

**Religions and Development
Research Programme**

The State and Madrasas in India

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GLOSSARY

Aqli ‘ulum	Rational sciences
Ajlaf	Base born, lower class Muslims
Biradiri	Kinship
Ckarm-e qurabani	Skin of animal that has been sacrificed
Dalit	The lowest social group in caste hierarchy
Dini and duniyabi talim	Religious and worldly education
Fiqh	Islamic jurisprudence
Hadith	Prophetic traditions
Imams, maulvis	Muslim priests and religious teachers
Jagir	Landed property
Jihad	Holy war
Maktabas	Lowest level of religious school teaching
Maslik	Sect/school of thought
Nisuwa	Girls’ madrasa
Purdha	Veil
Pundit	Hindu priest
Quazis/Khazi/muftis	Judges
Safeel	Tax collector
Tafsir	Quranic commentary
Ulema	Islamic scholar
Wakf	Religious endowments
Wafaq	Umbrella organizations of madrasas
Zakat/Fitr	Donation for charity

ACRONYMS

AIMPLB	All India Muslim Personal Law Board
A&IE	Alternate & Innovative Education
BJP	Bharitiya Janata Party
BSP	Bahujan Samaj Party
CPI(M)	Communist Party of India (Marxist)
DMWO	District Minorities Welfare Officer
FCRA	Foreign Currency Regulation Act
ISI	Inter Service Intelligence
ITI	Industrial Technology Institute
MM	Mumtazul Muhaddelin
MPLAD	Member of Parliament Local Area Development Fund
MW&WD	Minorities Welfare and Wakf Board
NCHP	National Common Minimum Programme

NFE	Non Formal Education
NGO	Non Government Organization
OBC	Other Backward Castes
SP	Samajwadi Party
SSA	Sarva Shiksha Abhiyan
UEE	Universal Elementary Education
UP	Uttar Pradesh
UPAFB	Uttar Pradesh Arabi Farsee Board
WBBME	Uttar Pradesh Arabi and Farsi Madrasa Board
WBCHSE	West Bengal Council of Secondary Education

Summary

Madrasa education in India today appears to be caught between the need to maintain its exclusive identity as a centre of Islamic studies and culture and at the same time to remain relevant to the present day needs of the community that it serves. Besides, the minority status of the Muslim community in general and the designation of the madrasa as a 'minority institution' in particular, with constitutionally mandated privileges, have added another dimension to the state-madrasa relationship in the country. While at present 'modernisation' rather than 'reform' is the stated objective of state interventions in the affairs of the madrasa, several critics of the government believe that this is only a step away from 'reforms' in the near future. They question the state's wisdom and intentions in focusing on an institution that caters to the educational needs of an almost negligible percentage of the population. Although, participation in the 'modernisation' process is absolutely voluntary, the fact that in some states like West Bengal state-supported madrasas remain madrasas in name only is used as an example to confirm doubts about government's intentions.

This paper attempts to illustrate that, while the state's engagement with the madrasas is influenced by the minority status granted to them, it is also influenced by the political ideology and electoral interests of national and regional political parties. The madrasas themselves are not organised to negotiate with the state for support on their own terms. Therefore, while the better resourced madrasas choose to keep out of the state funded programme, a small but significant number of the poorly funded are happy to engage with the state and comply with the conditions imposed. However, given the general environment of suspicion and opposition from some quarters to the state-led process of modernization, both the state and the madrasas are treading cautiously.

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THE STATE AND MADRASAS IN INDIA

1. INTRODUCTION

The madrasa as seen in India today is the outcome of beliefs and practices that took root in the country several centuries back. Over time, it has been significantly shaped by the nature of the state as well as the changing relationship between the state and the ulema and religious leaders. Historically three distinct stages of evolution vis-à-vis the state are evident, through which the madrasa was transformed from a secular to a minority religious educational institution. At present the relationship, as well as the institution, appears to be at a crossroads, pulled between the motives of a state that is focused on 'modernising' the madrasa and the debate within the madrasas system itself on the need, extent and nature of contemporary education. Of late, the relationship has also been coloured by the larger global political stand that has polarised sentiments about Muslims as a community. This study attempts to understand the current relationship between the state and the madrasa in India in this context.

2. METHODOLOGY

The study looks at the state's relationships with the madrasa in two different and yet related contexts: different socio-political scenarios and the changing nature of the state's formal engagement with madrasas. The 'secular' nature of the Indian state is an overarching point of reference.

The first part of the study looks at the historical evolution of the madrasa in India, focusing largely on developments just prior to and during British rule. This section is based on a wide ranging literature review and on discussions with selected academicians and Islamic scholars of national universities as well as with veteran writers and journalists.

Continuing the historical analysis, the study next looks at the post-Independence agenda of a secular state and the gradually increasing focus on the madrasa as an institution apparently requiring 'modernisation' in terms of its curriculum. Independence gave a new twist to the state-madrasa relationship, as the former was bound by the Constitution of the country to accord Muslims the status of a minority community in the country and to ensure the fulfilment of their rights and duties. It also brought with it a vibrant democratic political environment. This section takes a critical look at the Constitutional provisions as well as various state policies and support programmes that have emerged since Independence. It also attempts to capture the response of the madrasas to state interventions and the discourse that has emerged within the madrasa community itself around the nature and extent of 'modernisation'. The analysis is based on a review of policy and programme documents as well as

existing literature and interviews with academicians, scholars and government officials at the state level. Discussions were also held with national level heads of organisations like the Jamait Ulema-I-Hind and the Jamaat-e-Islami Hind which helped in bringing out the political nuances of the relationship.

The analysis then moves down to the sub-national level. In India education is a state (sub-national level) subject and implementation and outcomes are largely depended on the nature and capacity of individual states. However, the federal government influences and to some extent also controls the sector at the sub-national level through federal policies and allocation of resources. Moreover, over the last two decades critical changes have occurred in the country's socio-political framework that have been reflected in the gradual decline of Congress as the dominant political party, the emergence of regional parties, the era of coalition governments and the rise of the Bharatiya Janata Party on a hindutva wave. To understand the impact of different socio-political situations on the state-madrasa relationships, the two states of Uttar Pradesh and West Bengal were selected. Both have relatively large Muslim populations, but with different socio-political environments and different levels of engagement with the madrasas. Uttar Pradesh (UP) has seen a range of political parties over the last few years while West Bengal has been under a predominantly communist regime for the last three decades. It is envisaged that the differing ideologies of the party in power as well as its length of rule in the state would have some impact on its relationship with the madrasas.

Two other dimensions have been introduced into the sub-national analysis: firstly, the influence of the scale of operations of madrasas on their relationship with the state. The study has interpreted scale in terms of the level of education that the madrasas impart, and thus has defined 'madrasas' as those that impart education equivalent to the secondary level in mainstream schools and 'jamias' as those that teach higher levels (equivalent to graduation and post graduation) and facilitate students to specialise in various areas of Islamic studies. Secondly, on another dimension, the study also looks at the difference in the relationship between those madrasas and jamias that have engaged with the state through a formal support programme and those that chose to avoid such a relationship.

Hence, visits were made to six jamias and madrasas in West Bengal and five in Uttar Pradesh and discussions held with their respective managers, principals and teachers. It was observed that in India the state's formal engagement under the madrasa support and modernization programme was technically limited to the school (secondary or higher secondary) level of education. Thus, for instance, while in UP recognition and aid are provided up to the Junior High (class 8) level, in West Bengal support is being given up to the Higher Secondary level. Therefore, by default, none of the jamias¹

¹The 'jamia' in India appears to be a more generic term and not necessarily equivalent to a higher degree that is parallel to mainstream education and recognised at large. Besides, in the course of the study it was

visited in the course of the study have formally engaged with the state, while some of the madrasas are part of the state support programme. Views of both types of madrasas - with and without state support - and the jamias were obtained for the study.

The observations and analysis are based on extensive interviews with a range of respondents including socio-political organisations like the Jamiat Ulama-I-Hind and Jamaat-e-Islami Hind at the state level, Islamic scholars and academics, writers and veteran journalists, and NGOs working with madrasas. Multiple rounds of discussions were held with the Madrasa Boards in UP and West Bengal as well as the Minister in charge of madrasa education in West Bengal. As stated earlier, visits were also made to selected madrasas and jamias in both the states and interviews held with the heads as well as teachers of these institutions. While observations and conclusions are based on the collective analysis of the interviews, a state supported madrasa in each of the two states and an independent jamia from each state have been used to illustrate some key observations.

The report has been organised into the following sections: section 3 provides a perspective on the historical evolution of the State-Madrasa relationship over three periods in history; section 4 analyses the agenda of the post-independent state and the response of the madrasas to state overtures; while section 5 focuses on the specific cases of Uttar Pradesh and West Bengal to understand the effects of the socio-political contexts on the relationship.

3. EVOLUTION OF THE MADRASAS VIS À VIS THE STATE

3.1 The early years: Muslim and Mughal rulers as benefactors

Madrasas came into existence in India with the advent of the Muslim rulers into the sub- continent. They were established by the rulers and nobles of the state or were the result of the collective endeavours of the community (Alam, 2007). They are believed to have first appeared in the region of Sind and Multan (Arshad, 2005) and from there spread to the northern parts of the country. Thereafter, from the latter half of the 12th to almost the end of the 16th century, there was a rapid growth of madrasas under the patronage of the early Muslim and Mughal rulers. While the first Mughal conqueror, Babar, is credited with establishing between 1526 and 1530, a separate department for the promotion and administration of madrasas, Emperors Jahangir (1605-1658) and Aurangzeb (1658-1707) made financial provisions for their upkeep and maintenance and for scholarships to poor students. They are also believed to have granted large amount of land (*jagirs*) to the madrasas. Even during the last days of the Mughal Empire (Bahadur Shah Zafar), in the early 18th century, madrasas continued to be established in Delhi with state patronage (Siddiqui, 1997). Thus, more than a thousand

also found that often the madrasas may use the word jamia or Darul Uloom even to refer to primary and secondary levels of education.

madrasas funded by the state are reported to have been in existence during the period of the pre-Mughal Tughlaqs and spread across the country during Mughal rule.

These madrasas produced great scholars and religious leaders all of whom contributed to satisfying the needs - from administration to religion and culture - of both the community and the rulers of that time. Also during this period, although the madrasas are said to have been apolitical entities, the patronage of the rulers gave them great scope to influence policy making, albeit perhaps only in an unofficial capacity. A significant attribute of the madrasa during that period was its ability to prepare students for sought after jobs in administration, besides religion and Islamic culture. It can thus be concluded that madrasa education had great economic value.

3.2 British colonial rule: religious orientation of Madrasas

The British agenda

Historians and scholars of the madrasa system in the sub-continent generally agree that the advent of colonial rule and the downfall of the Mughal Empire was a critical turning point for the madrasas. The British introduced new systems of administration and, though initially averse to changing the system of education per se, eventually greatly influenced its profile. Their view of education was governed by their understanding of religion not only as being subordinate to the state but also as an aspect of life to be relegated to the 'private' sphere. (Asad, 1993). Hence, the British adopted a policy of 'religious neutrality' in government schools, to the total exclusion of religious teaching in the curriculum (Alam, 2007). By virtue of this logic, madrasas, regarded as religious educational institutions, came under the scrutiny of the ruling power, especially after the first war of Indian Independence in 1857. It is interesting to note that, subsequently, the ulemas used this very concept of religion being and 'to engage in the hegemonic representation of Muslim masses' (Alam, 2007). In fact some scholars propounded the importance of madrasa education as a tool for regaining the lost glory of the Muslims. The British would be replaced and, under a re-established Muslim rule, the ulemas would play an important role leading to the supposedly ideal situation of an '...enlightened Muslim leadership guided by responsible ulema.' (Alam, 2007)

In the initial years, however, as the British needed to understand the existing law and culture of the country they had to depend on the Hindu *pundits* and the Muslim *khazis* for law and administration. Because of this and also because of pressures from a section of the community, Warren Hastings, as governor-general, established the Calcutta Madrasa College (Alia Madrasa) in 1781 for the study of 'Muhammedan law and such other sciences as were taught in Muhmmedan schools' (as quoted by Khan, et al, 2003).² Subsequently, however, as the British began to consolidate their position in the Indian sub-continent, English was introduced as the language of the courts and

²A few years later in 1792, an English resident obtained permission from the East India Company to establish a Sanskrit College in Banaras to study Hindu law, literature and culture.

Christian missionaries were encouraged to set up modern educational institutions, thus reducing the relative importance of the madrasas as places of learning. A further blow was struck, when in 1828 the East India Company passed orders to acquire all *awqaf* of madrasas. Subsequently, in 1844 the situation worsened when Lord Harding passed orders forbidding graduates of Persian and Arabi madrasas to be given employment in government. The *khazis*' jobs with the government were also at stake as they were replaced with judges trained in British law. Besides, most of the madrasas saw a substantial reduction in their funds as their patrons themselves began to lose much of their social, political and economic power.

The response of the Muslim clergy: a process of distancing from the state

Threatened by the onslaught on the religious identity and existence of the madrasa as an institution, the ulemas and a number of other thinkers responded by setting up several large madrasas. Many of these grew up in the northern parts of the country, especially in the area that came to be known as Uttar Pradesh, then home to a Muslim élite who saw education as a means of regaining social and political powers (Bandhopadhyaya, 2002). The relationship reached a watershed when many of the ulemas who spearheaded the new madrasa movement adopted a hostile attitude towards the western system of education brought in by the British rulers. The unsuccessful 'physical *jihad*' (holy war), as Sikand (2002) notes, was replaced by an 'educational *jihad*'. According to Sikand, the educational *jihad* was meant to preserve the traditional Islamic learnings by isolating '*dini talim*' (religious education) from '*duniyabi talim*' (worldly education) and, in the process, closing the doors to modern knowledge. This he and many other scholars concluded was not only the beginning of the divide between religious and mainstream education, but also the time from when the madrasa curriculum came to be seen as rigidly unchangeable and somewhat closed to outside influence.

The Darul Uloom Deoband was set up in 1866 in Uttar Pradesh as a response to the call for such an exclusively religious institution, and quickly grew to become the most respected and traditional school of thought across the sub-continent. Subsequently, to moderate the rigid and exclusive '*dini*' philosophy and strike a balance between the 'modern' and the 'orthodox' schools of thought, several other schools emerged like the Madrassatul Uloom or the Mohammaden Anglo-Oriental College in Aligarh (later known as the Aligarh Muslim University) in 1875 and Nadwat-ul-Ulema (1892) in Lucknow. These institutions are said to have propounded a relatively moderate path and tried to introduce English, social and natural science into the madrasa curriculum arguing that Islam was an 'eternal' religion 'open to new developments in the realm of the *aqli ulum*' (Sikand, 2002).

A significant departure from the earlier madrasas was that these newly founded schools of religious education rejected state patronage and support, as it was thought that this would make them vulnerable to interference. Instead, they looked towards the

community for support and funds. The constitution of Darul Uloom Deoband unequivocally states:

‘The first fundamental is that the functionaries of the Madrasah, as far as possible, always have an eye to the augmentation of the donation ... So long as there are no regular means of income for this Madrasah, it will go on like this, if it please Allah, provided we pin our faith in Him. But if some assured income is obtained, e.g., a fief or a commercial establishment or the promise of a staunch man of means, then it seems that this state of fear and hope which is the source of our appealing to Allah will slip off our fingers, divine succour will cease and mutual disputes will ensue among the functionaries.’

Infact, the Deoband constitution strongly advocates ‘destitution of sorts’ and warns that the participation of the state would be harmful.

Thus two significant changes took place with the advent of the British and were consolidated in the years after independence. Firstly, the madrasas which were initially secular in character became more ‘religion’ oriented after the British policies, directly or indirectly, threatened their very existence. It was also during this period that a feeling of mutual suspicion and tensions between the state and the madrasa also began to grow. Secondly, as Sikand (2002) observes, the social composition of the madrasas also began to change at this time, with the students coming from *ajlaf* families and also financially poor households. The opportunities for upward social mobility, attraction of free board and lodging together with education, and the prospects of livelihood as *imamas* and *maulvis* or madrasa teachers, encouraged many poorer households to send their sons to madrasas. On the other hand, better off families began to send their children to modern English medium schools, because the madrasas no longer offered scope for elite jobs with the British run government offices, especially in administration and law. Thus, the profile of the madrasa underwent a significant change in terms of the socio-economic background of its students, its resource status and its potential to ensure employment.

3.3 Post Independence: Emergence as a Muslim minority institution in a Hindu majority state

Independence and the partition of the subcontinent brought more changes. First they brought a large-scale emigration to Pakistan of the intellectual Muslim middle class, including many of those who had been active in the fight for freedom and against the two-nation theory. Secondly, in the aftermath of partition, minority status appears to have brought with it a sense of threat to Muslim religious education, which over the years had to cope with a tendency in some state-run schools to impart Hindu-based education. The newly formed government, on the other hand, bound by the Constitution to protect the interests of minority communities like the Muslims, accorded them several privileges, including the right to set up their own educational institutions. Although state-specific actions - particularly at the local level - occurred in

some parts of the country, there is no documented evidence of significant state interference in the madrasas on a larger scale, until the early 1990s when formal, structured support was first initiated.³

Polarisation under different schools of thought (masaliks)

The years after partition and independence saw a mix of reactions to the education of the Muslim community in India. The concept of religion in the private space was carried forward into the new era both by the state and the ulemas. A large number of madrasas emerged across the country. At the same time the debate between traditional religious education, as personified by pure *dini talim*, and ‘modernism’, defined as the introduction of mainstream subjects, began to intensify, with various schools and *jamats and masaliks* taking their own position. An ideological battle within the community of Muslim religious educationist emerged. Many madrasas grouped - mostly formally but also otherwise - under the different schools of thought (*masalik*) like the Deoband, Nadwatula, Al Hadi and Beralvi schools, or organisations like the Jamaat-e-Islami Hind⁴.

