# Access to Education in Madrsas: An Inductive Analysis of the Educational Needs of Children of Budaun In Up.

Mr. MohdArsh Shery, LLM in Access to Justice TISS-Mumbai

&

Dr. Devakumar Jacob, Faculty, School of Law Rights and Constitutional Governance, TISS, Mumbai and

## ABSTRACT

In the current scenario, Madrsas have been stuck in a time warp and facing difficulties in serving the very purpose of establishing a madrasa, i.e., to provide education to the children. Thus, Madrsa played a vital role in providing school education, especially to many vulnerable children who can't afford the expensive education in private schools. There are a lot of issues and challenges, such as quality of education, lack of various facilities, unreasonable cessation of granting aid to Madrsa by the government, and many more challenges which resulted in the deprivation of school education to the children of madrasas. Access to education is one of the basic human rights granted to every child irrespective of any factor, as education is the process of hastening learning, knowledge acquisition, value, and virtue acquisition. It aids in the development of people all around the world. It is a more reliable way for people to learn knowledge, skills, and morals, build society, and uplift the nation in various sectors.

## Key Words: Access, Education, Madrsas, Minority, Knowledge

Date of Submission: 03-02-2023

Date of Acceptance: 15-02-2023

## I. INTRODUCTION

"Iqrabismi rabbi-kal-lazikhalaq Khalaq-al-insana min alaq Iqrawarabbuk-al-akam Al-laziallamabil-Qalam Allam-al-insana ma lam ya'lam"

'Read in the name of thy Lord, the creator Who has created the man from a clot of blood Read, and thy Lord is most kind Who taught through pen And let the man learn what he knew not First Revelation'-*The Holy Quran* 

The Madrasa is an Arabic term that refers to an educational institution. Madrasa education appears to follow an old traditional system, with no emphasis on research. Madrasas are free educational institutions. They constitute the foundation of Muslim cultural and educational life. As an invaluable tool of traditional education, these Madrasas have played a critical role in expanding literacy among the oppressed parts of Muslim society. Only the poorest members of the Muslim community are content to send their children to Madrasas, which not only provide free education but also free boarding and accommodation. The majority of Madrasas are opposed to the establishment of modern secular education. However, some Madrasas have introduced modern education alongside Islamic education.In India, madrasas provide free basic literacy to millions of largely poor Muslims; they also serve as safe spaces for the preservation of Islamic culture. Madrasas are often the sole option for poor Muslim families in many sections of the country to provide their children with a rudimentary education. It suggests corrective strategies for upgrading madrasas and making them development enablers for the Muslim community. The brief advocates for legislative changes, improved infrastructure, and more teacher capacity.After the 10th century, the Islamic educational system emerged in India. The first Maktabas and

madrasas were constructed in Sind, Dabel, Mansura, and Multan (in modern-day Pakistan), and they soon spread throughout the subcontinent. Until the 16th century, when Mughal Emperor Akbar added philosophy, logic, and other "logical disciplines" (Ma'qulat), these Madrasas focused on fiqh [law methods], the technicalities of Islamic jurisprudence.

Although the name "madrasa" has been used for educational institutions for many years, it has only recently evolved to represent "Islamic seminary." Any educational institution that provides any education can be referred to as a madrasa; the term is not confined to the only place of religious education. Madrasas have historically served as educational institutions for various fields in addition to Islamic sciences, including engineering, Unani medicine, social sciences, and literature.<sup>1</sup>In the current scenario, Madrasa have been stuck in a time warp and, thus, facing difficulties in serving the very purpose of establishing a madrasa, i.e., to provide education to the children. Thus, Madrsa played a vital role in providing school education is a lifeline for children in crises.<sup>2</sup> Muslims are the most significant minority in India sharing 14.2% of the total percentage of minorities in India, i.e., 19.3% sharing the lowest literacy rate. According to "The Sachar Committee Report,' "one-fourth of Muslim children in the age group of 6-14 years have either never attended school or are dropouts. The literacy rate among Muslims was 59.1%, below the national average of 64.8 %...<sup>3</sup> A report from the National Statistical Office shows that Muslims experience academic marginalisation on various metrics on a par with SCs and STs, if not worse than they do. This is a decade and a half after the Sachar Committee brought this issue to light.<sup>4</sup>

