

# INDIA

## Country Profiles



This profile is a part of our Leading Multiculturalism: Canada's Impact on Global Diversity Policies series

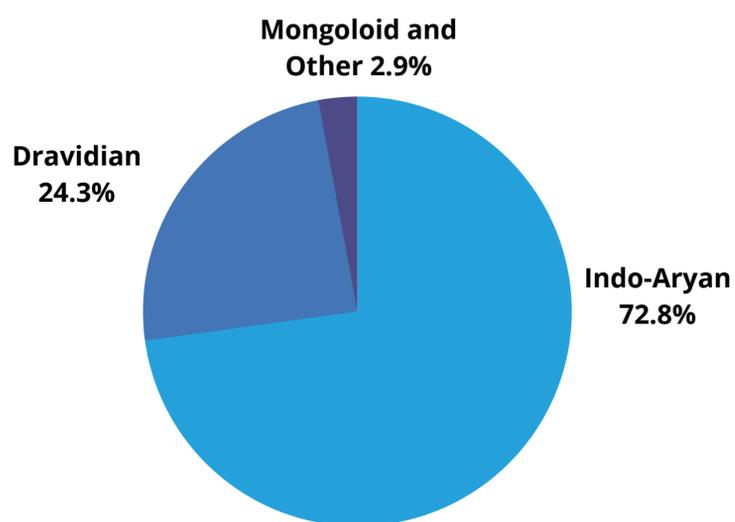
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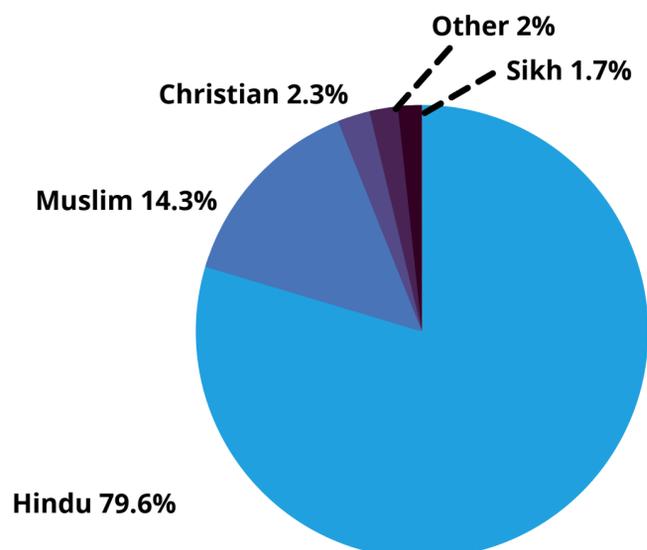
## HISTORICAL CONTEXT

India is a member of the British Commonwealth and is now world's largest democracy by population. It is home to hundreds of languages and dialects, and has many distinct religious and ethnic minority groups.

## DEMOGRAPHICS



## RELIGION



## MULTICULTURALISM POLICY

- **Term:** unity within diversity.
- **Approach:** top-down, with constitutional provisions to protect linguistic, cultural, and religious minorities.

## DOMESTIC

- India's Constitution protects citizens from discrimination on the base of religion, race, and caste and establishes equality of all peoples.
- Article 16 of the constitution establishes state-set quotas to ensure equal representation of ethnicities and religions in political bodies.
- An affirmative action policy is written into the constitution- a global first.
- The National Education Policy (2020) emphasizes the promotion of various cultures and languages in schools by expanding learning materials.

## INTERNATIONAL

### Treaties

- ✓ International Convention on the Elimination of All Forms of Racial Discrimination
- ✓ International Covenant on Civil and Political Rights

# India

## Background<sup>i</sup>

- Population: 1,326,093,247 (2<sup>nd</sup> in world; 2020 est.)
- Demographics: Indo-Aryan, 75%; Dravidian, 25%; Mongoloid and other, 3%
- Languages: Hindi, 43.6%; Bengali, 8%; Marathi, 6.9%; Telugu, 6.7%; Tamil, 5.7%; Gujarati, 4.6%; Urdu, 4.2%; Kannada, 3.6%; Odia, 3.1%; Malayalam, 2.9%; Punjabi, 2.7%; Assamese, 1.3%; Maithili, 1.1%; and others, 5.6%. In addition, English is an official language and widely spoken.
- Religion: Hindu, 79.8%; Muslim, 14.2%; Christian, 2.3%; Sikh, 1.7%; other, 2%.
- Term: “Unity within Diversity.”<sup>ii</sup> <sup>iii</sup>
- Top Down or Bottom Up: Top-Down

India is the world’s second largest country by population, the world’s largest democracy, and a member of the Commonwealth. Located in South Asia, it has an incredibly diverse population, home to hundreds of languages and dialects (Hindi and English have official status at the central government, while twenty-two others have status as regional languages),<sup>iv</sup> as well as numerous religious minorities living alongside the country’s Hindu majority.

