Conclusion

Secularism, Social Justice and the Irresolvable Question of Justice as Fairness

In India, the liberal idea of justice has constantly remained under the critical scrutiny of differences grounded in identities and communities. The modern constitutional principles are derived as grand compromises after passing through the heightened terrain of contestations and assertions within the discourse of nation-building and social change. There is a general acceptance of the fact that the socio-economic conditions of the contemporary society, the functional social relationships and the overlapping mode of production is exploitative towards the majority of the population and explicitly more oppressive towards the Dalits, the women and the religious minorities. Confronted with state of the society, harboring manifold oppressions the nation builders have shown committed effort to the enlightened vision of establishing a just society, surpassing the obstacles of casteism, communalism, feudalism and capitalist exploitation. The concepts of justice which are derived during such complex period are therefore not abstract in simplistic political sense but rooted within the dynamics of social structure and the contestations that it threw up. The classical concept of universal justice is transformed into new institutional framework to handle the multiple modes of oppression practised in the society. The Constitution validates the necessity of fundamental rights for all citizens, a socialism sensitive welfare state, promotes and protects minority interests with its secularism doctrine and advises structural changes for the socially deprived sections through various measures of affirmative actions. These ideas in a cumulative way express the commitment of the Indian state to bring justice to the differentiated citizens. However, such multiple strategic institutional norms fail to guarantee justice to specific set of oppressed sections. These conserve the existing socio-economic structures in the interests of the social elites. A very small group of educated, middle class men holding reputed social status and economic power becomes the beneficiaries of it and
large numbers of people within various communities have almost have no benefit out of this framework.

Secularism and Social Justice are the two broad constructions within the site of justice which offer protection to the religious minorities and socially deprived sections in order to fight communalism and casteism. A separate compartmentalization of justice principle has produced subjective interpretations of the idea of justice and is inadequate to end multiple oppressive inequalities operational within the society in a compounded way. The Ideas of justice because of their plural definitions have become a tool in the hands of the social elites to promote a communitarian understanding of social groups and thus perpetuate their own interests and domination. Therefore, indepth conversation between social justice and secularism is needed for any defensible pursuit of equality and fairness. Such conversation ought to be fair in recognizing man-made oppressive inequalities operative in society and must equally confront the unjustified privileges and power of the oppressors for promoting universal justice to all.

The principle concern of my research has been the religious minorities in India and their conception of justice in a plural society which is dominated by the Hindu majoritarianism. The previous chapters have highlighted the strategic omission of the religious minorities especially the Muslims and the Christians from the purview of social justice institutions. Further, by flagging the issues of the Muslim and the Christian Dalits at the center of the argument, I have tried to demonstrate the limitations of the institutions, especially of secularism, to provide justice to these groups. The fragmented ideas of justice have resulted in excluding the socially deprived sections among the Muslims and Christians from the purview of social justice and categorize them as part of large homogenized communities. In this concluding observation, I wish to propose a normative abstraction by developing a moral agreement between the principles of secularism and social justice in a cumulative way. The idea is to establish the institution of justice as fair to all the socially oppressed sections irrespective of their religious denomination.

It is important to envisage the multidimensionality of the justice approach. The existing approaches to secularism are dominated by specific modes of identity construction
which consequently obscures and negates the various forms of oppression persistent in every community. The approach of Iris Marion Young’s on plural definitions of oppression seems useful for an analytical study of religious minorities and the same has been taken overboard here. This section deals with the issues of religious minorities and how in the current juncture these groups face multiple modes of oppression.

In the later section I have tried to analyze the liberal political commentaries and theories in India related to the issues of religious minorities in a conclusive way. This part highlights the limitations of these commentaries in resolving the issue of injustice flagged by the religious minorities. I have claimed here that the Dalits among the Muslims and the Christians are the worst affected sections of the society and in the absence of a valid state recognition they become more vulnerable for exploitation. Both the liberal institutions of modern state are unfair to a large section of people.

My objective here is to conceptualize social justice doctrines for religious minorities without really diluting their broader communitarian-multicultural moorings represented under the secularism doctrine. However, as a final remark, I have prioritized the doctrine of social justice over secularism in order to justify the reappraising of the idea of justice and equality in India. As a conclusive statement, I have tried to construct a theoretical groundwork in order to explore newer notions of justice to the religious minorities.

**Defining Collective and Individual Injustice:**

A conception of justice is prerequisite for every state not merely for a fair distribution of social produce but also to maintain power equilibrium, peace and stability. The members of political society authorized those rights to the state under the precondition that the authority will protect and promote individual and communitarian rights. The failure of the state to protect fundamental rights of the individual and to promote social cooperation in fair way creates injustice and oppression within a society. Social theories, especially the positivist perspective in general are committed to identify the operational unequal social relationships and exploitative economic conditions in order to charge these oppressive inequalities with a new understanding of justice. For example, Marxist political economy approach understands exploitation by identifying the proletariat as the worst affected category or class because of the capitalist exploitation in the modern times. This perspective divides the social system within two large groups, between
oppressors and the oppressed. However, society is not affected only by one particular form of injustice but a person confronts various kinds of injustice, discrimination, prejudice, marginalization and exploitation at different spheres in one single life. For example, the women as a category in general are treated as secondary citizens and are subjected to gender based exploitation, irrespective of their class position.

The western political philosophers, especially the liberals, visualized the public spheres as the open arena for all the individual citizens to promote their well-being without any fear of violence, threat, prejudice or stereotypes. The state would be the main authority to promote liberty and equality among the individuals and to preserve peace. J. S. Mill believed that exercise of three specific liberties: the liberty of thought and expression, liberty of action and liberty of association were necessary for the improvement of mental and moral faculties of individual.\(^1\) The Liberals have consistently promoted the idea of independent individual who as the members of the nation must share common attributes to make a universal bond which will simultaneously obscure the prior communal and cultural differences. T. H. Green argues that liberal democracy is only possible when people are bound to the states by “ties derived from common dwelling place with its association, from common memories, traditions and customs and from common ways of feeling and thinking which a common language and still more a common literature embodies”.\(^2\) Thus, those who are not associated with such common attributes become an excluded category. However, as argued by Iris Young, not all the individuals have the capacity to participate in the political spheres as equal citizens because of their inherited identities as women, black, migrants or religious minorities. The communitarians have a different objection to such individual centric assertions, as they believe that such abstract individual equality disrespects the cultural and religious solidarity of the individual to promote abstract citizenship. Kymlicka argues,

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\text{Human beings are at once both natural and cultural beings, sharing a common human identity but in a culturally mediated manner. They are similar and different, their similarities and differences do not passively coexist but interpenetrate, and neither is ontologically prior or morally more important. We cannot ground equality in human uniformity because the latter is inseparable from and ontologically no more important than human difference.}
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\(^1\) Shefali Jha, *Western Political Thought: From Plato to Marx*, Longman Pearson, New Delhi, 2010, pp. 185-186

Conclusion

The identities of the oppressed groups because of their different location and specific attributes, problematize the notion of commonness and demand special recognition. Honneth argues that the demands of these groups for equal justice are not simply based on abstract political or economic rights but based on the demand of recognition of their identity with love, equal treatment in law and social esteem.\(^3\)

Most of the liberal states have acknowledged these differences especially in the linguistic and religious spheres. They provide these groups with special rights and assist them in maintaining language, culture or religious attributes from the pressure of assimilation. The social science perspective also convincing helps these groups in the creation of their specific group identity on the basis of certain generalized social, cultural or religious norm. Secularism in India is the product of such exercise which helps in recognizing the broad differences existing in the plural society. Such approach is limited only in creating a secular/tolerant political and cultural atmosphere but will it be adequate in resolving the problems of the inequalities persistent within the ascriptive socio-religious and linguistic minorities? Secularism in this sense is seen as an end point approach to resolve the issues of the religious minorities.

Such normative nomenclature based on group recognition escapes from the question of oppression perpetuated by the dominant section of the society over its subjects. The group recognition and special autonomy to the group only creates the collectivist identity without really containing the value of oppression. This is a complex problem as the modern liberal state is willing to sacrifice the individual rights in order to promote the sanity of the communitarian ethics under the belief of protecting the autonomy of the minority group.

The conditions of the religious minorities can explain the above mentioned hypothesis. The identity of the religious minorities is crafted by the state in order to contest the oppressive model of cultural imperialism of the majority community. Secularism is the sole doctrine which protects and serves the religious and cultural needs of the minorities under such dire communal threat. The argument here is simple: Is such model really

Conclusion

competent enough to emancipate the subjects of religious minorities to become independent individual citizens? As Amartya Sen and Martha Nussbaum argue that the development of the individual self is dependent heavily on the basic human capabilities/entitlements that he/she possesses in the socio-economic and political spheres. Under such assumption, the question which emerges here is, does secularism retain the capacity to build human capabilities among the minorities or does it act against such development?

This conflict with the liberal terms, based on ascriptive communitarian ethics is sorted out in India by prioritizing the value of citizenship over the communal identity. Ambedkar was one of the chief proponents of such thought as he had located the deprived and discriminatory positioning of the Dalits within the Hindu ethics and thus promoted liberal values of rights and protection for these groups over oppressive communitarian identity. However, he developed a conscious legal-institutional mechanism which not only might protects the rights of the Dalits as Citizens but also promote and protect their interests in various spheres of democratic life. This mechanism is understood as social justice agenda. He further proposed mass conversion of the Dalits to Buddhism in order to escape from the rigid caste system. Such an identical acceptance of Ambedkar's method is inadequate to resolve the question related to religious minorities especially of the Muslims and the Christians. The Muslim subject is inseparable from his/her communal identity and his subjectivity as a citizen is entrenched with the value of his/her religiosity which he/she cannot be devoid of. The constitution has endorsed such strict view of religiosity especially in the cases of the Muslims and the Christians and under the secularism doctrine offers this group safeguards in the cultural and religious domains. However, the subjects of both the religions are convinced over the fact that their position in the society is deprived and backward in comparison with other counterparts and are willing to overcome such condition. As argued in the earlier chapters, neither secularism nor social justice policies can resolve the problems faced by socially deprived sections within the religious minorities.

