

IOS Lecture Series

**BUILDING UP AN INCLUSIVE CIVILISATION IN INDIA:  
EXPERIMENTS IN GOOD GOVERNANCE AND HUMAN  
RIGHTS BY MUSLIM RULERS**

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## **United Nations and the Rights of Minorities:**

The United Nations General Assembly adopted the International Covenant of Civil and Political Rights in Dec. 1966. Article 27 of the UN document provides protection to human rights to persons belonging to various minority groups. The UN Commission for Human Rights, its Sub Commission on the Promotion and Protection of Rights of Minorities and its Working Groups have been suggesting ways and means for the protection of the persons belonging to minorities. Abdel Fateh Amor, Special Rapporteur of the United Nations Commission for Human Rights recommended (document E/C.N.4/1997/ 91) that the existing provisions in the rules and regulations of the States for the protection of minorities should be supplemented by legislation, ensuring that the court take into account the customary laws of minorities as a guiding source of law. Further, there would not be any control that was likely, through limitations and constrains, infringe the freedom of belief and the freedom to manifest one's belief. Mr. Amor's reference is obviously to the UN Universal Declaration of Human Rights, 1948 wherein the individual had a primary concern. The individual, no doubt, belonged to a community. Islam recognized the singularity of individual for human rights and enforcement of laws but at the same time it also characterized the community as a social unit. My reference to the Declaration and Covenants of the United Nations are to draw the attention to the close similarity between the UN attitude towards minority groups and the guiding spirit of Islamic theory and practice on socio- cultural and religious rights of communities, irrespective of being a majority or a minority. Division of the society on the basis of minority or majority is a modern phenomenon. Earlier societies had other forms of division. The ruling class and the subject peoples was one of them. The famous agreement of Madina and the treaties of the Prophet of Islam with tribes of Arabia guided the Khulafa-i-Rashidin (the first four Caliphs) in their policies towards Non-Muslims. Basic framework for inter-community relations was set up at Medina before the transfer of capital to Damascus. The laxity in the framework of Madina provided universality to the system which made it free from the burden of time and space. It is this quality of Islam which made it possible that a minority Muslim ruling class could rule for a long time at various places in peace and without turmoil.

## **Social and Political Muslim Heritage of Delhi Sultanate:**

The U.N. Universal Declaration of Human Rights, 1948, the U.N. International Covenant of Civil and Political Rights, 1966 and the recommendation of the U.N. Special Rapporteur, 1997 stated above were, in principle, already in practice in Islamic States nearly one thousand five hundred years ago. Caliph Umar bin Khattab <sup>RH</sup> (634-644) directed his conquering armies in West Asia and North Africa to strictly follow his policy and planning for local autonomy, the protection of peasantry and developing a positive understanding with the local chiefs and notables. Autonomy, in every respect, was assured to the conquered regions. Initially the Arab soldiers were not permitted to engage in any trade, agricultural or any other profession. The line of action was limited only to the military cantonment. The Prophet had permitted the Christians and the Jews to keep up their religion if they submitted in peace, the caliphs also extended the same privilege to Jews Christians and Zoroastrians. In the administrative and economic

structure at the local level no change was affected. The old elites and administrative machinery of the Byzantine and Sasanian empires became part and parcel of the Islamic empire, certainly with oppressive wings cut. The Coptic, Greek, Iranian, or Arminian scribes and accountants worked like earlier times in the new empire. Many of them changed their belief but some of them continued to profess their faith. Inter-action among communities gave strength to an inclusive social order, devoid of the negative aspects of insulatory sentiments. Some kind of a sense of freedom in choosing place of work or place of residence in the fast growing urban economy, the concept of local autonomy was phased out, giving a way to a broad universal Arab pluralistic culture where each religious, ethnic or linguistic community merged in the broad Arab Islamic ethos while retaining their identity. Within Hundred years of the Arab conquest, the Arab socially mingled with non-Arabs and took up civilian occupations. Correspondingly, the non-Arab communities *Mawali* or *Dhimmi* entered into military and civil government services without losing their religious or cultural identity. It may be added that the social inter-action among communities was not without a conflict. The sustained economic development in the Islamic empire, without interruption for several centuries indicated that the elements of peaceful co-existence and the recognition and respect for the otherness of others were far stronger than the elements leading to social conflict.

In the inter-action among the communities in the Abbasid Empire the Jews played a significant role. The Jews spread over the large empire were powerful religious community in the multi- religious pluralistic society of West Asia. The Jews were an empowered community although other communities had also enjoyed similar privileges. This was on account of free social order under the Muslim rulers. In India Muslims were in a minority but the rulers treated the non- Muslim majority in the same way as the non- Muslim minorities were treated in the Abbasid Caliphate.

Today in the modern democracies, small or large, the number plays the master card. The majority is the ruler, the minorities are stereotyped as oppressed or victims. It is generally so but not always true. I repeat not always true. Jews in USA and Parsees in India are very small minorities but they are empowered communities. In medieval period the Jews under the Abbasids and the Parsees under the Mughals had outstanding positions.

Under the Abbasids the Jews lived in very large towns mainly as traders- local, domestic or International. Long before Islam Jew communities lived in West Asia, North Africa and also in India and Europe. Under the Roman Empire they were about 10% of the population. Their number declined in course of time because of assimilation and various economic and demographic factors. However, at the eve of Muslim conquest the presence of Jews remained significant. In Iraq they were second in number to Nestorian Christians.<sup>1</sup> As a matter of fact, with the transfer of the capital to Baghdad the Jews of Iraq acquired central position among the Jew communities.<sup>2</sup> In Baghdad there were two Jew academies, being the highest authorities for the Jews which combined the functions of the centre of scholarship, parliament and religious laws. With the gradual rise of the Fatimid's in Egypt, the Baghdad academies lost their significance and the academies of Cairo and Palestine gained supremacy.

In the pre-Islamic time Jews were engaged in various professions including trade. They were predominantly in agriculture. Large numbers of Jews were converted to Islam. Those who remained Jews, like many Christians and pagans, were given status of *dhimmis*, protected people, politically marginalized “but in the early caliphate this disqualification in combination with unusually strong internal ties of solidarity, enabled the Jews to rise to prominence in finance, banking, trade and other new fields, of medicine and the like”.<sup>3</sup> The rise of Jews in banking and finance was a direct result of tolerant and freedom bearing atmosphere of the Islamic political system.

In fact a Judaeo-Islamic symbiosis, evolved all over the Abbasid empire, was more active and dynamic than a peaceful co-existence. Strangely the Jews had also settled in India and China but without Indo-Judaeic or Chino- Judaeic symbiosis.

In the ninth century “the Indian trade became the foundation of international economy, contributing also to a tremendous upsurge of internal commerce, subsequently the shift towards a unified bi-metallic currency system, which encompassed the eastern and western caliphates”. At this point the Jews took up the lead in finance and trade. “In Baghdad and Asfahan great finance and banking institutions arose with important and even pivotal Jewish connection.<sup>4</sup> Large number of Jews, no doubt, remained small traders and artisans but many of them became associated with finance and long distance trade. The Jewish bankers *Jahabidha* loomed large in the entourage of the rulers, lending money to the rulers and consolidating of the finance of the State. Massingnon, a French author rightly remarked that the CORPORATE INTERNATIONAL FINANCE today has obviously Jewish preponderance. The same was also true for the Abbasid period. The Jews involvement in U.S. rich economy today had its parallel in the economy of the Abbasid period.

Under the Abbasids the Jewish bankers entered into the State fiscal system including the tax farming. Jewish bankers gained control of the Abbasid money market and became instrumental in the development of sophisticated finance techniques such as bill of exchange, *Suftajah* and *cheques, sakk*. The same bankers also operated as traders’ *tajjari* and financiers for Muslim or Jew traders.<sup>5</sup>

For more than two hundred years when the coasts of the Arabean and Mediterranean Seas were under one empire, the international economy flourished with Jews playing the key role. The Mongol attack on Baghdad brought to an end the glorious Abbasid empire. With the fall of Baghdad the economic center shifted westward to Egypt and Europe. The Jews too lost their position of preponderance resulting in their small migrations to Central Asia and Europe and they also lost their internal solidarity which was also the source of their strength. The Jews did not find peace in the Christian west where they were persecuted. England expelled the Jews in 1258, France in 1394, and Spain in 1497. They were also expelled from many cities of central Europe. They did, of course, find peace in the Muslim East and Ottoman Empire. They re-entered western Europe in eighteenth century but remained there without a home which they had lost during the Mongol attack on Baghdad in 1258.

## GLOBALISATION OF WORLD ECONOMY

The most outstanding aspect of the middle ages was the expansion and hegemony of Islam resulting in the development and growth of a world economy in and around the Indian Ocean, with India as its center and the West Asia and China as its two dynamic poles. Under aegis of Islam there developed a running economic and social integration into a wider and complex pattern.

Long before the arrival of the Portuguese, the region from east Africa to Indonesia, including India, Arabia and Iran, acquired a unitary Islamic identity, a distinctive historical personality which made it the largest cultural continuum of the world.<sup>6</sup> Long before the establishment of Muslim rule in northern India (13<sup>th</sup> century) Indian trade was to become the backbone of inter-continental Muslim economy. In monetary terms this trade led to a united currency based on gold *dinar* and silver *dirham* and simultaneously a dramatic increase of the volume of precious metals in world circulation. It was no more a dead money, safely kept in palaces. Under the Muslim rule gold played a worldwide role in Indian Ocean trade.<sup>7</sup>

The bi-metallic currency system of Islam was never jeopardized. The Abbasid economic supremacy, to which India also contributed, survived the political fragmentation. It was only in the eleventh century onwards that the dynamic centers of the world economic development were shifting to Europe and China and also to India. The establishment of Delhi Sultanate in India in the thirteenth century changed the economic and political map of the world. Delhi became another Baghdad. In the following pages the reason of Turkish military success in India and the great impact it had on India's economy and society are explained.

There are several causes responsible for great events in human history. The Turkish victory leading to the establishment of Delhi Sultanate, too, had several factors responsible for it, but military causes were most singular. The Rajputs who met the Turkish challenges from tenth to twelfth centuries were outstanding in bravery and selfless sacrifice. Honour to them was dearer than life. In individual combat they could meet with success their adversaries of the west. Nevertheless, northern India was lost to them in a couple of years. Muhammad Ghauri defeated Prithviraj of Delhi in 1192 and Jai Chand of Qannauj in 1194. Gujarat was attacked in 1197. Gwalior and Bayana were already in Turkish possession. Before the completion of a decade of the battle of Tra'in the whole of northern India from Indus to Brahmaputra, through the fertile valleys of Jamuna and Ganges, was occupied by the Muslim Turks and the great Rajput families who ruled for several centuries became nominal subjects before the beginnings of thirteenth century.

