

## [Supreme Court to RK Mission: 'You're Hindus'](#)

Category : [September 1995](#)

Published by Anonymous on Sep. 02, 1995

# Supreme Court to RK Mission: 'You're Hindus'

After nearly 15 years, the curious case of the Ramakrishna Mission's seeking minority religious status under the Constitution of India has finally come to a close. On July 2nd, 1995, the Supreme Court of India declared that neither Sri Ramakrishna nor Swami Vivekananda founded any independent, non-Hindu religion. Thus ended the RK Mission's labyrinthine attempt to gain the privileges accorded only to minority religions in India, specifically, the right to manage their extensive educational institutions free from government control. Despite the legal loss, the court's decision surprisingly allows the RK Mission to retain control of its schools in Bengal. This was not by virtue of any constitutional provision, but rather because the law in Bengal regarding the governing of schools specifically exempted the RK Mission schools from government control. The Bengal government could change that law to bring the RK Mission schools under its control, explained the Supreme Court, "If on objective considerations such change becomes necessary in the larger interests of students, teachers and other employees." However, the present political climate in Bengal is not conducive to such a change, according to observers in Calcutta. And so the present control the Mission enjoys over its academic domain will persist.

While gaining its primary object--control of the schools--the RK Mission has taken a brutal public flogging from religious leaders, politicians, newspapers and the man in the street [see sidebar, page 7] over its attempted separation from Hinduism. What rankled Hindus the most was the extensive arguments made in hundreds of pages of court submissions [see sidebar right] that somehow Swami Vivekananda had abandoned Hinduism "to become a preacher of a religion basically different from Hinduism." When asked about it, the RK Mission General Secretary, Swami Atmashtananda, told Hinduism Today by phone from Calcutta that, "Whatever legal brains have done is for lawyers to say." The RK Mission's explanation has been all along that it has taken this step to save its schools, and that the court statements are simply part of the necessary legal maneuvers. However, the thoroughness of their arguments belies the explanation of mere legal exigency. Someone within the RK Mission, and not just their lawyers, spent long hours formulating a line of reasoning--declared specious by the court--that Swami Vivekananda renounced and even denounced his Hindu heritage. A significant rearrangement of historical fact was required in the process.

All this came at a time when Swami Vivekananda is being virtually canonized as patron saint of India's Hindu renaissance. It is not hard to see why. In speech after speech of Vivekananda's, especially after his first return to India from America, he thundered to his audiences, "When a man has begun to be ashamed of his ancestors, the end has come. Here am I, one of the least of the Hindu race, yet proud of my race, proud of my ancestors. I am proud to call myself a Hindu. I found Hinduism to be the most perfectly satisfying religion in the world." His collected works are a goldmine still plundered--including by Hinduism Today--for nuggets such as his fulminations against the British education system and exaltations of the ancient Hindu systems [see sidebar, page 10].

## The Teacher's Revolution

How did this all happen? The problem started in 1971 at the Vivekananda Centenary College in Rahara, West Bengal. The college had been set up in 1963 to accommodate Hindu refugees from the erstwhile East Pakistan (now Bangladesh). Both students and teachers were former residents of East Pakistan. The government of West Bengal paid to build the schools on RK Mission land, and subsequently has met all of its operating costs. In 1969 the college was allowed a "special constitution"--also applied to schools of the Arya Samaj and Christian missionaries--which effectively gave the RK Mission unfettered control of the school.

The teachers had two complaints about this setup. First, in other schools they enjoyed considerable clout as part of the governing board. Second, the RK Mission did not have to provide them the benefits accorded teachers under the West Bengal College Teachers (security of service) Act. Prof. D.N. Mukerjee, a teacher at Rahara College, told Hinduism Today that instead of receiving regular letters of appointment as teachers, teachers had only the same status as any other employee, which meant they could be fired or transferred at will. Another teacher and the petitioner in the 1980 court case, Prof. Madhab Kumar Bandhopadhyay, told Hinduism Today the college's atmosphere had become "almost a police state. Teachers were organized to report on each other." Neither Rahara college nor other RK Mission schools offer courses in religion.

The matter came to a head in 1980 at the Rahara college when teachers refused to acknowledge the appointment of a new principle, Swami Shivamayananda. Instead, they considered the principle's seat "vacant," and the senior teacher took

charge of the administration, admission of students and so on. This open revolt spread to other RK Mission schools. In desperation, the RK Mission sought and got a ruling in 1981 in the Calcutta High Court in which Justice B.C. Roy declared them a minority religion--assuring them the right under the Indian constitution to manage their educational institutions without government control. A division bench of the Calcutta High Court upheld Roy's decision in 1985.

The matter was appealed to the Supreme Court, who could not be accused of making a hasty or impetuous decision--it took ten years to issue its decree! In the meantime, the RK Mission was able to run its schools without interference. And now the Court has affirmed they can continue to do so.

