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Secularism in India: Precepts and Practices

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Abstract

All the Citizens of India are equal in the eye of law and a Secular State has no Official religion in India. The Constitution Prohibits discrimination on grounds of religion or races. The views on secularism can be summed up in the phrase, sarva, Dharma Sambhav that is equal respect for all religions.

Keywords: Secular, ideology, Ram Rajya, Two Nation Theory, Church.

Introduction

P.B. Gajendragadkar' points out that former Chief Justice of India, the essential basis of the Indian Constitution is that all citizens are equal and the religion of a citizen is entirely irrelevant in the matter of his rights. The state does not owe loyalty to any particular religion as such; it is not irreligious or anti-religious; it gives equal freedom for all religion and holds that the religion of the citizen has nothing to do in the matter of socio-economic problems. What is the essential characteristic of secularism which is writ large in all the provisions of the Constitution of India? D.A Desai, a former judge of the Supreme Court, observes; that secular state is a state which guarantees individual and corporate frame of religion, deals with the individuals as a citizen irrespective of his religion, is not constitutionally connected to a particular religion nor does it seek either to promote or interfere with religion. Upon closer examination, it will be seen that the concept of a secular state involves three distinct but interrelated sets of relationships concerning the state, religion and the individual (freedom of religion); state and the individual (citizenship): The state and religion (separation of state and religion). The basic assumption must be that secular state will have nothing to do with the religious affairs. Any departure from this principle must be justified on reasonable secular grounds. A clarificatory note must be added in that the state may have to interfere where religious affairs are so managed as to involve crime, fraud or be a threat to unity and integrity of the state? Even before the 42nd Amendment highlighted the secular character of the Constitution, the Supreme Court had declared that secularism is a basic feature of the Constitution! The Constitution aims at a classless and castles egalitarian society. The aim of secularism is to perform unity notwithstanding socioeconomic diversities. Religion in India: To understand the Concept of secularism in respect of Constitutional Philosophy first we have to understand the term religion". In general sense, Religion is a system of faith and Worship of Supernatural force which ordains regulates and controls the destiny of human kinds. Swami Vivekanand; it is based on faith and belief and in most cases consists only of different sectors of theories that is the reason why we find all religions quarrying with each other. Secularism refers to the separation of religion from the state, it means non-intervention of religion in matters relating to politics, society, education etc. A secular country does not encourage religious

instruction in government-run educational institutes, the state adopts an unbiased approach towards all religions. Secularism being part of the basic structure of the Constitution, its violation will justify use of Article 356. Thus, the apex court reiterated secularism, a basic feature of the Constitution in which nobody has any right to violate Sawant and Kuldep Singh J.J. reasoned: Secularism is a part of the basic structure of the Constitution. The acts of state governments, which are calculated to subvset or sabotage secularism, as enshrined in

our Constitution can law-fully be deemed to rise to a situation which the government of the state cannot be carried on in accordance with the provisions of the Constitution. In deciding the Bomai case the Supreme Court has enunciated the judicial and moral principles on which the practice of secularism is to be assessed Gandhi's Ideology. Gandhi's concept of religion had thus little in common with what generally passes for organized religion: dogmas, rituals, superstitions and bigotry. Indeed, shorn of these accretions, the Gandhian religion was simply an ethical framework for the conduct of daily life. Unfortunately, most people who concede the value of an ethical framework in domestic and social spheres are skeptical about its feasibility in politics. Politics is considered a game in which expediency takes precedence over morality. Tilak Gandhi's great contemporary, told him in 1918, "Politics is not for Sadhus' ". Gandhi did not and could not accept this commonly accepted view of politics because Satyagrahar- the mode of struggle he had evolved for fighting social and political oppression was rooted in morality. It excluded untruth, secrecy and hatred; it eschewed violence: it invited suffering at the hands of the oppressor rather than inflicting it on him; and it presumed that it was possible to convert the enemy of today into a friend of tommrow! The Muslim League exploited Gandhi's use of such words as Swaraj. Sarvodaya, ahimsa and Satyagraha during its campaign for Pakistan to estrange Muslims from the nationalist struggle. The truth is that these words, when used by Gandhi, had no religious significance at all. They are derived from Sanskrit, but as most of the Indian languages are also derived from Sanskrit. This made them easily intelligible to the masses. The English translation of these words, or a purely legal or constitutional terminology would have sounded more modern and secular, but it would have passed over the heads of all but the tiny urban English educated minority. The protagonists of Pakistan made much play with the phrase "Ram Rajya", which Gandhi occasionally employed to describe the goal of India's freedom struggle. 'Ram Raya' was simply Gandhi's equivalent for the English word 'Utopia'. The common people, to whom his writings and speeches were usually addressed, instinctively knew that was not referring to the monarchical form of government in ancient India, but to an ideal polity free from inequality, injustice and exploitation. "Let no one commit the mistake of thinking" Gandhi wrote, "that Ram Rajya means a rule by the Hindus. My Rama is another name for Khuda or God. I want Khudai Raj which is the same thing as the kingdom of God on earth". While addressing predominantly Muslim audiences of the North West Frontier Province in 1938, Gandhi described it as "Khudai Raj'. He explained that the use of these phrases was "convenient and expressive. The meaning of which no alternative can so fully express. Few people are aware of Gandhi's contribution to the concept of secularism in India. Deeply religious as he was, he said that he would have opposed any proposal for a state religion even if the whole population of India had professed the same religion. He looked upon religion as a personal matter. He told a missionary: The state would look after your secular welfare. health communications, foreign relations, currency and so on, but not your or my religion. That is everybody's personal concern.