The rulers of Delhi, Ajmer, Qannauj and Bengal were far richer in material and manpower resources than the Turkish invaders. In spite of politically divided India, each Indian kingdom was bigger than the original home of Turkish ruler and yet the Turkish invaders were successful in successive battles. What was so peculiar with the Turkish

army which enabled it to defeat a dauntless Rajput army or what was wrong with a brave and fearless Rajput command which could not properly mobilize its material and human resources to its own advantage? The question is important and the answer is difficult. The Turks were not the first to defeat the Indians armies in the pre-Gupta period. The central Asian tribes were equally successful in north western India. With the same material and manpower recourses, the Indian rulers were defeated first by Sakas and Kushans and then by Turks.

However, the Turks with the same territory in their possession, quite often with weak and irresolute sultans of Delhi kept the world conquering armies of the Mongols at bay. The Mongols established their rule over China, Central Asia, Iran, Iraq and parts of eastern Europe. They attacked India year after year for almost a century, but were beaten back by the sultans of Delhi. The Turkish army was not wholly Turk in ethnic composition. There were a large number of Indian soldiers recruited from the traditional fighting clans. Recruitment of Indian soldiers was not new. This was also done by Mahmood of Ghazni two centuries earlier. Tilak was a general of repute under him and his son Masood. Indian soldiers, even from non-traditional class as Tilak was, had been good like others if under a proper command. This explains their successive victories under the Turkish command. Let us examine the composition, organization and the military techniques of the Rajputs and Turks.

## **TURKISH BATTLE STRATEGY AND PLANNING**

Muhammad Ghauri, the Turkish sultan ruled over a small territory, slightly larger than the size of a district of India with much smaller resources, but he was a complete master of men and material there. He ruled over the kingdom through his officers who served at his pleasure. The small army which he had under his command was a full time regular army, committed to him professionally and emotionally. Muhammad Ghauri gradually built up his resources by capturing the decaying Ghaznavide empire in the Punjab. With additional resources of west Punjab he recruited a bigger army and defeated Prithviraj, who ruled over a larger kingdom which included agriculturally rich Punjab, Haryana and upper Ganga-Jamuna *Doab*. His army was also far more numerous but it was not a full-time paid personal army. It consisted of the contingents, small or big, supplied by the *samants*-vassal lords. They were not professionally and emotionally committed to Prithviraj. Moreover, loss of Prithviraj's sovereignty did not necessarily meant a loss of their own territory. It was quite likely that the defeat in the battle might only mean change of masters to them. Prithviraj, in spite of being a king of vast and resourceful kingdom, could not keep a large standing army as he was not in full command of the material resources in his kingdom which were shared, in varying degree, by his nobles. The nobles or *samants* had a right over a specific territory which was not a subject to the pleasure of Prithviraj. K.M. Munshi, the patron of the famous Bhartiya Vidya Bhavan series, has rightly remarked that "a king instead of being the only source of power was no more than the first among equals, the head of the inter-related over headships, never in a position to overrule the wishes of feudal lords." It was likely that the huge Rajput army which fought the invading Turks consisted mainly of part-time or seasonal soldiers. A battle between a full time seasoned standing army completely dedicated to the sultan on the one hand, and an army consisting of divisions or contingents of part

time seasonal army committed to their own *samant*/lord on the other, was certainly a battle between the two unequals. In such a case victory to a regular standing army was certain. Muhammad Ghauri's army was not the best Turkish type. It was beaten by more resourceful Khwarizm Shah, but its success in India had other reasons. K.M. Munshi states that "the Indian kings waged war according to certain code or canon but whereas the wars in Central Asia were grim struggle for survival which increased the destructive zeal of the conqueror, no canon restrained the ruthlessness of their Hordes". U.N. Ghoshal also expresses the same sentiments and says that the Rajputs "were inspired by a high sense of chivalry and military honour which made them often unfit for practical success in warfare". A.B.M. Habibullah<sup>8</sup> also joins this group by saying that Rajput recklessness had an element of romance in it but was of little practical wisdom. Truly speaking, Rajput recklessness was also struggle for survival. These are the modern historians who are putting an element of romance in their life and death struggle. The Rajputs, like the Turks, did not fight according to a code or canon, they fought for victory but lost it on account of their inadequacies. The army organization was based on old feudal set-up. The Turks fought under one command as one homogenous unit. The Indians had no such unity in either fighting or planning. The Turkish superiority of cavalry was most outstanding. The Turks rode better horses and used iron stirrups, whereas the Rajputs had no such advantages.

Another important factor leading to Turkish conquest was that the Turks used the bow from the saddle while moving on a running horse because iron stirrups gave them firm grip on their horses.<sup>9</sup> They could even use two weapons while holding the rein in their mouth, and throw a lance in opposite direction. This fast mobility was the keynote of Turkish military organization. The Rajput's fighting tactics were also poor. They divided the army into three units- right, left and centre, whereas the Turkish army had five segments including advance and reserve. More often, it was the reserve which broke the adversary's back. Moreover, the Rajput dependence on elephants and sword combat were also disadvantageous.

A large regular seasoned standing army with officers totally dependent upon the pleasure of the king was not only the singular cause of the Turkish conquest of northern India but also the reason of the continuation of their rule for several centuries and safeguarding India from Mongol occupation. Such a situation was possible because the establishment of the Sultanate brought many socio-economic changes which resulted in greater prosperity and power.

## **DYNAMICS OF SOCIO-ECONOMIC CHANGES IN INDIA**

There is a lot of controversy over the nature of changes which the establishment of the Delhi Sultanate brought about in Indian society. Professor M. Habib,<sup>10</sup> conscious of some negative aspects of the Turkish rule, including the massive destruction and devastation, believed that the Sultanate was in essence different from the Rajput kingdoms. It released social forces which led to the creation of an economic organization far advanced than the one it had supplanted. The agrarian relationship underwent a substantial change which helped in the growth of towns. Professor M. Habib thought that changes were so basic in agriculture and trade that they may

separately be called rural and urban revolutions. Prof. Habib's theorization requires a thorough investigative analysis which has not yet been done. Irfan Habib, however, has briefly but scientifically examined M. Habib's ideas and other economic changes brought about by the Turkish sultans. Irfan Habib<sup>11</sup> is of the view that during the Sultanate considerable expansion of the urban economy took place. Three inter-related developments took place, (i) there was a considerable growth in the size and possibly number of towns; (ii) there was a marked expansion in craft production and (iii) there was a corresponding expansion in internal and external commerce.

India had large and numerous towns during the Sultanate period. Ibn-i-Batuta,<sup>12</sup> thought that Delhi was the largest town in the 'Islamic' world and Daulatabad, too, was as big as Delhi. Lahore, Multan, Pattan, Cambay and Lakhnauti were other large towns.

The increase in craft production was also significant. Its rapid increase was on account of a number of changes and improvement in technology during this period. The introduction of *Charkha* or spinning wheel increased the production of yarn manifold. Greater use of cotton carder's bow and weavers' treadles resulted in a large scale textile production which later enabled India to clothe the peoples of Asia and Africa through European trading companies. It was also during the Sultanate period that the rearing of mulberry silk-worm started in Bengal in the 15<sup>th</sup> century which enabled Indian weavers to weave expensive luxury cloth for the rich. Indigenous production of silk weaving industry was entirely dependent on imports from Iran and western Afghanistan in the thirteenth century as noticed by Minhaj-us-Siraj. There was a greater commercial intercourse (like under Kushans earlier) between India and West and Central Asia with the result that many Persian weaving devices were adopted here in India including the vertical loom for carpet weaving.

Paper was another manufacturing craft which found appearance in a big way during this period. India also became an exporter of paper. Presence of small villages by the name of *Kaghazipura* near larger towns like Jaipur and Daulatabad now-a-days reminds us of the flourishing paper industry in medieval times. Paper became a source of intellectual inter-action within India and outside India. Sufi and Bhakti movements reached to a larger number of people through paper.

Growing population of cities also indicated that there were enough food surplus in the villages which could be transported to towns. Growth of cities also meant a large number of workers available in the towns, including the skilled and un-skilled workers engaged in building industry. Alauddin alone employed 70,000 workers for his buildings at Siri. Moreover, the new elements like cementing lime and vaulted roofing with extensive use of true arch and dome further increased the building activity.

The growth of commerce – internal and external, is indicated by the coins of the Sultanate. Museums all over the world have huge quantity of silver coins for each year of the Delhi Sultanate. Gold coins too are numerous. This is in sharp contrast to the paucity and debasement of coined silver and even greater rarity of gold coinage and greater use of barter in trade in the early Middle ages. The number of coins, thereby the trade, had improved in the eleventh century but the growth of economy in the thirteenth



century is so striking that it cannot be taken as a mere continuation of a process already in progress.

The growth of trade created a rich merchant class called *Multanis* and *Sahs* who were rich enough to extend loans to the Turkish nobles. Alauddin could entrust tons of silver coins to *Multanis* for bringing goods from far off places. This was how state helped the traders and the urban population.

The growth of commerce and trade was possible firstly on account of the considerable immigration of artisans and merchants from Iran and Central Asia to India, bringing with them crafts, techniques and practices. With sufi Hamadani alone several hundred artisans came and settled in Kashmir. Secondly the abundant supply of docile trainable labour obtained through large-scale enslavement was available in plenty. Immigration of people skilled in various crafts from all over the Asiatic world to India was, more or less, like today's longing among the Asiatic youth, men and women to migrate to the West or to the Petro-dollar countries.

A contemporary historian confirms that under Iltutmish Delhi attracted 'numerous Saiyids of true lineage from Arabia, the artisans from Iran, the embroiderers from China, the learneds from Bukhara, the craftsmen, the jewellers, the jewel merchants, Greek and Byzantine physicians, making Delhi a cosmopolitan town. Immigration of skilled artisans and the availability of docile and cheap labour through enslavement made it possible for the sultans to promote rapid urbanization which was sustained by the increase in agriculture. The sultans of Delhi could draw from villages the bulk of the surplus grain through their military officers called *iqtadars* - a ruling class totally dependent on the pleasure of the sultan, with no inherent right over the land they administered or collected revenue from, unlike the Rajput *samants* who had inherent rights over the land. They were transferred or dismissed at the pleasure of the sultan.

During the early period of the Delhi Sultanate the control of *Iqtadars* or government's civil officials over the countryside was not full. The *ranas*, *rawats*, *chaudharies*, *muqaddams* and other lords or masters continued to enjoy their privileges and paid taxes to the government if it was stronger which, of course was not always so. Alauddin's increased land revenue, house and cattle taxes collected by government officials which reduced the status of agricultural local lords who were co-sharer of the agricultural surplus. Alauddin through his various measures made cheap food available to the towns so that the cities could grow which they really did but the rural *ranas* and *rawats* continued to exist but with smaller privileges. Muhammad Habib's rural and urban revolutions find support in the massive urbanization and reduction in the power of local agricultural lords, but such developments were not uniformly positive. Slave labour acquired crucial importance in urban economy. Besides gold and silver, the extent of success of a military campaign was judged by number of captives obtained for enslavement. Horses and slaves were much wanted commodities. Alauddin had 50,000 and Firoz Shah one lakh eighty thousand slaves respectively. Even the Sufi saints had slaves. All these slaves were not household workers. They were also made to work for master's profit. It may, however, be conceded that children of these slaves later became free artisans responsible to some extent to the greater prosperity of India under the

Mughals. Agrarian changes strengthened the centralized government by reducing the power of local lords. Nevertheless, the lower peasantry remained burdened with heavy and repressive taxes, tied to the land.