Article 30<sup>5</sup> of the Constitution of India laid down the "Right of minorities to establish and administer educational institutions" Madrsas are one of the educational institutions established by Muslims, and the madrasas are significant because they can provide education to the less privileged members of the society. As per the information from theMinority Affairs Ministry, 4,878 of India's total 24,010 madrasas were not recognised as of 2018–19. The most unrecognised madrasas in the country are in Uttar Pradesh (2,907).<sup>6</sup> A vulnerable class and a substantial percentage of Muslims attend madrasas for primary, higher, or both education levels; nevertheless, these Madrsas are stuck in a time warp and are losing relevance, which makes it difficult for these vulnerable Muslim children to get an education. Madrsas have long been mistakenly viewed as fundamentalist institutions for various reasons, which has caused them to lose significance severely and kept a sizable vulnerable population of children out of formal education. These underprivileged Muslim children frequently choose Madrasas, often unaided and run-on charities, out of a desire to escape poverty and a lack of finances. These Madrasas are the only places where students can receive religious and primary education without paying a fee.

The research aims to understand the issues that resulted in the deprivation of school education for the children of madrasas and to create more significant awareness among society at large. Thus, these same challenges, such as the quality of education, lack of various facilities, unreasonable cessation of granting aid to Madrsa by the government, and many more challenges, are to be redressed for the better functioning of Madrsas, to serve the very purpose of imparting education to the needy and most importantly for the upliftment of the socio-economic conditions of the vulnerable class of children.

The primary objective of the research is to empower marginalised Muslim Communities by empowering the existing Madrsas education system. And other objectives of the research are to undertake a study of structural problems such as education quality, financial constraints etc., faced by children aged 8-16 years old, i.e., up to high school in madrasas, to study the future, i.e., follow of education of the children of Madrsa, to evaluate the role of the Waqf department, Uttar Pradesh and Minority Welfare Department in promoting school education in madrasas, to understand public opinion regarding education in Madrsa and to examine the importance of school education to the children of Madrsa and to evaluate the quality of education in Madrsa.

The research has employed qualitative study, and the research design of this work is explorative based on collected data from the proposed universe, i.e., the research has taken selective madrasas in the Budaun district of U.P. as the universe of study.Following are the data tools used, Interview Schedule: The Semi-

<sup>&</sup>lt;sup>1</sup> Md. Mujeebuddin and Sajaudeen Nijamodeen Chapparban, *Madrsa Education from Right Perspective: Education, Modernity and Identity, in Modern Critical Trends in Education,* LAMBART PUBLICATIONS, 234, 234-236 (2020).

<sup>&</sup>lt;sup>2</sup> 11 United Nations, *The Sustainable Development Goals Report* (2022).

<sup>&</sup>lt;sup>3</sup> Ministry of Minority Affairs, Sachar Committee Report (2006).

<sup>&</sup>lt;sup>4</sup> Atul Thakur, *Literacy rate for Muslims worse than SC/STs*, The TIMES OF INDIA, Aug 13, 2020, at 8.

<sup>&</sup>lt;sup>5</sup> INDIA CONST. art. 30.

<sup>&</sup>lt;sup>6</sup>Navtan Kumar, *Nearly 20% of madrasas are unrecognised*, THE SUNDAY GUARDIAN, Feb 15, 2020.

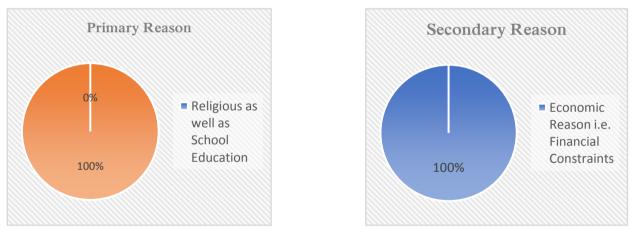
structured Interview Schedule was administered to children studying in Madrsa (08-16 years of age); Parents of children learning in Madrsa; Children who have passed high school and intermediate from Madrsa; Teachers of Madrsa; Administration of the Madrsa; Wakf Board officials; District minority welfare department officials and experts of the concerned field.Participant-observation technique was taken up in the research, which helps in observingthe current situation of the Madrsasto observe the grounded reality, the teaching-learning method, and whether the overall infrastructure is student-friendly?the student-teacher relation, i.e., the attitude of the teachers towards the students andthe administrative process in Madrsas.The sampling technique is random, and the sample size is 41. The sample size was chosen based on categories of Madrsa, i.e., Private and Govt. aided. Out of anestimated40 Madrsas5 Madrsas have been taken up for the study in which the government aided are 3 and 2 are private.

