

RELIGIOUS TEACHINGS

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ABSTRACT

Education is a tool for social change in society. Education is the basic human right and our fundamental right in Article 21A of the Indian constitution this was done to make education accessible to all so that not only elites can enjoy it. Minority religious school doesn't come under the right to education and this exception needs to be acknowledged. India is a democratic and secular country. It is being said by Dr. Rajendra Prasad "there are some who think that because we are a secular state we do not believe in religion or spiritual values." It is a debatable topic whether to add religious teachings in the curriculum or not but the distinction between 'religious instruction' and 'religious education' should be maintained so that in the name of religious teachings superstitious belief should not be taught in the school. Education is important to maintain the secular fabric of the society among different religious groups. There should be a thin line between religion and the state. This article discusses the secular feature of our constitution and the impacts of religious education in society.

Keywords: Secular, Religious Teachings, Education.

INTRODUCTION

We always expect our forthcoming generation to frame a strong and better world to live in. In this education plays a very significant role. Education changes the person into a whole new person, enhances the persona of the individual, and opens the gate to new employment opportunities. It also provides freedom and education benefits to every person in society. It is very crucial to create a resourceful environment for the younger generation through education. Apart from this, curriculum plays a very important role in education it is always a major concern what should be added and what should not be added to the curriculum. Many schools in India focus mainly on religious education and whether it is right or wrong is still a very debatable issue in our country. Religious schools are the types of schools that basically cover religious teachings in their curriculum. There are multiple religious schools in India such as

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cheder for Jewish, Hebrew school for Jewish, Madrasa for Muslims, Sunday school for Christians, and Talmud Torah for Jewish.

RIGHT TO EDUCATION¹

The right to education is the backbone of our Indian education system. It works as a catalyst for India to cut its demographic and social divides. The Right to education is a fundamental right under Article 21A² by the supreme court landmark judgment Unnikrishnan JP V. State of Andhra Pradesh [1993]³. The main objective of the right to education is to make education easily accessible to all so that not only elites can enjoy it. This act makes it compulsory to provide 25% reservation to disadvantaged groups such as scheduled caste, scheduled tribes, socially backward classes, and differently-abled students. The center of attention of this act is to make trauma and anxiety-free environment for children.

Right to education doesn't consider minority religious schools under its purview. Recently, The National Commission of protection of child rights [NCPCR]⁴ submitted a report titled "Impact of exemption under article 15[5]⁵ with regards to Article 21A of the constitution of India on the education of minority communities" and suggested considering religious schools under the right to education and Sarva Shiksha Abhiyan as this is important for socio-economic development. Due to the mentioned exception benefits are not being enjoyed by the children under the act that others are availing. Christian missionary schools are now being called "cocoon populated by elites" and the underprivileged ones are getting neglected due to this. This is "creating a conflicting picture between fundamental rights of children and right of minority communities" as Article 21A guarantees the right to education to all the children but article 15[5] exempts religious minority schools from this act whereas article 30 says that it is the rights of minorities to open their own institution for cultural-linguistic and religious protection. This creates a feeling of inferiority among students and this exception needs to be acknowledged as soon as possible.⁶

¹ Right to Education, < [Right To Education](#)>

² The constitution of India, Article 21A

³ 1993 AIR 2178, 1993 SCR[1] 594

⁴ [National Commission for Protection of Child Rights, Government of India \(ncpcr.gov.in\)](#)

⁵ The constitution of India, Article 15[5]

⁶ Why NCPCR has recommended minority schools be brought under RTE, < [Explained: Why NCPCR has recommended minority schools be brought under RTE | Explained News, The Indian Express](#)>

ARTICLE 25⁷: This article focuses on the rights of the person to freely, propagate, and practice the religion of their choice. All men and women have equal rights in this.

ARTICLE 28⁸: This article grants the practice of religious instruction or worships in specific educational institutions. It also states that no educational institutions maintained under state funds are allowed to practice any sort of religious activity.

