

SECULARISM IN INDIA**DR. M. SUBHASHCHANDRA**

Assistant Professor, Post Graduate Study In Department Of Political Science, Government College
Autonomous, Sedam Road, Kalaburagi-585105 Karnataka

Meaning

In a pluralistic society, the best approach to nurture secularism is to expand religious freedom rather than strictly practicing state neutrality. It is incumbent on us to ensure value-education that makes the younger generation understands and appreciates not only its own religious traditions but also those of the other religions in the country. There is also a need to identify a common framework or a shared set of values which allows the diverse groups to live together. The prerequisites to implement the social reform initiative like Uniform Civil Code are to create a conducive environment and forging socio-political consensus.

The term “Secular” means being "separate" the religion from state or having no religious basis. A secular person is one who does not owe his moral values to any religion. His values are the product of his rational and scientific thinking. Secularism means separation of religion from political, economic, social and cultural aspects of life, religion being treated as a purely personal matter. It emphasized dissociation of the state from religion and full freedom to all religions and tolerance of all religions. It also stands for equal opportunities for followers of all religions, and no discrimination and partiality on grounds of religion.

Secularism in the History of India

Secular traditions are very deep rooted in the history of India. Indian culture is based on the blending of various spiritual traditions and social movements. In ancient India, the Santam Dharma (Hinduism) was basically allowed to develop as a holistic religion by welcoming different spiritual traditions and trying to integrate them into a common mainstream. The development of four Vedas and the various interpretations of the Upanishads and the Puranas clearly highlight the religious plurality of Hinduism. Emperor Ashoka was the first great emperor to announce, as early as third century B.C. that, the state would not prosecute any religious sect. In his 12th Rock Edict, Ashoka made an appeal not only for the toleration of all religion sects but also to develop a spirit of great respect toward them.

Even after the advent of Jainism, Buddhism and later Islam and Christianity on the Indian soil, the quest for religious toleration and coexistence of different faiths continued. In medieval India, the Sufi and Bhakti movements bonded the people of various communities together with love and peace. The leading lights of these movements were Khwaja Moinuddin Chisti, Baba Farid, Sant Kabir Das, Guru Nanak Dev, Saint Tukaram and Mira Bai etc. In medieval India, religious toleration and freedom of worship marked the State under Akbar. He had a number of Hindus as his ministers, forbade forcible conversions and abolished Jizya. The most prominent evidence of his tolerance policy was his promulgation of ‘Din-i-Ilahi’ or the Divine Faith, which had elements

of both Hindu and Muslim faith. That this was not imposed upon the subjects is obvious from the fact that there were few adherents to it. Along with this he emphasized the concept of ‘sulh-i-kul’ or peace and harmony among religions. He even sponsored a series of religious debates which were held in the ‘Ibadat Khana’ of the Hall of Worship, and the participants in these debates included theologians from amongst Brahmins, Jains and Zoroastrians. Even before Akbar, Babar had advised Humayun to “shed religious prejudice, protect temples, preserve cows, and administer justice properly in this tradition.”

The spirit of secularism was strengthened and enriched through the Indian freedom movement too, though the British have pursued the policy of divide and rule. In accordance with this policy, the British partitioned Bengal in 1905. Separate electorates were provided for Muslims through the Indian Councils Act of 1909, a provision which was extended to Sikhs, Indian Christians, Europeans and Anglo-Indians in certain provinces by the Government of India Act, 1919. Ramsay MacDonald Communal Award of 1932, provided for separate electorates as well as reservation of seats for minorities, even for the depressed classes became the basis for representation under the Government of India Act, 1935. However, Indian freedom movement was characterized by secular tradition and ethos right from the start. In the initial part of the Indian freedom movement, the liberals like Sir Feroz Shah Mehta, Govind Ranade, Gopal Krishna Gokhale by and large pursued a secular approach to politics. The constitution drafted by Pandit Moti Lal Nehru as the chairman of the historic Nehru Committee in 1928, had many provision on secularism as: ‘There shall be no state religion for the commonwealth of India or for any province in the commonwealth, nor shall the state, either directly or indirectly, endow any religion any preference or impose any disability on account of religious beliefs or religious status’. Gandhiji’s secularism was based on a commitment to the brotherhood of religious communities based on their respect for and pursuit of truth, whereas, J. L. Nehru’s secularism was based on a commitment to scientific humanism tinged with a progressive view of historical change. At present scenario, in the context of Indian, the separation of religion from the state constitutes the core of the philosophy of secularism. India since its independence in 1947 has been a secular state. The secular values were enshrined in the constitution of India. India's first prime minister Jawaharlal Nehru is credited with the formation of the secular republic in the modern history of the country. With the 42nd amendment of constitution of india enacted in 1976, the constituent assembly asserted that India is a secular nation. However, the Supreme Court of India in the 1994 case S.R Bommai v. Union of India established the fact that India was secular since the formation of the republic The judgement established that there is separation of state and religion. It stated "In matters of State, religion has no place.