## DATA INFERENCES FROM THE FIELD.

The collected data is qualitative; the following themes have been identified and analyzed such as the reasons for opting for Madrsa for primary education, challenges faced by the children studying in Madrsa, the future of the Children passed out from Madrsa, the role of the UP Wakf Board and Minority Welfare Department, quality of teaching and learning in Madrsas, overall infrastructure of the Madrsas and public opinion regarding the children of Madrsa.

## REASONS BEHIND OPTING FOR MADRSA FOR PRIMARY EDUCATION.

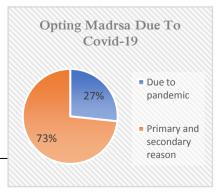
From the early ages, Madrsas have been providing secular as well as religious education, and Madrsas have been providing both education to produce *Imam*, i.e., leaders that lead the community towards the path of socio and economic upliftment thus, for the upliftment of the community secular education along with religious education plays a vital role in understanding society. *Primary Reason:* As per field narratives, 15 Children, i.e., 3 Children from each Madrsa and 12 Parents of the Children, i.e., 100% of the respondents stated that Madrsas are the only institution that teaches students religious education with the school education along with the Islamic culture that inculcates in Madrsas to learn and grow up with the teachings of Islam, they opt for Madrsa.



*Secondary Reason:* Government aided Madrsas are the institution that offers free education, whereas Private Madrsasprovides education at a very minimal fee as the majority of the children going to Madrsas comes from a very economically weaker section of society, making them opt for Madrsa over other educational institution. As per respondents, 15 Children, i.e., 3 Children from each Madrsa and 12 Parents of the Children, i.e., 100% of the respondents stated that they had opted for Madrsas because Madrsas are the institution providing education without any fee, and this is only what they can afford.

#### **OPTING MADRSAS DUE TO THE PANDEMIC:**

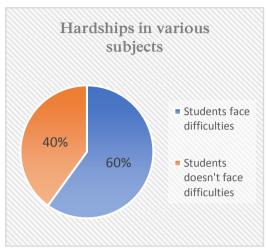
A new trend has been witnessed in the last 2 years. As per field narratives, a total of 4 children out of a total of, i.e., 27% of the children responded that they had opted for Madrsa due to the pandemic as the pandemic adversely impacted the financial condition of the citizens andother institutions were asking for the fee along with primary and secondary reason children have opted for Madrsa, and remaining 73% opted Madrsa for a primary and secondary reason.



## CHALLENGES FACED BY THE CHILDREN STUDYING IN MADRSA

Madrsas has been facing numerous challenges in providing education to the children learning in there, and as per the field narrative, some of the critical challenges have been discussed below:

*Difficulties in various disciplines:* Hardships in various subjects, such as Hindi, English, Arabic, Science, Social studies, etc., are faced by 60% of the total alum students of Madrsa. They responded that they face difficulties in the subjects mentioned above while pursuing higher education, such as Graduation or Post-graduation and even for research after taking admission to various other institutions other than Madrsas due to several factors, including the outdated syllabus, fewer classes, traditional teaching methods, etc. in Madrsas, whereas, remaining 40% doesn't face such difficulties.



## AFFILIATION, RECOGNITION, AND ACKNOWLEDGMENT:

Affiliation, recognition, and disclosure of the high-school and intermediate certificate of the Madrsa students, faced by every alum (5, i.e., total alumni) in various sections of the society as well as in different institutions that mark sheets from the Madrsa are not acknowledged by such institution. As per respondents, Madrsa certificates still need to berecognised by the Passport authority. As for issuinga Non-ECR Passport, the concerned authorities don'trecognisethe Madrsa High-school certificate. Numerous institutions also don'trecogniseMadrsa certificates as eligible for allowing children to pursue education in those institutions. Every institution has a governing body over its head, but on the one hand, Madrsashave state boards for regulating education in Madrsas. On the other hand, many other institutions don'trecognise those mark sheets. Also, there are severalMadrsasthat are not affiliated with some regulating authority. In that case, the students from such institutions facemany hardships in accessing education and various services based on their certificates.