4Martha Nussbaum, Frontiers of Justice: Disability, Nationality, Species Membership, Oxford University Press, New Delhi, 2007, p. 70
All manmade societies are prone to some or other form of domination. Attributes such as gender, race, social status, physical strength, talent, educational background, economic assets, professional skill, skin color, cultural attributes, nationality, age, language, urban-rural, etc. determine the position of a person in human relationships. This deep plurality of identities ramifies across a number of overlapping and intersecting dimensions ascribing different locations (mainly positions of powerful/powerless) to individual and groups. In *Justice and Politics of Difference*, Iris Young has argued that oppression is not a unified phenomenon as constructed in social sciences; rather oppression should be visualized by pluralizing the category. She has discussed five faces of oppression: exploitation, marginalization, powerlessness, cultural imperialism, and violence to understand the practice of injustice with the oppressed sections. She further argues that the presence of any of these five conditions is sufficient for calling a group oppressed. The condition of the individual as the member of religious minorities (especially the Muslim and the Christian) is most close to such vulnerability in the modern times.

**Plural Concepts of Oppression among the Religious Minorities**

The idea of justice is instrumental in finding the causes of human exploitation and also to resolve it for a better future. Under such normative consideration every society was distinguished on the parameters of adhered socio-political and economic values during the contemporary period and how much relevant those ideas are in the current phase of civilization. In modern times the cherished value of enlightened justice essentialized

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5 Iris Young has argued that a group can be termed as oppressed when one or more of the following conditions occurs to all or a large portion of its members: (1) the benefits of their work or energy go to others without those others reciprocally benefiting them (exploitation); (2) they are excluded from participation in major social activities, which in our society means primarily a workplace (marginalization); (3) they live and work under the authority of others, and have little work autonomy and authority over others (powerlessness); (4) as a group they are stereotyped at the same time that their experience and situation is invisible in the society in general, and they have little opportunity and little audience for the expression of their experience and perspective on social events (cultural imperialism); (5) group members suffer random violence and harassment motivated by group hatred or fear. In the United States today at least the following groups are oppressed in one or more of these ways: women, blacks, Native Americans, Chicano, Puerto Ricans and other Spanish-speaking Americans, Asian Americans, gay men, lesbians, working-class people, poor people, old people, and mentally and physically disabled people. See, Iris Marion Young, "Polity and Group Difference: A Critique of the Ideal of Universal Citizenship", *Ethics*, Vol. 99, No. 2 (Jan., 1989). P. 261

certain basic human goods and any idea which act against these human values are condemned as regressive, orthodox and conservatives. Man is located as a free being and the bearer of certain rights and whose will is prerequisite for the legitimation of any political authority. However, as noticed earlier, the modernist project remains functional in the narrow sphere of political liberty and rest of the social relationships remained under the dominance or traditional elitist authorities. The process of political socialization is largely governed under the values promoted by the social elites.

The oppression of the religious minorities is different from other oppressed groups like women, untouchables, gays-lesbians, and physically challenged people. The religious minorities are not oppressed on just one particular attribute of identity or social status but they are victims or oppressed under multiple stereotypical categories. In normal practice of social theories their concerns and demands are treated under the unitary institutional norm of secularism. These leave out much about the specific oppressions related to economic, social and political exploitation. Such cases of specific oppression do not find influential spaces even in the classical Marxist writings and all such particularistic modes of oppression are treated as the product of greater economic inequalities. By making secularism as the fundamental ethic over other constitutional ethics, the religious minorities are denied the rights of expressing their demands against perpetual exploitation they face in their daily life. Secularism as a univocal category is not only inadequate to address the issues of social and economic marginalization of the minorities but it moreover constructs an imagined identity of minorities as homogenous cultural groups.

In India, the majority of the religious minorities suffer structural disadvantages and injustice in the public spaces under the domination of Hindu majoritarian culture. This marginalization is visible in the normal practice of the state which operates with a Hindu bias and promotes and support, consciously or unconsciously, the cultural and religious elements specifically related to the Hindu identity. The political system contributes immensely in legitimizing the oppression of the minorities by not recognizing the social and economic exploitation of these groups. The degraded and exploitative conditions of the minorities are craftily presented as the part of average deprivation of the common masses. In reality, as shown in the previous chapters, the deprivation of the religious
minorities, especially among the Muslims, is above the national average. I would like to argue that secularism does not inherit the meaning of oppression under the limitation of its modernist vocabulary. The sufferings of the religious minorities need a plural conceptualization with a deep empirical insight about their deprived conditions.

In the following section, I have tried to enlarge the issue of the deprivation and marginalization of the religious minorities by pluralizing the concept of oppression. As noted by Iris Young, such plural conceptualization has the capacity to understand the oppression of the deprived sections in a comprehensive and reflective way. My aim in the following section is to demonstrate that on the parameters of oppression, the religious minorities and especially the Muslims are the worst affected category among all. I have borrowed these concepts from Iris Young’s set of categories of ‘Five Faces of Oppression’ with practical changes in its nomenclature to be suited to my requirements. However, the core value of Young’s theoretical position is intact in these concepts.

**Social Oppression: Denial of Dignity and Status**

Ambedkar proposed a defining change in the social nomenclatures bestowed on the erstwhile untouchable castes because of its degraded pronouncements in the public spheres. The identity of the Dalits as untouchables, Chandala or even Gandhi’s philanthropic Harijan, have demeaned them as differently located and never escaped from the value of impurity strictly adhered to their social identity. These castes are strictly marginalized from the society and subjected to severe material deprivation and even extermination. Ambedkar had a strong opinion that the undignified social status of the untouchables was responsible for their exploitative conditions in social, political and economic arenas. Amartya Sen argues that such narrowly defined social identities are the impediments in the freedom of the individual as it restricts the person in pursuing his/her economic or political freedom and can make a person a helpless prey.\(^7\) The current identities of the Muslims and the Christians based on narrow communal characters face identical similarities with the marginalization of the Dalits castes.

The Hindu communalists propagated that the cultural and religious values of the Muslims are antithetical to the nature of Indian society and portray them as different

\(^7\) Amartya Sen, *Development as Freedom*, Oxford University Press, New Delhi, 2008, p. 8
from the majority community. The right wing political forces try to mobilize the majority sentiments around the appeal of religious symbols like Cow Protection and Ram Temple and create a differentiated identity of the Muslims as opposite to the cultural values of the Hindus. The Hindu majority is termed as nationalist and the Muslims are condemned as communalist under such hegemonic constructions.  

The partition of India is termed as reciprocal attribute of Muslim communalism as they fail to get accommodated in the ‘composite culture’ of India. The current generation of the Muslims in India has not escaped from such malicious campaign of hatred and condemnation.

The Muslims are harassed with pernicious stereotypical slangs as lustful, aggressive, beef-eating Muslim man in the general parlances and especially during the riot related rumors. Any act or such rumors having the potential to disturb the religious harmony can be culminated into a communal riot in which the Muslims have the maximum assets to lose. As a citizen of the nation-state, their patriotism is always under surveillance under the branded impression that all the Muslims are the Muslims first and citizens later. As a community they are portrayed as regressively religious, conservative in their social relationships and rabidly patriarchal for the suppression of the women folks. The social, cultural and education institutes of the Muslims are scrutinized by the state under the impression that such institutions are the anti-national which provides protection for the terrorist groups. In the post-9/11 world political scenario such stereotypical assaults were further consolidated by using the Muslim identity with terrorism as a synonymous term.

The Christians are not identically suppressed as the Muslims. However, in the states like Orissa, Gujarat, Madhya Pradesh and Karnataka, the Christians are communalized on

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10 On January 22, 2002, the Chief Minister of West Bengal, Buddhadeb Bhattacharya said that many Madrasahs which are not affiliated with the West Bengal Madrasah Board where anti-national terrorists, including operatives of the Pakistan intelligence agency, were active. The unauthorized Madrasahs would have to be shut down. For details see, Partha Chatterjee, *The Politics of The Governed: Reflections on Popular Politics in Most of the World*, Permanent Black, New Delhi, 2006, p. 116
the strict basis of their religious identity. The Hindu Communalist termed them as the organized force from the West to disturb the social harmony of the Hindu society and as the agents of Christianity which converts the poor and deprived sections of the Hindus by fraud aspirations of material assets and social equality. In the recent times the Christians faced violent communal attacks and social marginalization and lead their lives under the persistent insecurity and prejudices related to their social status.¹¹

The social theories have judged the oppression of the religious minorities based on the dominant norms of communalism and tried to provide justice to them. I would like to argue that the category of oppression at the level of social identity has two main facets. In general, the Muslims and the Christians have to confront the communal stereotypes in most of the public spaces which restrict their freedom as a righteous citizen. However, such undignified positioning is more pernicious and dangerous for the people who lack economic and political support as a group and majority among the Muslims and the Christians can be identified as a part of this section. They face a dual oppression because of their socio-economic status and communal stereotypes. The low born categories, especially the Dalit castes among these groups are the victims of communal hatred as well as casteist oppression within their own communities. These social arrangements based on general denial of civic rights in the public spheres and unchecked social discrimination and denial of human rights in the private domain make the Muslim and the Christian Dalits the worst affected social categories among all. The later facet of oppression is neglected under the narrow view of abstract communal harmony.

**Political Marginalization: Deprived Citizenship**

The first exponents of the republican tradition viewed liberty in the political sphere as the compulsory attribute of every individual. The individual is termed as free if the man has the capacity to participate in the political domain and become an active member for the formation of the government. It is the desire of the individual to be free from the oppressive and totalitarian political systems which lead man to think that the liberal system of republican state will naturally promote peace and security of every person.

