitutional guarantees to 'Muslims' (Ansari, 1998), the more crucial factor that determined their fate, was nationalist political rhetoric that assumed hegemonic position during the Constituent Assembly debates (Bajpai, 2011). Shared assumptions about secularism, national integration, democracy and development allowed 'special provisions' to be made for 'backward' communities such as scheduled castes and scheduled tribes but disallowed 'religion' as a ground for group rights. In the futuristic vision of a developmental state where every citizen would strive to get rid of their undesirable group affiliations towards a common future, religion seemed an unfit ground for any constitutional guarantees. Muslims were expected to abandon their 'religious identity' to become Indians.

Religious identity, as already pointed to earlier, had struck only to Muslims, as rest of the religious minorities were numerically small and did not want to push their cause. Muslim members of the Indian Constituent Assembly, who had reasons to push for safeguards, lost their ground both on account of Partition and the nationalist rhetoric. This led to the abandoning of 'political safeguards' for Muslims such as the reservations in employment and legislatures that were till then had wide acceptance. A similar contraction of the scope of 'cultural and educational' rights also occurred whereby the term 'minority' was deleted from certain provisions of fundamental rights under consideration, even as Muslims were guaranteed certain cultural and educational rights as a religious community under the same. It is under these limited guarantees that Muslims could set up madrassas as well as other kinds of educational institutions.

The relationship of benign indifference that the Indian state maintained with the Muslim communities began to change with the Shah Bano controversy in 1985. The parliamentary debate around the Muslim women's maintenance act (1986), Bajpai notes, showed a slight change in the rhetoric regarding minorities, compared to the rhetoric used in the Constituent Assembly. Muslims now are acknowledged to be a minority that may differ or lag behind the mainstream due to their insecurity concerning certain religious, identity and cultural issues. While the hegemonic nationalist political rhetoric of the 1947-1950 (that Muslims should abdicate their 'communal' identity to become truly 'national' subjects) is now championed by the Hindu majoritarian parties while the Congress has adopted liberal tolerance towards religious minorities that have lagged behind (that figured as 'backward' communities in the political rhetoric of the Constituent Assembly, used for denoting Depressed classes, tribals and other backward castes) – that needed to be slowly integrated into the national mainstream. The limits and possibilities of these two frameworks were seen in in full play in the debate on the madrassas and Muslim education; especially after the Congress led UPA government released Sachar Committee report on the status of Muslims in 2006. While the beginning of the 1990s saw a revival of anti-Muslim discourse, the next decade, more specifically after 9/11, the Muslims, aided by this report began to revive the pre-history of constitutional rights wherein they redefine themselves as a minority alongside other Indian minorities (such as Dalits) that face social discrimination. The Muslim communities' engagement with the Indian state, as the analysis of the following three debates shows, is being articulated both in terms of Muslims as a religious community that has distinct constitutional rights as well as a discriminated group that requires state intervention. These two ways of framing themselves, this paper suggests, are an outcome of the operation of State's power and the power of the nationalist discourse and as such, may represent two modes of secularizing

Muslims in modern India, rather than purely self-determined political identities of Indian Muslims.

We examine three interlinked debates on Muslim education to understand the ways in which Muslim communities' relationship with the Indian state is getting redefined. The first of these is the debate on education within the women's madrassas in Hyderabad, a Muslim concentrated city in the state of Andhra Pradesh, India. The seamless interweaving of Islamic and state education seen here can be placed in the long tradition of 'islahi mashra' in this region that got revived after the *Shah Bano.* We then move on to the 'national' context where the madrassa modernization programme launched by the Indian government sparked off an intense debate, producing important writings on the nature, scope and the significance of madrassa education to the Indian Muslim communities. Government's efforts to regulate the madrassas, where funding was underwritten with an agenda of de-Islamization and merger with state education system, were presented either as 'welfare' or as 'developmental' initiative addressing backwardness among Muslim communities. Even as these efforts were resisted in the name of 'rights of religious minority', the decade saw the question of Muslim education posed anew, in 'secular' terms, in which 'religious education' got subsumed. This new discourse on Muslim education and backwardness also began to question politics of 'minority institutions' and their representativeness in relation to Muslim communities. It is here that the idea of Muslims as a 'homogenous religious minority' gets to be seriously contested. The third section discusses these contestations through an examination of the debate around minority educational institutions in the post 1990 period.

Taleem in Hyderabad women's madrassas

"Islam is a religion of believers for whom it is an obligation to spread the Prophet's word. In the contemporary world, madrassas are primary ways of learning about what Islam says. Many of us are involved here because we believe we are doing God's work. What if madrassas are closed down, you ask. Islam has survived many such attemts to suppress it. Many times, even after devastating wars and destruction of cities and people, it revived. It has revived mostly due to the efforts of Muslim women who re-taught what Islam is. If madrassas get closed down today, we will teach from our own homes. That cannot be prevented by anyone!" – Rafat Seema[1]

[1] Information and quotations drawn from author's interviews with Rafat Seema, 2008 & 2011 and the latter's paper titled 'The journey of Jamiat-ul-Makharim Akhlaq' (translated from Urdu by Kaneez Fathima) presented at workshop on 'Claiming the Social: Women Practicing Islam' organized by Anveshi Research Centre for Women's Studies, 17th April 2010.

Rafat Seema heads and teaches at three different madrassas. Having worked as the mohatimaa for nearly 22 years at Jamiat-ul-Bannat, she recently shifted to Jamiat-ul-Saalehaat due to differences with the management at Bannat. Salehaat, established a year ago, saw an influx of students and teachers of Bannat who followed her to Salehaat. Started by Jamat-e-ulema-Hind, it has strength of nearly 400 and is likely to increase. During her long tenure at Bannat, when female relatives of her students sought to obtain Islamic education, she started Jamait-ul-Makharim 13 years ago, as a Sunday madrassa. Makharim caters to women students pursuing their education in regular colleges and universities and boasts of nearly a hundred students. At Makharim, occasional lectures by human rights and women's rights activists take place. Alongside these two, she also runs a maktab for students of Moral school that her family runs who are interested in religious education.

Though she has a Doctorate in Urdu literature, she is seeking to obtain another in women's studies at a local university. Asked why chose to teach at a madrassa rather than pursue a career at a university, she replies, "(even though) I took up the teaching to please my father, I began to enjoy it immensely. I could also pursue my M.Phil and Ph.D. Above all there is so much satisfaction in this field that I decided to continue here. Money was not my priority. It was little, but the work has been so satisfying that the lack of it did not bother me till I got married… I am one of those who want to use her time fully and adequately, for which the teaching at madrassa suits quite well."