Although the term “multiculturalism” is not in widespread use in India, with Indians preferring to view their model as one of “Unity within Diversity,”<sup>v</sup> the country’s institutions nonetheless have a distinctly multicultural flavor, being one of “the first democracies to embark upon a multicultural path,”<sup>vi</sup> The Indian Constitution<sup>vii</sup> forms the bedrock of this unofficial multiculturalism: in addition to providing the basic rights of speech, association, and religion, it bars discrimination and gives special consideration to minority communities. This includes the right to primary education in one’s native language and the right to preserve one’s cultural values. Most remarkably, it also includes affirmative action policies written directly into the Constitution (a world first), with quotas for disadvantaged groups in both political representation and educational institutions.<sup>viii</sup>

India’s federal structure has likewise come to reflect its multicultural nature. Since independence, the number of states has doubled from 14 to 28 in order to better accommodate and allow for greater autonomy to many of the country’s various linguistic, cultural, and religious minorities. In India, multiculturalism has thus been “conjoined with federalism.”<sup>ix</sup>

Despite its progressive constitution and federal structure, however, India currently lacks any additional legislation to provide for further protection of minorities. For example, it is one of the only democracies in the world without an explicit anti-discrimination law,<sup>x</sup> with few active efforts to combat discrimination against disadvantaged groups in the street or in the private sector. Nevertheless, India’s prominence, size, diversity, and democratic and multicultural institutions means that it remains an interesting case to examine and a unique contrast to Canada’s multiculturalism policies.

## Comparative Analysis: Domestic Legal

### ***Approach***

Top-Down: Most of India's multiculturalism policies are set out in its Constitution.

India's federal system has been used to accommodate increasing linguistic, economic, and religious demands of minority groups: for example, since independence, the number of states has doubled from the original 14.<sup>xi</sup>

- Multiculturalism has thus been “conjoined with federalism.”<sup>xii</sup>

An anti-discrimination law, the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, was passed in 1989 to prosecute those who commit crimes against members of these Scheduled castes and tribes, provide legal avenues, and commit governments to take action towards stopping said crimes (i.e., a hate crime law).<sup>xiii</sup>

India is unique among democracies in not having any additional anti-discrimination laws on top of its constitutional prohibitions.<sup>xiv</sup>

### ***Constitutional Protections***

Article 15 prohibits discrimination on the grounds of, among others, religion, race, or caste.

Article 16 stresses equality of opportunity for all citizens relating to employment with the state.

Article 19 covers fundamental freedoms, including speech, association, and assembly.

Article 25 covers freedom of conscience and religion and Article 26 allows for religious institutions the right to manage their own affairs.

Article 29(1) gives the right of all citizens to “conserve” their language and culture

Article 29(2) prohibits denying entry to state educational institutions based on religion, race, caste, or language.

Article 30 allows for all minorities to establish and administer educational institutions of their choice.

- Article 46 states that the Indian state will work to promote the educational and economic interests of weaker groups.

Article 350A directs the state to provide for primary education in a child's mother tongue.

- Interestingly, Article 351 directs the state to promote the Hindi language as a medium of expression; Canada's multiculturalism act envisions a similar role for English and French.

The Indian concept of ‘Reservation,’ a form of affirmative action, is written into the Constitution itself, a world first.<sup>xv</sup>

- Article 16(4a-b), for example, allows the state to set quotas to ensure the equal representation in the state, while other provisions set aside seats on political bodies (for example: Article 243T).
- These quotas are also applied to state-funded educational institutions.<sup>xvi</sup>
- Presently, over 49.5% of seats in government institutions are reserved for special categories.<sup>xvii</sup>

### ***Explicit Recognition of Multiculturalism***

No explicit reference to multiculturalism or diversity but the Constitution provide protection to ethnic and religious minorities.