#### IRREGULARITIES IN MID-DAY MEALS.

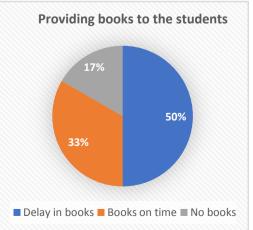
Mid-day meal is a scheme introduced by the government of India providing mid-day meals to the children of various institutions, including madrasa, to improve the nutritional status of such children, as per MHRD, the calorific value of mid-day meals for *children of Primary classes is 450 calories with 12 gms of protein whereas for children of Upper Primary classes is 700 calories with 20 gms of protein*,<sup>7</sup> but there are many irregularities in the name of mid-day meal.Based on research observation as well as based on field narratives, 1 out of 2 government-aidedMadrsahas been provided with a *'Samosa'* or a single banana in the name of a mid-day meal which is not meeting the requirements as per the standard set by MHRD, resulting them into deprivation of sufficient required nutrition level.

## DELAY IN PROVIDING BOOKS TO THE STUDENTS.

The "Sarva Shiksha Abhiyan" is a scheme by the UP government according to which the government offers free

NCERT textbooks to children at aided Madrsas, but as per respondents, i.e. children studying in government-aidedMadrsas 50% of them faced a delay in getting books as well as only a few books have been provided to the students and 17% of them didn't even receive textbooks, resulting into the deprivation of vocabulary, focus, memory skills and self-esteem ultimately adversely affecting the education. At the same time, 33% of them get books on time.

Hardships in adapting to culture in other institutions: Respondents stated that the respondents opting for other institutions for higher education need help to adapt to the culture in such institutions. The culture in Madrsas is different compared to other institutions such as dress, curriculum, classes, teachings, etc., in which students face many hardships in adapting such things.



<sup>&</sup>lt;sup>7</sup> MHRD, Press Release, Government of India, *Measurement of Nutri* 2016.

## CAREER OUTCOME FOR THE CHILDREN OF MADRSA.

Despite various challenges such as affiliation problems, difficulties in learning new disciplines, hardships in adapting to culture in other institutions, delays in books, etc. There are manyopportunities available to the children of Madrsa, and there are many instances where children of Madrsa have proven themselves in various sectors despite all these challenges. As per field narratives, there are the following career opportunities available to the children of Madrsa as follows:Children can pursue the 'Aalim' equivalent to intermediate, and after that, they can opt for the 'Kamil' equivalent for graduation in Arabic or Urdu; after that can opt for the 'Faazil' equivalent to post-graduation in Arabic or Urdu and finally, can go for Ph.D. (Doctor of Philosophy) in the same disciplines. There are a limited number of institutions other than Madrsasthat recognise the certificates of Madrsas and offer various courses in various fields such as 'Tibbiya,' i.e., B.U.M.S., law, management, medical, engineering, etc., but there are only a limited number of institutions such Aligarh Muslim University, Jamia Millia Islamia, Mahatma Jyotiba Phule Rohilkhand University, etc.

Children of Madrsa can pursue careers as Interpreters, Curators, Translators, and facilitators in various sectors such as foreign ministers and other government institutions. Lastly, the children of Madrsa can go for academics or work as *'imams'*, i.e., religious leadersin a mosque to lead daily prayers, teach about Quran, etc.One of the respondentshas been pursuing Ph.D. from the University of Mumbai, 2 to 3 students in every session join Al-Azhar University, Egypt, strive to be the leader in the world in terms of delivering authentically moderate Islamic thought, and One of the respondents is Asst. Professor in Sandip University, Nashik.Many pass-outs from onegovernment-aidedMadrsa are working in the foreign ministry, Amazon, Google, hospitals, and other sectors.

#### QUALITY OF TEACHING AND LEARNING IN MADRSAS.

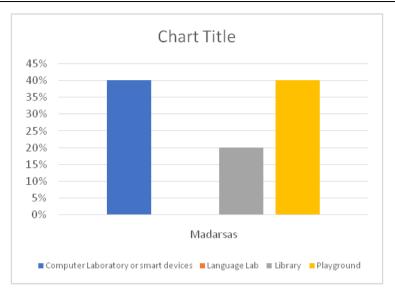
As per the field narratives and observation of the research, the quality of education differs from Madrsa to Madrsa. Quality of education has been determined on various scales, such as the grasping power of the children, the teacher, and teaching methods, educational content, school management, learning environment, funding, and organisation, etc.Out of 15 respondents from 5 Madrsas, 40% of the total responded that the quality of education in Madrsa is good, 25% responded that it is satisfactory, and the remaining 30% responded that the quality of education is poor in the Madrsas.Private Madrsas are performing well concerning the quality of education, and 1 out of 2 govt. AidedMadrsas is performing well in imparting school education, such as career counseling, focusing on the weaker students, constant teaching efforts by the teachers, etc.