Philosophy of Indian Secularism:

The term ‘secularism’ is akin to the Vedic concept of ‘Dharma nirapekshata’ i.e. the indifference of state to religion. This model of secularism is adopted by western societies where the government is totally separate from religion (i.e. separation of church and state). Indian philosophy of secularism is related to “Sarva Dharma Sambhava” (literally it means that destination of the paths followed by all religions is the same, though the paths themselves may be different) which means

equal respect to all religions. This concept, embraced and promoted by personalities like Vivekananda and Mahatma Gandhi is called 'Positive secularism' that reflects the dominant ethos of Indian culture. India does not have an official state religion. However, different personal laws - on matters such as marriage, divorce, inheritance, alimony varies with an individual's religion.

Indian secularism is not an end in itself but a means to address religious plurality and sought to achieve peaceful coexistence of different religions.

Secularism and the Indian Constitution

There is a clear incorporation of all the basic principles of secularism into various provisions of constitution.

The term 'Secular' was added to the preamble by the forty-second constitution Amendment Act of 1976, (India is a sovereign, socialist, secular, democratic, republic).

It emphasize[the fact that constitutionally, India is a secular country which has no State religion. And that the state shall recognise and accept all religions, not favour or patronize any particular religion.

While Article 14 grants equality before the law and equal protection of the laws to all, Article 15 enlarges the concept of secularism to the widest possible extent by prohibiting discrimination on grounds of religion, race, caste, sex or place of birth.

Article 16 (1) guarantees equality of opportunity to all citizens in matters of public employment and reiterates that there would be no discrimination on the basis of religion, race, caste, sex, descent, place of birth and residence.

Article 25 provides 'Freedom of Conscience', that is, all persons are equally entitled to freedom of conscience and the right to freely profess, practise and propagate religion.

As per Article 26, every religious group or individual has the right to establish and maintain institutions for religious and charitable purposes and to manage its own affairs in matters of religion.

As per Article 27, the state shall not compel any citizen to pay any taxes for the promotion or maintenance of any particular religion or religious institution.

Article 28 allows educational institutions maintained by different religious groups to impart religious instruction.

Article 29 and Article 30 provides cultural and educational rights to the minorities.

Article 51A i.e. Fundamental Duties obliges all the citizens to promote harmony and the spirit of common brotherhood and to value and preserve the rich heritage of our composite culture. Any

state government which pursues nonsecular on policies or nonsecular course of action acts contrary to the constitutional mandate and renders itself amenable to action under Article 356". Furthermore, constitutionally, state-owned educational institutions are prohibited from imparting religious instructions, and Article 27 of the constitution prohibits using tax-payers money for the promotion of any religion.

Indian vs. Western Model of Secularism

in the following ways: Over the years, India has developed its own unique concept of secularism that is fundamentally different from the parallel western concept of secularism. As per the western model of secularism, the "State" and the "religion" have their own separate spheres and neither the state nor the religion shall intervene in each other's affairs. Thus, the western concept of secularism requires complete separation of religion and state. However, in India, neither in law nor in practice any 'wall of separation' between religion and the State exists. In India, both state and religion can, and often do, interact and intervene in each other's affairs within the legally prescribed and judicially settled parameters. In other words, Indian secularism does not require a total banishment of religion from the State affairs. As per the western model, the state cannot give any financial support to educational institutions run by religious communities. On the other hand, Indian model has chosen a positive mode of engagement. In India, the state provides all religious minorities the right to establish and maintain their own educational institutions which may receive assistance from state. In the western model, State does not intervene in the affairs of religion till the time religion is working within the limits of the law. On the other hand, in Indian secularism, state shall interfere in religion so as to remove evils in it. India has intervened by enforcing legislation against the practices of sati or widow-burning, dowry, animal and bird sacrifice, child marriage, and preventing Dalits from entering temples. In western concept of secularism, religion is relegated entirely to the private sphere and has no place in public life whatsoever.