A Perspective of Secularism: "

If you change your past and work together in the spirit that every one of you, no matter what community he belongs, is first, second and last a citizen of this State with equal rights... I cannot emphasize it too much. We should begin to work in that spirit and in (the) course of time all these angularities of the majority and minority communities the Hindu Community and Muslim Community will vanish. We should keep that in front of us as our ideal and you will find that in (the) course of time, Hindus would cease to be Hindus and Muslims will cease to be Muslims, not in the religious sense, because that is the personal faith of each individual. But in the political sense as citizens of the state Isn't it amazing that these high-sounding words which do not smack of any sectarian or communal bias had been uttered by the same man who rabidly preached the virulent philosophy of the "two-nation-theory"? Amazing though it may seem yet it is a faithfully reproduced excerpt of the speech by Mohammad Ali Jinnah (1876-1948) which he as first President of the Pakistan's Constituent Assembly made on August 11.1947. For a man whom it was but a dream "that the Hindus and Muslims can ever evolve a common nationality" as "the Hindus and Muslims belong to two different (sic.) Civilizations, which are based mainly on conflicting ideas and conceptions, the sane talk of "vanishing angularities of the majority and minority communities' ' is nothing short of a miracle. But once in power, Jinnah made an about face in his stereotyped approach towards the question of nationalism and Hindu-Muslim equations in the Indian sub-continent! Moreover, post-1947 Jinnah is also reported to have shown repentance for "having boarded the wrong bus". This comes in sharp contrast with his picture of Quaid-e-Azam of 1940. But why did such total negation of this favorite obsession of "twonation-theory" happen to such a man who was over-awed for his "intransigent and unbending posture 15 which was believed to be instrumental in winning the battle for Pakistan? The question is not so simple but the answer to this question is, however, not very difficult to find if we closely analyze the dynamics of the separatist movement spear-headed by the Muslim league especially after its Lahore session of 1940 vis-à-vis the concepts of secularism and nationalism in the light of the compulsions and dialectics of the Freedom Movement in India. Therefore, it would not be out of place if we first began to race down the historical evolution of the concept of secularism with special reference to India along with the intricacies and haziness associated with 1 in its usage as a term and its broader application and practice as an institutionalized principle of our democratic set-up.

Origin

Secularism as a term has its origin in western world and there are essentially two senses at least in which this term is employed and understood. In one sense, secularism emerges as a philosophy and attitude, which stands for noninterference of any supernatural power with the affairs of this mundane world putting an emphasis on "this-worldly" existence. This connotation of the word secularism leads to pure rationalism which is very close to atheistic humanism. In this sense, secularism is a somewhat negative outfit. Actually, the word secularism is derived from a Latin word *speculum* which means "something of this age" or "related-to this-world". Its meaning is therefore

essentially opposed to "the sacred" and "the ecclesiastical" with a great stress upon "this-world" rather than "the-world-hereafter". The British political scientist, Holyoke defined a secularist as "one who gives primary attention to those subjects the issues of which can be tested by the experience of this life. The secularist principle requires that precedence should be given to the duties of this life over those which pertain to another world⁶". Alternatively, secularism has a more popular side, which assumes a schism in human life between what is held sacred and the secular. Religion or faith in supernatural power

or in abstract theism is confined to the sacred aspect of human life while the secular aspect is taken care of by other institutions principally the State¹⁷. In fact, secularism is the ideology of collective effort of the ideology of the individuals or a state policy to strive to cater for the good and welfare of all on the basis of reason and through the state itself without any reference here and now to God or religion. But before we proceed further, it would be worthwhile to have a look at the development and evolution of the concept of secularism in the West where it has been grafted on to the Indian body-politics. Secularism in the West relates to the rise and growth of Christianity, which assumed many forms leading much later to a policy of large-hearted toleration and ultimately to the descent of a secular State. It started with the classical Greco-Roman state, which was almost always totally secular and mundane. All states in Europe gradually became a part of the Holy Roman Empire and therefore came under the direct influence of religion. The church, at that time, assumed a form of a vast universal state. As a movement, secularism began essentially with the Gospel, "'Render unto Caesar the things that are Caesar's and unto God that are God's". It led to the conflicts that frequently arose between the loyalty of the Christians to the State and to their Church: The Christians were seldom allowed by the emperors to follow rituals which they deemed contrary to the interests of the State. Persecution was let loose by the State. Later when Christianity became established as the state religion, it was now the turn of the Christians to persecute the followers of rival religions. The State and the Church in the beginning worked in mutual cooperation but later grave frictions between the Pope and the Emperor-king arose leading to a great crisis. The writings of the Pope ran parallel to those of the emperor-king and the two governments of the State and the Church, in reality the latter ruled over Christendom though both were having their own hierarchies, laws and jurisdictions. At the culmination of Church-State rivalry, Marsiglio of Padua in his famous work *Defensor Pacis* forwarded the idea of a secular State. He pointed out the essential difference between divine and man-made laws and explained that the rights and privileges of the citizens are quite independent of the faith, and no person can be punished for the religion he/she professes. However, his ideas took centuries to grow and develop. Till then, the conflicts grew fiercer and bloodier when many rivals' Christian sects' denominations sprang up and every one of them nurtured a desire to establish its own order and its subservient Church-state. Notwithstanding various socio-economic forces, the imperative to win over loyalty of citizens compelled the State to evolve a policy of religious toleration particularly after the protestant reformation by Martin Luther King in 1517. Identification of the state with a religious sect was