Contrary to the wishes of her management at Bannat, she kept the traffic between classroom and the world open, encouraging students to read and discuss what they found interesting in the newspapers. She also introduced the practice of taking state exams alongside madrassa exams, as a result of which most students entered 'mainstream' education after they left the madrassa. Pursuing women's studies, she claims, enabled her to bring into her madrassa teaching 'new perspectives and new materials'. She encouraged her students also to pursue their degrees at this university in women's studies and other departments. "Now my ambition is to integrate my madrassa teaching and my social work. I want to instil an understanding that social work is part of Islamic religion. They are not separate from each other. Islam (should not mean) not mere teaching of texts and their interpretation. It is a much wider and broader (vision). Nobody can understand this better than students and teachers who are from madrassas. As of now, there is still a rigid separation between these two. Even the social work that I do is usually categorized as

other work not ‘deen ka work’. I want to change this (perception). This is the reason why I set up Nisa (organization). Nisa’s journal is bought and read primarily by madrassa students and teachers. I want them to understand that these social issues are all deeni issues and community issues. Even though that understanding is lacking now, I am confident that it will change in future. The change will be slow but it will surely arrive”

Notwithstanding Rafat Seema’s political vision for madrassa students, the students of Makharim take a pragmatic view of the rigours of pursuing religious and state education at the same time. For them, they occupy separate realms. While state education is seen as necessary for material life, Islamic education is seen as essential for living as a true Muslim. Hailing from different socio-economic, familial and educational background, they use the conventional distinction between ‘deeni’ and ‘duniyavi’ taleem to explain why they do not see conflict in pursuing these parallel streams of education, with divergent disciplinary regimes and objectives. Each of them attributes her decision to pursue religious education to a desire (shauk) to learn, Quranic imperative (maksad) and to gain Islamic knowledge (ilm haasil karna)[2].

A few students are from ‘religious’ families with parents and relatives already involved in ‘religious’ learning while others are the first in their largely ‘irreligious’ families to take up this education seriously. Both note that this education has brought a qualitative change in their everyday life, affecting the way they think and behave. It has taught them to take familial relationships, their own personal selves and own future seriously. Even though they found it difficult to obtain the rigour and discipline required for the practice of knowledge, in time, they claim to have built an inner strength which they did not have before. Some have begun to think of becoming teachers themselves as this is where they see a need for people such as themselves, while others visualize this education as lasting through out their life. For Humera, “It is an education that cannot stop in two years or so. It lasts through out one’s life. One’s knowledge leads to practice.. for instance I did not pay much attention to daily namaaz till I began this course, now I do.. it is difficult.. but the more one does what one learns, it leads to discipline and it leads to an increase in personal strength. With such strength, one can deal with life (deaths in the family) and its tribulations much better”

[2] Information and quotations are drawn from author’s interviews with Asia Begum, Humera Bano, Nida Waheed, Faiza Nausheen and other students of Makharim, September- October 2011.

This perspective on Islamic education is shared by Nazima Aziz, a teacher-mufti at Jamait-ul-Mominath who elaborates on the purpose of taleem as a critical tool for Muslim women today. "Madrassa education should give the girls and women discernment. They should begin to think, about things and happenings, whether they are desirable or not; if they want to go with it or not; if people claim things as Islamic, they should be able to think with their learning and decide if it is Islamic or not. Nothing should be taken for granted, Islam or the world. Each thing should be taken apart and examined." At her madrassa, consumer culture, changing relations in the family, economic distress of poor Muslims, beauty regimen, corruption among maulvis and Muslim politicians, mismatch between what one learns in educational institutions and the outside world, harassment of girls and women in the families are some of the topics that come up for discussion in the higher level classrooms[3].

Rafat's approach to education i.e., necessity of combining religious and state education (at Bannat or Saalehaat), as such, is not unique. Jamiat-ul-Mominath (2,000 students) as well as Jamiat-ul-Muslimath (50-100 students) also pursue this policy assiduously. At Mominath, both Nazima Aziz and Rizwana Zareen are pursuing their doctoral degrees in women's studies alongside many other teachers who are getting degrees in state education. Teachers at Mominath are seen alternating between filling out forms for madrassa and state exams for the students. Muslimath's Syeda Bader Fathima[4] and her colleagues have gone a step further. In order to ease the entry of their largely poor students who have dropped out of their schools, they also prepare 'notes' and 'guide books' for them. Students of higher madrassas and teachers also get such 'notes' for graduate and post-graduate courses. The traffic between the two systems is not only welcomed but actively encouraged as it is seen to be a part of '*ilm haasil karma'*.

Women who go through both streams of education, students and teachers of these madrassas assert, have a better status in the immediate family as well as community than those with either. Those who have become 'alim' or 'haafiz' report that they have gained recognition and respect.

The issue of employability is dealt with as and when it arises. As many students do not proceed beyond 'tazveed' or 'hifz' the madrassas are not expected to find them employment.
A slow rise in demand for teachers of 'religious instruction' in 'mixed' schools where state education is supplemented by religious education is being met by the students who proceed

[3] Information and quotations are drawn from author's interviews with Nazima Aziz, Rizwana Zareen, Mastan Ali, Hasnuddin, faculty of Mominath between 2007-2008 and her observations.
[4] Kaneez Fathima "……"

beyond these courses. Introduction of Arabic as a language at the collegiate level has also provided certain opportunities to them. Due to the mixed education that students receive, some students have joined the departments in mainstream universities where entry has been enabled. Others report taking to religious teaching rather than pursue a career in professions for which they trained, due to the demand for such education in the communities that they have settled in.

All the madrassas have availed of state support given in the form of free textbooks and school meal funds. However, Nazima Aziz pointed out that such support came with increased bureaucratic surveillance of the madrassa (for instance, weekly visits by officials and updating attendance registers etc) which resulted in adding to their total burden. Working with government also requires repeated visits to government offices as well as the mediation of people with 'connections' to government officials. Asif Ali, founder of Muslimath, served as such a mediator for several madrassas, including Bannaat, Mominath and others till his death in 2009. It is pertinent to note that, even though nearly 1000 madrassas in Andhra Pradesh availed of government support when it began, their numbers declined due to increasing bureaucratic hurdles. Many of these madrassas slipped back to relying on the community support, primarily donations and zakaat.