The Delhi sultanate did not bring about a social revolution in modern sense. It created a new system of agrarian exploitation and an urban growth based upon it. Moreover, it united political power with economic power, more fully than ever before. It also made the ruling class totally dependent upon the king.

Production of gold and silver was almost nil in the thirteenth century. The gold mines had long been exhausted yet there was abundance of this precious metal which came to the country in exchange of India's consumer goods which had a large market all over the world. India was very well connected to the famous silk and spice routes. Marco Polo and Arab writers thought that India went on absorbing limitless quantities of imported gold and silver without ever giving an ounce in export. This obviously meant that there was bulk trading and huge production of textile and other consumer goods. Towns with large working population could only survive if the villages could produce enough surplus food for them. Thus, there was heavy production, both in agriculture and industry.

Europeans thought that India was a land of plenty. It was in search of sea-route to India that they discovered the New World. West Indies in Atlantic Ocean and Red Indian in America remind us of the European search for India during the later days of Delhi Sultanate.

## **SOCIAL MOBILITY AND CHANGING EMPOWERMENT**

As a result of the expanding trade and industry the upward and downward social mobility was as fast as the rate of urban-industrial development. The Turks who monopolized political power and constituted the bulk of the ruling class during the first half of the Delhi Sultanate sank into insignificance so fast by the end of the Sultanate period that there was hardly a Turk worthy of record in Ibrahim Lodhi – Babur's time. Afghans considered robbers and plunderers' by Isami in the early period of the Sultanate became emperors by the end of the Sultanate. Mewatis who were once hounded by Balban acquired the status of nobility in the sixteenth century.

The Sultans of Delhi did not interfere in the public or private lives of the religious, ethnic or the regional communities nor did they interfere with the Muslim community but they certainly and effectively reduced the political and military power of traditional rural aristocracy and thereby there was a corresponding fall in the status of the Brahmins who were patronized by them. This brought down, in some areas completely, the stable Brahminical social order. Here, before I proceed further, there is a piece of warning. Delhi Sultanate was larger than many countries of Europe put together. The development of socio-economic changes in any period of Indian history was not uniform or identical. There were variations of degrees or exceptions too. In other words we may say that the decline of traditional rural aristocracy and the Brahmins weakened the Brahminical social order in a larger area. The weakening of the traditional social order

gave opportunities to the masses to re-organize and re-shape a new social structure. The fast urban growth provided a good market to agricultural surplus resulting in greater prosperity in the villages. Marathas and Jats who were essentially peasants acquired a dominant position in their respective regions during the disintegration of Delhi Sultanate and later, under the Mughals, they rose to power.

With the rise of industry and trade the artisans became respectable and richer and the wage labour, the Shudras became at many places peasants. The new emerging classes found religious and spiritual satisfaction in Bhakti and Sufi movements. Backward communities produced their own preachers and gurus like Kabir and Dadu. Bhakti was a very powerful and popular movement for social change. Tulsi Das was liberal Bhakti saints but he too was scandalized to find the rise of new powerful social elements in this popular movement. He laments that “the shudras consider themselves as learned as Brahmins, enter into disputation with them, adopt overbearing attitude, and participate in *'jap' tap vrat*, sit on high seats and discourse on scriptures”. These observations of Tulsi Das indicate an obvious change in the society that preceded him i.e.; Sultanate period.

### **SUFI BHAKTI SAMVAAD<sup>13</sup>**

It was during the Sultanate period much before the establishment of the Mughal empire that a more enriched vibrant culture of peaceful co-existence and respectful inter-action had developed in a larger part of India. *Bhakti-Sufi* theism played a pivotal role in the growth of synthesized culture which remained as the foundation of Indian civilization and remained so in spite of several ups and downs. It is likely to survive the present crises caused by the rise of Hindutva in the pluralist ethos in India. Briefly I state below some powerful elements in Indian history of inter-religion interaction.

### **RISE OF INDIVIDUALISM IN RELIGION**

The major contribution of the *Bhakti-Sufi* theism was in the absorption of the marginalized communities in their fold. Thus the new cultural groups with new identities, free from the traditional identities of caste and some times of religion also grew. This led to the rise of an individual, having his own identity. He /She had his/her own belief.

The individuals' approach to the Truth or the Real was in his own idiom and language. The individual, however, was part of a social group. The regional languages became the medium of social communication which finally led to the growth and development of the native languages in India. Sixteen major languages of India today owe their origin and standardisation to this period. In spite of common language, the individual had his own identity.

Empowerment is a modern phrase. It was operative in medieval societies also. The standardisation and recognition of regional languages gave power to the marginalised peoples. They could and they did speak. THE LANGUAGE GAVE THEM SOCIAL BASE AND POWER, CAUSING SOCIAL UPHEAVAL. The classical Sanskrit based

intelligentsia gave way to new leadership emerging out of the downcaste professional/artisan group. Among the leading saints, Kabir was a weaver, Dadu was a cotton carder and Ravi Das was a cobbler. Such was the state of affairs all over the country. In Maharashtra alone there were renowned saints from these professions like Gora Khumbhar (potter), Savata Mali (gardner), Chokhmela (cobbler) and Sena Nhavi (barber). With Maharashtra in mind we can have an all India figure. These saints belonging to petty artisan families became leaders of the new generations, providing a powerful source of inspiration to all sections of society, particularly to the marginalised groups till modern times. The *Sufi-Bhakti* thought was universal for all living persons. Gender was outside its scope. It attracted all section of the society including women. Outstanding *Bhakti* women saints were Mira-bai, Andal, Daya-bai, Kasema, Sahajo-bai, Jana-bai and Kanhopatra. The gender free thoughts of the saints did not carry the burden of caste or class. Mira-bai belonged to Rajput royalty, Jena-bai was a domestic maid whereas Kanhopatra was a professional dancer. There were popular Muslim women sufi saints outside India but there were many in India too like the mothers of Shaikh Bakhtiyar Kaki (d.1235), Shaikh Burhannuddin Gharib (d.1238), Baba Farid and Hazrat Nizamuddin Aulia. Other Sufi women of distinction were Fatima of Indarpat and Bibi Jamal Khatun, sister of Mian Mir. Among the scholar women Sufi saints were Babu Rasti of Burhapur and Jahanara, daughter of Shah Jahan. Among the Sindhi Sufi saints Fatima Hajarani had acquired a status of *murshid*.

*Bhakti* saints from the marginalised communities were the leaders of the poor. Poverty like love has no religion or gender. The Muslim society in India was caste free but certainly it had marginalised sections who got attracted to *Sufi-Bhakti* movement. Sufism had a direct bearing on medieval Hindu thought in the same way as *Bhakti* had on Muslim thought. Kabir, Dadu, Nanak, Eknath and many others passed on the Sufi message to their followers. In the same way the Muslims were deeply involved in the *Bhakti* doctrine of love. Many of them were infact, *Bhakti Sanths* and had a large Hindu and Muslim following. Malik Jaisi or Mulla Daud or Qurban preached love without attachment of any kind in Hindi. At the same time dozens of Muslim *Bhakti* saints gave the same message in Marathi and Dakkhani (Hindi/Urdu). Important among them were Mutajabuddin, Hissain Amber, Aalam Khan, Shah Muni, Shah Navrang, Shaikh Sultan, Sagan Bhaw and many dozen more.

## **CULTURAL- SPRITUAL INTERACTION**

*Santh* Eknath's *Hindu Turk Samvaad*, Hindu-Muslim cultural-spiritual interaction is a symbolic dialogue with secular bearing in the *Bhakti* devotional poetry of Maharashtra. Eknath was its typical example.

Eknath (1533-1599) was Deshasth Brahman of *Asvalayana Sakha*. He was a classical production of Hindu-Muslim spiritual interaction. He received initiation from his Guru, Janardhana Swamy at Daultabad. Guru Janardhana himself was the follower of Shaikh Chand Bodhale. The Muslim influence on the Dattatrya sect and also on Nath and Yogi traditions is well known. In a vision Eknath saw his God Datta as a bearded Muslim *fakir* or *Malang*. That was how the Sufi-Bhakti vision was conceived.

Eknath also represents the highly valued tradition of *Guru-shishya* relationship. The *gurus* and their *shishyas* were Hindus and Muslims but they were united in one cardinal principle-unity of existence, the idea which demolished the barriers among communities. It may be noted that Eknath was the *chela* of Swami Janardhana. The Swami was the *chela* of Shaikh Chand Bodhale, the *chela* of Shaikh Muhammad Raje.

Eknath believed that the God of Quran was the God of Hindus and God created Hindus and Muslims in his full wisdom. On this basis he challenged the issue of religious conversions. This message of Eknath is universal, free from the limitations of time and space, equally important to the organisers of *Ghar Wapsi* in 2015.

To conclude this theme it may be added that Sikh scripture, Granth Sahab represents the maturity of this process. Beside Baba Farid of the Punjab, Santh Kabir of Uttar Pradesh the Granth Sahab also includes the devotional songs of Namdeva of Maharashtra.

### **SUFI KHANQAH – INSTITUTION OF SOCIAL INTEGRATION**

In the above sufi Bhakti Samvaad the *Murshid-Mureed* relationship causing inclusive social bearing has been explained. Dr. Madhu Trivedi discussed the role of Sufi *khanqah's* an institution as an instrument for building up culturally and spiritually integrated social set up. I take the liberty of freely quoting her extensively to support her observations.<sup>14</sup>

“The musical and literary synthesis in Sufi *khanqahs* in medieval north India led to the emergence of Hindustani musical tradition on the one hand, and a common literary musical tradition on the other. The establishment of the Sultanate at Delhi in the thirteenth century, with a new ruling elite from a Turko-Persian background, brought about changes in the cultural pattern in north India, which are reflected well in the realm of musical arts which kept changing with the requirements of the new patrons. Two diverse and well developed musical systems, *sama-i-Parsi* and *sarod-i-Hindavi* came into close contact. It led to the evolution of new vocal forms, the Indianisation of *sama* in music and the synthesization of the voice culture of *sapt-sur* and *dwazdah pard*. Thus, a synthesized Indo-Persian tradition began to develop as an inevitable result of the encounter of two highly developed cultures at court level as well as folk level, which became the foundation stone of Hindustani music. A common musical culture, with the richness of Samanid and Seljukian performance traditions and resilience of Indian music, also began to emerge which was followed by the classes and masses.