## THE OVERALL INFRASTRUCTURE OF THE MADRSAS.

As per the observation of the research, the overall infrastructure of the Madrsa, such as classrooms, washrooms, etc., is pathetic, open classrooms without a roof or tin sheets as the ceiling, unhygienic bathrooms, and miserable condition of the bathrooms. One of the government-aidedMadrsas was not even having aclassroom, and the students were made to sit in the open place to study. There needed to be a clean and healthy water dispensing system to provide the students with drinkable water.

Some of the basic facilities that aMadrsas shall provide to promote efficient education are computer laboratories to promote digital and modern teaching and enhance the digital learning skills of the students, a playground to keep children physically fit and healthy that, ultimately impacts the mental health of the children, library to provide various literature to the students and encouraging students to read more, and language laboratory one of the most criticalcomponents for enhancing command on foreign language as Arabic is one of the most spoken languages in the world as well as one of the official language of the United Nations and language laboratory is a handy instrument for developing and evaluating one's speech in any language. The learner can hear a model's pronunciation, imitate it, record it, listen to their performance, contrast it with the model, and assess themselves as an outcome.



As Per the field narratives and research observation, the data is provided below regarding which Madrsas are equipped with the abovementioned infrastructure. 40% of the total Madrsas are equipped with Computer Laboratory or Smart Devices, none of the Madrsas is equipped with a language lab, 20% of the Madrsas are equipped with a library, and 40% of the Madrsas have a playground.

## ROLE OF THE UP WAKF BOARD AND MINORITY WELFARE DEPARTMENT.

Financial aid is one of the concerning factors for the educational institution's better functioning. Recently, the Government of Uttar Pradesh agreed to cease funding for new madrasas.<sup>8</sup>At the same time,Madrsas are still finding their way to development to ensure the accessibility of feasible and good quality education to a vulnerable class of children.

As per the current UP Wakf Board Member, UP Waf Board doesn't provide any financial assistance to the Madrsas. Whereas a number of state's wakf boards offer financial aid to Madrsas as the income from the wakf property may also be spent on promoting education.District Minority Welfare Officer, one of the respondents, stated that the state provides financial aid to the students in the form of Direct Benefit Transfer by giving the students exemption of fees, Madrsa uniform dress, books, etc.Recently, the Center has instructed the Uttar Pradesh government to discontinue awarding scholarships to madrasa students enrolled in classes 1–8 from the academic year 2022–2023According to the Center, as education had been made free up to Class 8 under the Right to Free and Compulsory Education Act (RTE), 2009, there was no longer any reason for awarding scholarships to students up to eighth grade.

On the other hand, the center has continued providing scholarship to other religious institution such as Vedic schools and many more also, Madrsas, Vedic schools, and similar educational institution has been explicitly excluded from the Right to Free and Compulsory Education under Section 1<sup>9</sup> of the Right to Free and Compulsory Education Act (RTE), 2009. Cessation of financial aid to the Madrsas and the children studying in those Madrsas is a primary concern towards the rights of the minorities and the basic human right, i.e., the right to education.

According to Ministry of Education data for the year, the central government is providing financial aid to Madrasas in 18 states to help them raise their educational standards. There are over 10,000 Madras in four Indian states, where over 20 lakh students study, with Uttar Pradesh having the most, with over 18 lakh students studying in over 8000 madrasas. This discrimination is not exclusive to a single state. Vaishno Devi University in Jammu and Kashmir receives a yearly subsidy of Rs 7 million, of which only half have been distributed, whereas Baba Ghulam Shah Badshah University in Rajouri and the Islamic University in Kashmir have already received Rs 20 million.

## PUBLIC MISCONCEPTIONS REGARDING MADRSAS.

Based on the general public opinion as per the experience of the students of Madrsa following are the misconceptions prevailing in the society that the children of the Madrsa are not competentin comparison to other

<sup>8</sup> Editorial, *Uttar Pradesh govt accepts proposal to stop grant for new madrasas*, The TIMES NOW, May 18, 2022.