Muslim women's entry into the public world of 'religious education' in Hyderabad began in the 1970s with prominent ulema such as Maulana Aakhil addressing large gatherings of men and women[5]. Religious organizations had played a role in re-settling the Muslims trumatized by Police Action during the merger of Hyderabad state into the Indian Union (Moid 2011) 1970s was also the time when migration to the gulf countries began, necessitating house-bound middle class Muslim women to step out to manage familial transactions, including the financial ones. But, women as a group began to be focused on more specifically after the Shah Bano controversy and demolition of Babri Masjid. While madrassa began to be opened up for girls, organizations such as Jamat-e-Islami began to increase their women membership and develop their women wings. Post 9/11 demonization of Islam has also pushed many women to embark on a journey to understand what their religion is all about. The madrassa teachers and students interviewed for this study, entered educational spaces at these different times – 1970s, 1990s and 2000. For some of them, the mode of public engagement is through the discourse of 'community/ social reform' or 'islahi mashra' that denotes continuous internal engagement and betterment from within for the

[5] Author's interview with Rehana Sultana, President, Civil Liberties Monitoring Committee, Hyderabad and Professor at Maulana Azad National Urdu University in 2008 and 2010.

Muslim community[6]. Given the saturation of public political sphere with 'religious groups' on the one hand and 'political parties' on the other, this seems to be the discursive arena that became available for such 'religious' women to inhabit. Activities around education, including religious education are seen as an integral part of such reform.

Situated in this context, Rafat Seema, Rizwana Zareen and Bader Fathima, see the challenges that their madrassas face as small, especially in the context of the enthusiasm, success and the strides that their students have made in their lives. Seeing it as an integral part of the 'religious obligation' that Islam places on all Muslims, they claim, gives them the strength to meet such challenges. *Taleem*, for these women, is not confined to state school or a madrassa nor does it stop after a particular age. It is not seen as a mere tool to enter employment but as a life-long process wherein one can enter at any age to learn and teach. It connotes a way of knowing the world, finding one's place in it, purposive use of such knowledge and a way of acting in the world as well. In what way does an understanding of 'taleem' figure in the debate on madrassa reforms? Is the debate attuned to the careful straddling between governmentalizing moves (that brings resources) and the relative autonomy (that nurtures the self-confidence of the students and vibrancy of education) that madrassas such as Makharim, Mominath or Muslimath have to manage? In the following section, we discuss the larger national debate on madrassa education that was set off by State's moves to intervene through its programme of 'modernizing' it.

'Mainstreaming the madrassa': State, religious education and Muslim backwardness

The debate on state and religious education picked up momentum following the Indian government's moves to intensify its intervention in the domain of madrassa education in 2003. Even though the programme was launched in 1992 on a small scale by the Congress government under Rajiv Gandhi, after 9/11, it was re-launched with much fan fare as the 'Area Intensive and Madrassa Modernization Scheme' by the BJP led NDA government to 'facilitate the mainstreaming of madrassas'. As a part of 10th five year plan, its stated objective was of 'removing disparities and equalizing educational opportunities by attending to the specific needs of those who have remained *educationally backward* so far'. The scheme involved assistance to appoint part time teachers for 'modern subjects' in madrassas. In the 11th five year plan, under the NPA government, led by the Congress party, this scheme was re-introduced as a more robust

[6] A.Suneetha, 'Towards rethinking Muslim social reform: Jamiat-ul-Mominath and its fatwas for women', forthcoming in Flavia Agnes ed. Negotiating Spaces

Central Sponsored Scheme for Providing Quality Education in Quality Education in Madrasa (SPQEM) with increased budgetary allocation. In addition, the government also tried to form a Central Madrassa Board through in 2009. All the schemes, deemed voluntary and optional, gave rise to a huge debate in the popular media, activism and academy.

Several assumptions regarding Muslim education underlay these programmes of state intervention: one, that educational backwardness among Muslims is primarily due to their allegiance to the madrassas and madrassa education; two, that the madrassas as community institutions have the responsibility of fulfilling the educational needs of the backward Muslim communities; three, the road out of this backwardness lay in introducing 'modern' subjects in the curriculum; four, such 'modern' subjects would make madrassa students employable. As such, the schemes invited the madrassas to affiliate themselves to state madrassa boards or any national open schooling systems so that they can obtain financial support for teachers who teach 'modern' subjects such as natural and social sciences, Hindi, English and Mathematics. Such teachers, paid better than the regular madrassa teachers, also would be imparted training at state educational training institutes to improve their quality. Vocational training also would be introduced at the madrassas to improve the employability. It is imagined that the students passing out of these madrassas would either shift to the regular state run schools or find themselves suitable employment. Clearly, these schemes visualized maktabs/madrassa/Darul-ul-looms to become a part of the 'governmental educational machinery'. Not coincidentally, these schemes were introduced when there was a huge campaign by the security and media agencies against 'Islamic terror emanating from the madrassas' (Sultanat, 2003: 3)[7] and when several madrassa students and teachers or religiously inclined young men were being regularly named as 'terrorists'(Sikand, 2005)[8].

The scheme received varying responses from the madrassas in different regions of the country, showing the complexity of evolving State-madrassa relationship. Even as madrassas accepted some form of government support, it varied according to their scope, form and functioning. While big or higher level madrassas like Deoband refused to avail of the scheme, smaller maktabs and madrassas, strapped for funds, welcomed it. In states with a prior history of combining state and

[7]6. Aisha Sultanat, Madrassas in India, Institute of Peace and Conflict Studies, Issues in Brief, No.14, 2003
[8]. Yoginder Sikand, Madrassa Reform and he Indian State posted on Friends of UP blog at madrasa%20modernization%20programme/FRIENDS_of_UP%20%20%20Message%20%20Yoginder%20Sikand%20%20Madrasa%20reform%20and%20the%20Indian%20State.htm, accessed on 12th November 2011.

religious education, there was more receptivity to support[9]. State support and intervention are taken to be of two different orders. While support from the government towards every day functioning of the madrassas has been welcomed, in several states madrassas have rejected the idea of formation of a central board. Such a board, it is seen, would unnecessarily centralize the largely autonomous and dispersed bodies that have enjoyed the freedom to function in accordance with their own sectarian affiliations. In some states, autonomous boards or associations were formed to streamline their curricula and functioning. Contrary to the perception that the higher madrassas (especially in UP) have a singular stand against taking government funding, it was found that they tolerate and even encourage smaller madrassas to seek such support (Nair, 2009: 76-80; Sikand, 2008: 56-59)[10].

However, the scheme soon encountered usual problems of implementation – of lack of coordination between different departments; of disinterested local bureaucracy that either diverted the funds to other schemes (Milli Gazette, 2002)[11] or discouraged active madrassas in the name of limited funds; of not recruiting teachers or not paying them on time; of recruiting non-Urdu speaking teachers (Khan, Saquib and Anjum, 2003: 28-34)[12], non-release of funds and inordinate delays in sanctioning what was granted.