The term multiculturalism is not used in India, although increasing numbers of scholars have begun to use it since the 1990s - after Canada's 1988 Multicultural Act.<sup>xviii</sup>

## Comparative Analysis: Domestic Practical

### *Valuing and Active Promotion of Diversity*

The new National Education Policy 2020 stresses the promotion of the country's cultures, both to provide a sense of belonging and to gain an appreciation of the cultures of others. It also calls for supporting multilingualism through schools, expanding and updating learning materials, and encouraging an increase in language teachers.<sup>xix</sup>

There is also the *Ek Bharat Shreshtha Bharat* program, which seeks to promote understanding and interaction between the peoples of India through various cultural initiatives, including trips to cultural sites, language training, and others.<sup>xx</sup>

There are few active efforts to combat discrimination.

### *Multiculturalism as a Means to Integration*

"Unity in Diversity"

### *Affirmative Action Policies*

Written into Constitution (see: "Domestic Legal").

## Comparative Analysis: International

### *International Treaties*

The International Covenant on Civil and Political Rights entered into force in India after the country's accession to the treaty in 1979.<sup>xxi</sup>

India signed the International Covenant on the Elimination of All Forms of Racial Discrimination in 1967 and ratified it the following year.<sup>xxii</sup>

### *International Promotion of Multiculturalism*

Not explicitly, although during the Cold War, India was a promoter of peaceful co-existence as a leader of the Unaligned Movement.

The Indian Council for Cultural Relations also seeks to promote mutual understanding, cultural exchanges, and international relationships.<sup>xxiii</sup>

<sup>i</sup> "India," The World Factbook, Central Intelligence Agency, accessed November 12, 2020, <https://www.cia.gov/library/publications/the-world-factbook/geos/in.html>

<sup>ii</sup> Ratna Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," *Canadian Ethnic Studies* 50, no. 1 (2018): 29, DOI: 10.1353/ces.2018.0002.

<sup>iii</sup> Sheetal Sharma, "Multiculturalism in India and Europe: Policy and Practice," in *Challenges in Europe*, ed. Sachdeva G. (Palgrave Macmillan: Singapore, 2019), 275, DOI: [https://doi.org/10.1007/978-981-13-1636-4\\_14](https://doi.org/10.1007/978-981-13-1636-4_14)

<sup>iv</sup> Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 26.

<sup>v</sup> Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 25.

<sup>vi</sup> Gurpreet Mahajan, "Indian Exceptionalism or Indian Model: Negotiating Cultural Diversity and Minority Rights in a Democratic Nation-State," in *Multiculturalism in Asia*, ed. Kymlicka, Will and He, Baogang (Oxford Scholarship Online, 2006), 2.

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- vii "The Constitution of India," Government of India, accessed November 12, 2020, [https://www.india.gov.in/sites/upload\\_files/npi/files/coi\\_part\\_full.pdf](https://www.india.gov.in/sites/upload_files/npi/files/coi_part_full.pdf)
- viii Rochana Bajpai, "Multiculturalism in India: An Exception?" in *Multiculturalism in the British Commonwealth*, ed. Ashcroft, Richard T. and Bevir, Mark (Oakland: University of California Press, 2019), 129.
- ix Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 28.
- x Suhrith Parthasarthy, "The need for an anti-discrimination law," *The Hindu*, June 15, 2020, <https://www.thehindu.com/opinion/lead/the-need-for-an-anti-discrimination-law/article31828372.ece>
- xi Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 28.
- xii Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 28.
- xiii Devyani Srivastava, "Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 & Rules, 1995: A Guide," edited by Prasad, Devika and Hazarika, Sanjoy, *Commonwealth Human Rights Initiative*, accessed November 12, 2020, [https://www.humanrightsinitiative.org/download/1528350081Scheduled%20Castes%20and%20Scheduled%20Tribes%20\(Prevention%20of%20atrocities\)%20Act,%201989.pdf](https://www.humanrightsinitiative.org/download/1528350081Scheduled%20Castes%20and%20Scheduled%20Tribes%20(Prevention%20of%20atrocities)%20Act,%201989.pdf)
- xiv Parthasarathy, "The need for an anti-discrimination law."
- xv Bajpai, "Multiculturalism in India: An Exception?" 129.
- xvi Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 29.
- xvii Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 32.
- xviii Ghosh, "Multiculturalism in a Comparative Perspective: Australia, Canada, and India," 25.
- xix "National Education Policy 2020," Ministry of Human Resource Development, Government of India, accessed November 12, 2020, [https://www.education.gov.in/sites/upload\\_files/mhrd/files/NEP\\_Final\\_English\\_0.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf)
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