<sup>9</sup> Right to Free and Compulsory Education Act (RTE), 2009, No. 35, Acts of Parliament, 1992 (India). s.1.

children studying in other institutions or the Madrsa students are not capable enough in various fields other than their religion also that the Madrsa is an institution to acquire education for the people who belongs to the economically weaker section the society, Madrsa are the institutions which spreads extremism inculcating in the students and promoting the same, Madrsa are the institutions which spreads sectarianism that is dividing the general Muslims into various sects, and lastlyMadrsas only impart religious education, and there is no scope of secular education.

## II. CONCLUSION

As we have analyzed, how important is Madrsa for providing primary and higher education to the children of the vulnerable class? A large section of the society opts for Madrsa for education due to many factors such as lower fees, acquiring religious as well as secular education, etc. And the reasons behind choosingMadrsa are these 2 only,i.e. lower fee as well as religious and secular education, but in the last 2 years, there has been the latest trend, i.e. the pandemic impact due to which Madrsas have seen a high rise in the admission in madrasas. Despite these high numbers,Madrsas are facing many challenges, such as quality of teaching and learning, career outcomes, affiliation and recognition, public misconceptions, the role of government functionaries, etc., which are adversely affecting the education system in Madrsas resulting in deprivation of the basic right access to education to the Marginalised section of the society.

Most of the Madrsas are working efficiently with the help of various aids such as *zakat, sadaqah*, charity, and minimal support from the government. And there are multiple irregularities and flaws on the part of the, i.e. government and the administration of the Madrsas. Thus, the only way for the efficient functioning of these institutions is the constant, effective, and as-needed support by the government and the proper functioning of the Madrsas administration to make the Madrsas stand on an equal footing with the various other institutions. Today, the pedagogical methods and curriculum of Madrasas in India remain outdated and in need of serious scrutiny if they are to be instruments of development for the Muslim population. Influential religious ordersare still against the modernisation of madrasa education.

Every time the central government attempted to change the curriculum or enhance teaching methods, a section of conservative Muslim clergy opposed the adoption of scientific and modern education. To be true, the state of madrasas varies across India. While madrasas in northern India, particularly in Bihar and Uttar Pradesh, have not adopted more modern curricula, those in Kerala are different—they believe there is no separation of knowledge in Islam and that the Prophet did not divide learning on the basis of what was "sacred" and what was "secular."A critical issue is that a huge number of madrasas in India are unorganised and rely on donations from the Muslim community. The funding for these unorganized-sector madrasas is meager and unpredictable, with more consistent infusions of financial support occurring only around Ramadan. As a result, a lack of enough money causes deficiencies in the basic necessities for running the school. Many students in these under-funded madrasas, for example, could not even afford basic attire. Teachers are similarly underpaid. The lack of openness in both the monies received and the expenditure aggravates the situation.

## REFERENCES

- [1]. Salam, Zia Us and M. Aslam Parvaiz, *Madrasas in the Age of Islamophobia*, (NEW DELHI; SAGE PUBLICATIONS, date of issue, page cited, from and to pages (2019).
- [2]. Moin Qazi, India's Emerging Modern Madrasas, The DIPLOMAT, March 16, 2017.
- [3]. Ansari, M A. *Modern Education in Madrasas: A Perspective Study of Dar Al-Uloom Deoband*, Asia Pacific Journal of Research. Pg , from and to (2016).
- [4]. Md. Mujeebuddin and SajaudeenNijamodeenChapparban, Madrsa Education from Right Perspective: Education, Modernity and Identity, in Modern Critical Trends in Education, LAMBART PUBLICATIONS,234, 234-236 (2020).
- [5]. 11 United Nations, The Sustainable Development Goals Report (2022).
- [6]. Ministry of Minority Affairs, Sachar Committee Report (2006).
- [7]. Atul Thakur, Literacy rate for Muslims worse than SC/STs, The TIMES OF INDIA, Aug 13, 2020, at 8.
- [8]. INDIA CONST. art. 30.
- [9]. Navtan Kumar, Nearly 20% of madrasas are unrecognised, THE SUNDAYGUARDIAN, Feb 15, 2020.
- [10]. MHRD, Press Release, Government of India, *Measurement of Nutrition Value of Mid-Day Meal*, , Aug 4, 2016.
- [11]. Editorial, Uttar Pradesh govt accepts proposal to stop grant for new madrasas, TheTIMES NOW, May 18, 2022.
- [12]. Right to Free and Compulsory Education Act (RTE), 2009, No. 35, Acts of Parliament, 1992 (India). s.1.