Even as the process of 'governmentalizing' institutions of religious education was underway, the debate that accompanied these State-sponsored initiatives, known as 'madrassa reform debate', produced some rich and complex historical, ethnographic and sociological writing on the Indian madrassas (Sikand 2005, 2007, Alam 2011, Wilkenstein, Reetz et. Hartung and Reifeld 2006, Jhingran 2010, Nair, Nilanjana Dutta - Reading with Allah) that took the question of madrassa education beyond the issue of governmental intervention. The field of Islamic education itself began to be reframed under the intense glare of the hostile public discourse, wherein voices of mufassil *ulema* and madrassa students, however feebly, have also emerged into the discussion. The issue of governmental intervention itself got immensely complicated with the release of the

[9] In West Bengal, Andhra Pradesh and Maharastra, madrassas have combined religious and state education for a long time. They have cultivated an in interest in incorporating more state curriculum to not only improve the employability of their students but also in response to the demands of local communities. Similar situation also obtains in the case of several small madrassas even in north Indian states of Utter Pradesh and Rajasthan.

[10] Padmaja Nair, State and Madrassas in India, Working Paper 15, Religions and Development, International Development Department, University of Birmingham, 2009; Yoginder Sikand 'Voices of Reform in the Indian Madrassas' in Farish Noor, Yoginder Sikand and Martin van Bruinessen ed. The madrasa in Asia: Political activism and translational linkages, ISIM series on Contemporary Muslim Societies, Amsterdam University Press, 2008 pp.31-71

[11] Bureaucrats spoil madrasah education modernization programme, Milli Gazette, October 15th 2002 at madrasa%20modernization%20programme/Bureaucrats%20foil%20madrasah %20education%20modernisation%20programme,%20The%20Milli%20Gazette,%20Vol.3%20No.19,%20MG65%20(1-15%20Oct%2002).htm, accessed on 18th November 2011

[12] Amir Ullah Khan, Mohammad Saquib and Zafar Anjum (2003) To kill a mocking bird, madrasa system in India: past, present and future.

Sachar Committee report (2006)[13]. The framework of liberal state vs. illiberal community that dominated the public discourse on the madrassas could no longer be held and increasingly, it became difficult to discuss madrassa education as 'deviant'. In what follows, we try to trace the journey of this debate.

On government regulation: liberal state vs the illiberal madrassa:

At one end of the debate, the argument against the State regulation was focused on growth of Hindu majoritarian ideology after 1990 and the State targeting of Muslims after 9/11, in the name of war on terror. Syed Shahabuddin, the politician from Bihar, squarely places the government initiatives in this context. Defending madrassas as 'minority institutions' that enjoy the protection of cultural and religious rights granted to the minorities under Article 30 [14], he argues that the State's attempt to intervene and regulate them are mis-placed. He credits the madrassas of having fulfilled an important function – of educating the Muslim children, in the absence of modern schooling. Agreeing that reform of the madrassa curriculum and pedagogy are necessary, he thinks that it should be left to the madrassas rather than directed through state initiatives, as it would amount to interference in their working and violate their constitutional rights. "The government should appreciate the role of the madrassas in the life of the community as well as recognize their potential for the nation. It should not try to kill them or transform them into faceless institutions which do not fulfill their basic purpose…The community is not prepared to accept nationalization or accept any curbs on their academic or religious freedom.. A secular government should respect these sentiments and help them achieve a higher social purpose" (2006) For Shahabuddin, the limits of the secular state vis-à-vis the Muslim minorities will be breached when State enters this field of religious education whose central purpose is to produce ulema for the community.[15]

However, it is precisely in the assessment of the 'community' and its 'interests' that the supporters of madrassa modernization such as Saral Jhingran (2005) [16]find that the government

[13] In 2005, a committee headed by Justice Rajinder Sachar was appointed by the Prime Minister Manmohan Singh to probe into the social, economic and educational condition of Muslims. It submitted its report in November 2006 http://minorityaffairs.gov.in/sites/upload_files/moma/files/pdfs/sachar_comm.pdf

[14] Article 30 'Right of minorities to establish and administer educational institutions: 1) All minorities whether based on religion or language shall have the right to establish and administer educational institutions of their choice 2) The state shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language

[15] Syed Shahabuddin in an interview with Yoginder Sikand, *Islamic Voice*, Vol 14-2 No.158, February 2000; Syed Shahabuddin 'Throttling madrassas in the name of security', Milli Gazette 2001 and 'Wanted standardization, recognition and federation of madrassas', www.syedshahabuddin.com, November 2006

[16] Madrassa modernization programme: an assessment, Economic and Political Weekly, December 2005

has faltered. She points out that both the assumptions that underlie this programme – addressing educational backwardness of Muslims through modernizing madrassas as well as targeting only madrassa going Muslim children - are both conceptually and factually wrong. Madrassa education can never be accepted as equivalent to modern school education nor can the two systems of education be bridged, in her view. Government's acceptance of madrassas as 'Muslim schools' would reinforce the 'division of populace into ….homogeneous communities, based exclusively on their religious affiliation'. She argues that even if Muslims send their children to madrassas due to their 'socio-economic conditions' and 'consciousness of being a minority' as a way of preserving their identity, the desirable 'goal should be to work towards reducing their sense of insecurity and bring them into the national mainstream, rather than accept that they, being a minority, require separate institutions for the education of their children' (205: 5540). Towards this end, the government should strengthen the infrastructure and functioning of government schools in Muslim localities.

Even though both Shahabuddin and Jhingran find State intervention to be a problem, they approach it from different conceptual frameworks. While the former seeks to preserve madrassas and madrassa education so that minority religious identity is protected, for Jhingran it is the erasure of such identity which was essential to cultivate a national identity. For Shahabuddin the madrassas and madrassa education enrich the nation, while for Jhingran, they are markers of 'backwardness' that the 'developmental state' should eradicate through enactments like right to education that promise to remove 'inequalities inherent in madrassa education'. While Shahabuddin seeks to uphold the constitutional guarantees of religious and cultural freedoms, Jhingran moves on to subsume such constitutional guarantees to the discourse of 'national development'.

The release of Sachar Committee report in 2006 introduced new issues and complications in both these positions. The report not only put the numbers of madrassa educated Muslim children at a mere 3 to 4% of all school going Muslim children but also revealed the widespread discrimination and under representation of Muslims in state education system as well as all 'modern' sectors of administration, employment, health, legislature, police included. Neither the argument for seeing madrassas as the sole markers of Muslim identity nor the claim of the 'statist reformers' regarding the 'universality, inclusiveness and equality' of state education could be sustained any longer in a pure form. The report disturbed the notion of Muslims as a 'religious minority' that sought to preserve its cultural identity and prepared the ground to re-cast them as a 'backward community'.