“Interestingly, the venue of this synthesis was not the court but the Sufi *khanqahs*. Indian Sufi *khanqahs* have always remained the most effective venue of cultural sharing. They provided a ground of the mixing of the followers of the different faiths and promoted a liberal and eclectic attitude through various means.... The Sufi Shaikhs used to hold discourses with wandering saints such as the *Naths* and the *Siddas*, who made frequent visits to the *jama'atkhanas* at Delhi and Multan. People from different castes and creed flocked to these spiritual hubs... The Sufi *khanqahs*, thus, became instrumental in promoting a composite performance tradition which had the exclusivity

of Turko-Persian court music culture and the vibrancy of the Indian folk tradition... The sufi poets drew parallels from Indian mythology and freely used Indian literary idioms for delineating their philosophical concepts which gave way to the emergence of a common literary culture as well.

“In Indian context music was integral to all socio-religious practices, it also became associated with all sorts of cultural activities followed in the Sufi *khanqahs* and *dargahs* of the saints.

“Some of the Perso-Arab musical forms were Indianised, most importantly the *qaul* which was fashioned in a way that it became similar to *git* in its rhythmic structure.

“The *Vaishnava* poet saints belonging to the Chaitanya and Ballabhacharya sects, who settled in Braj region came from diverse places of the sub-continent, amalgamated the existing court and folk performance tradition in their poetry and music. There is a possibility that the *sama* music also had some bearing on some of the saints of Krishna-Bhakti cult due to their interaction with the Chishti Sufi saints of the area. The ecstasy of the performers at the time of the performance of *nam-samkirtan* reminds us of *hal*. In north India the musical accompaniments to *Kirtan* are *dholak*, *daff* and *kathtal* accompanied by hand-claps in the manner of *qawwali*.

“The Sufi poets wrote their *masnawis* in a language which was spoken in the area. The imagery and mystical idioms appropriated in these works are typically in the language of *Nath-yogis*. Among these, *Chandayan*, *Mirgavati* and *Padmavat* present a blend of stylistic and poetic concepts of Indian and Islamic literary tradition and performance strategies employed in north Indian oral epics.”

All the three works mentioned above have a high place in Hindi literature. They certainly are sufi works written in Persian script. “*Chandayan*, the earliest work in Awadhi in the sufi tradition was written by Maulana [Mulla] Daud, the disciple of Shaikh Zainud Din during the reign of Sultan Firoz Shah Tughlaq. *Mirgavati* was written in 1503 by Qurban under the patronage of Sultan Husain Shah Sharqi of Jaunpur. He was the disciple of renowned Sufi saint Shaikh Burhan of Kalpi, of the Chishti *silsilah*. *Padmavat* belongs to the reign of Sher Shah written in 1540-41 by Malik Muhammad Jayasi, who composed this work on the inspiration of his *pir*, Shaikh Burhan.

“The use of *Nath-yogi* elements in these sufi poetic works brings out the fact that they played a central role in north Indian popular religion and had a hold on religious movements in northern India specially in the lower ranks of the society.”

The Sufi attracted the persons of blue blood also. The ruler of Amber sought the blessing of Shaikh Burhanuddin for a son. He got a son and called him on Shaikh's title, Shaikha. Shaikha's descendents are now called Shaikhawat and the region where they lived is called Shaikhawati. In the same way Shivaji's grandfather sought the blessing of a Sufi, Shah Sharif. He got a son and called him Shahji. Shahji was the father of Shivaji, the legendary Maratha hero king.

In the thirteenth century the nobility was exclusively Turk but with the coming of Khaljis the composition of nobility started changing. The powerful commanders of Khalji period had among them Malik Kafoor and Khusrau. They belonged to the lowest of the lowest caste. The foot soldiers even under the earlier sultans were drawn from the converted or unconverted backward communities but once they joined the imperial service, their rise to political power was only natural. Moreover, the constant Mongol threat made the Turkish sultans extend the area of recruitment. The employment of Hindus and Muslim converts began with Jalaluddin Khalji (1290-95) and continued till the end of the Sultanate. Their number was largest under Muhammad bin-Tughlaq (1325-1351) Ratan, a Non-Muslim barber was honoured with permission to have his own flag and get the drums beaten when he travelled, a privilege reserved for most outstanding grandees. He was also appointed governor of Sind. Najib, Kishan and others from backward communities held governorships. Similarly many, originally gardeners, weavers, cooks, liquor dealers, rose to high positions in the Sultanate. People had a choice to adopt professions by choice and not necessarily for reason of the birth. People of noble birth certainly had better career opportunities but persons of lower castes/class had opportunities for better career too.

To conclude, Delhi Sultanate created a socio-political system which was opposite to what India had during the Rajput period. During the Sultanate the sultans were the fountainhead of all authority and power. They ruled through a class of nobles who held *Iqtas*, an area of land whose revenue was assigned to an individual officer. The *Iqta* could not be termed as fief because the cultivator had no obligation to the *Iqta'dar* except the revenue. *Iqta'dar* also could not be termed as fief holder or feudal lord as they had no inherent claim over land or the cultivators. They *Iqtas* were merely revenue assignments subject to change, which were frequent, at the sweet will of the sultan. Excessive taxation often united the peasants and the *zamindars*. This explains the frequent revolts of peasants and *zamindars* in various regions. The burden of taxation and intensity of revolt were not, however, deep enough to create a large scale socio-political disorder. Moreover, huge production of goods and equally large scale trade, largely on account of agricultural surplus gave stability to the centralized Delhi Sultanate.

The establishment of Delhi Sultanate was certainly a turning point in Indian economic history towards the growth of an advanced and better society but some historians think it otherwise. They believe that through initiating a process of denudations and destruction of Indian material and human resources, the sultans of Delhi ushered in an age of poverty and decline of population. These views have particularly been put forward by Lallanji Gopal and K.S. Lal. What Gopal<sup>15</sup> observes is that India became poor after the establishment of Muslim power. The new rulers in contrast of Rajputs perpetrated plunder and massacre on a frightful scale and thereby reduced a prosperous country to misery. In support of his views he picks up two important pieces of information from an Indian author Shamas Siraj Afif (1400 AD.) and a Russian traveller Nikitin<sup>16</sup> (who visited India between 1468-74 AD.) Afif speaks about the prosperity of Jajnagar (Odissa) and Gopal finds that as Jajnagar was a Hindu kingdom untouched by Muslims and therefore, it was prosperous. Secondly, he supports his idea from an information of Nikitin about the country of Bidar (Bahmani kingdom) where "the

land is overstocked with people, but those in the country are miserable, whilst the nobles are extremely opulent and delight in luxury." Strange enough, L. Gopal,<sup>17</sup> himself in his previous description admits for the pre-sultanate period. "India still remained prosperous but the prosperity was monopolized by the rulers, including the feudal chiefs, the merchants and temples. The common villager of our periods was often in miserable condition." Afif,<sup>18</sup> speaks of the prosperity under Firoz Shah, they say that there was much grain, wealth, horses and goods and other household items. None of the women folk remained without ornaments. In every peasants house there were clean bed sheets, excellent bed-cots many articles and much wealth. Nikitin's reference, to poverty is to reflect the misery of the poor in contrast to the luxurious life of the rich. Ibn-i-Batuta who had come earlier does not refer to such misery. If Afif's reference to Firoz Shah's reign's prosperity is untrue, so is his reference to Jaj Nagar.

K.S. Lal<sup>19</sup> demonstrates the grave extent of depopulation under the sultans of Delhi that in 1000 AD the estimated population was 200 million which was reduced gradually to 125 million by 1500 AD. Irfan Habib<sup>20</sup> finds various loopholes in this theory of which he based upon *jama* and *hasil* figures of different periods. He argues that if we follow the method applied by K.S. Lal the population figures would appear much reduced than his assumption. The description of Nikitin, is omitted by K.S. Lal because contrary to his views he writes that Bahmani kingdom was overstocked with people.

In view of what has been stated above in respect of growing towns, trade and money, it is difficult to believe the poverty and the decline of the population formulations.

The sum up<sup>21</sup> the Delhi Sultanate created a kingship entirely opposite to what K.M. Munshi thought about the Rajput rulers. The Turkish sultans were the fountain head of all authority who ruled through a class of nobles who held *Iqtas*, an area of land whose revenue were assigned to each officer. It may also be remarked that D.D. Kosambi's view that Indian feudalism, different in many forms from European feudalism, lasted till the British occupation of India is difficult to accept, R.S. Sharma's formulation that it came to a close over most of northern India by the beginning of the thirteenth century seems to be correct. The decline of feudalism was not a natural breakdown. Without naming it feudalism Irfan Habib says that it was overwhelmed by the Turkish conquest which supplanted it with a new formation in which its survivors had a definite, though a subordinate place.

To conclude the strong foundation stone of the greatness of the Grand Mughal civilization was laid down by the sultans of Delhi.

## **MUGHAL EXPERIMENTS IN GOOD GOVERNANCE AND HUMAN RIGHTS**

It is commonly believed that secular and democratic Constitution of Indian Republic is a western gift. Amartya Sen,<sup>22</sup> one of the great living Indian intellectuals, has a reservation on this view. He says that in India "The Constitutional secularism and judicially guaranteed multiculturalism" are related to "the ideas of this (the) Muslim emperor (Akbar) of four hundred years ago". Secular India was not Akbar's innovation. Its strength was in the secular traditions of India and the Islamic percept of toleration.



Sen writes, “Western detractors of Islam as well as the new champions of Islamic heritage have little to say about Islamic tradition of tolerance which have been at least as important historically as its record of intolerance. We are left wondering what could have led Maimonides, as he fled the persecution of the Jews in Spain during twelfth century to seek shelter in Emperor Saladin’s Egypt? And why did Maimonides in fact, got support as well as honoured position at the court of the Muslim emperor who fought valiantly for Islam in the Crusades”?

After a Thirty Years War in Europe, the Treaty of Westphalia brought about an end to an armed conflict in 1548. This treaty was among the kings. They agreed among themselves that they had an authority and a right to force their subjects to accept their religion which was confirmed by the Peace of Augsburg, 1555. There was no alternative to the subjects accept the acceptance of the king’s faith or leaving the country for good. To the contrast in India, in a decade between 1582-1592, Akbar issued several orders on the freedom of religion. He ordered: “No man should be interfered with on account of religion, and any one is to be allowed to go over to a religion that pleases him” Exactly after four hundred years of the Peace of Westphalia, 1548 and about the same time of Akbar’s orders for religious freedom the United Nations General Assembly adopted and proclaimed the Universal Declaration of Human Rights on December 10, 1948 wherein article eighteen states:

“Everyone has a right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in a community with others and in private or public, to manifest his religion or belief in teaching, practice, worship and observance.”