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Conclusion

The modernist liberal thinker thought that the ideas of political liberty and economic freedom will bring transformative change in the social relationship by removing all the obstacles of human subservience. Such bourgeois idealization is criticized for its abstract valorization of liberty over equality. Marx contests such fraud structure of liberal society by claiming that the political and economic institutions including the civil society are merely provisions by the state which performs under the maleficent domination of the bourgeois class to promote and protect their own economic interests.12

In India, the struggle for liberty involves a positive response to the claims of individuals or groups, who because of the domination of Hindu tradition and cultural values will be alienated from the basic rights of freedom. Ambedkar envisaged the role of state in this arena as the instrument or agency for regulating the relationship between society and individual. The State has to create a space where there would not be any denial of human liberties. Ambedkar was also apprehensive of the liberal model which claimed absolute liberty and argued that the priority to abstract liberty, especially in the political sphere, would be inadequate to pay ample attention to other inequalities existing in social and economic level. The profits of this value will only be seized by the powerful ruling elites. For Ambedkar, such generalization of these important values would be of no use if the socio-economic conditions are not supportive in their respective fields. Liberty is not something that an individual enjoys in isolation or by being left alone; but the very conditions of his existence bring him into a natural relation with other individuals in civil society. The effective guarantee of freedom materializes only if the total users of freedom recognize the equality of all as the primary condition. In the second place, the rights which are essential for freedom must be such that it secures the liberties of all and not merely of the minority. For Ambedkar, treating liberty as a separate principle is erroneous and therefore he recommended equal participation of deprived sections in most of the decision making bodies through democratic representations.

The democratic polity in India has shown considerable maturity in accommodating the socially deprived sections as the part of the state authority. In any liberal state major policy decisions and crucial amendments in the constitutional laws are dependent on the

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members of the legislature. If the legislature does not represent the aspirations of its people, especially of the deprived sections than it is considered as a bad form of the government. Therefore, adequate representation of different social and ethnic groups, especially the minorities becomes one of the main concerns of the political scientists and other social science scholars in the recent times. In this respect the religious minorities in India; especially the Muslims and the Christians, are the worst affected sections in the democratic polity because these communities lack effective representations in most of the democratic bodies.

The issue of political marginalization of the religious minorities is downplayed under the secular rhetoric of the mainstream nationalist parties, especially by the Congress and the Communist Parties at the national level. More than adequate representation for the ethnic minorities these parties evoke the idea of constitutional morality under which the members of the legislature have to be judged not as the sole representatives of one specific community but on their performance as neutral agents of the state. Political parties oppose special quota in the legislature by arguing that such proposition is against the collective good of the society, which every member of the legislature must represent, irrespective of his/her social or ethnic identity. The secular rhetoric is one of the most popular oppositions in this case. It argues:

> For most Indian secularists, any group representation is permissible as long as religion is not the principal criterion of individuating groups. Any segmentation or classification of society along religious lines, it is claimed, contravenes the secular fabric of society. Political recognition to religion-based communities grossly violates the principles of political secularism.  

Such dominant ideal is antithetical to the democratic aspirations of the religious minorities as in reality, the political system has shown grave negligence towards their depraved conditions and their issues related to their social, economic and political marginalization has hardly become the part of mainstream discourses. This political marginalization of religious communities is antithetical to the concept of democratic liberty and social equality as their concerns and interests are articulated by the people

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Conclusion

who in general come from a different location and possibly understand their specific problems only in a general way. Young argues:

A general perspective does not exist which all persons can adopt and from which all experiences and perspectives can be understood and taken into account. The existence of social groups implies different, though not necessarily exclusive, histories, experiences, and perspectives on social life that people have, and it implies that they do not entirely understand the experience of other groups. No one can claim to speak in the general interest, because no one of the groups can speak for another, and certainly no one can speak for them all. Thus the only way to have all group experience and social perspectives voiced, heard, and taken account of is to have them specifically represented in the public.15

The political leadership is, in general, influenced under their subjective experiences and hardly produce universal or impartial policy frameworks suitable to the needs of all the sections of the society. Such proposition in itself is an impossible task as different communities have different motives, objectives and experiences from each other which cannot be articulated by some abstract common voice. These groups need an authentic representation which can raise voices against the generality towards their issues and specifically claim for empowerment. In the absence of an articulated and concerned representation in the legislature there is little hope that emancipation of these groups will be initiated under the biased authority of the state representatives.

Economic Exploitation: Poverty as Hindrance in Free Development

Marx’s theory of exploitation has revealed how the modern capitalist system is unjust to the working classes. Labor power is used as commodity and consumed by the capitalist for its particular benefits leaving the vast majority of working class in the state of servitude. Marx has argued that the abstract ideal of free labor has not only deprived the man of all his identities, of all humanness too. The liberal freedom is meaningless as it has structured and legitimized the unequal economic relationships in the defense of the bourgeois class. Therefore, emancipation of the workers from such conditions is the prime motive of the revolutionary forces. Many thinkers have argued that such concept explain the exploitation in a narrow manner and does not encompass all forms of domination and oppressions. The feminists contest the Marxist concept of exploitation on the ground that it neglects the important phenomenon of sexual oppression. The

Movement against racial subjugation also has identical comments against Marx's economic determinism. However, no thinker has straightforwardly denied the primacy of economic exploitation and its instrumentality in structuring the social relationship in modern times. In fact, these critics are concerned mostly in providing a fair space to other forms of exploitation while redefining the theory of oppression.

Capitalism is at home with a version of democracy as the ideal form of political system as it enables individual rights and choice in the economic and political fields. The religious minorities suffer more in such structure on two crucial aspects. First, as mentioned above, the social and political marginalization of these groups from the public spaces in general and from the institutions of influence in particular has made them the most vulnerable communities. Their identities are prejudiced and condemned as 'others' in the social life. Secondly, the liberal economy is also not free from the influence of social and political maladies. In the sphere of open economy, the participant is not treated as an aspired individual with rational attributes, talent and free choices but his role and caliber is largely determined on his/her possessed social position and status in the society. In this respect, the Muslims and the Christian minorities in general and the socially deprived sections among these groups in particular are the most disadvantaged sections in the sphere of modern economy.

Economic exploitation can cause multiple forms of deprivations like denial of education, health hazards and social insecurity. Such denial to possess basic capabilities because of poverty and unemployment makes economic exploitation one of the worst forms of oppression. Vast majority among the Muslims and the Christians are economically exploited in the Marxist sense to a large degree because of their deepening poverty. Unavailability of necessary resources like proper education, societal support and safeguards from the state has resulted into the segmentation of these groups as unskilled wage laborers and thus separated them from the white collar jobs available in the new market economy. Further segmentation and valuation of the labor based on a non-economic criterions not only restricts the entry of these groups in the open market economy but also becomes a source of discrimination.

Conclusion

The liberal market economy and democratic freedom in a hypothetical way guarantees every individual free choice in deciding economic and political objectives. However, in the real sense both the arenas are controlled by the same societal values against which such ideals are developed. For example, the ideology of development does not acknowledge unequal relationships in the market economy and identify development with neutral indexes like gross national product of the country, industrialization growth or technological advancement. Amartya Sen tries to draw attention on this fallacious model of development by stating that real development must be viewed in terms of the expansion of substantive freedom to every individual.

Development requires the removal of major sources of unfreedom; poverty as well as tyranny, poor economic opportunities as well as systematic social deprivation, neglect of public facilities as well as intolerance or overactivity of repressive states.

The current understanding of development has not produced economic freedom in a substantial way. If the market discriminates and excludes certain communities from its purview on the basis of specific group identities, the market has failed in protecting the rights of the individual as a free agent of his/her own will in the open economy.

Under a liberal approach the state addresses the issues of religious minorities by providing autonomous spaces to them in the religious and cultural fields without any intervention from the external authority. Such minimalist state is counterproductive as it is indifferent with other related issues of the religious communities like economic exploitation. The exploitation of the religious minorities cannot be judged only under a specific parameter of cultural and religious denominations. These groups are the dual victims of cultural imperialism on the one hand and economic exploitation on the other. The social identity of the individual in these religious group works as an impediment in a communally surcharged milieu which systematically discriminate and marginalize these groups from becoming an active part of the new economic churning. This perspective on economic deprivation in most of the debates on religious minorities is downplayed to provide more space to the abstract political issues.

Conservative and Orthodox Social Elites: The Battle Within

The modern socio-political thoughts developed under the rational outlook of enlightenment period are antagonistic to the communally rooted theological interpretation of society. These thoughts claimed for radical elimination of unjustified subjugation of individuals and groups from the clutches of conservative norms of the society to make it more libertarian and individualistic in appearance. However, even in the contemporary liberal societies, including those of the West, anti-modern social practices are dominant and control the social order in an influential manner. Classical modes of domination like patriarchy, racialism and social elitism have continued to percolate in society in its refined avatars and consistently find supporters and promoters in all the societies. Even in those societies which claim to be oppressed by others, like religious and cultural minorities, in their own social domains produce oppressive relationships and conservative cultural practices. In India, the Muslims and the Christians cannot escape from such allegations. The social elites have retained their domination over communities in the modern times under the strong protection by the state. The elites have successfully convinced the state authority that legal protection to their conservative social and cultural practices is needed to protect the autonomy of the community as separate and special entity. However, such approach is antithetical to the individuals who are suppressed by the social elites under the pretext of autonomy and communitarian ethics. Women in particular are the worst sufferer of such deal.