PROS AND CONS OF RELIGIOUS SCHOOLS

PROS

- Religious teachings help in building the character of the students. It instills the values of respect, honesty, and truthfulness among students and helps to promote integration among families and beliefs in marriages. Sometimes, a lack of religious teachings can lead to a lack of discipline and a rise in violence among communities.
- Religious teachings in religious schools help in promoting religious freedom. Freedom of religion is our fundamental right in our Indian constitution. India is a culturally diverse country in which spiritual teachings can assist students in a better understanding of religion. It led to develop moral among students and understanding the history of the world.
- Religious teachings can help in understanding the bizarre of life such as life after death and miraculous happens and understanding of hell and heaven. It helps develop critical thinking among students.

CONS

- It sometimes excludes the interest of those who don't believe in religion like atheist groups. Their interest and freedom should be protected in schools. They should not feel discriminated against and segregated.
- Sometimes contradiction among the study of science and religious teachings takes place in the classroom. As science focus on evolutionary theory and religious teachings opposes it. Then it creates confusion in the minds of students.

⁷ The constitution of India, Article 25

⁸ The constitution of India, Article 28

ARE RELIGIOUS SCHOOLS AFFECTING THE SECULAR FEATURE OF OUR NATION?

India is a secular country which means being separate from religion or having no particular religion. The word secular was added in the preamble through the 42nd amendment act, 1961. The term secularism means that the political, social, and cultural aspects of life are segregated from religion. There are many provisions in our Indian constitution that instill the essence of the term secular. Secular traditions are rooted in our nation. We live in a culturally diverse country with multiple religions and we should respect the interest of all the religions so that it doesn't create friction among different religious groups. India is based on the approach of "Sarva Dharma Sambhava" which basically means "all religions treated equally". There are multiple religious minority schools in our country that basically focus on religious teachings and the question that arises among scholars that whether we should add religious education in the curriculum of elementary and secondary education no doubt religion plays a very important role in instilling values of dignity, respect, love patience and truth among students. No religion gives bad values to anyone if it gives then it is not a religion. But the important thing is to create a difference between essential religious learnings and non-essential religious learnings. There should be a thin line between religion and the state.

ASSAM REPEALING BILL, 2020⁹

The Assam repealing bill, 2020 repealed the two acts which is The Assam Madrassa Education [provincialization] act, 1995¹⁰ and The Assam Madrassa education [provincialization of services of employees and re-organization of madrassa educational institution] act, 2018.¹¹ The main objective of this bill is to convert state-run madrassas into primary and higher secondary schools along with madrassas the cabinet also decided to convert Sanskrit tools into research centers and institutions which would also provide degree and certification courses. The chief minister of Assam Himanta Biswa Sharma also said "I feel this is going to be a gift to the

⁹ Assam Repealing Bill, 2020, < [The Assam Repealing Act, 2020 \(Assam Act No.X of 2021\) | Legislative | Government Of Assam, India](#)>

¹⁰ The Assam Madrassa Education [provincialization] act, 1955, < [The Assam Madrassa Education \(Provincialisation of Services of Employees and Re-organisation of Madrassa Educational Institutions\) Act, 2018 \(Act no.XVI of 2018\).pdf | Legislative | Government Of Assam, India](#)>

¹¹ The Assam Madrassa Education [provincialisation of services of employees and re-organization of Madrassa educational institution] act, 2018, < [The Assam Madrassa Education \(Provincialisation of Services of Employees and Re-organisation of Madrassa Educational Institutions\) Act, 2018 \(Act no.XVI of 2018\).pdf | Legislative | Government Of Assam, India](#)>

minority community. The students studying in those madrasas will hail the decision after 10 years". The madrasas come under the board of secondary education [SEBA]. It is a step towards empowering the community. It is also being said that the bill is being on the traces of the ideals of DR BR. Ambedkar said, "Religious instruction should have no place in the curriculum". We live in a democratic and secular country and it is said that on government expenditure Quran should not be taught if Bhagawad Gita and the bible or text of other religions are also should not be taught on the expenditure of the government.¹²