The lack of consolidation of the various schools of thought is reflected in the differences that prevail in the madrasa curriculum today. Most of the madrasas follow their own syllabus, which is a variation of that followed by Darul Uloom Deoband, Nadwat or Jamaitul-Hidaya. There is no uniformity in their curriculum or textbooks, or even in the number of years required to obtain various degrees or levels of learning. There are also madrasas set up by ‘socially inspired’ ulemas that promote mainstream subjects and use textbooks developed by state sponsored research and training institutes like the NCERT (National Council of Education Research and Training), and hence are regarded to be more ‘modern’ in approach (Sikand, 2007). They are also said to promote Islamic studies using innovative methods. Some of them have even set up mini ITI (Industrial Training Institutes) or training institutes for technology. What is of concern however is that the degrees from none of these institutions guarantee admission to mainstream colleges and universities. The only exceptions are universities like Jamia Millia, Aligarh Muslim University, Hamdard University, and until recently Jawharlal Nehru University, which give admission to students from madrasas in limited streams, for example for Arabi language and Islamic Studies.

The differences between the various schools of thought and sects are obvious and not very conducive to the gaining of knowledge (Ahmad, 1990, Khan, et al, 2003). Naheed (2007) laments that this division has led to a lack of integration and differences in syllabus on sectarian lines, which prevent students belonging to madrasas from one school of thought from reading books of madrasas from other schools of thought. The

³ Occasional support from the state or local administration - mostly short term or of a one of kind - has been reported.

⁴ This fragmentation had actually started with the coming into existence of Darul Uloom, Deoband, Darul Uloom Nadwat Ulama, etc., and was consolidated and expanded during the period after Independence

modernization of both the curriculum and the pedagogy thus became a much-debated issue within and outside the madrasa system and became the stated reason for the state to focus on improving teaching in the madrasas. It is also the reason for a number of Muslim religious educationists to advocate a process of rationalizations of madrasa teaching and support the state on this issue, although with some qualifications and cautions.

Associations of madrasas

The various schools of thoughts, however, have not organised themselves into structured umbrella organisations or boards and, unlike in Pakistan, there are no recognised *wakafs* in India. Instead, madrasas are either informally associated with larger madrasas or leading schools of thought, or mostly function independently. Even in the case of those who follow a particular school of thought the affiliations are not always formalised. There are only few examples of madrasas being organised under an association or a semblance of an association, like the Rabata-e-Madarise of Darul uloom Deoband, the Dini Talim Council in Uttar Pradesh and the federations of madrasas in Kerala. All of these are independent of the state and have been established to protect the specific religious character of the madrasa, while at the same time ensuring quality education. A large majority of the madrasas, however, exist outside any such association.

The Rabata-e-Madarise was established towards the end of the 1980s under the Darul Uloom Deoband (All India Committee). It not only became the nodal agency for a number of non-government madrasas with separate chapters in several states, but also a collective symbol and forum to sustain religious education beyond the influence of the state. The Dini Talim Council, established in 1959, is on the other hand restricted to maktabas in Uttar Pradesh. It advocates on behalf of madrasas to the state and conducts exams, but it now appears to have lost much of its earlier glory. In Kerala, unlike in the rest of the country madrasas are affiliated to centralised organisations, like the Kerala Nadwatula Mujhadin, the Jamaat-e-Islami and the Samastha Kerala Sunni Jamaitul Ulama. Each of these has constituted independent boards to manage the several madrasas affiliated to them. Thus, the Nadwatula Mujhadin's Vidhya Bhasha Board has over 500 madrasas as members, Jamaat-e-Islami's Majil ut-Talim al-islami has 200 madrasas on its roll and the Sunni's Samasthaa Kerala Islam Matha Vidhyabasha Board has as many as 6000 madrasas on its roll (Rahman, 2005).

However, there is no evidence of coordination and interaction between these associations for the common cause related to the madrasas. The All India Muslim Personal Law Board (AIMPLB) is the only common platform through which the various schools of thought have some scope for negotiating with the state on specific issues. Established in 1973, the Board exists to protect and maintain the sanctity of the Shariat and ensure that no parallel civil laws and codes are applied that subvert the authority of Shariat. However, the Board, dominated by Deobandi Sunnis, also suffered splits when the Shias as well as Muslim feminists set up boards of their own.

The political parties do not seriously court the madrasas - with the exception of the Samajwadi Party in Uttar Pradesh which, having made a magnanimous promise of aid to the madrasas, could not live up to expectations. Whatever little negotiation that takes place, even during the state and national level elections, is through the AIMPLB, and leaders of groups like the Jamait Ulema-I- Hind (which claims to be a social welfare group and not a political party) or the almost insignificant Muslim political parties. Thus, madrasas now by and large have little political clout. Involvement of any ulema in state or national level politics has so far been outside the madrasa system and in an individual capacity or by virtue of heading an influential body like the AIMPLB. Similarly, the state for its part has no choice but to refer back to eminent scholars and individuals of repute within the madrasa system, more as individuals than as representatives of a collective forum.

Growth of madrasas

The existence of madrasas and their growth after Independence is primarily attributed to a lack of government schools in the vicinity, a situation that could be termed as a 'supply side failure'. Many Muslim educationists believe that given a choice between a good government school and a madrasa, parents are likely to choose the former. However, especially since '9/11', increasing orientation of the community towards their religious beliefs and practices is believed to be one of the reasons for a growth in the number of madrasas. Some educationists also believe that, although the primary motive of establishing madrasas is to teach religion, another less obvious reason is to promote the hegemony of particular schools of thought. Particular ulemas have control over specific madrasas and they do not want to give these up, as the madrasas are their only remaining domain of power in a country which is defined as secular but where Muslims are in a minority. However, there is also a growing perception that the madrasa in India now has little to offer as a livelihood option.

There is no accurate documented account of the number of madrasas currently existing in India. Although madrasas are widely spread across the country, they exist in larger numbers in the northern and western parts; various estimates place their number anywhere between 8000 and 30,000. The most quoted figure is that of the Home Ministry, Government of India, according to which Uttar Pradesh, with over 10,000 madrasas, accounts for the largest number of religious schools, closely followed by Kerala (9975), Madhya Pradesh (6000), Bihar (3500) Gujarat (1825), Rajasthan (1780),

Karnataka (961), and Assam (721). Within this list, there are two types of madrasas: one that works within the government system by virtue of being 'recognised' and at times also receiving grant-in-aid, and the other of madrasas that are outside the system and may or may not have introduced mainstream subjects into the curriculum. Bihar is said to have the largest number of recognised and assisted madrasas (1100). On the other hand, in Maharashtra, there were very few madrasas until about the early 1990s, so much so it is believed that during religious festivals *maulvis* were imported from other states like UP and Bihar. However, since then the number of madrasas is reported to be growing at a very fast pace, even to the extent that, in a predominantly Muslim dominated district like Malegaon, there is a number of madrasas that are co-educational or run exclusively for girls.

In fact, an interesting addition to the profile of madrasa education in India since independence has been the gradual growth of girls' madrasas or *niswaus*, attributed to the increasing awareness of the need to educate girls. A significant number of these are reported to be higher level madrasas, separate from the mosques and also at times providing hostel facilities. One of the objectives seems to be to encourage girls to train as *Alims*. According to some scholars, it could have also been prompted by the need to isolate the girls from the perceived Hindu leanings of government schools as well as the co-educational structure of many government schools.⁵

While Nadwadtul Ulama⁶ is credited with encouraging the setting up of girls' madrasas, even an avowedly conservative school of thought like the Deobandi has set them up.⁷ Although, the Deobandi *niswaus*, teaching up to the Fasil level, primarily adhere to the traditional curriculum and culture (observing *purdha*, etc.), they have introduced some 'modern' subjects like English and more functional ones like stitching, knitting and embroidery. The *niswaus* inspired by Nadwat Ulama teach both religious and modern subjects. While Urdu is the medium of instruction, English is a compulsory subject and computers are introduced after the primary class. Interestingly, some of these madrasas follow the syllabus of the National Council of Education Research and Training. Some of these have also been recognised by the Uttar Pradesh State Arabi and Farsi Education Board and provide general education till the fifth grade, following the government-prescribed syllabus along with basic Islamic studies.⁸

Most of the madrasas teach up to the primary (class v) or at the most to the secondary (Alim) level. A small percentage of these also teach up to the higher levels, though most have only a few students on their roll. It is reported that most students drop out after the Alim level (or move to one of the few larger madrasa or jamias). This was

⁵ A recent fatwa issued by Deoband forbidding co-education for Muslim girls has become controversial with many religious leaders opposing such edicts as worsening literacy levels in the community.

⁶ Jami'at us-Salihah, Rampur, Siraj ul-Uloom Girls' Madrasa, Aligarh

⁷ Jami'at us-Salihah in Malegaon, Maharashtra and Jami'at ul-Banat, located in the slums of Delhi.

⁸ Siraj ul-Uloom (Aligarh)

primarily attributed to the fact that the madrasa and jamias cater to a very poor section of the community, where children are required to work at an early age and hence higher education is not greatly valued, especially when it does not ensure a salaried job outside the religious institutional system. According to the Sachar Committee Report (Sachar, 2006), less than 4 percent of Muslim children of school going age go to madrasas⁹. This high level Committee, constituted by the United Progressive Alliance government in early 2005 to look into the social, economic and educational conditions of the Muslims in India, argues that the general ‘misconception’ that a large majority of children from Muslim families are enrolled in madrasas is because of the tendency of the general population to look at madrasas and maktabas as being one and the same.¹⁰ A large number of the children, who go to maktabas, to learn to read and recite the Quran, are also enrolled fulltime in regular mainstream schools. The Report makes a critical observation validating the view that madrasas are now almost exclusively populated by children from low income families. According to the Report: ‘Aided madrasas are often the last recourse of Muslims especially those who lack the economic resources to bear the costs of schooling, or households located in areas where ‘mainstream’ educational institutions are inaccessible.’ It also adds that ‘modernization’ of madrasas cannot be a substitute for quality mainstream education.

Legal status and resources

While some of the madrasas are registered under the Societies Registration Act 1860, or similar state specific Acts, many of them are *wakfs* (see section 4.1) and hence governed by the laws on management of *wakfs*. At the same time, a large number of them are believed to be neither *wakfs* nor registered societies. The management is often in private hands and family centred and a system of ‘*buiradari*’ or kinship is said to exist. The madrasas, like any other non-government organisation that seeks to acquire funds from outside the country, are also required to register with the Home Ministry of the Government of India, under the Foreign Currency Regulation Act (FCRA). Both the Societies Act as well as the FCRA entail verification of credentials by the police and endorsement by the local administration for all applicants, irrespective of their religious or political allegiance. The process is often fraught with bureaucratic delays and at times also reportedly involves ‘speed money’. Thus, in this respect, except perhaps in the frontier districts, any harassment to the madrasas would be only marginally more or less than that faced by other agencies. Apart from this, any madrasa that seeks to access state funds or mere recognition by a state school board also needs to register with the concerned board.

By and large the madrasas depend on charity with funds coming from the community in the form of *zakat*, *fitra*, *ckarm-e qurabani* (the skin of the animal that has been

⁹ According to the Sachar Commission’s Report a little over 1 million children go to *Madrasas*, with over 70 percent of these being at the primary level

¹⁰ In reality a maktab is an elementary school for teaching Islamic religious subjects only, while a madrasa is a place of learning that teaches religious and/or any other subjects.

sacrificed) during Id-ul-Azaha as well as other donations. Often a *Safeel* (charity collector) is responsible for the donations and organisations like the Jamiat Ulema-I-Hind and Rabeta-i-Madrise issue certificates to madrasas associated with them to endorse their authenticity and charitable work. A few madrasas also have land, buildings and other properties from which they raise income. Some madrasas, though believed to be relatively few in numbers, also receive funds from outside the country, mainly the Middle East. Although no accurate figures are available, a statement made by the Union Minister of State for the Home Ministry in 2001 indicated that a total of around Rs.40000 million (\$1000 million) was being channelled annually to religious institutions, including madrasas, in the country through the Foreign Currency Regulation Act.¹¹

In some states like Bihar, West Bengal, U.P, Madhya Pradesh and Assam, where state madrasa boards have been constituted, the state government allocates tied funds to those madrasas that are registered with the board (see section 5). However, as yet such madrasas constitute a small percentage of the total in the states. In fact, a number of them, like the Darul Uloom, Deoband, Nadwatul Ulama, Lucknow, etc., have consistently refused government aid since 1947. This may be because they suspect undue interference or because it is in line with the tenets of some of the institutions that strictly forbid them to access state funds. On the other hand, some madrasas, although wanting access to state funds, have reportedly failed to achieve this because of difficult bureaucratic processes and demands. The annual budgets of madrasas range from a few hundred thousand to a few tens of million rupees, with madrasas like Darul Uloom Deoband and Jamia Salfia accounting for between Rs 15 million and Rs. 30 million a year.

In conclusion, while some of the leading madrasas and schools of thought had their origin in the Indian sub-continent, they felt subject to threat because of the changes in the system of education introduced by the British and the loss of coveted government jobs. Post- Independence, the madrasas appear to have further lost much of their status as a sought after ‘secular’ educational institution. Their subsequent course of development was based on the perceived need to protect its image as a ‘religious’ educational institution as well as to establish its relevance to contemporary society. Moreover, their status as a minority institution in a Hindu majority state only appears to have intensified the debate around the madrasas’ role and function.

4. THE POST INDEPENDENCE AGENDA OF THE STATE

After independence, for almost four decades there was little interaction between the state and madrasas. Thereafter, the state’s engagement with the madrasas has become more formal, structured and project-based with the objective of bringing about changes

¹¹ The Hindu, May 19, 2002

in the curriculum aligning it with mainstream education, rather than of making overall reforms.

4.1 Support for madrasas as a Muslim minority educational institution

Constitutional provisions: securing the existence and propagation of madrasas

The madrasas, post Independence, have been influenced by the guarantees given by the Constitution of India to the minority communities in the country. In terms of education the state seems to have adopted - consciously or otherwise - the British concept of religion in the private space, thus attempting to keep religion out of the sphere of education. However, as stated earlier, there have been attempts from time to time by Hindutva oriented political parties to give a 'Hindu' colour to public education in some of the states. Moreover, the secular Constitution makes space for other religions to set up and manage their own institutions.

The Muslim community, by virtue of being 'notified' by an Act as one of the five religious minority communities, qualifies for guarantees under the Constitution, under which equality before the law and equality of opportunity for employment have been defined as 'Fundamental Rights', while discrimination on the grounds of religion, race, caste, sex or place of birth is prohibited.¹² A series of Fundamental Rights under the Right to Freedom of Religion (Articles 25 to 28) and Cultural and Educational Rights (Articles 29 and 30) of the Constitution provide freedom to practise and propagate religion, manage religious affairs, and protect the interests of the minorities in this regard, while guaranteeing them the right to establish and administer educational institutions.

Thus, while Article 28 states that 'No religious instructions shall be provided in any educational institution wholly maintained out of State funds....' Clause (2) of the same Article, however, adds that '...Nothing in clause (1) shall apply to an educational institution which is administered by the State but has been established under any endowment or trust which requires that religious instructions shall be imparted in such institutions.'

Similarly, the Constitution also states that no person attending an educational institution that is recognised by the state or receives state funds should be forced to take part in any religious instructions unless permission has been obtained from the person, or the guardian in the case of minors. But Articles 29 and 30 allows religious and linguistic minorities to establish and administer their own educational institutions.

¹² The constitutional provision is however not without flaw, for it is not very specific in the definition of 'minorities' and instead only gives two broad indicators for its determination: religion and language. Nor is there any legislation that specifies the religious or linguistic minorities or lays down any procedures for identifying them. However, it has laid the foundation for communities like the Muslims to run institutions like madrasas.

Thus, Article 29 states that ‘Any section of citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.’ And Article 30 emphasises that ‘All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice..... The State shall not in granting aid to educational institutions discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.’

With subsequent amendments to the Constitution in 1956 (Seventh Amendment, Article 350 a) and b), facilities for instruction in mother tongue at primary level were ensured and the Urdu language, amongst others, gained legitimacy as a medium of instruction while a Special Officer for Linguistic Minorities was also provided for. The 44th constitutional amendment in 1978 ensured that in the event of acquisition of land belonging to a minority educational institution the ‘...amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed...’ to establish and manage such institutions.

In order to operationalize the constitutional rights of minorities, in subsequent years various governments set up commissions and initiated specific support programmes, some of which focused on the Muslim community and the madrasas. A major initiative was the setting up of a National Minorities Commission in 1978 to look into the rights of the minorities; this was subsequently given a statutory status in 1992. In 2004, following its electoral promise, the coalition United Progressive Alliance government under its National Common Minimum Programme (NCMP), constituted a National Commission for Minority Educational Institutions through an Act of Parliament. The Act provides, *inter alia*, for the right of minority educational institutions to seek affiliation to any university of their choice and also addresses the problems faced by minorities in obtaining ‘no objection certificates’ to establish educational institutions. The Commission is also empowered to resolve disputes relating to the minority status of educational institutions. With the setting up of the Commission, it appeared that for the first time Article 30(1) of the Constitution would be effectively implemented, and minority institutions like the madrasas would have increased scope to seek affiliation to mainstream universities. However, a recent legal battle questioning the minority status of the Aligarh Muslim University and a High Court ruling that only the courts can determine the minority status of educational institutions called the effectiveness of Article 30(1) into question. In fact, the provisions of Article 30(1) have been the subject of several court cases; it is the Christian missionary institutions that have filed most of the cases, with fewer Muslim institutions taking their grievances to court (Mahmood, 2007).

In spite of these lacunas - probably mainly due to a lack of commitment and poor implementation - the Constitution appears to be a security blanket for the madrasas. In the course of the study it was found that most people associated with the madrasas - Muslim religious educationist and community leaders - stated that the provisions of the

Constitution to practise and propagate their religion as well as set up institutions to teach religion was the source of their strength. The Constitution was upheld as a sound and secular commitment of the state to provide equality to all citizens, irrespective of religion and irrespective of any contrary moves by various political parties and governments. Religious freedoms may best be guaranteed by secular commitments.