Legitimized gender differences with subservience of women as an unequal category is a practiced norm in almost every society. Women in all the indicators of modern development are marked by low participation and have remained restricted in the domain of family household as a non-paid labor. In India, the condition of the Muslim women can be stated comparatively better only against the deprived conditions of the Dalit women. However, both the categories fall in the same compartment as the poorest and most disadvantaged sections of the country. Majority of women suffer paternalistic patriarchal domination but in the Muslim women case, it is harsher and more oppressive as such discrimination is based on legitimization of the Muslim Personal Law (MPL)

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18 Zoya Hasan and Ritu Menon, Unequal Citizens: A study of Muslim Women in India, Oxford University Press, New Delhi, 2004, p. 6
which is based on shariat law. MPL favors the patriarchal interests of men in the arena of marital relationships and has remained rigidly unfair to the demands of equal rights of the Muslim women. The Muslim social elites, especially the clerics have a conservative attitude towards women as they locate the position of woman not only as a dependent on man's capacity as wage earner but also for their protection and guidance.\textsuperscript{19} The Constitution favors necessary changes in the Hindu Personal Laws; however, no corresponding changes have been introduced in the Personal Laws of Muslims and Christians.\textsuperscript{20}

Apart from gender, societies have legitimized differences on the basis of social status adhered from familial lineages. The social elites controls the political, economic and cultural spheres by denouncing equal rights to the categories which are termed as low born and socially deprived. The Muslim and the Christian social elites have adopted a confrontationist position in a most conservative manner while protecting their own interest and rejected most of the claims of the Dalits for an inclusive and egalitarian religious order. Most importantly, the religious teachings categorically reject such differentiations of community members on specific categories and call for a fraternal collective identity. However, such ideal is misused in favor of certain social categories which appropriate most of the profits of their religious identities and consequently claim that any opposition to their socio-religious position is identically counter to the ideals of religion and thus protect their own control over society. This phenomenon can be understood under Iris Young's explanation of the ideal of impartiality where she argues that such domination of the elites are supported by moral reasoning and reduces the differences into unity.\textsuperscript{21} She argues:

\textsuperscript{19} Sylvia Vatuk, "Muslim Women and Personal Law" in Zoya Hasan and Ritu Menon (Eds) In a Minority: Essays on Muslim Women in India, Oxford University Press, New Delhi, 2004, p. 54
\textsuperscript{21} Iris Marion Young, Justice and the Politics of Difference, Princeton University Press, New Jersey, 1990, p. 97
...the ideal of impartiality serves ideological functions. It masks the ways in which the particular perspectives of dominant groups claims universality, and helps justify hierarchical decision making structure. The recent democratic assertions of the Muslim and the Christian Dalits against the domination of the social elites of their respective religions have influenced the idea of social justice in a significant way. These movements construct the identity of social elites as an oppressor group which valorizes their own irrational pride of social status to discriminate the rest of the community members. They demand recognition based on their social category as an oppressed group followed with suitable mechanism to provide them justice by the state. The women movement in India is yet to formulate the demands of women in the minority religions in a comprehensive way, however, on the question of Muslim women, a substantial academic material is available which shows the social elites in a critical light and demands equal rights for Muslim women.

Non-recognition and Impartiality by the State:

The post-modem liberal state celebrates the notion of difference more than any other system of governance. It provides considerable space and recognition to different socio-cultural, religious and ethnic identities to nurture their autonomous values while remaining an active person in the life of nation-state as citizens. However, this perspective has remained contested and prioritization of citizen’s rights and national cultural values over the demands of the particularistic groups has remained an accepted practice of the political elites. Under such development, the liberal discourse on rights has created an uneasy and contested terrain between individual and group rights. Multiculturalism has provided deep insight in this field and provided a heightened space for cultural rights in the liberal discourses. However, this paradigm is further criticized for calling cultural differences immutable and has been also accused for promoting new racial compartmentalization. One of the ways suggested against such impasse has been

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22 Ibid.
23 In the context of India, the constitution reflects such principles. Ambedkar had demonstrated the obvious limitations of liberal state in the complex milieu of India and therefore proposed two sets of rights, first based on citizenship and second extended rights based on communitarian and cultural differences.
24 Multiculturalism is granted as official state policy for the countries like Canada and Australia.
25 Valerian Rodriguez, “Is there a Case for Multiculturalism” in Kushal Deb, Mapping Multiculturalism, Rawat, New Delhi, 2002
that liberalism is to engage with the realities of cultural identities in an accommodating way rather than subordinating national identities.

The celebrated paradigm of multiculturalism brought the notion of culture and its relationship in developing, constructing and providing meaning to the individual-self into the mainstream discourses of social sciences. Will Kymlicka has dealt with this issue in a very modest sense and provided a result oriented thesis to overcome the problems surfaced in the domain of state, cultural identity and individual rights. His observations are concrete and do not valorize the communitarian approach which treats individual as the product of his/her cultural affiliation and guarantees autonomy to the cultural entities in a collective form. He consciously prefers to be on the side of the school which upholds the tenets of classical liberal thinkers regarding unrestricted autonomy to the individual self in all spheres of human relationships. He judges the legitimization of the community in qualitative liberal terms and argues that a culture that encourages individual autonomy and choice is superior to the communities which restrict such freedom. The claims of the ethnic or religious minorities cannot be understood in a univocal communitarian paradigm as it is simultaneously related with the rights of the individual members. Kymlicka clarifies this situation in the following way:

We need to distinguish two kinds of claims that an ethnic or national group might make. The first involves the claim of a group against its own members; the second involves the claims of a group against larger society. Both kinds of claims can be seen as protecting the stability of national and ethnic communities, but they respond to different sources of instability. The first kind is intended to protect the group from the destabilizing impact of internal dissent (e.g. the decision of individual members not to follow traditional practices or customs), whereas the second is intended to protect the group from the impact of external decisions (e.g. economic or political decisions of the large society). To distinguish these two kinds of claims, I will call the first ‘internal restrictions’, and the second ‘external protections’.28

The state must prioritize and protect the rights of individual against every kind of oppression. The cultural and religious domain is important, as it helps the individual to

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27 Ibid. p. 100
gather a sense of his/her social belongingness but such arena must not be essentialized over the values of individual liberty and freedom. I would like to argue that in the context of India, the state has provided legitimate space to the second claim of external protection made by the religious groups under the spirited notion of secularism and neglected the claims or internal restrictions made within by the deprived sections of the community. The current arrangement by the state prevents the religious minorities and especially the oppressed sections, within these groups, to participate in public milieu because of their socially and economically disadvantageous positions.

**Minorities and Injustice:**

Oppression is synonymous to injustice as it restricts the development of individual or group as equal entity of a democratic milieu. The general deprivation of the masses becomes more acute and complex when it operates under communal, gender and caste considerations. The multiple modes of oppression as mentioned above have made the religious minorities, especially the Muslims as the worst affected category of the modern historic churnings. The religious minorities directly come under the attack of majoritarian values which controls the democratic debates without giving equal space to the demands and interests of the religious minorities. The denial by the political elites to respond to the multiple deprivations of the religious communities further excludes them from the mainstream democratic discourses. The democratic deliberations often revolve round farcical and non-materialistic issues which occupy an influential space in the debates under the headings of communalism versus secularism.

The paradigm of Justice in India has located secularism and social justice as the two main ideals of modern state to provide justice. Such construction is unfair to the socially and economically backward sections among the Muslims and the Christians, as state does not recognize them as oppressed categories. The non-recognition of these categories is legitimized in the context of impartiality of the state in the religious domain. The Communitarians may argue that such impartiality is required in order to prevent the hegemony of the state in the domain of the religion and simultaneously oppose the intervention of the state over the pretext of certain subjective moral arguments like religious unity and universality of practiced norms. However, such
defense can only perpetuate the deprivation of the oppressed groups and will not solve the problem of internal restrictions. By prioritizing the issue of external protection and denouncing any recognized space to the questions of internal discriminations faced by the deprived sections, the state then criminally compromises with the ideals of justice. If the state prioritizes collective good over individual rights, as sought by the communitarians, then it is blind to the ways in which community member possesses the right to differ with the given logic of community good. Binding an individual to the standards of communitarian values will not only make the individual a prisoner of social identity but also exclude him/her from the natural rights he possesses in a liberal democratic nation-state.

**Liberalism and Politicization of Group Rights**

The classical liberal thinkers are acknowledged and appreciated in social science discourses for their robust commitment to the protection of individual rights in the democratic polity. They also defended the idea of equal opportunity for every individual in the economic sphere as the most crucial aspect of modern civilization. Justice in this sense categorizes evenly for all the citizens with grand emphasis on universal civil rights and secular political culture. Since the days of John Locke, justice is observed under the distributive mechanism in which equal access to material assets is comprehended as the final objective duty of the state. However such abstract understanding has not produced any kind of egalitarian society even in the West. The liberal doctrine benefits especially the emergent bourgeois classes, the capitalists, the influential social elites and in general the category of men (specifically the white men). Vast section of women, Non-White Groups, Gays-Lesbians, Mentally Challenged, Migrants, linguistic and religious minorities remain excluded from the mainstream discourse of justice. The hegemonic tendencies of liberal individual, which disregard and belittle any other association with non-voluntary groups was challenged demanding equal space to the ascriptive groups in all the arenas of social relationships. In social science theories these debates are studied under the heading of “individual versus collective rights”

283

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As mentioned above the Multicultural theories are one set of important contributions which defends the minority rights against such abstract normative guidelines of liberal theory and propose new principles to accommodate minorities and individual rights in public domains. Iris Young also objects such blurred vision of liberalism and argues that tendency to reduce political subjects to a unity and to value commonness or sameness over specificity and difference is hegemonic and promotes oppression against these groups. \(^{30}\) The new social movements have contested the idea of abstract political equality by promoting the issues of social recognition. The central categories of these assertions are different from the Marxist class rhetoric and from the liberal equality. Nancy Fraser has called this transformation process as a transition from the ideas of redistribution to the notion of ‘recognition’ in which terms like ‘dignity’ and ‘respect’ play the crucial role. \(^{31}\) The issues of new social movements further capture influential space in the democratic order and registered their supportive voices in favor of political representation for women, ethnic minorities and racial groups in the decision making enterprises. Anne Phillips calls this new churning as ‘the politics of presence’ and counters the liberal notions of individual rights by stating that the structural inequalities operative within the society cannot be understood in such individualistic terms. \(^{32}\) Justice in this sense needs an alternative, specifically plural conceptualization rooted within the structural reality of the society. The Justice paradigm must be sensitive to the needs and aspirations of all the groups who face oppression from the dominant sections and should be inclusive in nature to provide universal justice while recognizing the difference any group or individual possesses.