The western model prohibits any public policy to be drafted on the basis of religion therefore; state is absolutely distanced from the religious activities and practices of its citizens. In India, state has the policy of setting up Departments of Religious Endowments, Wakf Boards, etc. It is also involved in appointing Trustees of these boards.

Threats to Secularism:

ISIS While, the Indian Constitution declares the state being absolutely neutral to all religion, our society has steeped in religion. Mingling of Religion and Politics that is mobilisation of votes on grounds of primordial identities like religion, caste and ethnicity, have put Indian secularism in danger. Communal politics operates through communalization of social space, by spreading myths and stereotypes against minorities, through attack on rational values and by practicing a divisive ideological propaganda and politics. Politicisation of any one religious group leads to the competitive politicisation of other groups, thereby resulting in inter-religious conflict. One of the manifestations of communalism is communal riots. In recent past also, communalism has proved to be a great threat to the secular fabric of Indian polity. Rise of Hindu Nationalism in

recent years have resulted into mob lynching on mere suspicion of slaughtering cows and consuming beef. In addition with this, forced closure of slaughterhouses, campaigns against 'love jihad', reconversion or ghar- wapsi (Muslims being forced to convert to Hinduism), etc. reinforces communal tendencies in society. Islamic fundamentalism or revivalism pushes for establishing Islamic State based on sharia law which directly comes into conflict with conceptions of the secular and democratic state. In recent years there have been stray incidences of Muslim youth being inspired and radicalized by groups like which is very unfortunate for both India and world.

the religious minorities, and here the conflict arises. It is important to take care of religious minorities because it is generally seen that the majority tries to suppress the minorities. So, the government must stay neutral and to some extent help minorities so that they do not feel discriminated against. Sometimes it is seen that some political parties head towards some particular religion. This is very shameful for a secular country like India. Secularism in India is important not only to provide peace and harmony within the country but also to provide a better and safer society for all. So, it can be said that secularism in India is perfectly performed and the Indian government tries to keep religion separate from government. The term 'secular' was added in the 42nd Amendment in the year 1976. Secularism in the Preamble of the Constitution of India is described as all the religions i.e. Buddhism, Hinduism, Sikhism, Jainism, Islam Christianity, Buddhism, etc. are all equal in this state. India is not a state with only one religion. A person is said to be secular when his thinking is rational and based on science. Secularism simply means that the separation of state from religion i.e. a secular state should not be based only on one religion.

In India, the term 'secularism' was introduced in the year 1976 of the 42nd Amendment of the constitution. Secularism means separating government from religion which simply means that the government of India should not follow or favor any particular religion rather every religion should be favored equally. For a country like India secularism is extremely important as it has more than 5 religions as a safeguard. There are some basic rights provided by the preamble of the Indian Constitution based on secularism in India, these are – Right to profess, Freedom of conscience, and the Right to practice. If these rights are hampered by someone, it will be granted as a criminal offense and the person can be punished by the law. But the government of India provides reservations for the religious minorities to make them feel that they are not discriminated against. Here a question arises about whether India is a truly secular country or not? The answer is absolutely yes, India is a secular country. But provides reservations to.

Challenges faced by secularism in India during post Independence

India consists of various cultures i.e. India is a culturally heterogeneous country. The separation or enmity between Muslims and Hindus was created by the British, they used the policy of divide and rule. Making this situation normal and abolishing riots among Hindus and Muslims was the main challenge faced by secularism in India during post-independence. Sometimes the political party leans toward a particular religion, they want to earn a vote from that community which is shameful and against the law because the government that will be formed by the majority should

be neutral and not based on a particular religion, then only the nation will be called as a secular nation; sometimes it is seen that a party is based on a particular caste, this is as shameful as a party leaning towards religion. The heading of a political party toward a particular religion and a particular caste is another challenge for India to keep its secular identity.