The Wakf Council: providing resources under government control and oversight

A *wakf* is an immovable or movable property permanently dedicated to religious, pious or charitable purposes as defined by Muslim personal law. The central government has put into place arrangements to administer the *wakf* properties and use the earnings to support educational initiatives for poor Muslim children. Thus, the administration of *wakfs* is the responsibility of the Ministry of Social Justice and Empowerment which enacted the Wakf Act in 1954 (amended in 1995) and also set up a Central Wakf Council (1964) for its administration. One of the primary responsibilities of the Council is the educational advancement programme for the community. The Union Minister in charge of *wakfs* is the chairperson of the Central Wakf Council.

The Council receives grant-in-aid from the central government and disburses it as loans to *wakf* institutions for the commercial development of urban *wakf* properties on the condition that the loanees donate 6% of the outstanding loan to the Educational Fund of the *wakf*. The donations and the interest accrued on bank deposits together form the Revolving Fund for the 'Educational Scheme' of the Council, which is utilized to provide scholarships to poor students pursuing technical and professional degree courses. This provides ad hoc grants to poor and needy students and matching grants to the State Wakf Boards for scholarships in their respective states to school and madrasa students. The loans are given with the additional condition that the borrower spend 40% of the enhanced income on the education of Muslims.

4.2 State-led attempts to 'modernize' Madrasas

The Government of India has sought to operationalize its constitutional mandate and its commitment to Universal Elementary Education (UEE) through structured interventions in the madrasa system. A centrally sponsored programme has been in existence for over a decade now and is in the nature of grant-in-aid, almost wholly focusing on 'modernising' the curriculum by bringing in mainstream subjects and, in some rare cases, improving teaching methods. In addition, some of the states have set up dedicated Madrasa Education Boards and are channelling grants-in-aid to recognised madrasas, again with support from the central government but on an equally shared basis. While the support is similar to that provided to regular recognised and aided schools, the boards and their functioning in turn are influenced by the socio-political contexts of the respective states - reflecting local political considerations.

The Area Intensive and Madrasa Modernization Programme

A centrally sponsored *Area Intensive and Madrasa Modernization Programme* of the Ministry of Human Resource Development was the first major planned intervention of the central government. It continues in a modified version to be the only significant programme of structured and formal engagement with the madrasas. The idea was mooted in 1983 by the then Congress government in a '15 Point Programme' for the educational, economic and social upliftment of the minority communities. However, it did not become a tangible programme until 1993-94, when the revised Plan of Action (1992) of the National Educational Policy (1986) suggested short term, medium term, and long term measures for the education of minorities. Originally two separate programmes focusing on infrastructure development and modernization of the curriculum, they were merged in the Tenth Five Year Plan. It has now been brought into the purview of the Sarva Shiksha Abhiyan (SSA), the Government of India's version of Universal Elementary Education, as a separate component. It is a voluntary scheme and the madrasas are expected to apply for assistance. However, only registered madrasas, which have been in existence for three years, are considered for assistance.

The objective of the programme is to encourage traditional institutions like maktabas and madrasas to introduce teaching of Science, Maths, Social Studies, Hindi and English in order to provide opportunities to students to acquire education comparable to the national system of education. While in the first phase of the programme (under the Eighth Five Year Plan, 1992-97) primary classes were covered, in the second phase (from Ninth Five Year Plan, 1997-2002), the coverage was extended to institutions providing education equivalent to the secondary stage. During the first phase, 100 percent assistance for appointment of qualified teachers was given to the madrasas together with assistance for establishment of a book bank and strengthening libraries. Provision of science and maths kits and essential equipment were also included. The scheme was reviewed and continues in the current (Tenth) Plan which proposes to cover 5000 madrasas (less than 15 percent of the total of the madrasas in the eight states where they are found in relatively large numbers), with textbooks being provided by the National Council for the Promotion of Urdu Language, an autonomous Council set up by the central government.

So far 4694 madrasas have been provided with assistance under the scheme. But the total allocation between 2002 and 2006 was only Rs.1060 million (approximately \$27 million), a substantial amount (almost 75 %) of which was for infrastructure development. Such low financial disbursement is attributed, on one hand, to inadequate dissemination of information by the government, perhaps reflecting a lack of serious intent, and on the other to lack of interest on the part of some of the ulemas to participate in the programme for fear of dilution of their authority (Sachar Committee Report, 2006).

Unrecognized madrasas covered under the Sarva Shiksha Abhiyan

State governments can also set up centres under the Education Guarantee Scheme or initiate interventions under the Alternative and Innovative Education component in unrecognised madrasas, especially girl's madrasas, where free textbooks and an additional teacher can be provided. Both these schemes are components of the Sarva Shiksha Abhiyan (SSA) which aims at the universalisation of elementary education through a community owned quality education system in a mission mode. It also aims to bridge social, regional and gender gaps in literacy and access to education. Based on the 1981 Census, madrasas in 99 districts in 16 states have been identified for focused attention. Bihar, West Bengal, Uttar Pradesh and Assam are the major beneficiaries of this programme. In the year 2005-06 about 3500 unrecognised madrasas received support under the A&IE component.

Madrasa education boards created to parallel mainstream education boards

In order to structure and streamline support to the madrasas in line with the Area Intensive and Madrasa Modernization Programme, West Bengal, Uttar Pradesh, Madhya Pradesh, Bihar, Rajasthan and Assam, all with a substantial Muslim population, have constituted state madrasa boards especially to manage the modernization process. In Bihar, a madrasa board has been set up and all madrasas have been brought under a common centralised system of education. In UP, although the governor of the state has issued an order to constitute a dedicated board, the board is yet to be formally constituted though activities continue under a virtual board and the already existing UP Arabi and Farsi Board. In Madhya Pradesh the modernization process is said to have fared better at the primary level, but a number of madrasa leaders and religious teachers do not consider the board-managed madrasas to be genuine as the curriculum is structured to include all mainstream subjects with religious teachings included as just one of the subjects. In West Bengal, while state support to madrasas has been there for some time the madrasa board itself has become structured and active only in the last few years with over 500 madrasas currently registered under it.

Similar bodies had existed in West Bengal, Bihar and Uttar Pradesh even prior to the start of the central government supported programme. In West Bengal, a board was set up in 1973 under a state government notification, until the Calcutta High Court struck it down in 1994, saying that this system had no foundation. The state government was instead directed to place the madrasas under a proper statutory system. Similarly, Bihar had enacted the Bihar State Madrasa Education Board Act in 1982 by virtue of which a statutory body was set up with powers of supervision and control over the madrasas, including powers to dissolve and reconstitute the management committees. The power to reconstitute the management committees was, however, struck down by a court in 1991, which stated that this was in violation of Article 30 of the Constitution. The newly reconstituted Bihar Board, with its standardised examination system, is currently rated by the central government to have one of the best systems for madrasa

modernization in place. In Uttar Pradesh, the Arabi and Farsi Board has been functioning like a state board over the last few decades.

Towards the end of 2006, the national Ministry of Human Resource Development, presently headed by a minister reported to be one of the most secular and pro-Muslim ministers in the cabinet, proposed the setting up of a Central Madrasa Education Board, a concept which had been proposed in various review forums over previous years. The board was actually mooted by the National Commission for Minority Educational Institutions, based on documented evidence of the educational backwardness of Muslim communities in the country. The Commission recommended that remedial initiatives should be taken by the states on an urgent basis with the most critical tasks being 'modernizing and upgrading madrasa education, besides prioritising Muslim majority areas for educational development'. The proposed board, which was to function on the lines of the other regular education boards, was to coordinate and standardise the madrasa system while mainstreaming it into the regular system. The central government entrusted the task of consultation and negotiation to the autonomous National Commission for Minority Educational Institutions headed by Justice M.S.A.Siddique, and added the rider that association with the Central Board would be entirely voluntary. However, the proposal has met with severe criticism and suspicion. While some spiritual leaders suspect that it may be too interventionist, others (community leaders like Syed Sahabuddin) question the relevance of modernization given that only a small percentage of children from Muslim communities go to the madrasas.

Operational gaps

The modernization programme has been criticised as being a '...half baked programme...conceptualised and implemented in a hurry' (interview with a senior Muslim educationists) by even those amongst the Muslim educationists who otherwise view state intervention as having 'good intentions'. Moreover, since its focus is largely limited to introducing new subjects and not to bring about changes in pedagogy, structures and systems, several educationists are of the opinion that it cannot be termed a comprehensive 'reform' process. Because of the lacunas in design and administration and because many madrasas also chose to keep out of the state-led process, the programme remained almost non-functional for a long time and only caught some momentum in some of the states with the launch of the SSA programme. The fact that the central government has provided broad guidelines and a framework for implementation and release of central funds, while the actual design and implementation is in the hands of the respective states, has also led to variations in design and processes and consequently in outcomes.

For instance in Delhi where there are reportedly about 300 maktabas and 200 madrasas, few have shown interest in the scheme. Of the few who applied even fewer were approved for grants by the state. Most of the teachers selected were women who had to travel to remote madrasas situated in remote parts of the city. Not only was this a

tiresome situation for the women, but it also meant that a large part of their meagre remuneration (Rs.1000, i.e. less than \$25) went on travel while their payments were often delayed. Secondly, many of those who were selected did not know Urdu, making communication with the largely Urdu speaking students difficult. As a result, a number of the newly selected teachers soon dropped out. The general apathy of the Delhi State government and its apparent failure to respond to the needs and subtleties of the programme are given as among the key reasons for it being aborted in the early stages.

Similarly, a review of the programme in the state of Uttar Pradesh by the Hamdard University (Hamdard Education Society, 2003) revealed that, while additional subjects had been introduced, the timetable itself had not been adequately rationalised to accommodate these subjects. Moreover, not only was the number of teachers sanctioned found to be inadequate but also the headmasters of the madrasas were insufficiently equipped to supervise the additional subjects; nor did the teachers have adequate capacity. Besides, facilities, including salaries to teachers were not only inadequate, but also intermittent in disbursement. The Hamdard evaluation for the first time recommended that a Central Board of Madrasa education should be set up empowered to monitor not only the implementation of the Modernization Scheme but also the functioning of the madrasas that opted for state recognition and aid. Moreover, the Board was to be empowered to facilitate the standardisation of the curriculum across the country and also the integration of traditional and modern teachings within the madrasas. The evaluation concluded that the complexity of the interventions demanded such a central board. These recommendations from a university founded on Islamic principles of knowledge and for fulfilling the objectives of the *wakf* seems to indicate the tacit support of a section of the Muslim educationist for the concept of modernization managed by the state.

In spite of such reviews and recommendations, so far the state has not taken any serious initiative in building the capacities of madrasa teachers as it cannot single out the madrasas for such preferential treatment. The state is rigid in its approach, which seems to be further compounded by its political leanings and the need to treat all minorities equally.¹³ Besides, as in the case of other programmes, bureaucratic processes are said to be difficult if not impossible for most of the madrasas to handle.

4.3 Response of madrasas to the state agenda: 'yes', but on our own terms

Most proponents of the madrasa system interviewed during the course of the study, including religious teachers and academics from well known universities and

¹³Jamia Millia Islamia, the reputed national Islamic university located in New Delhi, offered to facilitate implementation of the reform process through teachers' training. The central government initially declined the offer saying that they could not provide training only for *madrasa* teachers, ignoring other minority institutions, but subsequently agreed when the University suggested treating the training as training in the Urdu medium.

institutions as well as large and small madrasas, observed that they were not averse to changes in the madrasa curriculum per se. However, many of them were uncomfortable with government leading such change, especially because of the recent violent expressions of distrust between Hindus and Muslims in some parts of the country, and because madrasas have also been targeted for allegedly harbouring terrorism.

The perceived motives of the state

A number of scholars of Islam as well as religious leaders question the actual motive of the state in implementing the modernization programme.¹⁴ According to them, the 'sudden interest' in up-gradation of madrasas by the state, which had not previously made many efforts to improve educational facilities even at the primary level in Muslim dominated areas, does not appear to be the result of genuine concern for improving the literacy level of the community. The scepticism is intensified when the programme is seen to originate from a state that has been characterised as one that refuses to 'divulge available data on Muslim educational backwardness and which, by carefully manipulating the levers of power, changes curricula, particularly related to language, syllabi, school culture and medium of instruction so as to make Muslim parents more and more reluctant to send their children to government schools.' (Syed Shabuddin quoted by Khan, et al, and 2003)¹⁵. Another perception that education in mainstream schools does not lead Muslims into public sector or government jobs was a common refrain, further validated by the Sachar Committee Report (Sachar et al, 2006). The Report found that the participation of Muslims in regular salaried jobs (especially in government or large public and private sector enterprises) was lower than of other socio- religious categories, .

Community leaders like Syed Shabuddin of Majlise-Mushawarat, citing the Sachar Committee Report, have objected to the constitution of a Central Madrasa Board. He believes that the focus on the madrasas was unnecessary, when less than 4 percent of Muslim children is reported to be going to them. The problem, on the other hand, was the lack of facilities for regular schools (Times of India, April25, 2007). Therefore, critics like Shabuddin are convinced that the motive behind a centralised system and the government 'largesse' is not to benefit the madrasa students to become more 'employable and more useful to society', but to penetrate the madrasas in order to monitor their activities against suspected terrorism (Shabuddin, 2001). Similarly community leaders fear that the role of the Central Board will in due course change from that of advising on modernization and mainstreaming to regulation and control.

¹⁴ During the course of this study, some scholars and religious leaders expressed their belief that distrust between madrasas and the state had come into existence primarily after the wars in Afghanistan and Iran in the 1990s and intensified after '9/11'.

¹⁵ This statement about 'divulging data' does not hold true now, in the light of the fact that the Sachar Committee was constituted and appointed by the present Congress led UPA government (with the Left Front CPI(M) as a critical ally) and the Report of the Committee clearly indicates the poor conditions of the Muslims in the country and the extent of neglect by the state

Such critics cite the case of Bihar and West Bengal where the level of state 'interference' is said to be such that these madrasas are no longer 'Islamic' madrasas but remain so only in name. State-led reform they feel is the key to control and the government is subtly making reference to the Inter Service Intelligence group of Pakistan and terrorism in order to push madrasas to accept reform. At the same time the 'support' is also criticised as being a ploy for governments and political parties to garner minority votes.

The fact that, although Muslims constitute only 15 percent of the population, their participation in the electoral process is almost 95 percent and that there are fewer caste divisions amongst Muslims makes them valuable to political parties. The central government, being sensitive to these reactions, is proceeding very cautiously and has relegated the job of advocating the concept of a Central Board to the autonomous National Commission for Minority Educational Institutions under its Muslim chairperson. In fact following this trend, almost all state boards are at present headed by a Muslim.

'Modernization' has also been apparently equated with 'westernisation' by some ulemas who are hence averse to such change. At the same time, however, there are many including the independent madrasa heads interviewed in West Bengal, who appear to be willing to concede the case for introducing mainstream subjects, but are averse to any state interference in reforming Islamic subjects. They prefer that the decisions on the direction and type of reforms should be left to the ulemas. In fact many critics of the government programme such as Jamait-e-Islami, Jamia Hamdard and head teachers of some madrasas argue that the concept of 'modernization' is not alien to the madrasas system because the system itself has been constantly adapting, in various ways and degrees, to the changing environment. The state, they observe, has a misconception about madrasas as being purely religious oriented educational institutions, whereas they point out that madrasas traditionally have also been open to secular and 'modern' education. A continuous process of internal reforms, they argue, has occurred over time, albeit at a slower pace than the government now desires. It is another matter that the process itself has been facing hurdles ranging from resistance from some quarters of the Muslim community itself - primarily a section of the ulemas - to a lack of support from the government for improvement of the quality of learning, teaching and teaching materials for modern subjects. Thus, within the system the doubts and debate have been around the nature and extent of modernization, and who leads it, rather than against modernization per se.

Some religious leaders as well as scholars conclude that, previously, the state-madrasa relationship was not characterised by hostility. However, ever since the state set out on its path to increase the educational levels of Muslim children in madrasas, frictions have developed in some quarters. Sikand (2007) argues that, while the state's motives may be questioned, if the state fails to bring the madrasas into the development process, the latter may become vulnerable to activities of terrorism. The allegations of

terrorism may become a 'self fulfilling prophecy'. Ironically at the same time, however, while the madrasas that have opted for the state modernization process have been found to suffer from poor monitoring and lack of accountability, those that have not accepted it are also not much better off because of lack of money and training for their own development.

The programme has also been called non-Islamic as it may involve giving bribes to the state machinery for recognition and release of funds. Bandhopadya (2002) aptly describes the current situation in India as one where vested interests merge to exploit the community: the 'illiterate *mullahs*' try to protect their domain and the political leaders exploit the minorities for electoral gain. As such these 'non-secular' ulemas and the so-called 'secular and progressive' political groups reinforce each other's agenda.

At the same time, however, some of the Muslim scholars and educationists interviewed look favourably on the state's aim to modernise madrasas because they are of the opinion that it would bring the Muslim children into mainstream education and give them better livelihood opportunities. They also argue that bringing the ulema, who have tremendous influence in the community, into the process would be an effective way of improving the literacy and livelihood conditions of what is seen as a 'backward' community¹⁶. The ulemas themselves are thought to have tremendous influence but to need to change their style in the propagation of Islam.

Most of the scholars and educationists interviewed in some of the leading Muslim universities in Delhi and Aligarh are convinced that the government's objectives are genuine and the fear of a 'control agenda' is unfounded. However, they feel that the state has not been able to gain the confidence of the community in taking the agenda forward. Added to this is the fact that from time-to-time vested and non-secular interests among political parties and leaders have created suspicion and doubts regarding the true agenda. The scholars and educationists who were interviewed felt that the basic agenda of the state was to secularise education and added that, although some apprehension existed within the madrasa system, there was also a willingness on the part of a substantial percentage of madrasas to reform. While the latter are willing to introduce reforms to the extent of introducing new subjects, what they are reluctant to allow is reform that interferes in the teaching of Islamic subjects.¹⁷

Alternatives to a state led process of modernization

Some Muslim academicians as well as Muslim leaders from organisations like the Jamiat Ulema-I- Hind are of the opinion that the government should focus on providing secular quality education to all children as a matter of right and leave religious instruction to the respective communities. The argument offered is that, in

¹⁶ The Khutba is delivered in Arabi and often neither the Khatib nor the disciples are said to understand it.