Much earlier from such global uproar on the issue of social recognition, the Indian constitution has principally valorized this aspect of recognition by providing special group rights to the socially and regionally deprived sections in as early as in 1950s. The religious minorities are also guaranteed protection of their cultural and traditional values


and autonomy in traditional family law system. The federal structure is built by guaranteeing linguistic autonomies to provinces. The vast socio-cultural, religious and linguistic disparities are given enough space in the making of new nation-state. India is one of the first states which can be called multicultural and communitarian in its constitutional spirit. However, the ideas which dominate the democratic discourses are conventionally operating under the guiding principles of normative theory and promoting the overarching values of citizenship, secularism and nationalism as the priority ideals of nation-state.

Importantly, the proposed principles of justice in India are limited in its purview and included only a minority section among the Hindus and excluded large numbers of socially oppressed categories as its subjects. The parameters of justice are based upon strict criterion of social identity and geographical locations which simultaneously include and exclude different social groups on superficial norms. The institutions responsible for justice also recognized strict definitions of oppression while combating inequalities and denying justice to all those who do not fall into the given norm and criterion. Thus, it has not provided a reasonable structural mechanism for those excluded sections that were suffered from other forms of oppression but are not recognized by the state as oppressed groups. For example, the institutions meant to provide justice in India are yet to provide special recognition to women as an oppressed category, the movements for gays and lesbian rights are still debated as controversial issues, the question of migrants in most of the cases is treated with nationalist fervors and the state is yet to show its advanced commitment for the welfare of differently abled sections of the society. Under this context one can observe that the Institutions of justice in India are exclusively oriented for the welfare of specific communities and exclude large sections of communities from its arena.

The idea of justice must be rooted within the social context and should avoid producing abstract evaluations based on modernist rational. The justice paradigm in India is based heavily on the cherished Nehruvian assumptions of building a modern nation over the value of secular citizenship.33 CA is a place where personal distinction is supplemented

Conclusion

with the idea of citizenship and loud acclamations are given to abstract national unity. However, such dominant ideological pursuit has only mesmerized the elites of various social groups and neglected the aspirations of those sections who are burdened under social oppression. The religious minorities of India are burdened with such hegemonic policy structure and ideological primacy. The Indian state was unfair to the question of justice to the minorities under the grand influence of classical liberal analogy. For a long time these groups have not raised their voices against such perpetual domination, especially the socially deprived sections of religious minorities. The Dalits among the Muslims and the Christians are yet to become an accepted category to the state and because of such exclusion these sections are the worst sufferers of multiple modes of oppression.

Political Theories in India and Irresolvable Problems of Religious Minorities

In India, the intellectual scholarship on the issues of citizenship, nationalism, caste, minorities, secularism, justice, etc is confined mostly in the conventional framework of liberal democracy. In most of the cases, the politics based on ascriptive identities (caste, region, ethnicity and religion) is treated with contempt and as detrimental to the secular fabric of the polity. The general tendencies among the social scientists are to valorize the idea of citizenship and vibrant civil society in order to organize the diversities in pursuit of common good. The plural identities are at times given equal space in the democratic system, only under the condition that they uphold the cherished ideals of the constitution. Any counter critique, that challenges the validity of nation’s common good, is considered as breaking the national consensus. The minorities, asserting caste groups, demanding regional autonomy will be granted legitimacy only if they adopt the liberal terminology and the constitutional methods to resolve their issues. Liberalism provides legitimate space to the ascriptive groups to claim their rights and to pursue their communitarian interests but under the logic of national secular framework. Thus, the liberal vocabulary of democracy promotes two defining values of the nation-state, especially in the plural society. On the one hand, it mobilizes the democratic order to achieve abstract common good for all and thus construct national community, but on the other hand simultaneously provides impetus to diversity by allowing ascriptive groups to use the democratic space to make independent claims. Such paradoxical claims on
behalf of democracy have generated two separate values and have also produced its respective defenders as well.

The analysis related to the question of religious minorities and protected social groups is paternalistic and is influenced by contemporary liberal analogy. There is a popular assumption, that the state support to these groups should be restrictive and temporary until these groups converge themselves into the collective identity, as equal citizens is one of the influential themes among the social scientists today. Any political measure which disturbs the abstract notion of equality is termed as narrow and restrictive. For example, Dipankar Gupta, the Sociologist has located the reservation policy as one of the instruments which is against his imagined *fraternity*:

> Given the extreme poverty and backwardness among certain sections in Indian society, it would indeed be quite undemocratic not to devise special ways to uplift the lot of the poor and socially disadvantaged. Reservation, or positive discriminations, seem to be the right things to do under the circumstances. On the other hand, reservations have quite clearly failed to diminish, if they have not actually increased, the level of caste based politics in India. This is surely not a good thing. In such situation it is important to take a more analytical view of the matter so that the policy of reservation can be recast keeping in mind the need for establishing fraternity and consolidating citizenship.  

The social groups are treated as animate objects which are provided with state support in order to develop rational modernist outlook necessary to transform them as new citizens of India. The identification of religious minorities in most of the discussions is also burdened under the rhetoric of secularism and citizenship. Especially during the CAD it is most apparent. Mushirul Hasan argues that in the mainstream discourse of identity formulation, the construction of Muslim image supplements the ideological influence of the Hindutva forces.

> Muslims were depicted as aggressive fundamentalists and demonized as descendants of depraved and tyrannical medieval rulers who demolished temples and forcibly converted Hindus to Islam.  

The communal propaganda objectively portrays Muslims as anti-national and fundamentalists and celebrates those Muslims who publicly demonstrate their nationalist-

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secular credentials. Arun Shouri studies Islam and Muslim identity under the same ‘classical middle age’ framework and blames the *Ulema* and the autocratic *Shariyat* Laws as conservative and non-conducive to the democratic polity of plural society.\(^{36}\) Castigating the socio-cultural and political aspirations of the minority groups under the hegemonic assertion of national consensus is reflective in both the ideology of Hindu and secular nationalists.

Even those who stood on behalf of the religious minorities also pay recourse to the liberal tradition and demand extensive rights for the groups in order to protect themselves from the onslaughts of the majority and construct a collectivist identity of the religious groups. This school of thought locates these identities as homogeneous units in the backdrop of secularism or protecting religious autonomy. For example, the communitarians reject the utilitarian’s universal good and prioritize the self and its relationship with the community in their arguments on justice. They argued that the self-determination of the individual is the product of his relationship with the cultural environment in which he/she live and therefore the abstract identification of a liberal person as free individual is characterless and without defined purpose.\(^{37}\) The states also have restructured its utilitarian notions under the forceful arguments of the communitarian critics and provided influential space to various regional, cultural and ethno-religious identities in the its constitutional arrangements. The Secular doctrine in India is the product of such communitarian approach.

In the CAD, in order to confront the hegemony of majority culture, religious communities are established as primary units of representation and were granted special minority rights.\(^{38}\) The state provides significant socio-cultural safeguards to the collective identities of the religions and protects the identity of the religion from the processes of homogenization. In the domain of social science, both, the defenders and critics of secularism literally construct a homogenized image of religious communities’ vis-à-vis each other and thus supplement the rhetoric of right wing communalism. In


most of the political writings, regardless of economic, caste, language or regional affinity, identities are defined, understood and described in strictly textual terms. Religious identities are subscribed under strict communal deadlocks like majority and minority with exclusive rights of the communities to regulate and articulate their socio-political and religious activities independently. In India religious minorities have been constructed under such prioritized notion of protecting the socio-religious and cultural value of the religion. D. L. Sheth and Gurpreet Mahajan while writing the introduction to Minority Identities and Nation-State emphasize on the cultural distinction and unification of religious minorities against the dominant culture but they ignore the aspect of internal difference within the community.

The constitution made a subtle but basic, distinction between cultural rights of religious minorities and political group rights of communities which were socially discriminated through forced segregation or physical isolation. Eventually seats were reserved in legislative bodies and other institutions only for the latter that is the Scheduled Caste and Scheduled Tribes respectively. Neither was explicitly conceived as a cultural minority. They were instead seen as communities needing special political; and economic privileges, while religious minorities required 'safeguards' for protecting their cultural identity. 39 (Italics mine)

Such monolithic generalizations are adopted usually in the context of communitarian-multicultural and secularist discourses by making every religious community as 'cultural minority' and as one non-differentiated unit. While projecting the cultural differences between the two religions they unconsciously essentialize certain symbols like language and religious autonomy, pertinent to the whole community and disregard the presence of heterogeneous, exceptional characters and differences within it.

The portrayal of the Christians, however, in the same discourse is of course distinct and more anthropological in nature. Writings on Christian identity heavily refer to the differences within the community as large population of the Christians is converts of the backward and the Dalit castes of the Hindus. But here also, the dominant writings use a universal appeal of 'liberation theology' and project a whole Christian community as 'spiritually' bound group against the 'other' oppressive identity (Hindu). William Madtha explains:

Conclusion

Dalit Christian theology is a systematization of the critical reflection on orthopraxis which the oppressed generate dialogically in the light of their faith. It is born out of a live experience of the suffering or marginalization and their shared efforts to abolish their existing unjust situation and to build *bosileia*; a new society, freer and more human, come what may.\(^{40}\)

The collectivist identification of religious identities and extensive support of the state in consolidating these identities against the majority has produced legitimate space to communal politics. Madan regards this differentiation as communal and against the values of liberal scientific project.