I have nothing to add. Please compare the two declarations, one, Akbar’s regulations of the sixteenth century and the other universal Declaration of Human Rights of twentieth century. Do they not resemble?

The Universal Declaration of Human Rights has a preamble and thirty articles. I do not propose to discuss them in comparison with the Mughal rules and regulations. One more caution to the readers that Akbar’s orders and regulations are quoted out of proportion in this paper. It is simply because we have *Ain-e-Akbari*, a book on Regulations and Rules of Akbar’s time. Akbar did not descend from heavens. The rules, he enacted, were a part of the process of historical growth.

The Muslim invaders soon became Indian rulers. They soon realised the importance of religious toleration and shaped their policies accordingly. The toleration is not in terms of religion alone but also in terms of social freedom. The Mughals did discourage the barbarous practice of widow burning and lifelong compulsory widowhood but their enforcement of such prohibitions was not brutal. Mohammad Bin Qasim, the first Muslim ruler of Sindh, ruled with such moderation and tolerance that he became a model for the succeeding rulers. With “minus and plus” the tradition of toleration was followed from 8<sup>th</sup> century till the end of Mughal rule. With toleration and social freedom came economic security which made the government popular and legitimate. The legitimacy of the Mughal rule was accepted by the people and it was for this reason that Raja Ram

Mohan Roy, a British supporter, went to England as an ambassador of the Mughal emperor.

The foundation of an inclusive civilization is as old as Indian culture and its way of life. The advent of Islam in India gave added richness to it. Inclusiveness, inspite of caste identities, existed through many centuries. Muslims inspite of their separate identity were a part of it. Believing in equality without caste distinction they, in fact strengthened the inclusiveness. Mixed army and mixed bureaucracy were a typical example of this inclusive civilization. Mughals were well known for it. Todarmal, Man Singh, Birbal, Mirza Raja Jai Singh etc symbolized the mixed ruling class. Even earlier Malik Kafoor and Khusrau Khan coming from the lowest class held political power under Khaljis. That was the way of life in medieval India. The Ranas of Chittor/Mewar had Muslim generals in their armies. Hindu rulers like Shivaji were not far behind.<sup>23</sup>

Shivaji trusted Muslims and he had loyal Muslim officers. Dr. Rafiq Zakaria in his, '*Indian Muslims*' enumerates the following to support the above observation.

1. Shivaji took personal care that Muslim women were not molested and Quran was not dishonoured during or after a battle.
2. The officers and soldiers in Shivaji's army belonged to every religion. His army fighting a Hindu or a Muslim enemy was mixed.
3. Siddi Sanhal, a Muslim was supreme naval commander in Shivaji's armed fleet.
4. Haider Khan Kohari, a Muslim was Shivaji's trusted General.
5. Shivaji's escape from Mughal prison at Agra was organised by a Muslim officer, Madari Mehtar.
6. The guards of Shivaji's mother were Muslims.
7. Khafi Khan, the author of *Muntakhab-ul-Lubab* recorded that Shivaji provided protection to mosques and *dargahs*.
8. Jadunath Sarkar and G.S. Sardesai observed that Shivaji was secular in statecraft. He built a temple and a mosque in front of his Palace.
9. Shivaji's family was traditionally sufi santh lover. Shivaji's grand father sought blessings from a Muslim sufi saint, Shah Sharif for the birth of sons which he got. In honour of Shah Sharif he named Shivaji's father Shahji and the other as Sharfiji.

## **HUMAN RIGHTS UNDER THE MUGHALS**

Women's rights; right to life; freedom from slavery or servitude; equality before law; protection of individual's privacy; freedom of movement; right to men and women of full age to have a right to marry and found a family; right to own property; right to equal access in public services; right to work and free choice of employment; right to participate in the cultural life of the community and freedom of thought, conscience and religion and the other modern issues were equally important to the Mughals.

The Mughals recognised the human rights stated in the above para and ordered promotion and protection of these rights, of course within the limitations of the contemporary socio-economic compulsions. The enforcement of the regulations was

though limited but the laws did exist for justice to those who suffered. They were not just day dreams. There are examples of their being put in practice at several places. In the following pages the theory and practice of these human rights are discussed with reference to the experiments of good governance.

The Mughal rules and regulations for good governance were of no significance unless supported by evidence of punishment to the offenders and justice to the victims and also to the punishment to officers who concealed the crime or saved the criminal. Conclusions are based upon official reports *Akhbarat-i-Darbar-i-Muallah*, travellers' accounts, the periodic reports of the court news to the Rajput *rajas* by their *vakils*. The implementation of the customary laws and state regulations are recorded in the *arhsattas* of Rajasthan, (revenue records). These Rajasthani records provide information of crime and punishment even in the remote villages which also indicate the effectiveness and enforcement of the rules both in urban and rural areas of the empire.

### **PEOPLE ORIENTED JUST RULE – AAM AADMI**

In the Mughal political structure the king was above the executive or the judiciary. People sought justice from the king who was available to them twice a day even when in travel. In medieval period, with only animal power transport available to them, it was difficult for the victims to reach the king but the king did reach his subjects. The king moved from one place to another quite frequently to see the country and the people he ruled. The rulers' involvement with his subjects was so strong that his *darshan* at the *jharoka* in the morning was almost a religious duty to his subjects. The rulers had various ways to reach the people. One of them was to reach them through coins which everybody used. In Akbar's time the legends of Moinuddin Chishti of Ajmer and Sita-Rama of Ayodhya were most popular. Akbar minted *Moini* and *Siaram* coins which were in large circulation. The people oriented just rule made the rulers popular. About a thousand years of Muslim rule in India confirms their popularity and acceptance by the people. It was a government based on cultural integration and active approval by the people as a legitimate institution. This was how the Muslim rule survived for many centuries.

The *aam aadmi* of the Mughal days was a peasant. There was reduction on revenue demand in case of natural crop failure which was generally a state policy in all times but in the Mughal times the demand was adjusted as per market rates. Good monsoons resulted in high yield of crop, consequently fall in the prices of grain. Therefore, the government reduced the revenue demand accordingly. Further, there was lot of damage to the crops on account of the movement of armies. The loss was that of the government because it had to pay damages to the peasants. *Akhbarat* report that there was a full-fledged department consisting of full time *amins* and *daroghas* to take care of the crops. They were required to explain their conduct if there were reports of the damage to the crops on account of the movement of army. The movement of army was carefully planned so that there was minimum damage to the crops and consequently minimum compensation.

## **PUBLIC REASONING – RAH-I-AQL**

In medieval setup there were many learned civilian reformers like Shaikh Ahmad Sarhindi, popularly remembered as *Majaddid Alifisani* who had no electronic and print media at his disposal. He reached the people through lectures and letters for establishing a better socio-political order within the imperial political set up for which he also suffered imprisonment for a short time under Jahangir. Very soon he was free and worked with the government for some time. Akbar and Jahangir had their own political ideology, *Mijaddid Alfsani* had his own but they were able to carry on their conflicting ideologies at the same time with some kind of freedom. *Alifisani* had an advantage of having his support in a class of people, the *Ulama*. His letters have been in Muslim school's curriculums, passing on his teachings, generation after generation, till modern times. The two ideologies survived together in India. This is the greatness of India. The public discussions have a remarkable history in India. Ancient India had rich and strong public discussions on issues related to religion and politics. Such traditions became virile and positive during the medieval period when larger part of the country was under the Muslim rulers. Several books on political theory criticizing the absolute rule under monarchy were written during the Sultanate period. There always was a class of *Ulama* who openly challenged the actions of the sultans. Similar works larger in numbers were published under the Mughals. Qazi Mughisuddin criticized Sultan Alauddin Khalji in open durbar, so was Mohamamd bin Tughlaq challenged for his unlawful acts by the *Ulama*. Mughal rulers were challenged by Abdul Qadir Badaoni and other Islamic intellectuals like *Mujaddid Alfsani*. An open debate where scholars of all religions participated was also a rich continuation of public reasoning. Path of reason, *rah-i-aql* was the touchstone for Akbar.

### **JAN LOKPAL, PEOPLE'S OMBUDSMAN, ACTION AGAINST CORRUPTION**

It was the king who played *Jan Lokpal* in the Mughal Empire. If offended by the executive or the judiciary the victims sought protection and justice from the king. At a place an officer of the town made lavish-expenditure to welcome Akbar to please him. He immediately realized that the expenditure at that level was beyond the means of that officer. The King not only declined to go to the reception but refused to stay in the town of the corrupt officer. He spent the night in open field outside the town. It was a warning to other officers also.

Monserrate, a European traveller writes in his commentary that Akbar stood for the rights and justice in the affairs of the government. Nicholas Withington, William Hawking and Edward Terry witnessed Jahangir's justice and made positive comments on the ruler. Manucci, a contemporary of Shahjahan and Aurangzeb admired the sense of justice of the rulers. Barnier who lived longer in India, states, "The kings of Hindustan seldom fail to hold this assembly [of justice] twice during twenty four hours, the same as when in the capital or (wherever he was). The custom is regarded as a matter of law and duty and the observance of it is rarely neglected" [*Travels* p.350].

The Mughal rulers were aware of the corrupt practices in the empire. They took steps to stop them which also involved punishment to highest officers and princes.

Orme, *A Historical Fragment of Mughal India*, Barnier, *Travels in the Mughal Empire* 1656-68 and many other European accounts have left records of large scale oppression of the people and corruptions at all levels, but there are equally strong evidences of punitive actions by the imperial or provincial governments against oppressors and corrupt officials. The empire had a well organized spy network in the empire. The *Waqianavis*, news writers in towns, independent of provincial officers, reported directly to the emperor. The *Waqianavis*, the ears and eyes of the emperor who, in the present context, played the role of *Jan Lokpal*. The governor of the province was the administrative head but the provincial *Diwan*, (revenue), the *Bakhshi* (army) and *Sadr*, (justice) were independent of *Subedar*, (Governor). They reported directly to the centre. Once, Qasim Khan was the governor of Bengal. He did not want the news to reach the emperor. He sealed the borders of the province in such a way that “not even a bird” could fly outside without his knowledge but the emperor, Jahangir got the news regularly. The news were carried by the men of *Waqianavis*, disguised as *yogis*. Jahangir punished the governor. Hafiz Mohd Nasir, *Diwan* of Gujarat was awarded life imprisonment on the complaints of merchants. The *mansab*, rank, of Ibrahim Khan, governor of Lahore was decreased by 1000 *swar* (horse) on the complaint of the *Qazi* of Kashmir. *Akhbarat-i-Durbar-i-Mulla* report several cases of punishment to officers who oppressed the *Aam Aadmi*, the common man. Aurangzeb punished Brahm Dev Sisodia by decreasing his rank because his soldiers had cut down the crops of some villages to feed their horses. There are several dozen such cases of punitive action by the State. A *zamindar* of Fatehpur was punished in 1681, *Gumashtas* of the *jagirdars* of Belar were punished because of the oppression and the *waqianavis* were also punished for not reporting the oppression.