¹⁷ Conclusions based on discussions with educationists from Jamia Millia, Hamdard University, AMU

the matter of education, if a community wants to follow a particular path it should be allowed to do so. The system adopted in Kerala is often cited as an ideal example wherein all Muslim children receive religious education in maktabas and are also at the same time enrolled in mainstream schools for secular or 'modern' education.

Shabuddin (2001), hence, recommends that instead of modernization the government should adequately provide Muslim concentrated areas with primary and secondary schools and modify its policy on the medium of instruction as well as rationalize the contents of teaching and text books so that the orthodox Muslim does not feel threatened. The Sachar Committee Report goes a step further. While it warns that the '...modernized madrasas are unlikely to satisfy the educational demands of the Community ...' and that '...madrasas should not be looked upon as alternatives to the regular schools' it emphasizes that the state will have to make provision for mainstream schools in Muslim concentrated areas. The Committee recommends that madrasas should be linked to a mainstream higher secondary school board and madrasa degrees should provide 'equivalence' for subsequent admissions into institutions of higher education. The Committee considers the modernization scheme to be a 'step in the right direction' but with certain inherent faults related to choice of subjects, striking a workable balance between the modern and traditional subjects, etc., and hence, needing to be reviewed and revamped before expansion.

4.4 Madrasas and terrorism

Since the beginning of this century there have been reports that over recent years madrasas have been growing rapidly in some parts of the country, especially in the states bordering Nepal and Bangladesh. The growth is often attributed to cross-border terrorism and Islamic fundamentalism, particularly by politicians belonging to Hindutva groups and some sections of the Indian Press. Some reports have been generated by agencies and departments of the central and state governments, especially during the period of coalitions led by distinctly Hindutva parties like the BJP at the federal level, which have added to a feeling of lingering distrust.

In 2001 a ministerial group led by the then Home Minister, L.K. Advani, submitted a report on reforming internal security in the country. The Report observed that international funding following the oil boom in the Gulf had led to funds being diverted for the spread of Islam in various parts of the world, including India, with much of the money being managed by extremist Muslim fundamentalist organizations. The findings of the Report that 11500 madrasas exist in 12 of the border states led the then Union Minister of Home to instruct the states to be vigilant.¹⁸ Besides, during the same period, the Indian intelligence agencies claimed that madrasas had become a

¹⁸ The Religions Institutions (Prevention of Misuse) Act of 1988 allows the central government to deal with the issue of vigilance provided that a religious institution runs the madrasa. The responsibilities for registration and regulation of the madrasas are, however, vested in state governments.

training ground for the activities of the Inter Service Intelligence (ISI) group of Pakistan and were indulging in pro-Pakistan propaganda and terrorism. The report also suggested that "...muftis, maulvis and imams in theses religious schools may have been replaced by 'highly fanatic agents of ISI', secretly working for the disintegration of India." (quoted by Khan, et al, 2003). Hence, in 2002 the Home Ministry is believed to have issued a circular to all chief secretaries and heads of education departments in the states to meticulously review the madrasas applying for state grants and to clear them from the 'security angle'. This led the opposition parties, especially in Congress-led states, to protest and accuse the central government of being discriminatory in singling out the institutions of the Muslim community as being 'anti-national' and thereby harming the secular fabric of the country.

Subsequently, while investigating these allegations, an independent review undertaken by the Milli Gazzett (an English newspaper of and for the Indian Muslims, brought out by a group that claims to be non political) is reported to have found that similar circulars were also issued by a senior superintendent of police in Uttar Pradesh instructing the police to maintain a list of newly constructed madrasas and mosques and to closely monitor their activities. However, the director general of police in the state, although admitting that ISI infiltrators were active in the Indo-Nepal border, denied that they were present within the madrasa system in the area (Khan, et al 2003, Hasan, 2003). These contradictory statements issuing from different levels of the same department within the same state raise doubts about the authenticity of the information, and about the role of vested interests within the political and administrative system. Thus, madrasas came to be profiled '...not just as bastions of conservatism and reaction but also as training grounds for Islamic 'terrorists'' (Sikand, 2002).

Muslim groups and madrasas vehemently refute these allegations and quote instances illustrating the ulemas' patriotic stand and allegiance to India at the time of partition of the country (ulemas are stated to have opposed the 'two nation theory' of the Muslim League). They also refer to their Constitutional rights and emphasise that so far the state has failed to come up with evidence of alleged terrorist activities in the madrasas and hence that no legal cases had been filed against any madrasa in the country. (Ahmed, 2000; Bandhopadhyaya, 2002; Sikand, 2002; Sultanat, 2003). However, the events at the World Trade Centre in America put more pressure on the madrasas, so much so that Darul Uloom Deoband was forced to issue a statement denying any links with the Taliban or other fundamentalist organisations. Deoband stated that anyone 'promoting or abetting' violence could not be a Deobandi and that they were opposed to the violent actions of any groups in or against India. The Deoband ulema's stated that Deoband stood for harmony and unity amongst the different faiths in the country and continued to support 'secularism and a composite nationalism'. It differed with the Taliban on its '...understanding of the question of jihad against India...' and said that a jihad in India '...was 'against all wisdom' and could only be 'counter-productive''. However, the Deobandi ulemas made it clear that they were not against the agenda of

setting up a Deobandi style Islamic State in Pakistan and Afghanistan and also supported the Taliban in its opposition to America, and that it was the methods adopted for this which they objected to (Sikand, 2002). Sikand concludes that it would be incorrect to equate the Deobandi madrasas in India with those in Pakistan as they operate against different backgrounds and in different contexts. While the Deobandi madrasas in Pakistan are well equipped with state support and funds, the madrasas in India are minority institutions and have to depend mainly on their own resources and support within the community.

Much of this ‘terrorist’ controversy can be attributed to political opportunism. While the Hindutva fundamental political parties use such issues to fuel Hindu emotions and gather votes, others use this to fuel the vested and narrow interests of ulemas who see such controversies as an opportunity to promote their hegemony over the community. But what is clear is that these moves by the state or sections within it have not been conducive to strengthening the fragile relationship with the madrasas and has made many of the latter more wary of any state-led attempts to modernize madrasa education. It is also somewhat responsible for the opposition to a proposal to set up a Central Madrasa Education Board.

5. STATE-MADRASA RELATIONS IN TWO STATES WITH DIFFERENT POLITICAL ENVIRONMENTS

This section looks at the state-madrasa relationship in the context of the different socio- political environments of the two states of Uttar Pradesh and West Bengal. Over the last few years, UP has seen a range of political parties at its helm, ranging from the supposedly secular Congress, the Bharatiya Janta Party with an alleged Hindutva nationalist agenda, the seemingly pro-Muslim Samajwadi Party and the Bahujan Samaj Party with a clear *dalit* mandate. On the other hand, West Bengal has been continuously under the Communist Party of India (Marxist) for the last three decades. This section attempts to capture the status of the madrasas in the two states by first looking at the nature and extent of state control of the madrasa modernisation process and, secondly, at the response of the madrasas to state interventions. It is based on interviews, observation and documentation as indicated in Section 2.

5.1 Uttar Pradesh (UP)

5.1.1. Locating the Madrasas in the State

Educational profile of the Muslim community of the state

According to the 2001 Census, 22 percent of the 138 million Muslims in the country live in the state of Uttar Pradesh, making it the largest home to Muslims. However, in terms of their percentage within the state, UP with a little over 18 percent of Muslims stands fourth after Assam, West Bengal and Kerala. In terms of education levels, while

the overall level of literacy in the state at 56.3 percent is lower than the national average (64.8 %) according to the 2001 Census, literacy amongst the Muslim population is even less at 47.8 percent. It is therefore not surprising that not only is the mean year of schooling of the Muslims in UP only 2.60 years (the overall figure for the state is 3.43 years) but less than 50 percent of the Muslim children are reported to complete the primary level of education.

Table 1: Mean years of schooling (7-16 years of age) in selected states (2001)

State	Total	SC/ST	Muslims	Others
India	3.95	3.35	3.26	4.39
Assam	3.64	3.95	2.64	4.23
West Bengal	3.58	3.12	2.84	4.51
Kerala	5.75	5.53	5.62	5.86
Uttar Pradesh	3.43	3.09	2.60	3.85

Extracted from Sachar et al (2006)

These figures are dismal, especially given the fact that UP is home to some of the few oldest and renowned madrasas in the country, many of which have evolved into leading 'schools of thought', namely the Darul Uloom Deoband and Nadwatul Ulama in Lucknow. Over 15000 maktabas and 10000 madrasas are believed to be running in the state, catering to a total of a little over 0.3 million students (out of an estimated national total of a little over 1 million according to the Sachar Committee Report) although no authentic survey or record is available to substantiate this claim. It is believed that many of the children studying here may also be enrolled in regular schools, sometimes only to access facilities such as government scholarships and free midday meals that the latter offer, and also often to ensure access to mainstream education. However, in the context of madrasa education, the low level of literacy amongst the Muslims in the state raises a fundamental question: what is the nature of the average madrasa in the state and what role does it play in the education of a Muslim child today?

Two categories of madrasa are found in UP:

- The first is that of madrasas recognised by the Uttar Pradesh Arabi and Farsi Board (UPAFB) under the Minorities Welfare and Wakf Department (MW&WD), Government of UP. These are themselves of two types: (a) recognised and aided; and (b) recognised but unaided. Seeking recognition or grant is an entirely voluntary process.
- The second category consists of unrecognised community aided madrasas. These could be small madrasas of the maktab/Quranic type, but a few cases may go up to the jamia level like Nadwa and Darul Uloom, Deoband. Which level of studies they pursue largely depends on the funds they are able to raise.

Some of the larger madrasas may also provide financial support to smaller madrasas and maktabas.

Teaching in the madrasas is divided into four levels:

- Tahtania – equivalent to primary (Classes 1-5)
- Foqania - middle or upper primary (Classes 6-8)
- Munshi/ Maulvi- secondary or high school (Classes 9 and 10)
- Alim/ Alia - senior secondary school or intermediate (Classes 11 and 12).

Further, a few madrasas also have Kamil and Fazil classes equivalent to undergraduate and post graduate levels, totalling 16 years of learning similar to mainstream education.

Box 1: A state supported madrasa

This boys' madrasa, located in the eastern district of Sitapur in the state of Uttar Pradesh, was established in 1942 by a local resident and over the last few years has been supported by the state. It is managed by a Board of Trustees, consisting of the son of the founder and other local residents.

The madrasa teaches up to the Alia (class 12) level and has introduced modern subjects including Hindi, Geography, History and Mathematics, apart from religious subjects, even before it came within the purview of the state grant system. It has a total of 1100 students with the primary section accounting for the largest number of students including non-Muslims. 150 children, who come from very poor families, also stay in the madrasa, and receive not only free education but also food, clothes, books and medical treatment. The management claimed in interview that the madrasa had a good reputation in the area and hence children came from a distance of 10 kilometres. Though not affiliated to any larger madrasas, a large number of its students join Darul Uloom, Deoband for higher studies. A girls' madrasa (Niswan) and a private English medium school are also managed by the same Board of Trustees and located in the same premises. The madrasa has a total of 56 teachers, the majority of whom are qualified in Kamil and Fazil (undergraduate and postgraduate); some also have postgraduate degrees in Urdu.

The madrasa receives funds under the state government grant-in-aid scheme of the Minorities Welfare and Wakf Department as well as the centrally sponsored Madrasa Modernization programme. Support comes in the form of full salaries of 17 teachers from the state funds for non-Islamic modern subjects and for two additional science teachers from the 'modernization' fund. The state also provides books and scholarships to the students and training for the teachers. A small contingency fund is also given. It has, however, not taken up the midday meal scheme under the SSA, because of the 'problem of managing the scheme and the time spent on the preparation and serving of meals'.

No fee is charged to the students and, while dedicated funds from the state take care of the salaries of teachers, donations and *zakat* received from the community are used for the needs of poor students. *Zakat* is collected once a year during Ramzan. Sometimes, though not frequently, the Board of Trustees have to cover the fund gap when the *zakat* collection is low or when state funds are not received on time.

Box 2: An independent jamia in Uttar Pradesh

Unlike the state supported madrasa, this jamia is an independent institution established in 1892 in Lucknow as a 'middle-path' response, on the one hand, to the Deoband's urge to follow a relatively rigid traditional path of Islam and, on the other, the attempts of the ruling British to introduce modernity in the form of western thought and systems of education into the madrasas. It provides education from the primary to the postgraduate level in theological and Arabic literature, with the full course covered over a period of 16 years. The five-year primary level course is similar to primary education in secular mainstream schools, but in addition also includes Arabic literature and Islamic studies. At the secondary and higher secondary levels (two and three years), however, the focus is on Arabic literature and Islamic studies with English as the only mainstream subject. This is followed by a four year graduation or Alim course focusing on Tafsir (commentary on Quran), Hadith (traditions), Fiqh (jurisprudence), besides Arabic literature and other branches of Islamic learning and a two year postgraduate course at Fasil level specialising in Tafsir, Hadith, and Fiqh, besides Shari'ah (Islamic law). However, in spite of the fact that the jamia is reputed and respected as one of the leading schools of thought, only a few universities like the Jamia Millia Islamia in Delhi and Aligarh Muslim University recognize these degrees as equivalent to graduate and postgraduate degrees, and some like the University of Lucknow equate the Kamil and Fazil degrees to secondary level education.

The students come from all over the country, and some from other countries, but are predominantly from Bihar, UP, Kerala and Assam. Most students study free of cost and students who cannot afford to meet their own expenses are also provided with free lodging, board and clothing. The better off students, however, pay a subsidised amount per month for food and electricity. Stipends and scholarships are also awarded annually to deserving students. Seven student hostels are located within the well equipped campus, and 131 teachers and 103 non-teaching persons take care of their academic and other needs. The jamia has also established several research institutes and recently a teachers' training institute, and maintains a large library and a huge mosque. The jamia has about 200 smaller madrasas that are informally affiliated to it and follow its course.

The jamia is managed by a large and distinguished managing committee, under an elected *Nazim* or Secretary General, while the administration is entrusted to a *Mohtamim* or Principal. The committee is an elected body with fixed tenure; when the term of a member expires he can seek re-election, or a new member is elected. The jamia has consistently refused any state aid or control, and generates all its money through its own network of sponsors. With the same logic, it has not tried to get its courses recognized by the state, because this would mean accepting the conditions set by the state. It has informed the National Minorities Education Commission that the madrasa would undertake the process of modernization on its own. However, the religious leaders of the jamia said in interview that they had no objections to affiliated madrasas registering for state grants, especially those with limited resources.

Few madrasas teach up to the jamia level; the large majority teach only up to the primary and secondary level.¹⁹ In fact the madrasas interviewed in the course of the research indicated that a large majority of their students were concentrated in the primary and secondary classes and there was a significant drop in enrolment after the Alim level. For instance, in a madrasa in Sitapur, while a total of almost 800 students were enrolled in classes 1 to 5, classes 6 to 8 together accounted for only 140 students and Alia for 100 students. Even in a much sought after jamia located in Lucknow, while in a given year on average around 2500 students are registered in primary classes, only between 150 to 200 students graduate each year to the Alimiyat level and even less (50) to the Faziliyat level. This heavy concentration of students at the primary level is also reflected in the Sachar Committee Report (Sachar, et al, 2006), according to which a little over 0.28 million out of a total of 0.31 million madrasa students in UP, were enrolled in the primary section of the madrasas.

Resources

While a large number of the madrasas are run out of buildings attached to the local mosques, and with poor facilities, a few of them are better equipped. Besides, true to their charitable concern and mandate, some of the madrasas and jamias have established hostels for poor students. For instance, while the jamia in Lucknow, with its long history and position in the community, has large assets in terms of well equipped class rooms, hostels and libraries, the madrasa in Sitapur is taking care of a small but significant number of orphans, with funds generated from *zakat* and donations. The madrasa, including the girls' madrasa and the English medium school, located in adjacent plots, is housed in its own building. Initially the gram panchayat (village council) and a local benefactor donated some land; subsequently the madrasa began to purchase land with its own resources and also to generate income from renting out some of the property. The land is duly registered with the concerned government authority and apparently the registration process itself was routine and simple.

Independent management

Most of the madrasas visited in the course of the research were managed by independent elected boards, while a smaller management committee that includes the principal, was responsible for day-to-day operational issues. A reputed jamia like the one in Lucknow has eminent educationists and religious leaders on the board and its current Nazim or Secretary General is also the President of the influential All India Muslim Personal Law Board. Significantly, the state supported madrasa in Sitapur also claims to have managed to retain its independence with a Board of Trustees, mostly from the local community and elected every five years, having an oversight function. Here again a management committee is responsible for all matters relating to teaching, selection of teachers, administration, etc. Incidentally, the President-cum-manager of

¹⁹ Based on discussions with Maulana Farengi Mahal and other madrasa heads in the districts of Sitapur and Barabanki

the madrasa, who has inherited the position from his father who was its founder, also happens to be politically active as the Chairperson of the Nagar Palika Panchayat (urban local body). It was also observed that the teachers from the state supported madrasas had organised themselves into a trade union, separate from that formed by the teachers of the regular government schools. The union, however, is almost completely focused on issues related to the members' own employment and benefits within the system.

Relevance of religious education

The view that the study of Islam and the Quran is a non-negotiable part of every Muslim child's education is a belief that is commonly held by many of the madrasas in UP, irrespective of their formal engagement with the government. They believed that a foundation in Islamic studies was critical to building up the character of the child and instilling a 'sense of respect for humanity'. For instance the jamia in Lucknow, while endorsing this basic purpose, added that the madrasa as an institution was embedded within the Muslim community and met its need for ulemas. As such, it was madrasas' responsibility to ensure a constant supply of ulemas to the community. Thus, the need for preachers and kazis to continue and sustain the religious traditions and inform the community at large on practices and interpretation of Islamic tenets was a practical and undisputed requirement that only a madrasa could fulfil. It is this perception that has led some of the institutions to provide for higher levels of learning and specialization focusing on Islamic studies. Further, it is also the value put on maintaining the focus on the study of Islamic religion and theology that has led some madrasas and jamias, like the one in Lucknow, to consistently avoid state recognition or support that was bound to influence the full realization of these beliefs. On a more practical note, the manager of the madrasa in Sitapur said that parents opted to send their children to the madrasa because '...firstly, it taught Arabi and Farsi and secondly it had better infrastructure than the government schools'. Besides, the government schools also taught Sanskrit, a classical language traditionally associated with Hinduism, and hence not in the realm of desired learning for Muslim children. This seems to indicate that at least some of the madrasas were not so much seeking a separate education as resisting the hinduization of government education, and in that sense offering a more secular or balanced education.