The majority-minority differentiation in religious terms has thus become an integral part of Indian political rhetoric: it is the language of communalism rather than liberalism.\(^{41}\)

The discourses on religious minorities have openly adopted such collective notions of the identities and also promote secular understanding which legitimates the demands and their particular interests. Such bird view depictions of a community have political and ideological overtones which hardly reflect the social and economic disadvantages faced by the people. However such secular-communal generalization is not adequate to solve the questions raised by deprived and depressed sections within the religious minorities. Certain groups and individuals within the religious minorities, especially among the Muslims and the Christians, have demanded special protections and safeguards to overcome their deprivation and exploitation and thus brought the issue of social justice within the discourse of religious minorities. The issue of social justice is new to the minorities in the sense that earlier their problems are judged by keeping the doctrine of secularism in mind

**Minorities within Minorities: Challenging the Communal-Secular Identifications**

Secularism, despite its appearance of civility, toleration and respect to the religious units, is deeply hypocritical and insensitive as it hardly provides attention to the issues and concerns of structured social maladies that exist within religious groups. Beneath the veil of secular ethics, women and socially excluded groups have been confined to poverty and discrimination. The idea of Secularism oversimplifies the definition, agenda


and character of the majority and minority community based on certain universal assumptions. Such judgment dominates the voices of the oppressed sections like women, people with degraded social status, the economic backward and the regionally segregated.

This perception which can legitimately claim its space in the discourses of new social theory debate, raises voices against the hegemony of religious institutions and describes the social elites as the main perpetrators for their perpetual backwardness and discrimination. This recent upsurge contests the hegemonic language of 'community as one unit' and argues that all units in reality showcase contested interrelationship among people based on the divisions as 'oppressor and oppressed'.

The Sachar Committee Report is probably the first systematic effort by the political elites in India to look at socio-economic problems of a religious community. In the recent debates on social justice, some scholars of political Sociology have raised questions concerning religious groups and their internal differences. Prof. Zoya Hasan's analysis of the relationship between the state and minority communities is significant in this regard. In her article, Social Inequalities, Secularism and Minorities, she argues that the constitutional provisions for religious liberty and cultural rights of minorities have proved inadequate in protecting them against discrimination and exclusion. Taking the argument further, she suggests that the state's failure to ensure the socio-economic development of India's minorities is tantamount to discrimination. Hasan's argument is substantiated by the fact that the widespread evidence of the dismally poor socio-economic status of the Muslims has led the Gopal Singh Committee to declare them to be a 'backward community' in India as early as 1983. Various government reports and commissions also do acknowledge the backwardness and deprivation of the Muslims and demonstrate that caste like institutions are operating among the Muslims, but there are very few working policies aimed at redressing it. Hence, on behalf of the Muslims and the Christians, two different appeals are made to the state in order to secure justice. Among the Muslims, one group led by the upper caste 'Ashrafs' is demanding quota for the entire community as a whole, arguing that the entire Muslim community is

Conclusion

economically backward. 43 The other groups of the Muslim OBCs and the Dalits by raising the issue of social discrimination reject the classification of the whole community as backward and call for reservation mainly for the more backward among them.

The Pasmanda Movement has registered its presence by claiming that the Dalit Muslims represent a distinct clout within the religious community and locates their struggle mainly at a political front. 44 The leadership of the movement builds an entire political movement over this issue of social discrimination within the Muslims in North India, arguing that separate quotas for ‘Pasmanda Muslims’ should be introduced by the state by amending the Constitution. Reservation is one remedy which can make economic and political system more inclusive and will help in empowering the ‘worst’ among the Muslims. 45 Imtiaz Ahmad on the other hand is apprehensive about the effectiveness of reservation policy in the new economic order; however he locates this measure as an important factor to build a democratic consciousness and unity between the backward sections among the Muslims.

There are some hesitations and ambiguities among the scholars writing on the Muslim question in India particularly related to the Dalit question. Within the public reason there is growing support to the demand of recognizing the Dalit Muslims and the Dalit Christians as Scheduled Castes. Many among the social scientists like Imtiaz Ahmad welcomes such a move as it would increase the cumulative numbers of the Dalits and would augment their political power. However, from a conservative section a point of view is heralded which opposed it, fearing that it might lead to the conversion of many Dalits to Islam and Christianity. Ahmad also opines that a large sections of the ‘upper’ caste Muslim leadership, too would also oppose such stratification as it would threaten


44 The Pasmanda Movement was a specific North-Indian Phenomenon, originated especially in Bihar, Jharkhand, Uttar Pradesh and some parts of Maharashtra in the late nineties. In the southern states such political articulations are not widespread but some resonance of these debates can be felt in the states like Tamil Nadu and Kerala recently. However, group stratification based on hierarchial social identities within the Muslims is an overt fact at the national level.

45 Ali Anwar, Dalit Muslim and Their Empowerment, in Akhter and Asgar (Ed) Muslim Dalit: Ek Behas, SSJ, JNU, New Delhi, 2006, p. 58
their politics based on what he called the 'artificial homogenization of Muslims'.\textsuperscript{46} Even over the issue of special separate quota for the Dalit Muslims, there is no unanimity as such.

A mapping of social stratification among the Christians is presented by Rowena Robinson in her article “Fluid Boundaries: Christian Communities in India” in which she has empirically located the social, cultural and religious differences within the Christians in India. She argues:

When talking of Christians, I will argue here, we need really to talk of communities, rather than community. Conversion, in different areas, brought into being different Christian communities, belonging to different denominations. Each arose out of a particular social milieu and finds itself located within this, drawing on it in the construction of its own identity. Thus, there are regional variations and the identity of groups is produced in different ways. Though there is a greater sense of association between separate groups today due to their formation into larger bodies, distinctness marks the level of everyday living.\textsuperscript{47}

In 1980, the DCLM has started in Tamil Nadu, asserting important issues pertinent to the Dalit Christians. Major among these issues was the issue of social discrimination and marginalization of Dalits within the community. They argue that the positions of the Dalits within the Christians are identically similar to the Hindu Dalits and therefore the state must provide them equal safeguards. This movement opened a debate within the community for greater social reforms, and outside the community, with the Indian state demanding more benefits to the socially deprived sections. Various movements taking inspiration from DCLM started operating and mobilizing Dalits especially in southern states of India highlighting the internal caste and economic differences of the community. Thus, the Christian discourse on identity formation reflects an acceptance of heterogeneity within the community.

The above mentioned discourses in social science have empirically demonstrated that the religious minorities in India are not monolithic but heterogeneous in social arenas and also subject to relatively same kind of discrimination and disadvantages, which persists within the Hindu social system; however, these persisting gross social

\textsuperscript{46} Imtiaz Ahmad, (Ed) \textit{Caste and Social Stratification among Muslims in India}, Manohar, New Delhi, 1978

\textsuperscript{47} Rowena Robinson, \textit{Fluid Boundaries: Christian Communities in India} in Bidyut Chakrabarty (Ed) \textit{Communal Identity in India}, Oxford University Press, New Delhi, 2005, p. 288
inequalities are not recognized by the state. Under the limitations of institutional values the state has excluded vast number of deprived groups as an orphaned agency and thus denied a fair chance to the doctrine of Justice to operate in Indian society. The Indian state has produced a partial system of justice which most of the times shows objective bias towards transforming the Hindu religious social order that can only be justifiable partially (Social Justice Paradigm). Secondly, its neutrality towards religious minorities is erroneous as such rational impartiality of the state avoids open discussions over the illiberal and unequal relationship within these groups. (Secularism paradigm) The debates on justice thus produce two competing perspectives which cannot be reasonably justified if both the values operate separately from each other. The mechanisms adopted under justice principle should be fair to all the deprived sections in order to scuttle the man made inequalities in a compound way. Secularism and Social Justice must be constructed in such a way that nothing in its separate doctrines should have conflicting thesis against the other and the identified inequalities within the society should be commonly addressed to promoting radical egalitarian values.

Thus, the social science in India represents two dimensions to articulate the persisting social problems. The first school of thought promotes a theoretical premise based on normative liberal generalizations and valorizes progressive evolution of social disparities into citizens embedded with equal rights and common law. The rationality of secularism is legitimized here as this doctrine promotes tolerance and peace among religious groups without allowing the communitarian religious ethics to dominate the liberal social order. The second school which flags its distinct embedded category against the nationalist universalism demands a fair recognition of their particularistic inequalities from the state. The project of social justice thus recognizes as the priority doctrine based on special rights and independent recognition, in order to make a society free from existing social disabilities and economic exploitation. Both the schools utilize the liberal paths but with different objectives and rational in mind. Making a deliberative choice in between these two liberal agenda is a difficult option and has not been resolved in a sufficient way. One has to choose between the universal value of secularism which promotes tolerance and security to religious identities and social justice which demands recognition to compatriot identities as differentiated citizen.
Conclusion

These objective limitations of the two doctrines can be transformed in such a way that it produces a new social theory of justice legitimized by all the sections of society for its impartiality and fairness in destroying the socio-economic, political and cultural inequalities entrenched in our social fabric. To develop such premise for justice theory the elementary need is the identification of stark inequalities and other disparities in the society which hampers free and independent development of individual as equal. In the following section taking the case of religious minorities as an objective category for extending justice a theoretical perspective has been adopted. The basic idea behind this approach is to define injustice with plural definitions.