fraught with danger of an impending civil war So, as an expedient step, it became necessary for the State to distinguish its own interests from the cutting edge of religion, and to abjure bias for one particular faith. Thus, the concept of religious toleration or impartiality of the State initially dawned upon people as a practical and peaceful solution¹⁸ In its full-fledged form secularism being a humanist movement, which progressively secularized European society, started in England in the middle of the nineteenth century. It was obviously a protest movement against the domination of the Christian Church and the priestly class but at the same time it was not anti-religious. It, inter alia, worked against political selfishness and papal corruption and blatant denial of political and religious freedom in the name of dogmatism and orthodoxy of the Christian theology. It is interesting to note that the Church during those days was in possession of great wealth both movable and immovable. The Church itself was the biggest landowner in the Western Europe. Though the Church was exempt from any taxes and fees such as "Peter's

Pence", "tithes" and "agnates" were exacted from the laity and were sent to Rome. Thus, the wealth of the nations was being drained to Rome. Moreover, the Church indulged in corrupt practices by singing and selling "letters of indulgence". This way, the sinners could be freed from doing penance for their sins if they paid money to the clergy, which the latter squandered away in luxuries. The secularism as a movement exposed the defects a religion acquires when it dons political robes, and thus it upheld the institution of the State as independent of any religion. A long list of the vanguards of secularism includes great names like G.H. Holyoke and Charles Bradlaugh. Holyoke is appropriately hailed as the father of secularism. He started propagating the movement in 1846 onwards and laid down its guiding principles in his two books "Principles of Secularism" and the "Origin and Nature of Secularism". The American vanguards of the secular movement were none other but James Madison's Thomas Jefferson and George Washington, to name a select few who fought for its inclusion in the American constitution, France, which emerged as the first modern nation-state explicitly, embraced secularism as its guiding principle in state politics. Today, concepts of the theocratic state is widely seen as anachronistic and ridiculous, to say the least, and switching over to theocracy from secular democracy is taken as a retrogressive reversal This is illustrated by the example of Nepal, world's only Hindu theocratic state that has decided to go secular. A principal aim of secularism is the formulation of a code of morality based on principles of a secular nature. Christianity teaches that salvation comes through belief, whereas secularism seeks it in conduct. Christianity holds that inquiry must end in faith; secularism holds that whatever the consequences may be, inquiry must end in truth. According to the principles of secularism, "the highest order was attainable without reference to any religion". So, secularism is quasi-materialistic to the extent of exclusion of organized religion in such affairs, which are not primarily religious. The State ought not to offer any patronage to religion in general nor should it grant exalted status to any particular religion. Secularism per se, does not seek to be an alternative either to a person's private allegiance to a religion or theism. It does not challenge any religion or faith though its very tendency is tilted in favor

of humanism. It is unfortunate that western secularism acquired a negativistic and theistic tinge because of the atheistic propensities of its ace ideologue Charles Brad laugh but Indian secularism as it evolved through a historical process is not so. It is positive, liberal and shorn of any negative bias against religion in general

References

1. Subhash, C. Kashayp. Perspective on the Constitution, India International Center, New Delhi, 1993. pp.44-45.
2. D.A. Desai, "Relevance of Secularism Today". Indian Bar Review, Vol. 14(3), 1987, p. 339 3. Subhash C. Kashyap. Op. cit. p. 45
3. Ibid.
4. K Suryaprasad, Article 356 of the Constitution of India, Promises and Performance: Kanstika Publishers distribution. New Delhi, 2001. p. 225
5. Front line 8th April 1994. P. 13.
6. The Times of India, New Delhi, 30-1-2004
7. Ibid.
8. Ibid.
9. Hector Bolitho, Jinnah: Creator of Pakistan (Greenwood Press, West Port, Connecticut), p. 197.
10. Jammed (ed.) Historical documents p. 380.
11. Allen Hayes Merriam, Gandhi Vs Jinnah (Minerva, Calcutta, 1980) pp. 68-73.