Integration of 'modern' subjects

In UP, the integration of modern subjects into the madrasa curriculum began much before the launch of the state-led madrasa modernisation process. It is a well known fact that the jamia in Lucknow was one of the first institutions to have introduced modern subjects. In fact, this jamia was itself born out of a belief that the growing political assertion of the West was influencing Islam in such a way as to create a rift between the spiritual and material spaces of the Muslim community, and religion had begun to be seen as separate from the state. As a result, the importance of religious scholars was not only undermined but had in turn made the scholars themselves '...indifferent to the affairs of the contemporary world'. The founders of the jamia

concluded that the Islamic community was divided between those who supported the 'uncritical adoption' of the western system of science and education and those who swore by the traditional system and that 'Religion and the religious sciences had fallen prey to these excesses... Moderateness had become extinct.' Therefore, they set up a place of learning with the objective of bringing about '...moral, religious and educational reform and progress of the Muslims'. Hence, two of the principal objectives of the jamia in Lucknow are to

- 'introduce suitable changes in the syllabus of Islamic theological institutions with a view to bringing it in line with the changed conditions of the modern age and enabling it to integrate religious education, as far as possible, with the cultural progress of the community. ...' and
- '...train and educate preachers who have deep knowledge of the Holy Qur'an and Ahadees along with a deep insight of the prevailing situation and who can judge and take remedial action for changing moral environment for the betterment of the society'. (<http://www.nadwatululama.org>)

Thus, the jamia is credited with bringing about changes in the traditional curriculum of the Arabic madrasas in the country, reflecting the changed needs of the age. It has continued to function on these lines, irrespective of the political regime in the state.

The state-supported madrasas, on the other hand, have given more space to contemporary subjects. The madrasas defended this relatively liberal arrangement and pointed out that, while Islamic studies and the Quran were a compulsory part of their curriculum, Islamic culture itself was a way of life within the madrasas. However, they felt that it was imperative to develop other skills in the students because not all of them could become *imams*, *maulanas* or *khazis*. As argued by the manager of the state-supported madrasa in Sitapur the madrasas should provide religious education to nurture *alims* as well as ensure other functional learning and skills for a sustainable livelihood. Hence, there was a need to provide options from within and outside the religious field. The leaders of madrasas interviewed argued that government support was not detrimental to their religious and cultural education. The manager stated that:

'We had been teaching subjects like science, maths and English long before the launching of the state supported schemes. The government funds have only enabled us to recruit better qualified teachers.'

The manager added that so far the government had not interfered and that the madrasa would opt out of state support if it was ever felt that the state was in any way attempting to dilute their religious profile or ideologies.

Political significance of madrasas in UP

Uttar Pradesh has seen a range of political leaders over the last five decades. For a long time after independence it was the bastion of the Congress Party, which not only greatly influenced the formation of the government at the central level but also contributed a successive series of prime ministers. From the early 1990s, however, there has been a radical change in the political environment with the state coming

under a string of political parties,. These have ranged in ideology from the Hindutva-oriented Bharatiya Janata Party (BJP), to the *dalit*²⁰ Bahujan Samajwadi Party (BSP) that has lately made inroads not only in upper caste Hindu communities but also among Muslims, and to the Samajwadi Party (SP) - the avowedly pro-Muslim political group that was recently ousted from power. For most of the initial decades after independence the madrasas were more or less ignored by the primarily Congress-led governments until the SP came into power, with one of its numerous electoral promises being recognition and aid to additional madrasas. During the rule of the BJP government, there was an underlying feeling of insecurity and mistrust amongst the Muslims in the state, especially after the demolition of the Babri Masjid and the consequent widespread riots in the country. However, by and large, the madrasas have never reported being especially targeted, except in relation to intermittent accusations of terrorism. Hence, their relation with the state has mostly been uneventful.

The large number of Muslims in the state is, however, an important electoral constituency. Although political parties as such have never specifically focused on the madrasas, in recent years financial support to madrasas has emerged as one way of wooing the Muslim community. The recently ousted Chief Minister, Mulayam Singh Yadav, belonging to the pro-Muslim SP, had made several electoral commitments to the community, including the provision of grant-in-aid to 1300 madrasas. Subsequently, soon after taking over the reigns of government he promulgated an ordinance to set up the Madrasa Board. In December 2006, when it was clear that the state would have to have a fresh round of assembly elections, he quickly announced further largesse, including funds for building and additional posts on the proposed board. He also announced the upgrading of 160 madrsas and the opening of mini Industrial Training Institutes in them and proposed to bring another 100 madrasas of the Alia level within the government aid list. He promised to extend the midday meal scheme to students in aided madrasa up to the Tahtania level, and also extend the Kanya Vidhya Dhan scheme (wherein girls who had passed the senior secondary or class 12 exams were given a one time grant of Rs.20,000 equivalent to \$500) to girls studying in madrasas.²¹ However, much of these have remained as half fulfilled promises.

Sometimes, a particular madrasa is seen to have some, although not overwhelming, influence over the state and political parties. A case in point is a jamia in Lucknow (see Box 2) which was observed to have considerable influence with the state, even at the federal level, based largely on the eminence of its board members. For instance its current Nazim is also the President of the All India Muslim Personal Law Board, constituted in 1973 to ensure the application of the Shariat in India. As such the major political parties cultivate his attention and the madrasa receives visits from senior politicians of ideologically different

²⁰ The lowest in the hierarchy of the caste system in the country, including the *dalits* within the Muslim community.

²¹ These moves had earned Chief Minister Mulayam Singh the title of 'Mulha Mulayam'.

parties like the Congress and even the BJP. The Nazim, by virtue of his dual positions, is also a key person in the on-going consultations regarding the establishment of the Central Madrasa Board. The Nazim, however, has his own understanding and position in regard to madrasas' relationship with the state in general. He felt that, although the federal state wanted to have some controlling oversight of the madrasas partly through its funding it was at the same time also open to reason and did not exert undue pressure to establish such a formal relationship with the madrasa. He added that the state's intentions were positive to a large extent, reflected in the fact that it provided grants to various universities as well as NGOs to train madrasa teachers. He saw the current pressure on madrasas in India as more a result of international politics rather than of internal strife. He argued that, unlike the situation in Pakistan, madrasas in India did not have any conflict with the state because it operated within the ambit of the Indian constitution. The stature of the current Nazim and others before him has allowed this particular jamia to chart its own course without outside interference.

Interestingly, during interviews, while both the state officials of the Minorities Welfare and Wakf Department and the madrasas admitted that allegations of terrorism had been made against the madrasas, especially in recent years, this had led to no serious action being taken by the state. Some political parties, like the BJP, at times used the 'terrorist' card to gain political mileage, while on the other hand political groups like the SP took up the cudgels on behalf of the madrasas, but only as a political gambit. The madrasas even had a champion of sorts in the previous Chief Minister who declared that those who equated madrasas with terrorism were 'enemies' of the Muslims. Almost none of the madrasas that were interviewed for research saw these allegations as a major threat to their existence and instead referred to the guarantees and protection provided by the Constitution.

5.1.2 State engagement and provisions for madrasas

In UP, the government formally engages with the madrasas through two different departmental channels and programmes: most interventions - both in terms of the nature of activities and budgetary support - come from the State Minorities Welfare and Wakf Department (MW&WD) in the form of grants and development funds for aided madrasas, apart from grants under the centrally sponsored Madrasa Modernization Programme. A relatively smaller percentage of funds comes through the Alternative and Innovative Education component of the centrally SSA programme, channelled through the SSA Directorate under the Department of Education.

As of December 2006, while 557 madrasas have been given 'temporary' recognition another 930 have been given 'permanent' recognition by the UPAFB. Out of these, only 359 are receiving grant-in-aid from the state government (MW&WD and SSA). 132 of the recognised madrasas are girls' madrasas and 35 of these receive grant-in-aid. The large majority of the madrasas are unrecognised either by the UPAFB or any other umbrella Act.

Table 2 Recognised and aided Madrasas in Uttar Pradesh

Type of Madrasas	Recognised (permanent)		Recognised (temporary)	Aided amongst (from the recognised)		Unrecognised
	Boys	Girls		Boys	Girls	
Numbers	798 (135 girls) madrasas	132 madrasas	557	324 madrasas	35 madrasas	9000 (estimated)

Minorities Welfare and Wakf Department and the Madrasa Board

The madrasas are now governed by the MW&WD, which was created in 1995 specifically to look into the needs of all minority communities, including the Muslims. Two of MW&WD's principal objectives of relevance are²² (i) the development and modernization of madrasas/maktabs, primarily through the introduction of mainstream subjects like Maths, Science, English and Hindi; and (ii) introduction of vocational education and computer training in madrasas. The aim is to ensure that the products of these institutions are able to fully integrate into every aspect of a 'welfare state', including access to mainstream employment opportunities. Subsequently, a separate dedicated division within the MW&WD was set up, and the Uttar Pradesh Arabi and Farsi Madrasa Board (UPAFB) was shifted in 1997 from the Department of Education to the Directorate of Minorities Welfare of MW&WD.

The UPAFB itself is an old institution set up by the state government and has been in existence since 1918. Its principal functions are to assess and give recognition to the madrasas and to conduct examinations at all levels (including Munshi/Maulvi, Alim, Kamil and Fazil levels),²³ with equivalency to regular degrees technically accorded up to the Alim level. This implies that students can be admitted to higher classes in regular schools after passing the Alim exams. Apart from these activities, the UPAFB is also responsible for the appointment of madrasa staff in aided schools, facilitating the process of giving grants to madrasas and also supporting the Mini-Industrial Training Institute schemes of the government. At the time when the research was undertaken, an ex officio Chairperson (a Muslim) headed the UPAFB and also held the additional charge of Registrar of the Board. The Chairperson/Registrar, together with a small team of support staff, is responsible for the operationalization of the activities of the Board as well as for managing and monitoring the Madrasa Modernization Programme and the Development Fund. At the district level, the District Minorities Welfare Officer is responsible for all interventions and support to the madrasas. The research found that, for strategic reasons, the state appears to have ensured that officials belonging to the Muslim community occupied some of these key posts.

²² According to the Annual Report (2006-2007) of MW&WD

²³ According to MW&WD 50,000 students took the various exams of the UPAFB in 2006

The existing structure, however, is not of an elected 'board' in the technical sense, though it discharges all the functions of a board as an interim measure. The structure is slated for a major change in the near future when a long proposed State Madrasa Board is expected to come into existence. In September 2004 an ordinance was promulgated to provide for the establishment of the Uttar Pradesh Board of Madrasa Education. According to the provisions of the ordinance, the Board is to be headed by a Chairperson who will be '...a renowned Muslim educationist in the field of traditional madrasa education...' and be nominated by the state government. Space for equal representation from the Shia and Sunni communities has been provided for, with both educationist as well as elected representation on the Board. The state, however, has retained critical positions for itself in the form of an ex-officio Vice-Chairperson (Director, MW&WD) and ex officio Registrar. Besides, the crucial functions of accounts and finance as well as inspections are to be handled by the staff of the MW&WD. The Board has been vested with several functions ranging from prescribing and preparing courses and text books for all levels up to Fazil to taking exams and awarding degrees and certificates to students of madrasas recognised by the Board or who appear for the Board examinations. With the setting up of the Board all the registered madrasas would get statutory recognition.

The proposed Board, however, has as yet not seen the light of day. Promulgated at the beginning of the rule of the previous regime (SP), vested interests from within the ruling party itself are rumoured to have stalled the constitution of the Board, although several madrasas support its quick formation. The proposal also drew flak from both the Congress and the Bharatiya Janata parties. The Congress called it a 'damage control' exercise to appease the Muslims who were unhappy with the seemingly increasing proximity between the SP and the more Hindutva oriented BJP. The BJP itself saw it as the Chief Minister's move to appease a minority community in a more general sense and thereby also keep his own party happy. Nevertheless the then Chief Minister²⁴ went ahead and towards the end of 2006 announced a budget of Rs.20 million for the construction of a new office for the UPAFB and sanctioned 34 new posts in the proposed Board. Before any of this could be operationalised, however, elections to the state assembly were announced which meant that the proposal, as per the norms of the Election Commission, could not be implemented in the months immediately before the elections. Whether and how the newly installed Chief Minister of the BSP, the predominantly *dalit* based party which has forged new alliances with both Muslims and upper caste Brahmins, will fulfil the previous Chief Minister's promises has yet to be seen. The attention given by to the various parties to the madrasas clearly indicates that the latter are important focuses of political debate.

Focus of interventions of MW&WD

²⁴ In May 2007, the SP lost the assembly elections and the Bahujan Samajwadi Party (*dalit* based), which has forged a new alliance with both the Muslims and the upper caste Brahmins in the State has recently been elected to power.

Financial support under MW&WD: Almost the entire annual budget of the Uttar Pradesh Arabi and Farsi Madrasa Board (UPAFB) is expended on the salaries (Rs. 46.54 million out of a total of Rs. 46.90 million in 2004-05) of the teachers and support staff of aided madrasas. The full salary bill of an average of 15 staff per madrasa (including a principal, 12 teachers and two support staff) is borne by the state as a grant-in-aid package. The madrasas visited appear to have a far better teacher-student ratio than the regular government schools, even though some of them like the one in Sitapur reported that they had to generate extra funds on their own to pay for the additional teachers that they employed. Attempts have also been made to provide superannuation benefits to retiring teachers and staff. The state, however, has been grappling with existing dichotomies within the structure as a result of two different salary structures: one for madrasas that were given grants while UPAFB was under the Education Department (prior to 1997) and the other for madrasas post-1997.

Funds have also been given for computer training for students of Alia level and setting up of mini Industrial Technology Institutes²⁵, besides administration and maintenance of schools. While the funds for the aforementioned schemes come out of the state exchequer on a shared basis with the central government, the Madrasa Modernization Programme is fully funded by the central government, but again channelled through MW&WD (see section 4.2). Thus, while 359 recognised madrasas are currently receiving full support under the grant-in-aid programme of the state government, 683 madrasas/maktabs have so far been provided support under the centrally sponsored scheme in the form of a salary for one teacher, in addition to a lump sum for each madrasa for science kits.

Exam recognition: 45,000 students are reported to have registered so far for the various exams from the secondary Munshi/Maulvi to the postgraduate Fazil level of the UPAFB. Student numbers are a little over 31,000 for the Munshi/Maulvi examination but decline to little more than 5000 at the senior secondary Alim level and even less at the undergraduate Kamil and postgraduate Fazil level (2 percent of the total students who appeared for the Board exams). While students with an Alim degree can technically be admitted to any regular university, the Kamil and Fazil degrees have not been given equivalence by the state so far. In fact, the state engagement at the higher level is insignificant for it only administers the final examination and issues certificates at this level which. Up to the primary or Tahtania level, Hindi and Maths are taught along with the Quran. Other subjects like Science, Geography, etc., are taught at the Foquania level. Urdu is also taught as a subject up to the Foquania level and the Board now proposes also to introduce a course in Urdu journalism as part of its vocational courses.

²⁵ Three trades similar to the ones run in the regular Industrial Training Institutes it is have been launched. Support includes a token grant of Rs. 0.2 million, salaries of 3 teachers, and 2 office staff.

It is thus clear that the state intends to modernize the syllabus and madrasa teaching. However, the modernization process, according to the state, is limited to the curriculum and does not erode the cultural base of the community. As the then (at the time of the research) ex officio head of the Board, who is a Muslim himself, said: ‘we are not wanting them (children in the madrasas) to cut their beard or wear pants and shirts, but to receive help in improving their own livelihood.’

Support under the AIE component

The madrasas also receive support under the Education Guarantee and Alternative and Innovative Education (A&IE) component of the SSA. The support is given to madrasas that have been recognized or aided by the UPAFB and is similar to assistance being provided to other schools under the SSA programme. Hence, 359 (in 2006-07) aided madrasas affiliated to the UPAFB are being provided with an annual teaching and learning materials grant of Rs. 500 and an annual school grant of Rs. 2000, together with training for teachers and distribution of free textbooks. These text books, however, often do not tally with the madrasa syllabus and are often not distributed on time or in sufficient numbers. The Board has therefore submitted a proposal for preparing and distributing the books on its own in order to synchronize with the syllabus.

Alternative & Innovative Education centres are also being set up in those madrasas that have been granted recognition by the UPAFB but do not receive any grant-in-aid. These are treated as centres for non-formal education (NFE) and receive an annual amount for teaching and learning materials and for teaching equipment, besides a small amount for contingencies. In addition a small monthly allowance is also given as an honorarium for one instructor, who also receives induction training and re-orientation training once a year according to the SSA norms. 710 madrasa management committees out of a target of 828 madrasas for the year 2006-07 are reported to have applied so far, of which 572 centres have been made operational in UP. Besides, scholarships are also given to the children from the listed backward Muslim class. The SSA inputs are provided and managed by the SSA Project Directorate channelled through the District Basic Shiksha Adhikari (Education Officer) while the District Minorities Welfare Officer manages the inputs of the MW&WD. However, there is almost no co-ordination between these two departments either at the district or at the state level, to the extent that one is not aware of the other’s schemes.

5.1.3 The state- madrasa engagement in reality: influencing factors

In spite of these efforts, only a little over 10 percent of the madrasas in the state have so far been recognized and an even smaller percentage is receiving grants from the state, including under the SSA programme. For instance, in one of the districts reviewed under the study, out of an estimated 200 madrasas, only 52 (26%) had been recognized (30 at the primary level and 22 at the middle level) and only seven of these were being aided by the MW&WD. Another 30, however, had received aid under the Madrasa Modernization Programme of the central government. However, even they

were reported to have been paid only for a period of three months; subsequent grants were not released by the central government due to the non-submission of utilization certificates by the madrasas.