Resolving the Deadlock with the help of Contemporary Political Philosophy

The Constitutional state of India has created a complex arrangement of rights on various bases of identifications. The general nature of the state mostly remains committed to the utilitarian principles of universal good and common citizenship but, as seen earlier, under the valid protest from particularistic communities, the state has simultaneously provided communitarian rights to multiple minority groups. However, such compromising communitarian approaches whether at the level of solving the communal problems are not only theoretically unsatisfactory but also quite unhelpful to generate normative principles of justice. The constitutional arrangements do not guide us to resolve the problems when the communitarian rights conflict with the questions of social justice perspectives. Both the parties propose different set of principles of justices rooted in their subjective realities and make the issue more difficult to resolve. The construction of social justice and secularism as two exclusive alternatives for justice hampers the rights of the deprived sections within Muslim and Christians who eventually needs support from both the institutions to counter plural oppressions. Contemporary political philosophy in India is yet to produce principles of justice to resolve the issues in between these two competing ethics.

The needed approach must be sensitive to the intuitions of both the institutions in order to develop an integrated approach of justice. Secularism is an ethical judgment to limit the hegemonic control of majority community over political institutions and protect the communitarian values of every religion with equal treatment. Social Justice Policies are
Conclusion

concerned with the empowerment of the socially and economically deprived sections that are discriminated, prejudiced and excluded by the social elites of all the religions. Both the institutions function separately having autonomous validity, control and policy frameworks within its given location. However problem arises when the institution of social justice tries to deconstruct the given secular identities of certain religion to bring the deprived sections of these religions under its own purview. It leads to a conflicting situation in which communitarian ethics counters the individual rights approach of social justice which results into a heightened deadlock between competing principles of justice.

Any theory of justice in India must be rooted in its socio-economic and political realities. It must produce a comprehensive humanitarian approach in diminishing all man-made inequalities and injustice persistent in societies. The empowerment and inclusion of the socially and culturally deprived groups, economically exploited classes and politically marginalized communities into public spaces as equals is the moral task of the justice theory.

The problematic hypothesis of this thesis is entangled between the notions of religious identity, social justice and equality. These issues have been problematized considerably without offering a conscious premise on which such deadlock can be overcome and justice will prevail. There is a need to develop a systematic normative approach by utilizing various precepts of justice available in the literature of contemporary philosophy. Theories of Rawls, Young, Sen, Nussbaum and Kymlicka in their respective fields have comprehensively dealt with the issues of injustice and inequality and produce remarkable philosophical treaties which have ignited many scholars to think on this perspective in a new light. I would like to propose that Rawls identification of ‘overlapping consensus’ operative in the plural society has the capacity to provide a constructivist approach in resolving such tension. Rawls has developed a systematic theory in his celebrated classic *Theory of Justice* to structure our different intuitions of justice.48 His theoretical premise must be a starting point for any theoretical project on justice in the current phase. Further, Iris Marion Young’s characterization of structured oppression can provide us the principle objective and problematic condition to which

one has to resolve while entering into the realm of producing theoretical precepts. Her apt notifications about the unequal human relationships which she argues have produced various forms of oppression in the society. These are crucial to judge the condition of the deprived sections in India. Amartya Sen and Martha Nussbaum will be helpful in this respect as their approach promote the idea of utilitarian good with new standards. The improvement of the basic required capabilities of the deprived sections is dependent on its substantive moral applicability. Will Kymlicka’s Multicultural perspective can provide a defined analysis of the cultural issues and its critical relationship with individual rights.

Let me flag it little further. Rawls’ proposed ideal of justice form a basic structure for a political society; among them are the values of equal political and civil liberty; fair equality of opportunity; the values of economic reciprocity and the social bases of mutual respect among citizens. These cherished liberal ideals have a respectable place within the Indian constitution with reasonable justification by the constitution makers about its essentiality to frame a comprehensive idea of justice. Secularism and social justice are the two most important values which in totality represent plural mechanisms suitable to transform the basic structure of the society. However, these ideals are not universally shared by all the citizens and people have flagged independent criticism against the established constitutional morals. The general criticism against the liberal ideas of justice in India is about its borrowed rationality from the western episteme, unfairness, incommensurability of religious values and deep rooted prejudices and disagreements of the constitution makers against the traditional conceptions of justice in India. The institutions of justice are further delegitimized for their unfairness and political instrumentality.

The proposed rationality of the institutions working to establish justice is not comprehensively shared by many citizens and thus projects their subjective parameters to outline alternatives to the current ideas of justice. The dominant perceptions of justice thus criticized by the non-political freestanding moral values to which Rawls has called

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as making of 'overlapping consensus'. Political liberalism advances a new political theory of justice in which he assumes that all citizens will ultimately utilize their subjective rational to analyze the proposed conceptions of political justice. Under this plural deliberation, comprehensive political values appropriate to the democratic political community will emerge and be equally shared by all its subjects. This shared public reason is different from the motivated rational (based on good, truth and authority) of the existing conception of justice.

Political liberalism tries, then to present an account of these values as those of a special domain—the political—and hence as a freestanding view. It is left to citizens individually—as part of liberty of conscience—to settle how they think the values of the political domain are related to other values in their comprehensive doctrine. For we always assume that citizens have two views, a comprehensive and a political view; and that their overall view can be divided into two parts, suitably related. We hope that by doing this we can in working political practice ground the constitutional essentials and basic institutions of justice solely in those political values, with these values understood as the basic of public reason and justification.

The following section aims at providing the possibilities under which comprehensive principles of justice can emerge and can reasonably be justified by all sections of the population for its fairness and equal concern. However, I would like to avoid the Rawlsian abstract conceptualization of 'original position' which ignores to look into the socio-political milieu under the apprehension that it will influence the fairness of the justice principles. The paradigm of 'Discourse Ethics' developed by Jurgen Habermas can be utilized as a normative tool as it is entrenched with the real world and recognized the objective interests of multiple participants through actual dialogue and deliberation. The motivated concern will thus remained under the structured realities of the current socio-political order with an objective to end man made inequalities and unjustified social relationships under the liberal understanding of political good. The following deliberation will practically identify the inequalities persistent in society today and try to propose a set of capable principles which can provide justice.

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50 Ibid. p. 140
51 Ibid
Conclusion

Convergence of Secularism and Social Justice: Developing a Background for New Principles of Justice

The available mechanism to establish justice in India has not been embraced by majority of the members of the political community. In the absence of consensus between the political actors, the state became the main agency to regulate the complex structure of society and thus introduced various institutional arrangements to establish justice in the society. However, as seen earlier, the two separate sets of justice mechanisms (secularism and social justice) with two different target audiences have obscured the real identity, political concerns and social problems of the truly disadvantaged sections. It also failed in reducing social and communal conflicts between groups as the notions of justice were not shared equally by the political community. It further stigmatized the groups which benefited under these mechanisms as parasitic receivers of state benefits which in reality are cornered especially by the middle class or influential social elites within the communities. These undeniable crises of liberal institutions in India give negative impression and have created two blocs; divided in between, as the supporters of secularism and social justice policies on one side and those who are opposed to it on another. The first side (the proponents of secularism and social justice) celebrates the success of liberal institutions for its democratic credentials but fails to look after its limitations in promoting individual rights equally to every person. The later half criticizes these institutions for making the society so complex and differentiated that there is no concern left for equal universal appeal. The conflict in both the segments is build upon their separate moral notions about justice.

There are certain moral outlook on which possibly a common affirmation from both the side can be expected. The possible commonality which can be judged between these two competent ethics is their agreement to fight oppression and to establish justice. There will be less quarrels and disagreement if we propose that (1) developing a sound mechanism for providing justice to the really oppressed section (by identifying the various modes of oppression) (2) protecting communitarian values from any kind of hegemonic subjugation (statist or majoritarian) (multiculturalism) and (3) promoting inclusive national integration based on the above mentioned values (fighting injustice and promoting communal harmony) under a well-intentioned agency, the state. These
Conclusion

can be the three central themes of justice principles in India today. These assumptions are commonly shared values or can be called as the dominant ethics of public discourse today.

The task of this section is to build an overarching conception of justice that can accommodate both the legitimate claims of social justice and that of secularism. As a political objective, the aim is the identification of diverse unjustified inequalities equally and fairly without giving precedence or priority to particular group or community. This arrangement is different from the theories of social justice which locates justice as a process in which self-interested individual meet to expand their mutual advantages. Here, I am trying to divert this issue from such assertions and also from the hyper objective of the normative precisions to define what justice really means. The idea is to bring the discourse over ‘pertinent injustices within the societies’ and then demand for a fair recognition of these inequalities. Such arrangement will valorize the fairness and equal concern of the principles and will also foster democratic engagement between diversely located disadvantage groups and people to forge a common platform of total oppressed sections to fight injustice. This is an attempt in which a universal project will be undertaken in order to target oppressive and unjustified inequalities within the society in cumulative manner. This change is aimed at promoting parity of participation in the domain of justice which will guarantee objective conditions and rights to the oppressed sections which are denied to them by the hitherto social conditions.

The proposed principles are divided into three parts as the compulsory components of justice mechanism.

1. **Constitutional Essentials:** These are certain morally justified universal claims which advance common parity between all citizens. All the subjects of the state are equal recipient of these rights irrespective of their ascriptive differences. Equal citizenship and secular state are the essential components for any society based on plural values. However, this principle should not be utilized to passionately advance a particular type of moral good (religious or modern liberal) which will be antagonistic to other conceptions of morality followed by different sections of people. The equality principle

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52 Brian Barry "Theories of Justice" Hemel Hempstead, Harvester-Wheatsheaf, 1989
must try to develop a consensus in between various concepts of moral considerations through democratic deliberations and should respect public reason.

a) **Equality**: This principle maintains that there are certain non-negotiable basic rights which can be termed as core public values of modern liberal society. These values are adopted by the public reason as common rights like equal political and civil liberty, gender equality, fair equality of opportunity, the values of economic reciprocity, freedom of belief, the social bases of mutual respect between citizens and communities, basic health care, housing, education, etc. The state must subscribes and prioritizes to these cherished essential public goods.

b) **Secular State**: The principle endorses the application of constitutional obligation to disallow the dominance of majoritarian religious ethics, customs and values in any of the state sponsored institutional framework. Although the state is committed not to have a state religion, this is not the endorsement to the path of separation. The secular state must recognize the importance of plural ascriptive communities and provide equal status and rights to all communities especially the religious, cultural, linguistic minorities and socially oppressed groups while framing general policy or law for the citizens. This principle demands cognizance to plurality by the state without affirming to a particular notion of universal good based on religion or culture.

