Linguistic Secularism

Why in the News?

Recently the National Education Policy (NEP) has sparked controversy over alleged Hindi imposition.

- **Linguistic secularism** – It refers to the principle of equal treatment and accommodation of all languages within a multilingual society.

  Indian language laws are designed to be accommodative, aiming to secure "linguistic secularism" by respecting the aspirations of speakers of different languages.

Constitutional Provisions

- **Article 343** – Declares Hindi in Devanagari script as the *official language* of the Union.
- **Article 29(1)** – Grants both majority and minority, the right to conserve its distinct language, script or culture.
- **Article 19** – Includes the right to choose the medium of instruction at the primary level.

Judicial rulings on Linguistic Secularism

- **U.P. Hindi Sahittya Sammelan vs State of U.P. (2014) –** The mode of development or evolution of language in the country should be organic.
- Indian language laws were not rigid but accommodative – that aims to secure linguistic secularism.
- **Sunil K.R. Sahastrabudhey vs Director, IIT Kanpur (1982) –** Article 351 lays down a duty on the Union to promote the spread of Hindi language to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India,
- ***Yet there is no right conferred on any citizen*** to compel an institution to impart education in that particular language.
- **State of Karnataka vs Associated Management of Primary & Secondary Schools** – The fundamental right to speech and expression under Article 19 included the freedom of a primary class student to choose the language of instruction.
- The state cannot impose control over such a choice.
- **Pierce v. Society of Sisters of Holy Names in 1924** – The supreme court had taken a leaf from the U.S. Supreme Court's conclusion that a child is not a mere creature of the State.

- Those who nurture him and direct his destiny have the right coupled with the high duty to recognise and prepare him for additional obligations".

216th Report Law Commission
• **Chairperson** – Justice A.R. Lakshmanan • The report titled "Non-feasibility of Introduction of Hindi as a Compulsory Language in the Supreme Court of India." • **Finding** – Language is an emotional issue with unifying potential, but imposition could be counterproductive.

Reference

The Hindu| Supreme Court Stance on Linguistic Secularism