Importance of secularism in India :

These are the reasons why secularism is important in India –

As people in India are of different religions, secularism is highly important here to maintain peace and harmony

To maintain the power of the majority in India, secularism safeguards democracy for all citizens

Secularism provides equal fundamental rights to every citizen of India without discriminating based on religion

Secularism explains that every region should be respected equally and no people should be harmed based on religion

Secularism is also important to take fair decisions by the country's head in a democratic country so that any religion is not hurt by the act or decision

Officially, secular has always inspired modern India. However, India's secularism does not completely separate religion and state. The Indian Constitution has allowed extensive interference of the state in religious affair The degree of separation between the state and religion has varied with several court and executive orders in place since the establishment of the Republic. In matters of law in modern India, personal laws – on matters such as marriage, divorce, inheritance, alimony – varies if one is a Muslim or not (Muslims have an option to marry under secular law if they wish) The Indian Constitution permits partial financial support for religious schools as well as the financing of religious buildings and infrastructure by the state. The Islamic Central Wakf Council and many Hindu temples of great religious significance are administered and managed (through funding) by the federal and the state governments in accordance with the Places of Worship (Special Provisions) Act, 1991, and The Ancient Monuments And Archaeological Sites And Remains Act, 1958, which mandates state maintenance of religious buildings that were created before August 15, 1947 (the date of Indian independence), while also retaining their religious character. The attempt to respect religious law has created a number of issues in India, such as acceptability of polygamy, unequal inheritance rights, extra judicial unilateral divorce rights favorable to some males, and conflicting interpretations of religious books.

What are the criticisms of the Indian model of Secularism?

Indian secularism has been subjected to various criticisms. Some of these are:

Anti-religious: It has been argued by some that secularism threatens religious identity. However, secularism is against institutionalized religious domination. This is not the same as being anti-religious. Western import: Another criticism is that secularism is linked to Christianity, that it is

western and, therefore, unsuited to Indian conditions. However, the mutual exclusion of religion and state, which is supposed to be the ideal of western secular societies, is not the defining feature of all secular states. Minoritism: It is argued that Indian secularism advocates minority rights. However, the constitution protects the most fundamental interest of minorities

Interventionist: It is claimed that secularism is coercive and that it interferes excessively with the religious freedom of communities.

However, Indian secularism follows the concept of principled distance, which also allows for non-interference.

Vote Bank Politics: There is the argument that secularism encourages the politics of vote banks.

What are the factors that threaten India's secular fabric?

Political interference in religion: Increasing interference of religion in politics is a major challenge facing the secular state.

Candidates for elections are selected based on religious considerations, and votes are cast based on religious sentiments.

Non-separation of religion from politics: Events in the past like the demolition of the Babri Masjid, anti-Sikh riots in 1984, Mumbai riots in 1992 and 1993, Godhra riots in 2002, etc., have shown the well-established problem of communalism raising its head now, and then.

Exclusion of minorities: There are feelings of insecurity in religious minorities still today. This makes it difficult to create a secular society.

Sachar Committee had reported, "while Muslims constitute 14 percent of the Indian population, they comprise only 2.5 percent of the Indian bureaucracy".

Growing radicalization: In recent years, there have been stray incidences of youth being inspired and radicalized by groups like ISIS, posing a threat to the secular fabric of the nation.

Religious intolerance:

Religious intolerance is also on the rise recently. Example: Delhi riots 2020. What measures can help India become a truly secular state? The Indian constitution aims for a secular state. To strengthen its ideas further following steps can be taken:

Education as a tool: Education is a means to effect change in the mindset of people. Individual examples of sharing and mutual help could reduce prejudice and suspicion between communities.

Social Reforms: Movements for social reform, like Uniform Civil Code, will have to be organized and public opinion mobilized. Also, Minorities should be encouraged to participate in the mainstream of national life. Move towards secular politics: Communal politics and vote bank politics need to be replaced by secular politics to ensure religious tolerance.

Combating religious extremism: Strong measures need to be taken to combat religious extremism and promote a culture of tolerance and mutual respect. Protecting minority rights: It includes ensuring equal access to education, employment, and other opportunities, as well as protecting minority communities from violence and hate crimes.

India has come a long way since independence to make a secular society. However, steps like social reforms, religious tolerance, etc., need to be further strengthened to achieve the goal of Constitution makers.

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