Box 3: Sitapur madrasa's voluntary engagement with the state

The madrasa in Sitapur reported that the option to engage with the state was voluntary and initiated on its part when the opportunity to do so was provided by the state government. The association with the state is an old one and dates back to the mid 1990s, when the madrasa was being funded by the state's education department. Most of its interactions are now with the district minorities welfare officer (DMWO) and to a much lesser extent with the basic education officer at district level. Relationships are cordial and supervision and control by the state limited to occasional review visits by the DMWO to assess the progress of the students, check attendance record of teachers and sort out operational problems. The control of the madrasa, however, remains largely with its management; the state-paid teachers are identified, interviewed and short-listed by the madrasa, but their selection has to be approved by the DMWO. The madrasa appeared to have no complaints about the mainstream curriculum introduced by the state, perhaps because they themselves had been teaching these subjects even prior to receiving state support. However, the manager and teachers of the madrasa were firm in stating that, although the state had so far not shown any tendency to impose undue control by virtue of the grant that it was providing, the madrasa management would not hesitate to withdraw from the engagement if the support came with conditions that would interfere with their basic principles and internal workings.

Procedural delays in registration and recognition of madrasas

The madrasas in UP have to register with the Registrar of Societies under the Societies Registration Act 1860²⁶ or other relevant acts if they want to ensure legitimacy and legal sanctioning of their operations. All the madrasas (and jamias) interviewed in the course of the research had obtained the necessary registration and, reportedly, they did not face any specific problems in the process. Although independent madrasas and jamias do not receive funding support from the state, they are also expected, like any other non-government organisation, to be registered and certified under relevant acts to function and raise funds, especially where these come from external sources. However, the independent madrasas and jamias have no further formal relationship with the state other than the observance of the mandatory requirements and minimum interactions with relevant service providers such as the departments of electricity, water supply, etc. In fact, the nazim of the jamia in Lucknow stated that it had deliberately refrained from formalising the relationship beyond the statutory requirements that allowed it to function and raise resources, in order to retain its independence of vision and goal.

²⁶ Most private schools and NGOs are also registered under the same Act and have to produce audited financial reports for the last three years in order to be eligible for any government grants.

In order to receive state support, however, the madrasas should have been in existence for a period of at least three years prior to the application. Thereafter, they can apply to the UPAFB for recognition. Previously, recognition was given by the UPAFB at the state level; however, since 2003 this process has been decentralized to district level. Specially constituted committees under the District Minorities Welfare Officer and District Chief Development Officer have been vested with the responsibility of screening and recommending madrasas for recognition. For instance, the madrasa in Sitapur was registered under the Societies Registration Act (1860)²⁷ in 1945 and subsequently became affiliated to the UP Arabi and Farsi Board. In fact the managers of the madrasa in Sitapur appear to have been able to sustain a relationship simultaneously with two different departments of the state: the *niswan* that it runs is also affiliated to and aided by the MW&WD, and its private school is recognized by the Basic Shiksha Adhikari (BSA or the basic education officer of the district) and is affiliated to the Madhyamik Shiksha Parisad (UP High School Board).

Recognition by UPAFB is accorded in stages for various educational levels after assessing the performance of the madrasa. Initially 'temporary' recognition is given for a period of one year and thereafter recognition is extended on a long term basis on satisfactory assessment of all stipulated criteria. The criteria include possession of land of a minimum prescribed area registered in the name of the madrasa, a building with a minimum of three classrooms with a minimum area of 300 square feet, with adequate seating arrangements for the teachers and children, and additional separate rooms for the principal, office and library. The suitability and safety of the building also have to be approved by a competent authority of the government²⁸. Besides, the madrasa should have a minimum of 60 children (40 in the case of Faquania and 80 for Alim levels). The madrasas are also not expected to charge any fees from the students and have to follow the UPAFB prescribed curriculum and textbooks. In case of any dissatisfaction with the selection process at the district level, the madrasa can apply to the Registrar UPAFB for reconsideration. At the moment the Board has only given recognition to the Tahtania or primary level (Class1-5) and Faquania or upper primary level (Class 6-8 level); so far 1285 madrasas have been recognized by the Board.

According to the Chairperson of the UPAFB and most of the madrasa heads interviewed during the course of the research, an increasing number of madrasas are now keen to be recognized and access grant-in-aid, because it gives them relatively better financial support allowing them to perform and provide better facilities. Above all, it gives them the opportunity to mainstream their students into regular schools at the primary level, which in turn attracts more students. It also perhaps gives them a sense of security from allegations of terrorism. It is a telling fact that some madrasas that are not registered have arrangements with others who allow their children to appear for exams. As a madrasa head in the district

²⁷ Most NGOs across the country are registered under the same Act.

²⁸ Similar conditions also apply to any private school seeking aid from the state.

of Sitapur stated: ‘... We have to change according to the times, but being a minority community we have some fear of control’.

Perhaps substantiating the claim of the state that most madrasas in UP were keen to access state support is the clear displeasure amongst some madrasas that have not received a grant even after having applied for it. The fact that the previous government had been unable to meet its ambitious electoral target of recognising and supporting 1300 madrasas has caused much unhappiness amongst the madrasas who see this as a betrayal of faith, and during interviews vowed not to support the said party in the impending state elections. The madrasas attribute this to general lack of interest on the part of the government, especially the officials of the department as well as the difficult-to-fulfil conditions for recognition and grant-in-aid (conditions which even the government run schools do not often meet). In fact, their complaint was that they were prevented from applying for recognition and grants because of the stringent criteria and bureaucratic processes, which also at times were associated with unethical practices like demands for bribes, which were contrary to their religious tenets.

On the other hand, the UPAFB itself attributes the delays to long drawn procedural requirements and the temporary stalling of the processes because of the elections in the state. It also concedes that the criteria may be too stringent for many madrasas to fulfil. Discussions with the Secretary of MW&WD indicate that political interference in the selection of madrasas for grant is also a limiting factor. The Secretary admitted that not much progress had so far been made in the support programme and that monitoring was inadequate. He was of the view that in reality the government would prefer that children join regular mainstream schools and would probably like to discourage parallel religious schools. However, as part of its vote bank politics, it is forced to evolve special support programmes.

Delays and vested interests in selection of madrasas for support have also at times led to court cases against the government. In a recent incident two madrasas that had not been included in the list even after a 10 year wait filed a case against the government in the High Court²⁹. The High Court in turn declared that Muslims were no longer a minority community in UP and hence the madrasas could not get special treatment! Not surprisingly, and coming just before the elections (April 2007), the court order saw accusations flying between the state and the central government (of the Congress led UPA) with the former accusing the latter of being deliberately uncooperative. At the same time, the then UP Minister for Minorities Welfare charged his own government with ‘mishandling’ the case and accused the officers of MW&WD as well as the law department of having conspired against Muslims on the issue. He also

²⁹ In 1994 when UP was under President’s rule, the Governor of the State declared that 135 Madrasas would be granted financial assistance. However, only 68 *Madrasas* were given grants at that time while the remaining 67 were approved 10 years later when the Mulayam Singh government was in power. However, a few madrasas that were not included in the list of 67, and claimed priority on the basis of seniority and other criteria, filed a case in the High Court against their exclusion.

blamed the controversial Urban Development Minister for having made the wrong selection of the 67 madrasas, which had led to litigation and finally to the proposal to de-recognise Muslims as a minority community. However, the court order was stayed for the time being at the behest of the Mulayam Singh state government. The delays and hurdles in granting recognition and aid may also have contributed in a small way to the Samajwadi Party losing the recently concluded elections and a substantial erosion of its Muslim votes.

However, based on interviews with government officials and madrasa leaders in UP, the explanation for the still large numbers of madrasas that have not sought recognition and grant seems to lie primarily in a lack of information and awareness and a fear of undue government interference and control. It was clear from field research that the district officials have had to work hard to convince and facilitate registration and application for state grants. The Board Chairperson emphasized that the state had no intention to target madrasas with a 'control agenda', and instead that it was the responsibility of the state to monitor the activities and incomes of all entities under its jurisdiction, including the madrasas: 'We try to motivate the madrasa management, and some of them have been so motivated that they have filed a case against the Government when they were denied support to establish mini ITIs!' This non-threatening stand of the state was also emphasized by the religious head of a leading madrasa. He observed that, while on one hand there was a danger of the state interfering in what was the madrasas' constitutional freedom as a quid pro quo for funding, on the other hand the state had not pressed madrasas to accept support.

Weak implementation

Gaps in implementation appear to be a critical reason for the slow progress of the programme. Most of the irritants in the state-madrasa engagement appeared to be operational and also common to the problems of bureaucratic administration in government supported mainstream schools. These included delays in the distribution of course books under the SSA programme, difficulties in the release of scholarships and lack of adequate training for teachers, although this was part of the planned support package. Besides, the madrasa in Sitapur also reported that the state gave limited support for teachers and, hence, that it had to generate its own funds for additional teachers. By and large however, salaries, were generally reported to be released on time, probably because of the existence of the madrasa teachers' union. However, there was considerable unhappiness regarding the discrepancy between the salaries of the regular teachers in mainstream government schools and the teachers in the madrasas. Although the madrasa teachers' association had repeatedly taken up the issue, it had not been resolved. The managers of some of the madrasas interviewed were sceptical about support from the bureaucracy or the state 'IAS lobby'³⁰ on this score, hinting at the subtle influence of caste and communal factors within the administrative structure.

³⁰ A decision to bring parity in the salary structure of the government schools and the madrasas has to be initiated by the Secretary of the MW&WD.

During the field visits, some madrasa managers also alleged that funds earmarked for the madrasas were being diverted for other purpose or simply were not being utilized. Even in the case of scholarships, they complained that the process had been complicated by the fact that some scholarships to students from the Muslim backward communities was disbursed through the 'other backward classes' (OBC) fund while the rest was received through the Board. Thus, they felt that the whole process of engagement with the government had become cumbersome and that procedures were simpler when UPAFB used to function under the Education Department and the district education officer approved the recognition of madrasas (prior to 1997). This would imply that madrasas were then treated as if they were regular private schools seeking grant from the state. Minority status has perhaps complicated the process and the relationships.

The madrasas in turn, however, are not always well equipped to comply efficiently with governmental requirements. During the interviews some of the district officials observed that the reason for slow progress partly lies in the lack of response from the madrasas and partly in the overall relationship between central and state governments, affecting the release of central government funds. The madrasas are also slow to respond primarily because of a lack of information on the programme but also because of a fear of undue state interference. Currently, under the Modernization Programme, learning materials and training are provided through the state and district level research and training institutes (SCERT and DIET respectively). These institutions apparently perceive the madrasas as an additional burden and hence are slow to respond. As a result the learning materials are not supplied on time and training too is not regular. There is also a lack of communication and coordination between the two concerned officials at the district level, i.e. the district Minorities Welfare Officer and the district education officer, leading to delays in the distribution of books and learning material.

5.1.4 Associations of madrasas

The madrasas in UP work independently or are loosely associated with some of the larger madrasas. However, there are two well known associations - the Dini Talim Council and the Madrasa Arabia Teachers Association. The former has the mandate to prevent Muslim children joining government schools, and the latter to act as a platform for negotiating with both the management of the madrasas as well as the state government.

Unrecognized madrasas and the Dini Talim Council

The number of unrecognized madrasas is believed to run into thousands. Discussions with various madrasa heads indicate that, as in most states, while the unrecognized madrasas are informally connected to bigger madrasas, like the Darul Uloom Deoband and Nadwatul Ulama, a small number is registered with the Dini Talim Council of UP.

Kazi Mohammad Abdula Abbasi, a senior Congress leader of that time formed the Dini Talim Council in 1959 with the aim of establishing a maktab or primary school to impart the basics of Islam to every child. Kazi Abbasi was of the opinion that the Council and the maktab under it should not take any help from the state or its educational departments (Nadwi, 1980, Bandopadhyay, 2002). The Council aimed to curb the possibilities of Muslim children joining Hindu-oriented government schools and to bring Muslim educational institutions (especially maktab) under one umbrella so that they could raise their voice against a 'one-sided' curriculum. At the same time, the Council would ensure teaching of Urdu, Arabi and Farsi as well as provide *dini talim* or religious education. According to the current General Secretary of the Council, after Independence the government adopted a curriculum which undermined the role of Muslims not only in the freedom struggle but also in the whole history of India. At the same time, languages like Urdu, Arbi and Farsi were not given any space at the primary level, whereas it was important to teach children about their religion and culture at this formative stage. Thus, the Council formed a constellation of maktab which taught children up to the level of class 5. He stressed that the Council was solely focused on educational issues and steered clear of any other issues like Muslim personal law.

Currently, there are reportedly 6000 maktab under the Council, although no data were available to substantiate this claim. The Council also has district level units (Anjuman Taleemat-e-Deen) and regularly conducts examinations and ensures that children who pass out of maktab are enrolled either in mainstream schools or in bigger madrasas. The Council has a prescribed syllabus up to the level of class 5 and includes religious as well as modern subjects, which are the same as those prescribed by the state government for primary level education. Besides, it apparently also works as an advocacy cell, primarily advocating equal status for the maktab with government schools. One of the main activities of the Council is to review the curriculum and textbooks prescribed by the state government so that they can be made more secular (i.e. less pro-Hindu and more balanced). The Council has regularly published reviews of textbooks and proposed corrections; it takes credit for changing a controversial section on the disputed site at Ayodhya which was published in the history textbook for class 12 in 2005. The Council thus appears to be playing the role of a 'voice' representing the case for either state education that fairly represents different religious standpoints, or where that is absent, alternative (madrasa) education within the framework of the state curriculum.

According to the General Secretary, after completing the primary level in a maktab, a child used to be required to study for another year at the primary level in a mainstream government school in order to gain admission to class 6 (in a government school). However, after much negotiation with the government, an amendment was passed in 1963 (Article 173) which allowed these children to be admitted to class 6 in a government school without an admission test after completing the primary level from

maktabs. Thus, the maktabs were given the same status as any other private school. But, he went on to add that in reality this was not happening and every year complaints were registered with the Council about Basic Shiksha Adhikaris (the district education officers) or head teachers of government schools refusing to even administer admission tests.

The Council believes that primary education is the responsibility of the state and that all children should be given the opportunity to access quality education. But education should be secular, with the curriculum and textbooks developed in such a way as to include values of all religions without undermining any. If the state could ensure this at the primary level, there would be no need for maktabs, which would then become like small private institutions teaching theology and religion with the effect that the government would not have to be concerned about them. He suggested several measures for the state provision of secular and quality education, including the setting up of a state level review committee with proper representation from all minorities to review textbooks before publication, consultations with members of the minority community before planning programmes, and constituting an effective state level body to safeguard the interests of minorities.

Madrasa teachers' association

The Madaries Arabia Teachers' Association was established in 1967 and now has teachers from both aided and non-aided madrasas as its members. The association is registered under the Societies Registration Act 1860 and elections to the Association are held every five years. The Association at present claims to have about 7000 members on its roll; members are charged a nominal Rs.5 membership fee. According to the Treasurer of the Association, the MW&WD keeps close contact with the Association and consults with it on issues that matter. Earlier the management of some of the madrasas was opposed to the Association, perhaps perceiving it to be a potential irritant, but now seeing the benefits in terms of its role in attempting to access support from the government they are trying to improve their relationship with it. It is not affiliated to any political party. However, during the recent elections to the State Assembly, greatly disappointed by the failure of the ruling pro-Muslim Samajwadi Party to keep its promises to the madrasas, the Association reportedly made concerted efforts to ensure that the incumbent government did not get re-elected.

The Association appears to have several complaints against the state government and has been trying to raise these issues with them. The Treasurer of the Association reported that there were differences and anomalies in the salary scale of the teachers of the recognized madrasas and that, while the teachers of the regular government schools were given government scales from 1996, the madrasa teachers were brought into this system only in 2006. Besides, he felt that the government was partial in its approach. He quoted an instance when it could not find time to complete the survey of 100 madrasas between December 2006 and February 2007 for sanctioning grants, but approved grants for Sanskrit schools during the same period and in a lesser number of

days. The Association also complained about differences in the quality of coordination and management in other areas, including the release of funds for teaching and learning materials. Not only are the funds under this head not regularly released, but when an amount is transferred from the SSA to the madrasa, the information is generally not intimated either to the madrasa or even to the District Minorities Welfare Officer.

The Association is not averse to modernization of the madrasas, but would like it to be implemented with more effectiveness and efficiency in terms of a rationalized salary structure, timely release of funds, simplification of processes and reduction in procedural delays.

Thus, UP has been led by parties with a range of political ideologies. In this context, tensions arising from politically motivated allegations of terrorism have had relatively little space to build up to unmanageable proportions. In fact recent strains in the relationship have been attributed primarily to the failure of the state to keep its promise of providing support and aid to the madrasas, rather than fears of suppression of the Muslim minority and its religious institutions. Against this background the madrasas that have remained independent of the state are indulgent about those that have opted to engage with it. The relationship is viewed as a convenient arrangement that enables resource-poor madrasas to generate adequate funds to integrate mainstream education into religious education.

5.2 West Bengal (WB)

5.2.1 Locating the Madrasas in the state

West Bengal is a densely populated state bordering Bangladesh. With over 25 percent of the population being Muslims - a substantial percentage of these suspected to be immigrants from Bangladesh - it has the second largest percentage of Muslim inhabitants in the country. According to the 2001 census, while the overall literacy rate in the state was 68.7%, the rate for Muslims was 57.5 percent. The mean duration of schooling (6-14 age groups) at 2.84 for Muslim children is also lower than the state average of 3.58 years (see table 1). However, according to the estimates of the Sachar Committee, only a little over 130,000 students, with marginally more girls than boys, are reported to be studying in the madrasas. Like UP, a majority of the students in the madrasas in West Bengal are concentrated at the primary level with most of the madrasas interviewed reporting a sharp drop in enrollment at the Alimyat level (also validated by the Sachar Committee Report).

West Bengal has a unique structure of madrasa education with three systems running parallel to each other:

- Kharzi Madrasas or ‘non-government’ madrasas which are not recognized by the state government and generally teach up to the Alim level, although in some cases also up to the higher levels of Fazil and Mumtazul Muhaddetin (MM).