Muslims and their madrassa education could no longer be blamed for their 'exclusivist' tendencies, faced with the record of the six decade long discrimination and indifference of the Indian State.

Finding it increasingly difficult to speak of madrassas as illiberal bastions of Islamic separatism, the mainstream discourse now tone of 'acceptance', even extending it to proposals for incorporating them as 'partners in programmes' such as 'universal education'. For instance, at a conference[17] on 'madrassas and educational needs of Muslims' in 2008 at Jawaharlal Nehru University, Delhi, a consensus emerged that 'only madrassas cannot be held responsible for the educational backwardness of Muslims; government schools in rural areas do not hold out much promise; negative stereotypes of madrassas should be discarded; and that Indian Muslims themselves can play a definite role in changing the negative perceptions about the madrassas in the mainstream'. Padmaja Nair, writing for DFID, an international development agency, points out that the 'resistance of madrassas to reform' is often exaggerated[18]. Masooda Bano, also assisted by DFID,[19] argues that, contrary to the perceptions of madrassas opposing reform, it is the State that has lacked the political will to allot sufficient financial and human resources for the madrassas. And they should be made part of programmes for universal education programmes. Quite a lot of empirical evidence regarding madrassa willingness to modernize or 'reform' and accept state funding is being marshalled in this 'new' liberal discourse on madrassas. A sense of relief is discernible in these discussions.

But governmentalizing madrassa education does not 'solve' the issues related to religious education, whether it is that of modernizing the religious curriculum or shaping the new ulema, scholars have begun to argue. Taking the relationship between madrassa education and the 'religio-political' community that they engender as integral, they argue that its implications for idea of Muslims as a community in contemporary India need to be interrogated more critically. Which Muslims do madrassas educate? Are they elite, lower caste or women? Does the religious curriculum match the concerns and needs of the new student body? If it does not match, what kind of leadership can such ulema provide to the Muslim communities that they serve?

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[17] Report of the meeting organized by National University of Educational Planning and Administration and Ark Foundation, an NGO by Nilofar Suhrawardy 'Madrasa Education in India', April 2008, Muslim Observer, madrasa%20modernization%20programme/Madrasa%20Education%20In%20India%20%20%20The%20Muslim%20Observer.htm, accessed on 20th October 2011

[18] Nair (2009)

[19] Masooda Bano, Madrassas as Partners in Educational Provision: the south Asian Experience, *Development in Practice*, 20: 4-5, 554-566, 2010

Reforming madrassa: reforming the ulema/Muslim leadership

Arshad Alam argues that madrassa based ulema have not only made use of the colonial categorization of 'religion as private sphere' but have also 'hegemonized' the space. The shift in the constituency of the madrassa students from the elite to the largely poor and lower caste Muslims in the post-independence period has helped to cement this hegemony. In this arrangement, while the former define what Islam is, the latter also experience a rise in social hierarchy once they graduate from the madrassas. 'Religious' education is so dominant that the workability of an ad-hoc mixture of 'scientific education' and 'religious education' that have ideologically divergent aims is doubtful. For Alam, the results of such a 'madrassa reform' need to be studied rather than assumed. His skepticism about the changeability of madrassa education and of 'religious' community that madrassa based ulema have formed indicates his extreme unease with the nature and position of representative-ness that such ulema have assumed vis-v-vis the Muslim communities. The 'community' and its 'interests' have been contained or restrained to preserve the ulema's hegemonic authority wherein lies the core of the problem of religious education in the madrassas (Alam 2007)[20].

Uzma Naheed (2007)[21] does not share such skepticism and is hopeful of the changes in the Indian madrassa education. A descendent of the Deobandi family, who has been involved in efforts to streamline curriculum of madrassas for some time, she argues that the Indian madrassas have not only made great contribution to Indian culture, history and politics but have 'modernized' themselves to the possible extent. However, such changes have been confined to big madrassas while scores of small madrassas suffer from resource constraints, unevenness in curriculum, teachers' inability to be abreast of the new thinking in religious education, lack of sufficient reading material as well as *maslak* differences. She points out that the changes in curriculum and pedagogy as well as improving the working conditions of the madrassa teachers had been agitating many ulema in the field of madrassa education. Even though many smaller madrassas seek to introduce 'modern' subjects at the primary and secondary level, a major problem remains

[20] Arshad Alam, Modernizing madrassa education, Outlook, 23rd April 2007; Beyond rhetoric Understanding contemporary madrassas, in Tahir Mahmood ed. *Politics of Minority Educational Institutions: Law and Reality in the Subcontinent*, Gurgaon, Imprint One, 2007;

[21] Traditional Madrassas: Deoband and its inspiration in Tahir Mahmood ed. *Politics of Minority Educational Institutions*, Ibid.

the heavily 'Hinduized' and anti-Islamic textbooks and curriculum which are unsuitable for madrassa students. The responsibility for development of such a curriculum lies with the State, however. For Naheed, the real initiative towards changes in religious education at the madrassas, however, should emerge from within, "When there are problems in a particular segment of the society, the solution can come from that segment only – those who do not belong to that particular segment could neither look at the problem in the right perspective nor appreciate the difficulties in addressing them" (2007: 188).

Sikand agrees with the view that the changes in madrassa education should come from within and charts the terrain of such changes through his painstaking and in-depth sociological studies of the madrassas, students and teachers, ulema and Muslim educationists. His studies (2005, 2007 and 2008)[22] yield a complex picture of the debate on religious education among the 'trained ulema, students, Islamists and Muslim modernists'. Even as most of the traditionalist madrassas continue with their old perspective on what Islamic education in madrassas should consist of (dars-e-nizami combined with some 'modern' subjects such as English and basic mathematics), he points out that significant changes have been spearheaded by the younger generation who have graduated from these very institutions, and have gone on to establish their own institutions, madrassas, join Islamist organizations or work in modern institutions. Rather than seeing any conflict between the religious education and working in modern sectors, they advocate new ways of thinking about religious education. However, the thrust of such reform is not towards 'secular modernization' (such as introduction of 'modern' subjects) but towards modernization of religious education – replacing outdated courses in dars-e-nizami with modern philosophy, new perspectives on Islamic jurisprudence rather than old texts of fiqh; related courses in law and other social sciences.

Sikand's studies point out that such thinking has emerged from religious institutions such as Jamait-e-Islami Hind who see the role of ulema differently from that of the traditionalist madrassas. Ulema in contemporary world not only need to be equipped with 'modern' knowledge but also should be economically self-sufficient, to be able to address the contemporary concerns. These organizations are involved in building networks in social and educational work and addressing women's issues too. Currents of change have also touched Deoband as well as in several madrassas in far-flung areas from this centre that are more boldly experimenting with

[22] *Bastions of believers* (2005) Reformed madrassas: new forums of Muslim education (2007) in Tahir Mahmood ed. Ibid; Voices for reform in Indian madrassas (2008) op.cit;

curriculum. These changes being experimented in the field of religious education are broader, more vibrant and far-reaching community initiatives compared to the State's madrassa reform programmes.