## COALITION COMPULSIONS

Compulsion as a result of the pressures of powerful groups was a normal feature even for the absolute governments. We, living in the 1<sup>st</sup> quarter of 21<sup>st</sup> century are a witness to the discomforts of the UPA government and Supreme Court's anger on the inaction of Dr. Man Mohan Singh, the former Prime Minister against corruption. Rulers of medieval times had their own compulsions. Akbar too was not free from coalition politics particularly in the first half of his reign (1556-1580). Initially these were individuals like Bairam Khan and Maham Anga who ruled supreme. Thereafter, there were powerful *Ulama* and nobles whom he could not ignore. Akbar bought peace from them by sacrificing the lives of few individuals who were sentenced to death on religious grounds. In return he silenced them on larger issue of secular nature and human rights like abolition of slavery of the prisoners of war, 1562, abolition of pilgrim tax on places of Hindu pilgrimage, 1563 and abolition of the most hated *jizya* on non-Muslims in 1564. The *Ulama* were not happy about these steps. Abul Fazl records that they “made much chatter”. He argues that there is “no reason to single out the Hindus for a tax when they like Muslims are equally loyal having bounded up the waist of devotion and sacrifice and exert themselves for the advancement of the dominion.” He further said that Akbar abolished *jizya* on Hindus because it indicated “contempt for a section of people”.

Freedom of thought and religion was the core of his political philosophy. Mahadavis, a Muslim sect were persecuted in Akbar time. He set them free and warrants of arrest against Mahadavi scholars like, Abul Fazl's father, Sheikh Mubarak were withdrawn.

Akbar did make compromise in case of few individuals whereas on larger issues of public interest and secularism he was firm like a rock. It is better to report that he was soft on the execution of some persons on religious ground and shameful exhumation of a body of a learned scholar.

1. A Brahman of Mathura was executed on order of the *sadr* on charges of blasphemy.
2. Mirza Isfahani, Akbar's ambassoder at Kashmir was executed in 1569 for allegedly anti-Sunni acts.
3. Mir Yaqub Kashmiri an ambassador of Kashmir at Agra was executed on the charges of anti-Sunni acts.
4. The body of Murtaza Shirazi, a, Shia learned scholar who was buried adjacent to the grave of Sunni-learned scholar, Amir Khusrau was exhumed from the grave on the protest of Sunni population of Nizamuddin, Delhi.

The above four examples are exceptions. Like Akbar, his successor followed the same policy of toleration. Toleration by the Mughals is an inadequate word for the Mughal system of harmony and peace. Integration too is inadequate word to explain Mughal polity. Sharing power with non-Muslims is a far more advanced form of toleration and respecting and preserving the identity of others is too a far advanced form of integration. Respect for the otherness of the others and sharing power with many are the basic characteristics of the Mughal political system. It is for this reason that Amartya Sen gave the idea of 'multi-culturalism' and constitutional secularism to Mughal rule. Like Akbar the last 'Great Mughal, Aurangzeb too was a victim of power sharing with *Ulama* on a wider scale but his temple grants and employment of Hindus were far more than those of Akbar.

## **RIGHT TO LIFE**

Life is God's gift, the Mughal rulers called *Zillullah* (God's shadow) were there to protect life. In 1582 the provincial governors of the *subas* spreading over the large empire were prohibited by royal orders from inflicting capital punishment. Death sentences were passed by the king alone and that too after serious and repeated considerations. Those who were sentenced to death penalty or life imprisonment had, like today, one more chance for freedom, petition for mercy. Many of the offenders were pardoned.

Protection of life also included the safety of unborn babies. Medical termination of pregnancy was discouraged. A woman came to the Queen Mother, Maryam Makani to seek permission for the termination of pregnancy. Akbar intervened and asked the woman not to do so. It is also reported in documents of Rajasthan Archives that a husband was punished for beating his wife which had also caused the termination of pregnancy.

Akbar's concern for the right to life extended to victims outside his empire. Shah Abbas Safavi, the ruler of Iran killed more than two thousand believers in *Naqtavi* and other sects of Islam. Akbar was disturbed. It was an internal affair of another country but Akbar did write to Shah Abbas, without a reference to the episode, that Allah was great. He created the living beings on earth. Man could not create life therefore, he should not destroy what he could not create.

Akbar's concern for animal life was equally strong. He said; Don't make your stomach the graveyard of animals. He prohibited slaughter of animals on specific days. One such day was Eidud Duha in the reign of Jahangir. The slaughter of animals on Eid was a religious duty. Jahangir, however, did not permit the sacrifice of animals even on Eid on a prohibited day.

## **PROTECTION AND SUPPORT TO HANDICAPPED PERSONS**

Sher Shah Suri is reported to have ordered his officials to maintain record of all disabled and handicapped persons in all the towns, cities and territories so that maintenance allowance as well as cash grants could be properly arranged for them. The practice was followed during the Mughal rule also.

## **FREEDOM OF RELIGION**

Abolition of pilgrim tax and *Jizia*, and the permission to follow the religion of one's choice are discussed earlier. The freedom of religion included other benefits also. The practice of Islamic jurists to divide the world into *Darul Islam* (the land of Islam) and *Darul-harb* (the land of enemy) was abandoned. Abul FAzl did not use such terms at all. Members of all communities in the Mughal Empire had equal rights. Earlier land grants were held largely by Muslims only. There were large number of Hindu *Zamindars* and rich traders within the empire who gave grants to Hindu temples, priests and scholars but Akbar gave grants to temples, churches and other non-Muslim places of worship from the royal exchequer as a matter of policy from the beginning of his reign, which increased year after year. Rent free grants were granted to Hindus, Jains and Parsis. Jesuit Christians were given special grants to construct churches. One of such church was in the capital, Agra. Ascetics and saints also began to receive cash grants in increasing numbers.<sup>24</sup>

In history the image plays a far more powerful role in the collective memory of the people than the real facts. The process of granting rent free lands to temples increased year after year in Akbar's reign and it also increased, reign after reign of each Mughal emperor, being highest in the reign of Aurangzeb. This is also true in the employment of Hindu officers, being highest in Aurangzeb's reign but in the collective memory of the people Aurangzeb still carries a negative figure only.

## **ABOLITION OF SLAVERY**

The Universal Declaration of Human Rights, 1948, article 4 states, "No one shall be held in slavery or servitude; slavery and slave trade shall be prohibited in all their

forms". Abraham Lincoln, the President of USA had abolished slavery earlier in 1865. Far earlier in 1582. Akbar abolished slavery and slave trade at a time, in the 16th century when the slave trade was fully rampant in Africa, West Asia and the two continents of Americans. India alone was the shining star where it was abolished almost three hundred before it was abolished in USA.

The *Kotwals* of each town and city were directed in 1582 to see to it that the personal liberty of an individual was protected and freedom assured. It was a crime to sell or purchase a slave all over the empire. The practice of enslaving man and woman did not come to an end fully but certainly the abolition of slavery made a social impact. It continued to exist marginally in the same way as untouchability exists today in India, inspite of the law.

As early as 1562 the practice of enslaving prisoners of war, and the men, women and children of revolting subjects was abolished. This was the beginning of new path of humanitarianism in Mughal policy. Mughal rulers also discouraged bonded labour and servitude. Parents impelled by poverty and hunger used to sell their children for money. Many institutions, official and private, extended monetary and other help to the parents to buy back the freedom of their children.

## **RIGHTS OF WOMEN**

The Universal Declaration of Human Rights article 16 sets the following rights of women.

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

Keeping the above in mind let us examine the rules and regulations of the Mughal empire for the protection of women and family.

- (1) All marriages were to be registered.
- (2) For marriage the free and full consent of both the intending spouses was necessary. Agreement of the parents was also required.
- (3) Child marriage was prohibited, a girl of less than fourteen years could not be given away in marriage.
- (4) No man was to make use of force in order to marry a woman.
- (5) Widows, Hindus or Muslims, had a right to remarry.
- (6) No one was to have more than one wife except under exceptional circumstance.
- (7) Hindu widows who had not shared the bed with their husband were, in no case, be compelled for *sati* (funeral fire). Other widows had a right to save themselves



by refusing to go for *sati*. State did help such women. Akbar once risked his life for saving a Rathod widow.

- (8) Akbar did not interfere in the personal law of the Muslims but he had no hesitation in expressing his displeasure on Muslim daughters getting less than the sons from father's property. He pleaded that woman should get a greater share because she was weak.

Bikaner archival records indicate that there was strong punishment for molestation and disrespect to women. Inter-caste or inter-religious marriages were not allowed but they took place, though infrequently. In such cases the culprits were fined. Recent objections of *Panchayats* and *Maha Panchayats* leading to honour killing are not in our records. One fact is clear from the archival records that in any case even if a woman was a party only the male was punished, particularly in cases of sexual molestation. There is lot of information on the punishment for domestic and sexual violence in the Bikaner archival records (See Appendix- 1)

Article 16 (3), of the Universal Declaration of Human Rights, places family as a natural and fundamental group unit of society. The respect to the seniors and care for the juniors in a family lead to social stability in the society. The state under the Mughals took care of both the elements in the family, the seniors and the juniors. The *arhsatas* of various *Parganas* in the Bikaner Archives relating to 1731-1787 give numerous examples of the younger people being punished for insulting mother, defying the authority of father or grandfather or the elder brother. At the same time the juniors were also protected against injustice. The State took pains to consider the complaints of the juniors with as much consideration as it would take for settling the complaints of the seniors. It is reported that an uncle was punished for having an altercation with his niece in 1766.

The *arhsatta* documents also indicate that women were to be respected. Disrespect, *be adabi* to them by an individual, senior or junior in age or higher or lower in social status, attracted penal action. Some examples:

1. A father-in-law was punished for intimidating his daughter-in-law in *Pargana Chatsu*, 1760.
2. A Brahman was punished for touching the wife of a Meena resident in *Paragana Tonk*, 1721.
3. A *Teli*, oil presser punished for *be-adabi* to a *Teli* woman in *Pargana Malrana*, 1714.
4. Sukha Balahi was punished for disrespect towards a woman of low caste, called *Dedh* in *pargana Nawai*, 1741.
5. Sewa Meena was punished for disrespect to a house wife in *Pargana Toda Bhim*, 1719.

There are also cases where the whole property was given to a daughter who had no brothers. Among artisans the production unit was a family and women members were also active producers. Woman was also a partner in work in agriculture sector but at the

same time, the domestic service was an additional burden on her which continues even today. The State with its limited resources protected women.