COURTS JUDGEMENT

The Kerala High Court asked the state government's general education to direct all private schools in the state not to impart religious education without the government's permission. Justice A Muhamed Mustaque said that if any school is found violating the orders then the government can derecognize or take necessary steps for the shutting down of the schools. The petitioner was Hidayat Educational and charitable trust in Thiruvananthapuram and filed a police complaint that in school there were only Muslim students and the curriculum was prescribed by Mille Foundation Education research and development. The bench said "Constitutional rights to the minorities to run educational institutions do not extend to dilute secular nature of education. Since it offends the very fabric of the secular society, the government is justified in ordering the closure of schools".¹³ The Allahabad High Court asked the Uttar Pradesh government to file an affidavit within four weeks regarding syllabus, condition, standards of recognition, and need of the playground at Madrasas and religious institutions under the state government. The court also directed the state government to report whether they are following the policy to impart financial aid to a religious institution in accordance with the scheme of the secular; feature of the constitution and to see whether girls are able to take admission into these institutions.¹⁴

In the case of Aruna Roy and ors. V. Union Of India, the writ petition was filed under article 32 of the Indian constitution to question the distinction between 'religious instruction' and

¹² "Assam introduces bill to convert madrasa into general schools", < <https://www.thehindu.com/news/national/other-states/assam-govt-tables-bill-to-abolish-all-state-run-madrasas/article33436777.ece#:~:text=The%20Assam%20Repealing%20Bill%2C%202020%20seek>>

¹³ "No religious educations in school without permission", < [No Religious Education In Schools Without Permission: Kerala High Court \(ndtv.com\)](#)>

¹⁴ "State funding of religious institutions: Allahabad High Court seeks reply of Uttar Pradesh government", < [State funding of religious institutions: Allahabad High Court seeks reply of Uttar Pradesh government - The Hindu](#)>

religious education and also to examine what is the importance of religious teachings. The National Curriculum Framework for School Education [NCFSE]¹⁵ was published by the National Council of Educational Research Training [NCERT].¹⁶ It was stated that according to the curriculum religious education is to be provided in schools to the students but it was challenged by the supreme court and was held unconstitutional as it was without the consultation with a central advisory board of education [CABE]¹⁷ which is an advisory board established in 1935. Hence, the curriculum is considered to be invalid. Then the question arises “whether the National curriculum framework for school education published by the national council of educational research and training was mandatory to be consulted with the central advisory board of education?” and “whether education about religion or religious education is violative of Article 28¹⁸ of the constitution of India and anti-secular?”. The court held that all religions on a cultural basis which helps the students to be aware of the ideologies of their religion are not totally covered by Article 28. The difference between religious instruction and religious education should be maintained. This case helps to scrutinize the importance of religion.¹⁹

CONCLUSION

It is rightly said, “The lamps are different but the light is the same, it comes from beyond”. India is a culturally diverse country with people of different religions are living together that’s why our constitution provides us with many provisions related to freedom of religion so that social harmony doesn’t get affected and doesn’t create a drift among different religious groups. Religious teachings play a very significant role in maintaining our country’s social diversity and peace among religious groups. There should be an essence of religious teachings in elementary and secondary schools curriculum. Students should be made aware of the ideologies of every religion and develops a sense of respect towards every religion. No religion instills bad thoughts in their minds. It is very important to raise morally decent students in which religious education plays a big role. Usually, some people prefer that to provide religious education it should be the duties of parents but nowadays everyone is busy in their own world

¹⁶ The national council of educational research training [NCERT], < [National Council of Educational Research and Training \(NCERT\) | School Education & Literacy](#)>

¹⁷ Central Advisory board of Education [CABE], < [CABE \(Central Advisory Board of Education\) - Contact Details & Location \(icbse.com\)](#)>

¹⁸ The constitution of India, Article 28

¹⁹ AIR 2002 SC 3176

I think the curriculum should have some essence of religious teachings. The distinction between religious teachings and religious instruction should be maintained so that the charm of education remains. It should be noted that superstitious beliefs and principles should not be taught to students in the name of education.