It is this context where 'secular discrimination' against Muslims has come to the fore and changes in 'religious education' are being experimented by new madrassas that frames the current thinking among the Muslim communities on 'madrassa-state partnership'. Muslim educationists and activists from 'religious' and 'modern' background demand that the State leave the religious education to the Muslim 'communities' and instead focus on providing school education to all Muslim children. State patronage, begins to be seen as a very limited and insufficient, rather than an unwelcome intervention in the 'religious freedom' of Muslims. The negative liberty argument that State should not intervene in madrassas has now been superseded by the positive liberty argument that the State should provide for the education for all Muslims. An articulation for the cultural freedom of Muslims got intricately aligned to the argument against forced backwardness by the developmental State. It is also pertinent that even as governmentalizing the madrassas is underway, the debate within the Muslim communities on the question of good religious education has enabled a certain discerned stand about the limits and possibilities of State-directed reform. It is a moot question if a pure religious liberty argument would have enabled a nuanced stand vis-à-vis a developmental State that enjoys electoral and popular legitimacy or a pure pro-government reform argument would have enabled the madrassas to withstand its onslaught. In this debate, questions about appropriate Muslim self, that serious madrassa teachers such as Rafat Seema or Nazima Aziz have raised, however, are yet to obtain a prominent place.

Strangely, the most prominent battles in the field of educational rights of minorities happen elsewhere. More than the madrassas, it is the minority institutions that offer non-religious education that have been at the centre of litigation in the Indian context. The scope and meaning of the rights of minorities to establish their own educational institutions to preserve their culture, religion, language and script have been brought into dispute time and again, since the time Constitution was promulgated. While State intervention in the madrassas has been on the plank of 'qualitative education', it intervened in the minority educational institutions in the name of 'merit, access and social justice'. It is this debate that we now turn to.

Are Muslims a representative 'minority'?

A 1992 Supreme Court judgment which ruled that minority institutions cannot follow policies that give preference to minority students beyond a certain limit is considered to have disturbed the hitherto settled broad legal position on the level of state regulation of 'minority institutions'(Mahmood, 2007, Wilson 2007, Ansari 2003)[23]. The definition, scope, meaning and working of various aspects of Article 30 (1) of the Indian constitution [24] i.e., 'minority', 'educational institution', 'establishing', 'administering', Mahmood points out, have been subject of several law suits since its inception. While previous Supreme Court judgments[25] interpreted these issues in a liberal manner, the Stephens judgment departed from this trend.

St.Stephens, a long standing post graduate college established by the British missionaries and Indian Christian community during colonial rule consistently followed an admission procedure that ensured that students from Christian community would surely get admission in this premier institution[26]. When the Delhi university administration, to which the college was affiliated, insisted that admission should be done only on the basis of the university common entrance test, the college resisted. It moved the court by claiming that as a minority institution it enjoyed the autonomy in administration of the college that included admission policies. However, the university (as in many earlier cases) argued that such preferential policies were discriminatory and unfair to the students who wrote the common entrance test and therefore violated the individual's right against discrimination[27]. The court, while observing that the minority institutions did enjoy autonomy in administration, ruled that they nevertheless should be subject to 'common' regulations, in this case, the university regulations. Even as minority institutions are entitled to ensure minority students admission as per their rules, they have to make sure that the State (or university) rules also have to be followed, as they are being supported by the State. It

[23] Tahir Mahmood, Educational rights and institutions of minorities- International norms and national landscapes; P.P.Rao Constitutional law on minority institutions; Anil Wilson Minorities educational rights a 'teasing illusion'? St.Stephens case and thereafter and M.P.Raju 'Shrinking rights of minorities in India Impact of recent judicial decisions' in Tahir Mahmood (2007), Iqbal Ansari, 'Education rights of minorities: Supreme court judgement', *Economic and Political Weekly*, may 2003;

[24] Article 30 - 'Right of minorities to establish and administer educational institutions: 1) All minorities whether based on religion or language shall have the right to establish and administer educational institutions of their choice 2) The state shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language

[25] Tahir Mahmood mentions the following cases in which the Supreme Court took a different view of the minority educational institutions' rights from that of the respective High courts - Kerala Education Bill 1958, Father Proost (1969), Bishop S.K.Patro (1970), Mother Provincial (1970) St.Xavier's (1974), Mark Netto (1979) and All Saints (1980), Ibid. Iqbal Ansari takes a different view on the St.Stephens case. He views that in the light of the biases against the minorities in the different High Court judgments where the rights of minority educational institutions were remained ambivalent, St.Stephens case established that they can do so. 'Minority educational institutions under articles 29 and 30 of the Constitution', in Iqbal Ansari ed. Readings on minorities: Perspectives and documents Vol.III, Institute of Objective Studies, New Delhi, 2002

[26] The admission procedure allowed Christian students without the requisite percentage to apply and included an interview with the prospective students.

[27] Article 29 titled Protection of Interests of Minorities reads as follows: 1) Any section of citizens residing in the territory of ndia or any part therof having a distinct language, script or culture of its own shall have the right to conserve the same 2) No citizen shall be denied admission into any educational institutions maintained by the State or receiving aid out of State funds on grounds only of religion, race, case, language or any of them.

also fixed the ceiling on minority student admissions at 50%. Even though subsequent judgments[28] qualified this position by suggesting norms for government regulation of minority institutions, the position that the minority institutions need to be governed on the basis of 'national interest' continued to gain ground.

These two divergent concerns of 'universal' access ('merit' based admissions) and affirmative policies for disadvantaged groups (reservations for dalits and tribals), often pitted against each other, have been woven together to argue that the minority institutions were not acting as 'national institutions' and perpetrating discrimination. One, by declining to admit students on the basis of 'common entrance test' and admitting minority students on other criteria, they were discriminating against 'the majority'. Two, by not admitting students who are constitutionally entitled, these institutions betray an elitist bias. In effect, rather than being representative of national interest, the minority institutions function in a separatist and elitist manner.