## **AKBAR'S EXPERIMENTS IN RELIGION AND POLITICS**

### **IBADAT KHANA - PUBLIC DISCUSSIONS**

Public discussion and public reasoning have a long history in India, which began with Buddhist councils at Rajagriha, Vaisali, Kashmir and Patiliputra. Ashoka and Akbar inherited the spirit of public speaking and reasoning as a part of social communion in historic India with toleration of intellectual heterodoxy.<sup>25</sup> Open discussion on religions was not Akbar's innovation which he started in 1575 in his palace. In the beginning it was only among Muslims. The Muslim theologians debated several issues. The discussions were not intellectually serious. Each theologian wanted to establish his own superiority over the others. Nothing positive came out of these discussions. Akbar invited non-Muslims in 1578. Participants included scholars from various Hindu sects, Jains, Christians and Zoroastrians. Earlier each Muslim scholar wanted to establish his superiority over the other theologian. In the inter-religious debates each religious scholar wanted to establish the superiority of his religion over other religions. Nothing positive came out of the discussions at *Ibadat Khana*. Akbar closed the *Ibadat Khana* in 1582. Akbar was not a literate but he was educated and learned. As a wise listener, he could make out that all religions had elements of truth. This made him evolve the concept of *Sulh-e-Kul*, peace for all, which could be achieved without the help of the *Ulama* or the clergy. He also learnt that the path of good governance and protection of human rights was not through blind faith but by following the path of reason, *rah-i-aql*.

### **MAHZAR, AN EXPERIMENT OF NO CONSEQUENCE**

Many *Ulama* willingly or under compulsion issued *fatwah* (opinion), 1579, that "Hindustan has now become the centre of security and peace and the land of justice and beneficence ... A large number of people, especially the learned *Ulama* and great lawyers who are guides to salvation and leaders in the path of knowledge, having left their countries of *Arab* and *Ajam*, have turned towards this land and occupied it as their home".<sup>26</sup> By virtue of this declaration of the most exalted theologians and position holders of the empire, the Mughal ruler, Akbar was given extraordinary power to choose any of the interpretation of Quran or *hadith*, given by the learned scholars of his times or even earlier period, for his guidance for the exercise of his power as a ruler. He could also give his own interpretation, if he liked, but it was to be according to the Book of God.

In 1579 when the *Mahzar* was announced, it appears that Akbar was still within the fold of Islam, mentally and politically. In 1580 his action, planning and political theory were quickly moving towards *sulh-i-kul*, peace for all, the neutrality of the state towards religions. *Mahzar* did not correspond with these ideals. Akbar, therefore, ignored *Mahzar* altogether.

Those who have closely studied *Akbarnama* would agree that Akbar did not use *Mahzar* in his future plan of action. Firstly, he considered his sovereignty or royalty as a light

emanating from God, and a ray from the sun, *farr-i-izidi* and not by a declaration of a group of *Ulama*. Secondly, those *Ulama* who could give power to the king could also withdraw the same. A clever emperor, therefore, could not disarm himself. But, no doubt it brought to an end the intervention of *Ulama* in state affairs and opened the way for the establishment of a secular political order.

### **DIN-I-ILAHİ, A PERSONAL MYSTIC CULT**

It is widely believed that Akbar founded a new religion *Tauhid-i-Ilahi*, popularly known as *Din-i-Ilahi*. Modern scholars, including Satish Chandra, do not support this view.<sup>27</sup> *Din-i-Ilahi* had no book or priesthood. Akbar was the *Mushid*, spiritual guide and the *chelas* were his followers. It demanded total surrender, to sacrifice to the emperor (i) property, (ii) life, (iii) honour and (iv) religion. This is well within the Islamic sufi tradition. Islam also demands complete subordination to God and not to a man but the sufi traditions demanded surrender to the spiritual leader. One has to have a guide to reach God.

*Din-i-Ilahi* has attracted the attention of several modern scholars. Some of them call it a political strategy to keep hold over the country and the people. Some people call it a religion based on the good elements from all religions. Facts do not support any of these views. There were thousands of people who accepted Akbar's discipleship but not from among those who politically mattered. Abul Fazl says that among the nobles only eighteen people agreed to join this group. Strangely, among these eighteen nobles there was no Hindu except Birbal. Once requested, Man Singh boldly refused to join this group of *chelas*, disciples. Obviously state power was not used for propagating the discipleship.

*Din-i-Ilahi* was not a political move like *Mahzar* which was given up practically within a year. *Din-i-Ilahi* was his mystical experiment with which he was emotionally involved. He followed it throughout his life by recruiting *chelas*. Jahangir gave up this practice shortly after his accession.

### **CONCLUSION**

I want to assure the scholars that there was no *RAM RAJYA* during the Mughal rule. There was also no *Rama Rajya* during Rama's days. During the Mughal rule the foundation of a secular, multicultural nation was strengthened. Let me conclude this essay on inclusive civilization of India by quoting Amartya Sen who wrote that "Secular India was not Akbar's innovation. Its strength was in the secular traditions of India and the Islamic percept of toleration". "The secular traditions of India and the Islamic percept of toleration" are the strength of "Indian composite culture and civilization" and multi cultural 'social ethos' of the country. With these sentiments Professor Z.M. Khan hopes that Indian pluralism would survive inspite of the present rise of Hindutva. He believes that "*Sarva Dharma Sambhav* or equal respect to all religions forms the cardinal principle of Indian society". This would help the boat of Indian social ethos sail through troubled waters flooded by the rise of Hindutva to power.<sup>28</sup>

## APPENDEX-1

### PROTECTION OF WOMEN

|                  |  |
|------------------|--|
| Toda Bhim, 1739  | Kaushal punished for insulting his mother.   |
| Chatsu 1712,1723 | Persons punished for alteration with elder sisters-in-law.   |
| Udehi 1766       | Khem Mahajan punished for alteration with niece  |
| Bahrati 1766     | Nathu Meena fined for scolding his wife  |
| Malpurva 1714    | Tulsa Jat punished for fighting with his wife  |
| Tonk 1749        | Khema Jat punished for fighting with his wife  |
| Niwai 1866       | Wife demanded action against her erring husband  |
| Malpurva 1773    | Naga Khali punished for assaulting his wife  |
| Toda Bhim 1731   | Husband punished for assaulting his wife   |
| Chatru 1758      |  |
| Malpura 1719     | Wife of Karim Julaha (weaver) petitioned against her husband for abandoning her  |
| Dausa 1725       | Dola Ram was punished on the complaint of his wife that he had taken another wife, breaking his promise of not marrying again. |

There are several cases of husbands being guilty of murderous assaults and the culprits punished as per law. Such cases happened at Malpura, 1741; Lalsot, 1713; Toda Bhim 1741; Chalsu, 1745; Dausa, 1716 and Khohri, 1667.

Parents-in-law or other family members punished for harassing daughters-in-law at Toda Bhim, 1741, 1761, Malpurva, 1761; Fagi 1716; Dausa, 1713; Mauzpur, 1714; Lalsat, 1745; Hindon, 1723 and Bahatri, 1696.

### ***Chamchory/Joravary-Sexual Abuse***

Today in India in spite of strict laws, Women's Rights Commissions and many human rights NGOs there is no dearth of sexual violence. Similar was the situation under the Mughals. However, the state was conscious of its responsibility of protecting the women. Plenty of records are available in the Rajasthan State Archives reporting punishment for *chamchory* or *joravary* (sexual assault) which indicate that the offenders, even of far off villages, were within the reach of the State. Evidence is available that no class of people was free from this crime. To save space I give the example of one *pargana* (a small group of villages) Lalsot in one year 1740. The cases of various crimes reported were 129 of which 75.2% were cases of sexual assault. The sexual offenders were largely family members such as father/ brother-in-law and the victims were daughter/ sisters-in-law. There are also evidences of physical intimacy between mother-in-law and son-in-law. Victims belonged to every social class, so were the offenders like, Musalman, Mali, (gardener) Jats, Nai (barbar) and Brahman.

The State action against sexual offenders was far stronger. It also included the cases of incest, wherein whoever be the culprit the state punished the male in all cases of sexual violence. Examples of incest, though few were not altogether absent for which

customary law (local) was invoked for punishment. Even those who were not a party to the crime, but involved in one way or the other, were punished. In eastern Rajasthan a Mahajan raped his daughter-in-law. The latter in shame and disgust committed suicide by jumping into a deep well. The Mahajan performed the required rituals on the death of a family member including the feeding of Brahmans. The State punished the Brahmans for enjoying the feast and the Mahajan was punished for murder.<sup>29</sup>

## APPENDEX-2

### OPINIONS ON MUSLIM RULE

A- Amartya Sen, *Argumentative Indian*, pp.287-291

The Western detractors of Islam as well as the new champions of Islamic heritage have little to say about Islam's tradition of tolerance, which has been at least as important historically as its record of intolerance. We are left wondering what could have led Maimonides, as he fled the persecution of Jews in Spain in the twelfth century, to seek shelter in Emperor Saladin's Egypt. And why did Maimonides, in fact, get support as well as an honoured position at the court of the Muslim emperor who fought valiantly "for Islam in the Crusades"?

#### ***Tolerance and Reason***

It is worth recalling that in Akbar's pronouncements of four hundred years ago on the need for religious neutrality on the part of the state; we can identify the foundations of a non-denominational, secular state which was yet to be born in India or for that matter anywhere else. Thus, Akbar's reasoned conclusions, codified during 1591 and 1592, had universal implications. Europe had just as much reason to listen to that message as India had. The inquisition was still in force, and just when Akbar was writing on religious tolerance in Agra in 1592, Giordano Bruno was arrested for heresy, and ultimately, in 1600, burnt at the stake in the Carnpo dei Fiori in Rome.

For India in particular, the tradition of secularism can be traced to the trend of tolerant and pluralist thinking that had begun to take root well before Akbar, for example, in the writings of Amir Khusrau in the fourteenth century as well as in the non-sectarian devotional poetry of Kabir, Nanak, Chaitanya and others. But that tradition got its firmest official backing from Emperor Akbar himself. He also practised as he preached - abolishing discriminatory taxes imposed earlier on non-Muslims inviting many Hindu intellectuals and artists into his court (including the great musician Tansen), and even trusting a Hindu general, Man Singh, to command his armed forces.

In some ways, Akbar was precisely codifying and consolidating the need for religious neutrality of the state that had been enunciated, in a general form, nearly two millennia before him by the Indian emperor Ashoka, whose ideas I have referred to earlier. While Ashoka ruled a long time ago, in the case of Akbar there is a continuity of legal scholarship and public memory linking his ideas and codifications with present-day India.

Indian secularism, which was strongly championed in the twentieth century by Gandhi, Nehru, Tagore and others, is often taken to be something of a reflection of Western ideas (despite the fact that Britain is a somewhat unlikely choice as a spearhead of secularism). In contrast, there are good reasons to link this aspect of modern India, including its constitutional secularism and judicially guaranteed multiculturalism (in contrast with, say, the privileged status of Islam in the constitution of the Islamic Republic of Pakistan), to earlier Indian writings and particularly to the ideas of this Muslim emperor of four hundred years ago.