The RK Mission apparently did not anticipate the outcry against their non-Hindu declaration. They had, in fact, already been quietly granted minority status in 1969 by the State of Bihar. Perhaps the tactic seemed a logical extension of their earlier success. Nevertheless, dissension both within and without the Mission was volatile and vociferous when the issue attracted international attention in 1985. [See Hinduism Today, March, 1986.]

## Government and Religion

"With government money comes government control" is an axiom in any country. But the situation in India is unique with regard to minority religions. Under Article 30 of the constitution, "minority" religions are allowed to run educational institutions free from government control, but remain equally eligible for government funding as are institutions run by members of the "majority" religion. For the purposes of the constitution, Jains, Buddhists and Sikhs are considered "Hindus" and hence part of the majority religion. Effectively the provision applies only to Muslims, Christians, and anyone who can get themselves declared a minority religion. One strange consequence of this is that the Vira Saivites of South India successfully argued earlier this century for minority status, mostly on the basis of their rejection of the Vedas. Jains, who similarly reject the Vedas, remain legally part of the majority. That is why politicians such as Dr. Karan Singh have called for equal status under the law for all religions [see sidebar below].

In the United States, any religion can start and run its own schools, but will receive

no government money to run them. The large Catholic school system here in the US, for example, is funded entirely by fees and private donations. Parents who send their children to a private religious school are not even exempted from paying the taxes which support the public schools.

## Toward Reconciliation

Privately, rank and file RK Mission monks are undemonstratively delighted that the Supreme Court has ratified what everyone already knew. The Mission leaders would like the matter to all just go away and be forgotten, but the public doesn't yet seem to be in a forgiving mood. In 1899, Swami Vivekananda was asked about how those who had left Hinduism by choice might be received back. He replied, "Ceremonies of expiation [Vratyastoma] are suitable in the case of willing converts, returning to us, to their Mother Church, as it were." Whatever course the RK Mission takes, some sort of public reconciliation would be much more welcome than attempting to pass off their apostasy as mere legal necessity.

For a full transcript of the Supreme Court decision send us\$10 for domestic and international postage and handling to 107 Kaholalele Road, Kapaa, Hawaii, 96746, USA. It is also available on the internet at:

<http://HinduismToday.kauai.hi.us/ashram>

## Sidebar: A New Religion? What the RK Mission Told the Courts

Text:

The following are quotes from the documents submitted by RK Mission to the courts in their attempt to establish that Swami Vivekananda founded a new religion.

"Thus the religion of Sri Ramakrishna is the religion separate and different from the religion of the Hindus. Ramakrishnaism has its separate God, separate name,

separate church, separate worship, separate community, separate organization and, above all, separate philosophy. It is claimed to be a separate religion by its own followers, and it was declared so by its founder--Swami Vivekananda."

"An attempt to equate religion of Ramakrishna with the Hindu religion as professed and practiced will be to defeat the very object of Ramakrishnaism and to deny his gospel. Ramakrishnaism includes the basic virtues of Hinduism and particularly the Hindu spirit but does not exhaust itself in the Hindu religion."

"Ramakrishnaism itself carries its own marks and separate identity, and its propounder Swamiji [Vivekananda] had always proclaimed himself and his brother disciples to be the followers of a different religion. The universality of Ramakrishnaism had no doubt its genesis in ancient Indian philosophy, but he gave it a turn and twist of his own."

"Ramakrishnaism was no doubt born out of Hinduism but for that reason it need not be buried in it."

"Other religions (including Hinduism) do not believe that all religions are different paths leading to the same goal, but claim absolute authority in all matters to the exclusion of all others."

"A Hindu has no respect for the scriptures of other religions."

"Swami Vivekananda was an aggressive Hindu monk when he went to Chicago Parliament of Religions. After returning from the West, he had become a preacher of a religion basically different from Hinduism."

"Ramakrishnaism has a philosophy of its own, different from that of Hindu religion. It has a unique concept of 'Jiva-Siva.' God is both with and without form, Sri Ramakrishna said."

"Through Swami, spiritualism ceases to be a mere pursuit of the saint; spiritualism became a movement of the masses. The spiritualism lost its other worldliness and became this world--it acquired a meaning and purpose in human life. Liberation of the self through the service of mankind; the ideal was confirmed into a Law of action. Work is worship. Life itself is religion."

Sidebar: Reactions, Public and Private

Text:

Swami Harinarayanand, General Secretary, Bharat Sadhu Samaj: "It was certainly wrong to say that Ramakrishna and Vivekananda were not Hindus. The truth is that both belonged to the Dasanami Sannyasi Order. What the Mission has done is against the teachings of Swami Vivekananda and his guru.