Such charges of separatism and elitism, Iqbal Ansari (2003) and Tahir Mahmood (2007) argue however, not only underplay the under-representation of the Muslims in most State institutions but expect them to carry on the burden of national integration. Pitting the rights of minorities against individual rights against discrimination similarly goes against the spirit in which these articles have been framed as well as the pre-history of their formation. While the right against discrimination is an individual right against discrimination on the grounds of gender, caste, religion, instituted to protect the individuals against systemic forms of discrimination, the rights of minorities have been given as a group right, to promote their own culture, language and religion. Even though rights against discrimination now figures as an individual right, the history of its formation during Constituent Assembly debates (1947-1950) shows that it initially was formulated as a group right. Such a reading down of Article 30 thereby makes a travesty of this pre-history as well as the spirit in which such group right was instituted, despite specific provisions for individuals. Unnecessary State regulation and insistence on reservations for disadvantaged sections would dilute the 'minority' character of the institutions.

But what makes an institution a minority institution? This question was fiercely debated in 2011 when the National Commission for Minority Educational Institutions (NCMEI)[29] declared minority status for Jamia Millia Islamia University, a central university which has similar origins

[28] Thomas Pai judgement in 2002, Inamdar (2004), Islamic Academy 2005
[29] Established in 2004, its mandate includes looking into disputes related to minority educational institutions.

as Aligarh University i.e., being established by Muslim community. In 1968, Aligarh's status as a minority institution came under a serious cloud with a Supreme Court ruling[30] that as the university came into existence through a government order it could not be considered a minority institution. Such an excessive legal interpretation of administrative requirement for a university pushing aside its origins and administration by a Muslim society was roundly denounced by Muslim intellectuals and other democratic groups.

The debate around Jamia's minority status, however, raised very different questions about education, interests and status of modern Muslims. The JMI applied to the NCMEI for minority status, pleading that it could not implement reservations for Other Backward Classes as would reduce opportunities for Muslims and dilute its minority character. Some members of the students, teachers and administrative staff supported this move. The Commission granted the status on the ground of its being established and administered by Muslims through out its 90 years of existence. Even as the move was welcomed by its advocates, critical voices contested this newly acquired status on the grounds of relevance, merit and democracy.

Samina Mishra, an alumni of the university and a descendent of the founder of the university, redraws the history of Jamia as a pluralist, non-communal and modernist one and argues that converting it into a minority institution would be contrary to the vision of the founder members. Even as Jamia provides a Muslim oriented cultural space for Muslims who are forced to live in ghettoes, it also provides an opportunity for them to interact with non-Muslims in a non-communal atmosphere and thereby opens out their world to wider perspectives. The status of a 'minority' institution would reduce the inclusiveness, pluralist ethos and push the Muslim students back to another ghettoized space[31].

Yousuf Saeed[32], another alumni, questions the merit of the move towards 'reservations' for Muslims at JMI and asks if such reservations would not work against Muslims students once they graduate. Citing the experience of dalits in educational institutions, he argues that taking 'reservations' would subject Muslim students to more discrimination. Moreover, by eliminating competition at university it would lower the standards and make the Muslim students and teachers unfit for competition. Rather than seeking such 'quota' within one Muslim university, the Muslim

[30] Azeez Pasha vs Union of India, AIR 1968
[31] Samina Mishra 'No Jamia Ghetto, please', New Indian Express, 15th March 2011
[32] Yousuf Saeed 'Response to Khalid Anis Ansari on *Kafila*' 22nd March 2011 and 'Opposing reservation doesn't mean opposing progress of Muslims', 2nd March 2011 in http://iamnotaminority.blogspot.com/;

communities need to prepare the Muslim students to face competition and get their share in every educational institution.

Jamia Millia Teachers' Union argued[33] that the strength of Jamia as an institution lay in its diversity and pluralism which in turn has been a result of its growth as an institution of excellence that influences 'national mainstream'. Conversion into a minority institution would shrink its influence and also harm the interests of the Muslim students who have gained enormously from both its pluralism and the status the institution enjoys. Acceptance of OBC reservations[34] would also go a long way in encouraging the diversity and pluralism in the institution as well as serve the interests of the majority Muslim communities who belong to the Other Backward Classes. It sees it as a retrograde move, not representative of the views of the students or the teachers. "Those who think that the minority status will improve the interests of the minority community will only be advocating a shallow minorityism at the cost of securing genuine minority interests.. Any genuine claim for Muslim empowerment should be to demand and ensure the presence of Muslims in all institutions of higher education rather than creating and limiting their presence in separate educational enclaves". Rather than such a retrogressive move, Arshad Alam[35] argues, a historically important and self-assured university such as JMI should aim for the status of a special Muslim central university which would ensure that the interests of Muslim students would be served better.

Khalid Ansari[36] maps the move onto the ongoing contestation within the Muslim communities between elite-centred 'minority' discourse and the newly emerging lower caste Muslims. The problem with minority discourse cannot be captured either in the 'ghettoization' argument or in the 'reservations undercutting merit' argument, but can be posed in the register of scope for democracy within minority institutions. He argues that the Muslim institutions have been used by the Muslim elite to promote and prolong their hegemonic interests to the exclusion of lower caste Muslims. 'Minority' discourse has enabled them to do so. "what the genealogy of the entire controversy on the 'minority character' of Jamia also reveals is the uneasy relation of the Muslim elite classes in engaging with the question of caste as a key democratic question in the country

[33] Jamia Millia Islamia and Minority Status: Unresolved Issues, statement issued by the Jamia Millia Teachers Association, February 2011, http://pluralism.in/wp-content/user_uploaded_content/2011/02/Jamia-Teachers-Solidarity-Statement.pdf

[34] Other backward classes (OBC), designated as such due to their non-inclusion among tribes, religious minorities and castes that have constitutionally recognized status were also given reservations in all centrally funded and administered educational institutions of higher education since last five years. Several low caste Muslim communities are included in OBC lists at the state level.

[35] Arshad Alam Making Jamia Minority in *New Age Islam*, 30th March 2011, http://www.newageislam.com/NewAgeIslamCurrentAffairs_1.aspx?ArticleID=4365;

[36] Khalid Anis Ansari, Ghettos of the Mind in *Kafila* 21st March 2011,http://kafila.org/2011/03/21/ghettoes-of-the-mind-khalid-anis-ansari-on-minority-status-for-jamia-milia-islamia-university/

today, both within and without the putative Muslim community". The demand of minority status for Jamia as well as reservations for Muslims in all educational institutions shares the premise that all Muslims are 'backward'. This premise is fundamentally an elitist one that is flawed both conceptually and factually. For a low-caste Muslim both these serve to undermine access to the institutional spaces.