Perhaps the most important point that Akbar made in his defence of a tolerant multiculturalism concerns the role of reasoning. Reason had to be supreme, since even in disputing the validity of reason we have to give reasons. Attacked by traditionalists who argued in favour of instinctive faith in the Islamic tradition, Akbar told his friend and trusted lieutenant Abul Fazl (a formidable scholar in Sanskrit as well as Arabic and Persian):

"The pursuit of reason and rejection of traditionalism are so brilliantly patent as to be above the need of argument. If traditionalism was proper, the prophets would merely have followed their own elders (and not come with new messages)."

Convinced that Akbar had to take a serious interest in the religions and cultures of non-Muslims in India, he arranged for discussions to take place involving not only mainstream Hindu and Muslim philosophers (Shia and Sunni as well as Sufi), but also involving Christians, Jews, Parsees, Jains and, according to Abul Fazl, even the followers of Carvaka - one of the Indian schools of atheistic thinking the roots of which can be traced to around the sixth century BC. Instead of taking an all-or-nothing view of a faith, Ashoka liked to reason about particular components of each multifaceted religion. For example, arguing with Jain, Akbar would remain sceptical of their ritual, and yet become convinced by their argument for vegetarianism and end up deploring the eating of all flesh.

All this caused irritation among those who preferred to base religious belief on faith rather than reasoning. There were several revolts against Akbar by orthodox Muslims, on one occasion joined by his eldest son, Prince Salim, with whom he later reconciled. But he stuck to what he called 'the path of reason' (*rah-i-aql*), and insisted on the need for open dialogue and free choice. At one stage, Akbar even tried, not very successfully, to launch a new religion, Din-Ilahi (God's religion), combining what he took to be the good qualities of different faiths. When he died in 1605, the Islamic theologian Abdul Haq concluded with some satisfaction that, despite his 'innovations', Akbar had remained a good Muslim.' This was indeed so, but Akbar would have also added that his religious beliefs came from his own reason and choice, not from 'blind faith', or from 'the marshy land of tradition'.

Akbar's ideas remain relevant - and not just in the subcontinent. They have a bearing on many current debates in the West as well. They suggest the need for scrutiny of the fear of multiculturalism (for example, of Huntington's argument that 'multiculturalism at home threatens the United States and the West').

Akbar's analysis of social problems illustrate the power of open reasoning and choice even in a clearly pre-modern society. Shirin Moosvi's wonderfully informative book *Episodes in the Life of Akbar: Contemporary Records and Reminiscences* gives interesting accounts of how Akbar arrived at social decisions - many of them defiant of tradition - through the use of reasoning.

Akbar was, for example, opposed to child marriage, then a quite conventional custom. He argued that 'the object that is intended' in marriage 'is still remote, and there is

immediate possibility of injury'. He went on to remark that 'in a religion that forbids the remarriage of the widow [Hinduism], the hardship is much greater'. On property division, he noted that 'in the Muslim religion, a smaller share of inheritance is allowed to the daughter, though owing to her weakness, she deserves to be given a larger share'. When his second son, Murad, who knew that his father was opposed to all religious rituals, asked him whether these rituals should be banned, Akbar immediately protested, on the grounds that 'preventing that insensitive simpleton, who considers body exercise to be divine worship, would amount to preventing him from remembering God (at all)'. Addressing a question on the motivation for doing a good deed (a question that still gets asked often enough), Akbar criticizes 'the Indian sages' for, the suggestion that 'good works' be done to achieve a favourable outcome after death: 'To me it seems that in the pursuit of virtue, the idea of death should not be thought of, so that without any hope or fear, one should practice virtue simply because it is good.' In 1562 he resolved to release 'all the Imperial slaves', since 'it is beyond the realm of justice and good conduct' to benefit from 'force'.

Incidentally, the fact that reason may not be infallible, especially in the presence of uncertainty, is well illustrated by Akbar's reflections on the newly arrived practice of smoking tobacco. His doctor, Hakim Ali, argued against its use: 'It is not necessary for us to follow the Europeans, and adopt a custom, which is not sanctioned by our own wise men, without experiment or trial.' Akbar ignored this argument on the ground that 'we must not reject a thing that has been adopted by people of the world, merely because we cannot find it in our books; or how we shall progress?' Armed with that argument, Akbar tried smoking but happily for him he took an instant dislike of it, and never smoked again.



## APPENDIX-2

### B- OTHER OPINIONS

In Emperor Akbar, by common consent, medieval India had its greatest catholic hearted ruler and reformer. He was a heir to, and active promoter of the lofty ideals of universal tolerance and humanitarianism preached by Kabir and the other saints of India. He, in the manner of 'Emperor Ashoka, was to lay down the principle that the king was father of all his people irrespective of their caste, race or religion. He developed a rational non-denominational outlook and treated people of all religious persuasions and their leaders – Hindu, Jain, Sikh, Christian, Muslim etc., on equal terms.

J.V. Naik, *General President Address, 67<sup>th</sup> Session – Indian History Congress, 2007*, p. 19

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"In him (Akbar)" wrote Pandit Jawaharlal Nehru "the old dream of United India again took shape. united not only politically in one state but organically fused into one people" Jawaharlal Nehru, *Discovery of India*, p.259

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"Akbar found it difficult to reconcile reason with the concept of Prophethood". Akbar condemned miracles and said "The vulgar believes in miracles, but the wise man accepts nothing without adequate proof."

S. Noorul Hassan, The Mughal background of Raja Ram Mohan Rai's thought, B. P.Barua (ed) *Raja Ram Mohan Rai and the New Hearing*, Kolkata, 1968, pp,58-59,

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Lokmanya Tilak, a staunch nationalist and the leader of the Extremist Group within the Indian National Congress, thought it desirable to start *Akbar-Utsav*, in the same manner as Shivaji Festival, to stimulate and strengthen Indian nationalism.

*Maharatta*, June 24, 1906, p.13

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Justice M.G. Ranade who said that no progress in this country is possible without achieving Hindu-Muslim unity on the lines laid down by Akbar.

M.G. Rande, *Essay on Religion and Social Reforms*, pp.236,246,247

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It was simply marvellous, observed K.M. Munshi, that Akbar could "outgrow the ideas and traditions of his time; and' keep his efforts bent on the goal of establishing a non-religious, non-communal centre of power based on the just balance of forces ... how he developed a non-denominational outlook which made the religious leaders of the Hindus. Jains, Sikhs and Christians as honoured in his day as the religious leaders of Islam; how he frankly adopted non-Islamic ways whenever he found them militating against his cherished dream of a united Hindustan.

*Foreword to J.M. Shelet, Akbar, vol, 1, Bombay, 1959 pp, vii-viii*

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Justice J. M. Shelet is right in his observation that wherever Akbar found injustice, he got ready to remedy it regardless of whether such injustice was perpetrated in his own community or outside. J.M. Shelet, *Akbar*, p.ix

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The elements to social justice entered into the Mughal statecraft for the first time through Akbar's administrative measures."

S. Athar Ali, Element of Social Justice in Medieval Islamic Thought, *Symposia Papers, Proceedings, IHC, 1996 pp 14-16*

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"That there is no consistent, let alone comprehensive, thrust towards' the elimination of social inequities and inequalities in Akbar is only to be expected. As Emperor, he presided over a vast system of exploitation and oppression, imbedded in its regular routine and orderly functioning. But for this very reason his repudiation of slavery and his demand of larger rights for women, cannot be dismissed as mere eccentricities of genius or despot. There was behind them the impulse of genuine ethical growth. This did not come from a synthesis of religions which by itself would not have produced such growth. There is here surely an application of reason that was increasingly turning humanitarian. It may indeed well be claimed that in Akbar we see the early flickers of that critique of traditional India which would later turn into flame In the Indian Renaissance."

Irfan Habeeb, Akbar and Social inequalities: a study of the evolution of his Ideas, proc. *IHC 1993, pp, 300-310*

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Such and similar opinions on the greatness of Akbar have been expressed by all the historians, both Western and Indian. Stanley Lane - Poole called him "the noblest king that ever ruled in India" (*Medieval India under Mohammedan Rule, AD 712-764*, T. Fisher Irwin Ltd., London, 7<sup>th</sup> Ed, 1915, 288); and Vincent Smith hailed him as one of greatest sovereigns known to history", a verdict unreservedly accepted by all Indian historians including R.C. Majumdar.<sup>30</sup>

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20. Irfan Habib, *Economic History of Delhi Sultanate*
21. Harbans Mukhia has a different view point. He finds free peasantry in pre-colonial India, no feudalism, no historical, movement either, relative stability in India's social and economic history. Agrarian revolts were mere answers to – which a cautious government controlled soon enough. Was there Feudalism in

India. *Journal of Peasant Studies*, Vol. 8 No. 3 Iqtidar Alam Khan, on the other hand, thinks that pre-colonial rule was feudal, it too could generate element of exploitation, Middle Classes in Mughal Empire, *Social Scientist*, No. 49. D.C. Sircar finds no curbs and restraints in Peasants. *Landlordism and Tenancy in Ancient and Medieval India* as revealed by Epigraphic Records. D.D. Kosambi himself hesitates to propound the existence of full pledged serfdom, though slavery took a new importance for cultivation of land, *An Introduction to the Study of Indian History*.

22. Amartya Sen, *The Argumentative Indian*, London, 2005 p 286

23. Rafiq Zakaria, *Indian Muslims: Where They have gone wrong?*, Mumbai, 2004, p. 312; Maloji Raje, the grandfather of Shivaji was an official of Nizam Shah of Ahmed Nagar. Maloji had two wives namely Umabai and Dipabai. Both the wives were childless. Maloji sought the blessings of a Sufi, Shah Sharif for a male child. In 1594 he got a son by Umabai and next year another son from the same wife. The children were named Shahji and Sharifji after the name of Sufi Shah Sharif. Shahji was the father of Shivaji who founded the Maratha Kingdom in 1675. Shivaji always sought blessings of sufi saints. One of them was Baba Yaqut of Ratnagiri and the other was Baba Muinuddin Syed alias Mauni Baba of Patigaon, district Kolhapur. Another sufi who received land grant from Shivaji was Umar Baba of Lohgarh. For details see Mirza M. Khizar, *The Ideology of Universal Brotherhood in Sufism, A Celebration of Love* (ed), New Delhi, 1914 pp. 136-137

24. Satish Chandra, *Medieval India*, pp.176-177.

25. Amartya Sen, *The Argumentative Indian*, London, 2005, pp.16-17

26. Satish Chandra, *op.cit.* pp 171-175

27. *Ibid*

28. Z.M. Khan, *Political Empowerment of Muslims in India*, Delhi, 2010, pp.132-33

29. For details see, Dilbagh Singh, *Regulating the Domestic: Study in History* 19, 1, n.s. (2003) pp. 69-86

30. *An Advanced History of India*, 4<sup>th</sup> ed, Madras, 1978, p.455. J.V Naik, *op.cit.*, 442.