- An old system known as ‘Senior Madrasa’, which provides Alim, Fazil and Mumtaz-Muhaddetin (MM) degrees on theology, Islamic studies, etc...
- A new system of ‘high Madrasa’ education, ‘modernized’ and gradually being brought up to par with the standards of the regular government high school course. The high madrasas are in turn bifurcated into the junior high (classes 1-5) and high madrasas (classes 6-10).

While kharzi madrasas are not recognized, and hence obviously not supported by the state and follow their own system of education, the Senior Madrasa and High Madrasa schools are affiliated to the State Madrasa Board. The High and Senior Madrasas are said to have emerged after independence in Muslim populated areas with patronage from different political parties. At that time apparently it was easier to get recognition from the state and at the same time to generate funds through *zakat*, especially at the primary level. As elsewhere, however, there is no accurate record of the number of madrasas in existence. Figures ranging from 1500 to 7000 are quoted³¹. According to the State Madrasa Board there are 506 madrasas recognized by the Board and perhaps about 2000 kharzi madrasas. The Rabata-e-Madarise, an association of kharzi madrasas (see section 5.2.3), on the other hand, states that at present there are about 1000 madrasas in the state out of which around 550 are kharzi madrasas. Besides, according to the Rabata-e-Madrise, about 7000 maktab attached to mosques also exist in the state. The maktab are mostly run by Jamiat Ulema-I-Hind, while a much smaller number of maktab is informally affiliated to the Barelvi and Al Hadis schools of thought.

Box 4: A state supported girls’ madrasa

The girls’ High Madrasa, located close to the city of Kolkata in the neighbouring district of South 24 Parganas, was established in 1973. It teaches up to the higher secondary level and has 1000 students on its roll all of whom are day scholars. The curriculum is similar to that of the government higher secondary schools and includes English, history, geography, life science and physical science. Bengali is the medium of instruction while English is taught as a second language. Other modern subjects like computer studies, work life education and yoga have also been introduced. Religious education is compulsory till class 10; Arabic literature is taught up to class 8, Islamic study is compulsory in classes 9 and 10. While the secondary section (up to class 10) was recognized in 1980, the higher secondary (class 12) section was started only in 2006 and was recognized the same year (by the West Bengal Board of Higher Secondary Education). The principal of the madrasa stated that, although at present there were no non-Muslim girls on its roll, it was possible that the newly started higher secondary classes would attract some non-Muslims as it did not have any religious subjects in its curriculum. However, three of the 17 teachers are Hindus.

17 teachers under the regular state government programme and five para teachers under the SSA, together with a team of four support staff, take care of the teaching activities and day to day administration, while a management committee, elected for a period of three years, is

³¹ Based on discussions with various government officials, educationists and religious leaders in West Bengal

responsible for larger decisions and overall management. Ever since the school was granted recognition the management committee of 13 members has included one nominee from the state government and one from the local panchayat. One of the founder members is also the local member of the State Legislative Assembly. All teachers, including the current principal, appointed after 1997 have come in through the centralized State School Service Commission.

The madrasa does not have access to zakat funds but receives some donations in cash and kind. Its major source of income, however, is the funds received from the state government. As school education up to higher secondary level is now free in West Bengal, the students do not pay any monthly fee. However, a lump sum of Rs.100 is charged at the beginning of the academic year and largely used for maintenance of the school, payment of electricity charges, land tax, etc. The school is now also eligible to get funds for construction and major repair of buildings under the SSA programme, whereas earlier it had to depend on donations or MPLAD³².

A Muslim lady principal, recruited through the State Service Commission, heads the madrasa. She believes that the situation and quality of the madrasas has improved vastly since it came under the WBBME. Although, the class 1-9 exam papers are set, administered and evaluated by the school, in order to maintain the quality of education within the madrasas, the WBBME has provided guidelines for preparing 'student friendly' question papers.

Political influence

The madrasas in West Bengal have to be viewed against the political background of the state. This is one of two states in India - the other being Kerala - which has been under Communist political parties. But, unlike Kerala that has had periods of Congress rule, West Bengal has been under the Communist Party of India-Marxist (CPI-M) continuously for three decades. This has given the CPI(M) - also known as the 'Left Front' party - the distinction of being the longest running democratically elected communist government in the world. Currently, a political alliance led by CPI(M), the All India Trinamool Congress and the Indian National Congress and some other major parties run the state, with the present government having been elected to power in 2006.

The CPI(M) itself is a 'cadre' based political party that has not only shaped governance in West Bengal over many years but is currently also a deciding factor in the coalition government of the UPA at the national level. Given that the Communists, in principle, are at worst considered to be atheists and at best known to relegate religion strictly outside the framework of the state, any move of the government vis à vis a religious educational institution like the madrasa is likely to be looked at with suspicion. On the other hand, the large scale illegal migration of Bangladeshi Muslims into the state over the last three decades and the supposedly soft stand that the CPI(M) has taken sends messages of appeasement of the Muslim community to CPI(M)'s

³² The MPs' Local Area Development Fund consists of untied funds sanctioned to each member of parliament for the development of their own constituency.

political opponents and lays open the Left Front government to accusations of ‘pampering minorities for electoral gain’ (Bandhopadya, 2002). Over the years, especially under the new chief minister, the state government has also been in the process of veering away from its traditional Communist stand against capitalist concepts of industrialization. This has led to considerable controversies within the party and recently culminated in violent confrontations with the community in a predominantly Muslim populated area over the issue of land acquisition for setting up a Special Economic Zone for industries. Interestingly, one of the ‘socio-political’ groups who have supported the community and is in the forefront of the dialogue with the state on this issue is the Jamiat Ulema-I-Hind, whose state level chapter is headed by an ulema who also happens to be the President of the Rabeta-e-Madarise, the federation of the Kharzi madrasas.

5.2.2 The state agenda

Transformation from ‘madrasas’ to ‘senior’ and ‘high’ madrasas

The West Bengal Government’s engagement with the madrasas dates back to the setting up in 1781 of the Alia Madrasa – the Calcutta Madrasa College for the study of “Muhammedan law”. Subsequently, the first attempts to bring the madrasa system onto a par with government education were made in 1915, when the Government of West Bengal introduced a new scheme of madrasa education which included subjects that would allow the students to pursue higher knowledge in other fields and adopt ‘successful careers’. However, it is since 1977, when the Left Front CPI (Marxist) government came to power, that the state’s involvement has increased rapidly and with a more sustained trajectory than in other states. Some like the Jamaat-e-Islami-Hind³³ believe that the goal of the Left Front government, especially in recent years, has been to make the madrasas more job-oriented. The traditional madrasa syllabus, however, does not allow for this and hence the state government felt it had to intervene. The number of madrasas supported by the state government under the CPI(M) more than doubled from 238 in 1977 to 507 in 2006 and the budget to support them increased from a little over half a million rupees to almost Rs.15 million in 2006 (claimed to be the largest allocated by any state in the country). Several changes have also been brought about in the structure and curriculum.

The Left Front had the opportunity to align the madrasas with the government in the early days of its tenure when the teachers of the madrasas demanded to be brought within a scaled salary system instead of being given only a fixed allowance. A Senior Madrasa Education Committee was constituted to look into possible reforms in the syllabus, apparently as a condition for a revised salary structure. Another Committee (the AR Kidwai Madrasah Education Committee) set up in 2002 recommended further rationalization of the courses in both high and senior madrasas, making the syllabus, the text books, methods of teaching and examinations of high madrasas comparable to those of the Madhyamik Pariksha (class 10) of the West Bengal Board of Secondary

³³ Interview with Secretary, Jamait- I Islami-Hind, West Bengal

Education. The AR Kidwai Committee also recommended that the newly initiated three year Kamil course should be patterned on the lines of the three year undergraduate pass and honours courses of Calcutta University. While Bengali, English and Environmental Studies were compulsory at the honours level, Islamic studies were to include Islamic History, Philosophy, Tafsir, Hadith, Fiqa and Shariat. Besides this, there would be a range of options for two subsidiary subjects, including languages, social science and vocational studies like journalism and computer science.

Following these recommendations, reforms were made in the high madrasas in 1977, the syllabus and curriculum of the senior madrasas were also changed, and the teachers were brought within the purview of a scaled salary structure five years later in 1982. Subsequently, the state government also initiated a system for upgrading existing high madrasas into higher secondary madrasas, bringing them under the exclusive authority of the West Bengal Council of Higher Secondary Education (WBCHSE). Thus, 75 high madrasas have now become higher secondary madrasas under the jurisdiction of WBCHSE. The major change after upgradation has been in terms of adoption of the curriculum and text books endorsed by the WBCHSE Board of Secondary and Higher Secondary Education in addition to Arabic and diniyat (religious teaching). Arabic is, however, a compulsory subject and in order to obtain a grade the student must pass this subject. A continuous and comprehensive evaluation system with terminal tests similar to government schools has also been introduced and the Alim level (class 1-10) in the senior madrasas given equivalency with qualifications granted by the State Boards of Education. Besides, all mainstream subject teachers are trained graduates (or postgraduates for the higher secondary level); and in-service training for capacity building of teachers is provided on new issues like adolescent health and life-skills development. In the process of convergence, however, the division of marks between theological subjects and the mainstream subjects in senior madrasas has also changed over the years. Initially 400 out of a total of 1000 marks were allocated to theological subjects. This has now been reduced to 300 marks, eliciting much criticism from the kharzi madrasas, which use it to illustrate their contention that the government's motive is to gradually do away with religious education in the madrasas.

Evolution of the West Bengal Board of Madrasa Education

West Bengal has one of the oldest madrasa education boards in the country, established in 1927 primarily for the management of the Alia Madrasa. Over time, the Board went through several changes and also assumed responsibility for conducting examinations in other madrasas in the state. It was renamed the Madrasa Examination Board (earlier known as the Central Madrasa Examination Board) in 1948 and reconstituted in 1973. In 1994, the West Bengal Board of Madrasa Education (WBBME) became an autonomous government body when the West Bengal Board of Madrasah Education Act 1994 was passed and started to function from April 1995. The Kidwai Committee recommended that the Board be allowed to function ‘...with the same academic, administrative and financial powers as enjoyed by the West Bengal Board of Secondary Education, West Bengal Board of Higher Secondary Education, West Bengal Council

of Higher Secondary Education and similar bodies in the State Government.’ It also recommended that the selection of teachers for the madrasas should also be brought within the purview of the West Bengal School Service Commission, which is responsible for selection of teachers for government schools and that their capacities should be increased through regular in-service training.

The WBBME is now one of the five boards or councils³⁴ responsible for education in the state. Like the others it was until recently were under the jurisdiction of the Education Department. However, recently it has been transferred to the Department of Minority Welfare, Development and Madrasa Education, although accorded the same status as that of the other school Education Boards in West Bengal. The Board also proudly claims to be a member of the National Council of Boards of Secondary Education - the only Madrasa board to have achieved this status so far.

The Board now has the power to direct, supervise and control both the high and senior madrasas and to manage the entire madrasa system and functions as per the guidelines given by the School Education Department. As indicated above, the teachers are selected through a centralized state-level School Service Commission. However, unlike the state supported madrasas in UP, in West Bengal the state appoints its own nominee and a member from the politically active local panchayat to the management committee of the madrasas. It thus ensures both executive and political oversight and control. However, the WBBME itself does not have any functionaries at the district level and, hence, at present the madrasas are monitored by the District Inspector of Schools from the School Education Department. Again as in UP, the teachers of the state supported madrasas have organised themselves into a union, but unlike in UP this was reported to be very powerful, given the communist legacy of the state.

The WBBME has access to relevant SSA components and funds including training for the madrasas’ managing committee members, provision of teaching and learning materials and workbooks, development of teachers’ training modules, etc. Vocational classes have been started in 56 high madrasas and funds for construction and maintenance of buildings are also provided. The students who have successfully completed the Alim (senior madrasas) and high madrasa exams are now entitled to national scholarships and are technically eligible for admission to regular higher secondary and equivalent classes within or outside the state. The WBBME has introduced a continuous system of comprehensive evaluation on a quarterly and terminal basis and soon also proposes to introduce a grading system.

The WBBME counts its strengths as its secular character, an increasingly co-educational system and the effective process of convergence with mainstream. The process of ‘fullest possible convergence’ between the regular school and the madrasa systems, especially

³⁴ Three separate boards/councils exist for primary, secondary, higher secondary levels of regular government schools, besides an exclusive board for the madrasas and one for the open school system.

up to the Alim level, is rated as the key strength of the Board. It lays emphasis on quality in education and what it calls a 'socialization process' by which it attempts to provide all-round development to children, especially in terms of improved health care, sensitization of teachers on gender equity, etc. The President of WBBME, again a Muslim nominated by the state government, stated that 'we have no objection to religious education but do not believe that the madrasas are only for religious education', in a way confirming accusations of critics that in West Bengal the process of modernisation and convergence has gone so far that madrasas are no longer 'madrasas'; that is, there is no meaning in the madrasas as a unique concept and institution.

With 4 percent non-Muslim students in the high madrasas and 8 percent in junior high, and 11 percent non-Muslim teachers, its claim to a 'secular' image appears to be somewhat justified. In fact a few of the madrasas like the Kasba Madrasas are reported to have a larger percentage of non-Muslims (512 out of 813 students are non-Muslims) and some of the heads of the madrasas too are non-Muslims. Over 95 percent of these madrasas are co-educational and 65 percent of the students are girls. Interestingly, the state supported madrasas interviewed during the research, while pointing out that Islamic studies were a compulsory part of education at the higher levels, were also keen to emphasize the growing secular nature of madrasa education in the state under the Left Front government. The principal of one of the madrasas also said that there were possibilities of non-Muslim students joining higher secondary classes as there were no religious subjects in the curriculum. The principal went further, arguing that the overall academic environment in the state, including the madrasa system, had greatly improved since the Left Front Government had come to power and that its growing secular character in terms of the curriculum and overall profile was the strength of the system.

In fact this was a view commonly held by all the state supported madrasas that were interviewed in the course of the study. Most of these madrasas welcomed the support received in maintaining the quality of education and the state's attempt to bring them up to the same level as mainstream education. However, some of them also feared that, as the religious content of the syllabus had declined under pressure of reform, a number of madrasas that were in need of support had refrained from seeking it. Besides, the fact that adequate infrastructure is a pre-condition for the allocation of grants has also prevented many of the otherwise interested madrasas from looking for support.

The state supported madrasas that were interviewed denied any interference by government, except that related to routine monitoring. This was in spite of the fact that state intervention in the management of the madrasa was implicit given the fact that the government was represented on the Board, was entirely responsible for recruitment of teachers and was the sole funding source. The madrasas also strongly denied that a large number of the teachers recruited through the Central Service Commission as well as of the representatives on the WBBME had allegiance to the

ruling CPI(M) and, therefore, were controlled by the party or that the party itself was determined to gradually phase out religious education from the curriculum. The major problems they faced in their interactions with the state were in fact procedural delays (as in UP), which were apparently sorted out in due course.

The WBBME currently controls 130 junior high madrasas, 275 senior high madrasas and 102 senior madrasas. Furthermore, as stated earlier, 75 of the senior high madrasas have now been brought under the West Bengal Council of Higher Secondary Education – i.e. fully under the government system. 17 of the 102 senior madrasas that come under the WBBME have been recognized for the (10+2) Fazil course and a vocational stream has been introduced in about 58 madrasas. The Alia Madrasa in Kolkata also comes under the jurisdiction of the WBBME and the government is attempting to upgrade it into a full fledged university. According to the President of WBBME, while an estimated 800 madrasas are reportedly following the Board's syllabus, only 507 have been recognized so far. The state government has directed the district collectors to undertake a survey of madrasas in order to facilitate the process of convergence and bring more and more madrasas within its scope. The fact that the state has so far spent an estimated Rs.10.25 million on madrasa education out of Rs.10.50 million earmarked under the current Five Year Plan gives some indication of the state government's commitment.

According to the state minister for Minorities Welfare and Madrasa Education (who was earlier the President of the WBBME), interviewed in the course of research, the state proposes to extend support to another 100 madrasas in the coming year, depending on the amount of funds allocated by the state and central governments. The funds are currently channelled through the project director of SSA at the state level and the district project officer at the district level. The minister also indicated that his ministry was in the process of establishing a trust to channel SSA funds, amongst others.

Many like Bandhopadya (2002), however, are of the opinion that such a high volume of expenditure on madrasas with 'antiquated syllabi' does not necessarily indicate the secular character of the government. Instead 'It only shows that for garnering minority votes the LF can easily jettison all progressive and secular ideas to promote non-secular religious institutions.' Bandhopadya, like Shabuddin (2001), also points out that such preferred treatment to madrasas 'violates the spirit of sub-clause (1) of Article 28 of the Constitution'. In their view, a secular and progressive approach would have been to set up efficient and quality mainstream schools where children from minority communities have equal opportunities to study with children from the so-called 'privileged' communities.

5.2.3 Response of the Kharzi Madrasas to state interventions: Rabeta-e-Madarise

There is a substantial number of madrasas that have opted to stay out of the centralized madrasa education system promoted by the state. These are the karzi madrasa, most (700) of which are associated with Jamait Ulema-I-Hind. Some are also associated with the Bareilvi (150) and Ahla-Hadees (150) schools of thought. The karzi madrasas believe that a student cannot acquire pure religious knowledge and mainstream education at the same time. The karzi madrasas are also determined not to be recognized by the state. In 1999, primarily in order collectively to counter allegations of terrorism, some of the karzi madrasas came together to form the Rabeta-e-Madarise-Islamia-Arabia, a 'nodal agency' of the non-government madrasas in the state. The Rabeta-e-Madarise is in fact the West Bengal unit of the Darul Uloom Deoband All India Committee founded in Deoband in the early 1990s to promote the interests of the madrasas.