Jamia debate underscores the fissures and tensions that the category of 'minority institution' bears in contemporary Indian Muslim discourse. Rather than the madrassas, the burden of secular education and other nationalist agendas is much more on these institutions who have become the bearers of the 'minority' identity. Even as all the participants in the Jamia debate contest the 'mainstream' attempts to designate Muslim institutions as ghettoes that are self-imposed exclusionary spaces, they also contest the framework of majority-minority in which such categorization works. It is this questioning that marks the difference between Jamia debate and the earlier debate around the St.Stephen's case. While both the debates pose the question of Muslim education in the broader political context of Muslim condition in India, Jamia debate disrupts and redraws the political field in which such a question can be posed. Here, the Muslim minority educational institutions, given such rights to preserve their culture and language, cannot claim representativeness simply by being managed by Muslims or serving Muslims in general but have to address democratic demands from within its own ranks, in short, take their 'secular' obligations of being a national institution.

Secularizing Muslims: as a religious minority or as a backward community?

An intricate interweaving of registers of Muslims as a 'religious minority' (an autonomous community) and as a 'backward community' (to be governed population)[37] is seen in the above three debates. The protagonists in the debates on madrassa education, madrassas and minority institutions oscillate between these two registers, both of which offer varying possibilities of political action for Muslims. The debates discussed above demonstrate the extent, scope and depth of democratic churning within the Muslim communities, where straddling these two positions has become a necessity. Ulema and their institutions as well as Muslim elite and their institutions have been subjected to critique on ground of democratic accountability, along with the State. Both religious education and religious minority have come under serious questioning in the course of this critique.

[37] Partha Chatterjee, *Politics of the Governed reflections on popular politics in most of the world,* Columbia University Press, 2004

In what ways are these responses of Muslim communities shaped by the Indian state is a question that we now turn to. Even as Uzma Naheed and Yoginder Sikand take up the position of 'internal reform' on madrassa education, others seek to reframe it, away from that of State Vs. religious minorities. What one sees is a shifting of madrassa education from the register of interference in 'minority identity' to that of policy for a 'backward community'. Even as political resistance was mounted at the perceived interference of the Indian state in religious education[38], the Indian government's framing of its intervention as addressing the educational backwardness of the Muslims has opened up new fronts for political mobilization (i.e., biases in State syllabus and textbooks, schools run by Hindutva establishments) and engagement with government for Muslim communities (i.e., state level madrassa boards, unions of madrassa teachers, education department). It is further facilitated by Arshad Alam, Jamia Teachers Union and Khalid Anis Ansari who extend the 'internal reform' critique further, as they contend that the democratic dividends of religious identity and religious education for Muslims are limited, given the history of majority-minority relations and contemporary dominance of majoritarian political rhetoric. Their push for secularizing Muslim communities is underwritten by the proposal to disaggregate Muslim minority into backward and forward classes and to imagine such backward class Muslims as a 'secular' a la Dalits or OBCs who can 'rightfully' demand their due from the Indian state.

The question that needs to be asked at this juncture is how far these responses of Muslims are shaped by the operations of the secular power of the Indian state and the nationalist discourse that undergirds it? Rochana Bajpai, as discussed in the first section, argues that there is a clear shift in the political rhetoric about Muslims in the post-Shah Bano period, where Muslims got acknowledged as a minority in need of certain protectionism. While the political rhetoric regarding Muslims has changed, such liberal protectionism does not seem to mark a shift in the nationalist project of forming secular subjects out of religious Muslims. Rather, in decolonized countries such as India, where both the practices of the state secularization are not set and 'secularization remains a normative project formulated and directed by the elite minority', Partha Chatterjee argues, the crucial political question continues to be about 'legitimate and democratic forms of secularization'[39]. This is especially important in the Indian context, where the birth of the nation-state was accompanied by horrendous communal violence, making it imperative on the

[38] The lives, livelihoods and rights of religious minorities continue to be insecure and fragile as the recent stakeholders' report by civil society groups, submitted to the UN amply demonstrates. National Solidariy Forum, Kandhamal, "Freedom of Religion in India: A Report to the United Nations Human Rights Council for the Universal Periodic Review 2012", November 2012

[39] Fasting for Bin Laden: The Politics of Secularization in Contemporary India (2006) in David Scott and Charles Hirschkind ed. *Powers of the Secular Modern Talal Asad and His Interlocutors*, California: Stanford Univesity Press.

nation-state to downplay 'religious identities'. For Chatterjee, what marks the democratic form of secularization of Indian Muslims in the 1990s is the involvement of elected representatives in mediating the relationship of religion with the state, rather than the ulema or the reluctant Muslim middle class. Secularization here hinges on making Muslims 'governable' and 'politically representable' i.e., into making oneself the proper subject of the nation-state.

Unlike Egypt where the Coptic minority claimed nationalism by dis-avowing the minority status[40] or France where the minorities are pressurized into giving up outwardly 'religious' symbols offensive to laiceme[41], the Indian state, as outlined in the introduction section, has had minorities as legitimate subordinate partners with differential constitutional status as scheduled castes, scheduled tribes and religious groups. The state's relationship with the Muslims was tested time and again since the 1980s, during the time of Shah Bano judgement, demolition of Babri Masjid, state sponsored targeting of Muslims following 9/11 and the Gujarat massacre. Extremely plausible and convincing as Chatterjee's schematic framework is, its focus on the ethical ways of secularization through representative politics poses difficulties in explaining the 'internal' reform debates sketched above that are mostly arraigned among the 'traditional' ulema and the civil society. Further, there is limited scope to question the ways in which the secular power of the Indian state and nationalist discourse has played in shaping these responses of the Muslims and the rigidities that are inherent therein.

It is this secular power, characterized by the overarching developmentalism of the Indian state and majoritarianism of the Indian nationalist discourse that has clearly shaped the debate on madrassa reform and Muslim education. The multiple roles that the women's madrassas have taken up, or the suppleness of the ulema on the question of madrassa education or the questions of democratization that the Muslim middle classes raised are specific responses to the particular form of secularization by the Indian state. In this it becomes legitimate and plausible to demand that religious institutions such as madrassas 'educate' Muslim children or that the madrassa education respond to the changing needs of the students or the 'minority institutions' fulfil their 'national' obligations.

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[40] Mahmood, Saba (2012) Religious Freedom, the Minoroty Question and Geopolitics in the Middle-east , *Comparative Studies in Society and History,* Vol.54, No.2and Shami, Seteney (2009) *'Aqalliyya?*Minority in Modern Egyptian Discourse in Carol Gluck and Anna Lowenhaupt Tsing ed. *Words in Motion: Towards a Global Lexicon*, Durban and London, Duke University Press.

[41] Asad, Talal (2007) Trying to Understand French Secularism, in Hent de Vries and Lawrence E.Sullivan ed. *Political Theologies Public Religions in a Post-Secular World* (abridged edition) New Delhi, Social Science Press and Orient Longman; Koonz, Claudia (2009) *Hijab*/Headscarf: A Political Journey in *Words in Motion,* Ibid