Swami Pragyanand, Sai Pragya Dham, New Delhi: "It was Swami Vivekananda who said that we should be proud of the fact that we were Hindus. He said in Chicago that the best dharma was Hindu dharma. It is most unfortunate that for small material advantages they claimed that they were not Hindus. The Supreme Court decision to the contrary is a very welcome decision. The tradition of Sannyas in the Mission is the same as in Hinduism. Then how can it be something outside Hinduism? Here is an unfortunate case where the disciples have insulted their own gurus. The ideals set by the gurus should be followed."

Swami Yuktananda, a former senior monk and brother of the present General Secretary of the RK Mission, now presently in charge of Vivekananda Nidhi, Calcutta: "The stand was taken by the Board of Trustees of the RK Mission to save their educational activities from the interference by the state government and politicization of their institutions."

Prof. D.N. Mukerjee (one of teachers in the original lawsuit): "I am happy that myself and my colleagues have set history on the right track, in spite of Ramakrishna's and Vivekananda's own followers."

Dr. Karan Singh: "I have said many times in my talks that RK Mission is the real crest jewel of Hinduism. How can they say they are not Hindus? I consider this to be going to absurd lengths, and it has now been rightly struck down. The court has reinstated what everyone in the world has already known. But if the other religious minorities are allowed to run their educational institutions, why are Hindus being discriminated against? My view is that there should be no reverse discrimination on the basis of religion. It should be uniform. "

Rajiv Malik, journalist, New Delhi: "The senior monks of the RK Mission must now publically apologize for causing crores of Hindus pain and emotional stress by their claim of being a non-Hindu body. Now they must clearly state that bygones are bygones and join the Hindu society in fulfilling the dreams of Vivekananda."

These comments appeared in New Delhi newspapers:

Dainik Jagran: "If for political reasons, efforts are made to divide the Hindu consciousness in different parts, and steps are not taken to check this tendency, then it will harm the Hindu consciousness."

Rashtriya Sahara: "The tendency of different sects trying to get minority status will be curbed and it will be possible to stop the disintegration of Hindu society."

Navbharat Times: "Hundreds of groups would have come forward claiming to be minorities, and then the question who is or is not a Hindu would have got lost."

Indian Express: "What has been shocking was that such a cynical move should have been initiated by an organization founded by none other than Swami Vivekananda who devoted his entire life to the cause of propagating Hinduism and endowing it with its old vigor."

Sidebar: Mission Monies and Ministrations

Text:

The Ramakrishna Math and Mission is a vast network of ashrams, schools, hospitals and relief centers. These are two separate organizations. The Math is a trust and lays emphasis on religion and preaching while the Mission is a registered society involved mainly in welfare services of various kinds. Both are administrated by the monks of the Ramakrishna Math, with its headquarters at Belur in Calcutta.

The Mission has 82 branches, of which 68 are in India, 8 in Bangladesh, and one each in Fiji, France, Mauritius, Singapore, Sri Lanka and Switzerland. The Math has 77 branches, mostly in India, and also in Canada, France, Japan, United Kingdom, and America. It is altogether one of the largest Hindu organizations in the world.

Their 1994 report details the Math and Mission activities in India under the following six categories: relief, welfare, medical, education, spread of spiritual and cultural ideas, projects in rural and tribal areas. For the purposes of this summary, we have combined the Math and Mission activities. In some cases it was not clear if the dollar amount given included both organizations or just one.

The Mission spent US\$381,010 on relief work in 1994 to serve 191,578 people adversely affected by drought, civil disturbance, floods, earthquakes and tornados. \$468,560 was spent on welfare activities which included educational and medical aid to the poor and slum rehousing projects.

The medical services ran 14 hospitals, 91 out-patient dispensaries, 27 mobile dispensaries and eight eye camps, altogether serving nearly 6 million patients at a outlay of \$3,017,647.

The educational work is on an equal scale, with 200,000 students studying in several hundred schools ranging from primary to polytechnic and industrial to teacher's training and degree colleges. There are also 6,500 non-formal centers, such as night schools. Altogether \$9,541,176 was spent in 1994 on education.

No dollar amount or number of persons is given for "spread of spiritual and cultural ideas." The Mission runs libraries, reading rooms, gives lectures and seminars, has a large publication department and maintains several temples.

One million dollars was spent on work in rural and tribal areas, a sum which does not include the huge cost of educational and medical programs. Projects included agricultural improvement, training of the handicapped and promotion of small industries.

Outside of India, the organization is mostly focused on cultural and spiritual work and to a lesser extent on education. Their 1,400 swamis give lectures, conduct religious classes, observe festivals, organize seminars and hold retreats. Several centers are noted for their ambitious publication programs.

The RK Mission's income statement of 1991 is the most recent available to us. It appears to be only of the Mission and not of the Math. Of the \$12 million income for that year, 10% came from donations, 44% from grants from the government of India and public bodies, 23% from fees charged (nearly all educational or medical), 9% from investments, 10% from sales and the balance from other sources.