Box 5: A Kharzi Jamia in West Bengal

The jamia is situated in the district of North Medinipur, and is a *kharzi* institution affiliated to the Rabeta-e-Madarise (see section 5.2.3) and also closely associated with the Jamiat Ulema-I- Hind. It was established in 1975 and caters to the needs of a total of 850 students, all of whom live on the campus; among them are 250 orphans whose entire expenses are borne by the madrasa management. Education is imparted up to the Mumtazul Muhaddelin (MM) level. At the primary level Bengali, English, history, general science, mathematics, Urdu, Arabic and Persian are taught. At the secondary level the primary focus is on Hifz and Arabic literature and Islamic studies. Subsequently, the students specialize in Fatwa and Kirat. However, the head teacher reported that a large number of children drop out after completing the Alim course. According to interviews with the head teacher, the madrasa believes that education should focus on '*dini*', but since '*duniyabi*' (religious and worldly education) education too is required, they have compromised to the extent of teaching Bengali, English and mathematics as well as history and general science up to class 8 and recently also introduced computer training.

The jamia, which is ideologically aligned with Deoband Darul Uloom, has a staff of 36 teachers³⁵ and 20 support staff and is managed by a board under the direction of a governing body consisting of eminent Muslim scholars.

While poor children are given a small monthly stipend as well as clothes, children from better off families (about 100 of the 850 children) pay a subsidised monthly amount for food. As in most madrasas, the class rooms double up as dormitories for the children. However, education itself is free and no fee is charged to the students, for the reason that the community in this area is by and large poor. Often the jamia has to make efforts to mobilize the community to send their children to the jamia. The jamia also supports about 500 maktabas attached to mosques and provides them with a token monthly amount. It is also actively engaged in routine social work, as well as relief work during times of disaster. However, it proposes to register a separate NGO for these activities. Its own source of income is primarily *zakat* and donations from the community; according to interviewees, at times it is faced with shortage of funds.

The Rabeta-e-Madarise, though not a *wakaf* like the ones in Pakistan, in essence discharges some of the functions of the *wakafs*. Its principal objectives are to bring about overall improvement in the quality of madrasa education and guard its members against allegations of terrorism. It is structured in the form of a madrasa board or a parallel examination body and its activities include prescribing the syllabus for religious as well as basic 'modern' education, and organising training course for the teachers. It has gradually put into place an apparently elaborate and well coordinated

³⁵ Annual salaries range from Rs.24000 to Rs.44000

centralized system of examination. However, the Rabeta-e-Madarise is primarily a mechanism for protecting the collective rights of the madrasas as religious educational institutions. In fact, the Rabeta-e-Madarise's other activities include '...Protecting madrasas from official harassment, malafide information and wrong publicity...Securing the fundamental rights, inclusive of religious rights of the minorities...Advancement of education and culture among the minorities...', while at the same time '...Cultivating nationalism and communal harmony and endeavouring to eliminate the environment of intolerance and hatred.' (from the stated mandate of the association)

The kharzi madrasas were concerned about the way in which the West Bengal government was attempting to bring madrasa education onto a par with mainstream education and forcing it on the madrasas. These madrasas felt that the state had never appreciated the purpose and function of *kharzi* madrasas and that it was attempting to eliminate religious education from their curriculum. Though all the madrasas interviewed except for one had reportedly not been accused of harbouring or nurturing terrorists, they were concerned about such allegations emanating from the state, and in the larger interests of the madrasas as a community had therefore joined the Rabeta-e-Madarise.

The Rabeta-e-Madarise has a 22 member Working Committee, eight of whom are post-holders, and is vested with the power to prescribe the curriculum, hold examinations and declare results. It can also inspect any madrasa at any time during the teaching sessions. A five level primary course structure - up to Hifzs - is followed by the member madrasas, and the language of instruction is Urdu. The Board and its member madrasas want the children to be well versed in '*duniyabi talim*' (mainstream functional education), but at the same time to acquire religious education. Besides Islamic studies, the syllabus therefore also includes languages like English and Bengali as well as subjects like mathematics. One of the jamias interviewed in the course of the research, had thus included English and computer training in its curriculum at the primary and secondary levels and had no objection to children learning other modern subjects. However, it believed that at higher levels the purity of the religion had to be maintained and specialization in various fields of Islamic studies did not allow for integration of other mainstream subjects. Believing that Islamic research and education should be kept separate from general education, but at the same time believing that contemporary education was necessary, it has been considering setting up a separate school with contemporary subjects, rather than integrating these into the traditional madrasa curriculum and diluting its religious content. The jamia's aim was, thus, to ensure that children studying with them became 'good preachers' as well as 'good human beings'.

In fact, most of the leaders of kharzi madrasas interviewed in the course of the study in West Bengal held the view that children in madrasas needed to be exposed to contemporary education at the primary level. However, they felt that the state-promoted modernization programme had only succeeded in reducing the religious

orientation of the madrasas - a development that was perhaps intended by the state - without significant improvements in the quality of education.

After completing the primary level course the student may choose to move on to the secondary level of madrasa education. Examinations have been conducted regularly for the last five years and around 6500 students are supposed to have appeared for the exams this year through 33 centres. Exams are held over a period of three days and an Examination Committee sets the papers, based on a set of questions provided by all the member madrasas. A central team of examiners thereafter evaluates the papers and declares the results.

325 kharzi madrasas have so far registered as members and pay a Rs.510 annual membership fee. Besides, each madrasa pays Rs.250 as examination fees, and every student who appears for the exam pays another Rs.7. One of the purposes of setting up the nodal agency (as Rabeta-e-Madarise is known) and focusing on education, as stated by the President of the Rabeta-e-Madarise in an interview in the course of the research, is to continuously improve madrasa education without any outside interference. Some of the members of the Rabeta-e-Madarise also pointed out that the need for preachers and kazis to continue and sustain the religious traditions and inform the community at large on practices and interpretation of Islamic tenets was a practical and undisputed requirement that only a madrasa could fulfil. The member madrasas raise their own funds in the form of *zakat*, etc. with the help of both the Rabeta-e-Madarise and the Jamiate Ulema-I-Hind who issue certificates of identification to enable the madrasas to raise funds from the community.

The President of Rabeta-e-Madarise, who is also the President of the Jamiat Ulema-I-Hind's West Bengal chapter, believes that the CPI(M) government in the state is working towards demolishing the very foundation of the madrasas - hence the process of mainstreaming and the allegations of terrorism. He stated that, given that there were very few madrasas relative to the size of the Muslim population, phasing out the madrasas through a process of mainstreaming and modernization would obviously lead to a gradual abolition of the madrasas as religious educational institutions. To demonstrate his point, he stated that, while in 1947 there were 87000 madrasas in East and West Bengal together, there are now only about 1000 madrasas in the state of West Bengal. He added that, until recently, the madrasas had kept themselves apart from any kind of political engagement, but a growing perception of threat had now pushed them towards political alignments. However, he stated that the political parties themselves had never deliberately sought to court the madrasas .

During the course of the interviews with the President and heads of some of the kharzi madrasas it became clear that the Board provided a sense of collective strength against recent allegations of terrorism. In fact the President of Rabeta-e-Madarise expressed the view that the Board's most significant achievement to date had been 'unity amongst its members; the ability to convey that we are also citizens of this country and also to

improve ourselves as citizens.’ West Bengal is one of the states where there has been the highest level of such allegations. In 2002 the Chief Minister added to the apprehensions of the madrasas by declaring that the number of madrasas in the border areas of the state had increased ‘alarmingly’ over the last few years. He attributed this rise to money coming in from the Middle East and with ulterior motives. His suggestion that these unregistered madrasas should be investigated for their source of finance as well as activities was so vehemently opposed by the madrasas that he had to subsequently retract his statement. Subsequent damage control measures were not much help and it was during this time that the Rabeta-e-Madarise was formed. The apparently well coordinated curriculum and system of examination of the Rabeta seems to allow it to retain its independence from state interference and also raise its own resources for sustenance. In fact, some of the educationists in the state were of the opinion that the performance levels of the madrasas fall when they get funded by the state, because they then become complacent as funds are assured and accountability to the community is reduced.

In West Bengal, where the same party has led government for three decades, and where that party is labelled as ‘atheist’, apparently supportive overtures from the state are more pronounced than elsewhere in the country, but are also looked at with suspicion. Although state support to madrasas had been in existence well before the CPI(M) began its long rule, most of the activities to bring madrasas up to the standard of mainstream education have taken place during the tenure of the party. Coupled with occasional disparaging statements emanating from the political leadership, this has led to the attribution of sinister motives of state control. Moreover, the increasing role of the state in centralizing selection of teachers and its significant presence on the management board of the state-supported madrasas have strengthened the suspicion. The same Left Front coalition has been criticized by the opposition for its soft stand on Muslim migrants from Bangladesh, and at the same time is accused of harassment of the madrasas. Against this background, accusations of terrorism take on a special meaning. Thus, madrasas that feel threatened (because they fear being accused of terrorism) as well as those that want to retain their independence (because they do not want the State to interfere in their curriculum and management) have organized themselves for a collective purpose, under a leadership which clearly has political ambitions. The current leader of the Rabata-e-Madrise is also politically active in West Bengal and heads the West Bengal chapter of the Jamiat Ulema-i-Hind.

6. CONCLUSIONS

The study indicates that government has always had a relationship with the madrasas based on reasons ranging from welfare to politics. However, the relationship has been at times supportive, at times contentious and often just indifferent. While for several decades after independence, the relationship was largely passive, in recent years it has become more dynamic, influenced by the minority status of the Muslims and

apparently by the state's constitutional commitment to all minorities and religious educational institutions. Besides, ripples from the larger international controversy regarding the madrasas' alleged association with terrorism have also given a new twist to the relationship in India. As such, both the state and the madrasas are somewhat wary of engaging in power struggles and taking up a position of open confrontation. Therefore, while the state invokes its responsibilities for raising literacy and educating all children between the ages of 6 and 14 years of age to legitimize its engagement with the madrasas, the latter in turn refer to their constitutional right to groom children within the tenets of Islam. The relationship continues to revolve around these relatively safe positions. In such a situation the state and madrasas have limited points of interaction.

Hence, the state primarily directs its attention to the primary and secondary levels of madrasa education, choosing to limit its interactions at the higher levels to a largely ineffectual recognition of exams and degrees rather than to give effective support. Such selective intervention by the state is, however, often judged by critics of state intervention to be political, populist or loaded with an ulterior motive of imposing checks and controls. And such an intervention has also diluted the religious contents of the madrasa system to some extent. The Sachar Committee's finding that less than 4 percent of the children in the school going age group are enrolled in madrasas would appear to further strengthen the argument that support for the madrasas is influenced more by the political and populist agendas of the state than by intentions to improve the literacy levels of the Muslim community.

The madrasas in turn, however, are not all averse to state support or to the introduction of mainstream subjects, as long as these do not greatly impinge on their freedom to impart religious education - even the World Bank supported madrasas have retained some religious subjects in their curriculum. It is the financial independence and the ability to raise resources that determines the relationship of the madrasa with the state rather than the status or level of education that it imparts. Such independence allows the madrasa or jamia to refrain from 'volunteering' for a formal engagement with the state that would make it vulnerable to routine, but cumbersome, controls and checks. In fact, the study indicates that the need to obtain support leads to the willingness to introduce 'contemporary' subjects and willingness to formally engage with the state through grant-in-aid or 'modernization' programmes.

Moreover, the ability of the madrasas to retain their autonomy, which is traditionally embedded in the community, is directly related to the degree to which they serve the needs of the community itself. When the changing needs of the community are pitted against a traditional and rigid madrasa education, the latter appears to lose much of its relevance. Thus, while some of the jamias and madrasa visited in West Bengal and UP with assured and adequate income from the community have been able to retain control over the extent of 'modernization' and have been cautious about engaging with

it, the madrasas that are dependent on state funds have had to modify their curriculum to a greater extent in response to conditions set by the state.

At the same time the state-madrasa relationship has clearly not been free from political influence, to some extent varying between the states, and depending on the nature of the governments in power, especially at sub-national level. The cases of Uttar Pradesh and West Bengal present two different emerging patterns: the first where tensions between the state and the madrasas are related to non-fulfilment of electoral promises of support and aid as well as poor administration, and the second where the issue of safeguarding ideological territories and independence is the cause of tensions. Even the Rabate-e-Madarise in West Bengal appears to have been established with the dual purpose of preserving the independent identity of madrasas as well as of providing collective security from accusations of terrorism. Besides, it also provides a political platform for its present leader.

However, the study also indicates that the madrasas per se have not played a decisive political role or negotiated for a better position as institutions of learning - religious or otherwise. The reason lies in the fact that the madrasa as a community is a house divided. The nature and process of 'modernization' and mainstreaming of the curriculum is the single major issue on which they engage with the state. This bone of contention not only between the state and religious educationists, but also within the community itself, has prevented the madrasas from building a platform for collective bargaining or networking. The fact that, while all madrasas insist on a bottom-line of retaining religious education, those madrasas and jamias that can self-fund their educational activities prefer to do so but are permissive about the others seeking funding, may appear to be a coherent strategy. However, this way of working is one of convenience, rather than informed and strategic. It has not evolved through a collective and informed process and has no sustainable structural base or commonly agreed and focused agenda. Given the case of UP and West Bengal, it is thus possible to foresee a process where more and more of the less endowed madrasas will be co-opted into the state supported system.

Thus, the state-madrasa relationship in India, where Muslims are a minority community, is at present very tentative and influenced by three inter-related factors: the state compelled by its obligations to the minorities, the political parties motivated by their different ideologies and electoral compulsions and finally, the madrasas themselves with their need to survive as an institution while retaining some elements of Islamic education. The state needs to be clear about its reason for supporting madrasas: is it part of its obligation to protect the interests of a minority religious institution of learning or of the obligation to ensure education for all, irrespective of social and economic category? These call for separate approaches and strategies.

REFERENCES

- Ahmed, Manzoor (1990), *Islamic Education*, Genuine Publications, New Delhi.
- Alam, Arshad (2007), *Beyond Rhetoric: Understanding Contemporary Madrasas*; in Mahmood, Tahir (ed) *Politics of Minority Educational Institutions: Law and Reality in the Sub-continent*; ImprintOne
- Asad, Talal (1993), *Genealogies of Religion: Discipline and Reasons of Power Christianity and Islam*; Johns Hopkins University Press, Baltimore
- Arshad, Mohamed, (2005) *Tradition Of Madrasa Education*, in Wasey, A (ed) *Madrasas in India- Trying to be Relevant*; Global Media Publications, New Delhi
- Bandhopadya, D (2002), *Madrasa Education and the Condition of Indian Muslims*; Economic and Political Weekly, Volume 37, No 16, April 20-26, 2002 ; (<http://www.epw.org.in>)
- Farzan, Ahmad (2000), *Neighbours: Nepal-Corridors of Doubt*, in India Today, July 03, 2003
- Government of India, Ministry of Social Justice and Empowerment, Annual Report 2003-2004, (<http://www.socialjustice.nic.in>)
- Government of India, the National Commission for Minority Educational Institution Act, 2004
- Government of West Bengal (2002), Report of the Madrasah Education Committee, West Bengal, (Kidwai, A.R., et al)
- Government of Uttar Pradesh, Annual Income-Expenditure Report and Performance Budget, Minorities Welfare and Wakf Department, 2006-2007
- Hamdard Education Society (2003); Evaluation Report on Modernization of the Madrasah Education Scheme (UP), New Delhi,
- Hasan, Mushirul, (2003), *The Madrassas in India*, in The Hindu, May 21, 2003
- Khan, A.U, Mohammed Saqib, Zafer H. Anjum (2003); To Kill a Mocking Bird (www.indiachinacentre.org/bazaarchintan/pdfs/madarsas.pdf;)
- Mahmood, Tahir (2007), *Educational Rights and Institutions of Minorities: International Norms and National Landscapes*; in Mahmood, Tahir (ed), *Politics of Minority Educational Institutions: Law an Reality in the Sub- continent*, imprintOne, New Delhi
- Ministry of Human Resource Development, Annual Report 2004-2005, www.education.nic.in
- Maulan Azad Educational Foundation, www.maef.nic.in
- Nadwi, A.B. Hasan Ali (1980), *Muslims in India*, Academy of Islamic Research and Publications, Lucknow

Naheed, Uzma (2007), *Traditional Madrasas: Deoband and its Inspirations*, in Mahmood, Tahir (ed) *Politics of Minority Educational Institutions: Law and Reality in the Sub-continent*, imprintOne, New Delhi

National Council for Promotion of Urdu Language, www.urducouncil.nic.in

Rahman, S. Ubaidur (2005), *Tradition Of Madrasa Education*, in Wasey, A (ed) *Madrasas in India - Trying to be Relevant*; Global Media Publications, New Delhi

Sachar, Rajander, et al (2006), Prime Minister's High Level Committee, Cabinet Secretariat, Government of India on *Social, Economic and Educational Status of the Muslim Community of India*, November 2006

Shabuddin, Syed (2001), *Throttling the Madrasahs in the name of security*, www.Milligazette.com/archives

Siddiqui, M.K.A (1997), *Institutions and Associations of the Muslims in Calcutta*, Institute of Objective Studies, New Delhi

Sikand, Yoginder (2002), *Reforming the Indian Madrasas: Contemporary Muslim Voices*; In *Redefinition of Aims and Methodology*; Genuine Publications; New Delhi, 2002, www.uvm.edu/envprog/madrassah/refromingmadrassahininida

Sikand, Yoginder, *The Role of Girls' Madrasas in India*; From the website of the Islamic research Foundation International, Inc. (www.irfi.org)

Sikand, Yoginder (2005), *Voices for Reform in the Indian Madrasas*, in Wasey, A. (ed), *Madrasas in India : Trying to be Relevant*; Global Media Publications, New Delhi

Sikand, Yoginder (2007), *Reformed Madrasas: New Forums of Muslim Education*, in Mahmood, Tahir (ed), *Politics of Minority Educational Institutions: Law and Reality in the Sub-continent*, imprintOne, New Delhi

Sutanat, Aisha (2003), *Madrasa in India*; Issue Brief No. 14, Institute of Peace and Conflict Studies Publications.

Upadhyay, R (2003); *Madrasa Education in India: Is it to sustain medieval attitude among Muslims?*; Paper No. 730, South Asia Analysis Group, www.southasiaanalysis.org/papers8/paper730

Website of Darul Uloom Deoband, India, [www. www.nadwatululama.org](http://www.nadwatululama.org)

Winkelmann, Mareike Jule (2005), *'From Behind the Curtain - A Study of Girls' Madrasas in India'*, ISIM, Amsterdam University Press, 2005