The principles pointed under ‘Constitutional Essentials’ are ideals with vast abstract promises which can be suggested as the best way to understand human’s political objectives. These ideals are capable of transforming the society towards achieving egalitarian social and political order. However, such normative enterprising ideals will be flawed if these ideals are not rooted within the diverse realities of the socio-economic and political milieu. To achieve such ideals it is necessary to identify the oppressive inequalities persistent within the society and state. The ‘Constitutional Essentials’ needed a supplementary support by another set of concretely embedded principles which dissects the socio-political and economic realities to demonstrate the functional unjustified inequalities within the society and state.

2. **Secular Identification and Recognition of Inequalities**: Justice principles require equal identification and recognition of perpetuated injustices within the society without any prejudices and bias. This principle will advance a procedural mechanism to identify
Conclusion

the legitimacy of all those claims which demand recognition. Any individual is a claimant for justice when he/she proves that one is denied the rights guaranteed under principle 1(a) as an individual member. The state must also sensitively recognize difference between the groups and communities to protect their separate concerns and interests with equal priority. Any community is a claimant for justice when the group proves that one is denied the rights guaranteed under principle 1(a) as a member of a collective identity.

a) Recognizing Oppression: This principle identifies the nature of dominant man made inequalities which ruin the natural liberty and equality of any individual in actuating her/his choices as an equal participant in human affairs. Oppressive categories (Gender discrimination, caste/religious oppression, economic exploitation, political marginalization, ethnic (linguistic and racial) prejudices, etc.) are operative within all collective communities in a structured manner. This principle recognizes that such inequalities must be eliminated to make society more egalitarian. The subjects of these groups must be attributed with equal respect and dignity. This principle prioritizes the empowerment of oppressed groups over the rest. Recognition of oppression without supplementing it to a particular collective identity is the necessary condition to build the idea of justice as fairness.

b) Communitarian Ethics: This principle is related to the rights of the religious, social, ethnic, regional, linguistic and other ascriptive differences which can be termed as minorities. Language, customs, ethics, rituals, festivals and other cultural norms are essential part of individuals’ daily life. This value system based on local culture is helpful for the natives to form a community which reinforces their identity in public and develop self-esteem. The embedded cultural and communitarian value of each member of any religious identity must be protected by the state from hegemonic inclusion of the majoritarian ethics. However, this principle should not violate principle 1(a) while valorizing independent communitarian ethics.

c) Prioritizing Individual rights over Communitarian rights: This is related to the individual rights of the citizen as a member of any ascriptive community. This principle does not provide uncritical prominence and overarching value to collective subjectivity but ensure constitutional safeguards (universal and particular) to each
Conclusion

subject of the community so that the ideology of collective group can not be utilized to suppress the values enshrined in equality principle and fundamental individual rights of the citizen (Principle 1(a)). Nothing of the principle 2(b) should be utilized to hamper the equal rights and liberty of any citizen.

These set of principles are correlated with the ideals of secularism and social justice but prioritizes the values of the later over the former. This approach has proposed under the impression that the secular state identities only valorize the religious and cultural values of the community in a cumulative way and provide obscure representation of the internal dynamics of the society. Therefore a concrete understanding of the society is needed which will represent the social, economic and gender inequalities within the society in a realistic way. This will help to identify the really deprived sections within these groups on which the state can take corrective measures for their empowerment. The abstract unity of the community should not be prioritized while recognizing the oppressive inequalities operational within the group. Principle 1(b) and 2 (b) are community specific rights but both should operate without diluting the essential rights of the individual enshrined in first principle.

3) Reformist State: There is a need of an agency which is capable of changing and molding the institutional structure according to the proposed principles of justice. Without a well intentioned intervention by a reliable agency to implement these principles, such formulations have no practical usage. Therefore, positive intervention of the state is necessitated in order to bring concrete reforms in the lives of those who are suffered by unjustified unequal relationships. The plurality of various ethnic-cultural and caste communities is also dominated by the majoritarian ethics offering hardly any space to the minorities to raise their concern. Therefore, greater democratization of the public spaces, especially of the state institutions (legislature, public services, educational institutes and defense forces) is a required principle. On the other hand, the independent communal and ethnic groups must also be restructured under the equality principle. The societal milieu is governed under the dominant control of social elites which justifies the subjugation of women and lower castes as supplementary to the religious teachings. The process of democratization and secularization within the society is halted under the authoritarian control of conservative and orthodox social elites which subscribes to non-
liberal norms and customs of the community as primary good over the principle of equality. Protection and empowerment of these vulnerable sections also becomes the necessary component of justice mechanism.

a) **Discursive Democracy**: This principle gives directives to the state to guarantee equal civil rights and protection against discrimination to all its citizens while participating in democratic system. It also demands proportionate representation of multiple ascriptive groups in the democratic bodies in order to avoid majoritarian domination of one particular community over the electoral process. The elected government must comprise of representatives from various ascriptive communities in a proportionate way. The executive body of the state is the responsible agency to accomplish this task, under the surveillance of independent judiciary. Efforts should be taken to implement identical process of representation in other spheres of public-private life.

b) **Corrective Institutional Mechanism**: This principle provides directives formulating constitutional remedies and safeguards to promote equal liberty to all the members in all public spheres. The state must promote internal reforms targeting persistent unjustified social and economic inequalities. The state should also advance support to the victims of oppression in their efforts in affirming, organizing and defending the individual and group identity. This principle advances additional rights to the state to prosecute the offenders who harm the progress of individual liberty and advance arguments claiming superior or privileged status to specific community or group.

c) **Achieving Inclusive Social Order**: The state must pursue policies of justice in such a way that it should not accentuate the unjustified material differences between ascriptive groups in a structured manner. The state must reduce unjustified difference, distinction and conflict (economic and political) in between groups and promote solidarity between different groups (social, cultural and religious). Further, such solidarity must be based on equal respect and tolerance of existing differences within the groups (gender, racial, caste, queer). The principles of social justice must promote the ethics of inclusive social order by prioritized equal liberty to individuals in all spheres of social organizations without making it a normative hegemony of a particular reason. It also promotes equality and tolerance in between socio-religious collective identities with equal value.
The normative objective of this principle is to promote the legitimate intervention of the state armed with the values of social democracy, plural solidarity and redistributive justice. The validity of these principles lies in its moral responsibility to eliminate unjustified inequalities and to advance individual and communitarian identities with dignity and respect. The state is the prime responsible agency to implement the principles of justice, however, without a concrete support and responsible activities by the civil society and its related organization, such statist efforts will be futile. The principles of justice must acknowledge that ending unjustified inequalities should become concern for every citizen and therefore political socialization of the people must be based upon the authenticated values of justice. The fairness of any justice principle is dependent on its common and equal acceptability by the people with shared responsibility to achieve an egalitarian social order. The state must open a democratic deliberation with the communities to start internal reforms within the community in order to end functional man made inequalities.

The idea of justice in this retrospect must be based on equal and fair recognition of injustices against individual and communities. The state has a wider responsibility as a secular and neutral agency which promotes equal respect and dignity to the religious and cultural identities of individual and community and simultaneously fights to end economic and political inequalities.

**Concluding Remarks:**

The vision of liberal institutions in India is myopic in the sense that it has not represented the social realities adequately and fairly. These institutions have shown their own inabilities to understand the question of oppression persistent in every community. The fragmented concerns are based on the impression that different communities are specifically independent from each other and therefore do not share any common attributes or concerns. Under such false assumptions the policy makers only endorsed the differences based on banal criterion like communitarian culture and regional backwardness. It structures the differences within communities by proposing homogenous collective identities and provides separate institutional mechanisms to address the concerns of oppression and discrimination. Such analysis is not even close to
address the question of injustice which is universally applicable to each and every community. Communities, irrespective of its religious and cultural background, are in reality heterogeneous, economically unequal and prone to practices and norms which subjugate women, discriminate lower castes and dominate under a particular brand of social elites.

Promoting communitarian and cultural good of various groups is one of the celebrated ethics of the contemporary multicultural society and state. However this approach is incapable of addressing new trends within the liberal discourse which questions the authority of social elites and the validity of cultural norms and communitarian ethics. The normal alternative which the multicultural school proposes is the introduction of modern reforms within the community and the state as the stand by observer. It is argued that any direct intervention by the state as the initiator of such reforms will be seen as domination of majoritarian ethics and it will meet with resistance, and even suspicion, from the minority communities. Such reluctant alternative which provides prominence and respect to the communitarian values over the principle of equality is in paradox with the idea of liberal justice. It is inadequate to provide justice to the oppressed sections under multicultural norms as most of the times these oppressive modes are justified under religious and cultural pretext to which the multiculturalists have vowed to protect.

The views imparted under multiculturalism divert from the basic concern of liberal thought that is emancipating individual from the clutches of traditional societies and exploitative economic order to make him a robust citizen embedded with fundamental rights and duties.

The alternative evolved here thus offers a convergence of multicultural ethos with the principle of equality which prioritizes the institution of social justice over abstract secular values. These principles of justice adequately represent the concerns of the community and protect their cultural affiliations from the domination of the majority, however; it prioritizes the principle of equality over the rest in order to eliminate unjustified, discriminative and oppressive social, cultural and economic practices which are obstacles in achieving concrete individual freedom and equality.