

THE CONCEPT OF SECULARISM IN INDIAN CONTEXT: AN OVERVIEW**R.N. GAIROLA**Department of Political Science,
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ABSTRACT

The long practice and peculiar conditions have given a distinct meaning to Secularism in Indian context. Freedom of religion, which is one of the basic feature of Secular state has for centuries been rooted in Indian tradition. The present paper analyzes the concept of Secularism especially in Indian context and examines also the Secular provisions of the Indian constitution. The paper concludes that Secularism in India is a way of life. In a country where there are at least 12 religious, over 300 castes, nearly 4000 sub-castes, over 20 languages, over 300 dialects, mixed traditions; the only way to reduce internal tension is to inculcate tolerance and co-existence. If Secularism is followed sincerely, then the majority of country's problems will automatically be solved and India will become an abode of progress, prosperity and tranquility and all the people from different sectors and religions can lead a happy and peaceful life.

Key-words: Secularism, Concept, Provisions, Features.

The Concept of Secularism

Secularism as a concept has its origin in western countries and relates to the separation of the church from the state, giving the state a position of neutrality between different religions, amounting to even while at indifference of state towards religion, while the same time guaranteeing all citizen to the right to profess any religion.¹

The term 'Secularism' is made up of the word 'Secular' which is derived from classical expression 'Secularis'. It means not concerned with the religion, sacred, not monastic.²

It was George Jack Holyaoke (1817-1906) who coined the term 'Secularism' and gave this name to definitely professed belief. This term first of all had been used in theoretical sense in Europe in 1851 after conflict arose between the church and state.³ It is one doctrine which rejects religion and religious consideration in the state activities. In this way originally, the term was used in west in the political context but later on it was extended to be independent of religions.⁴

Definitions of Secularism

The Chambers Dictionary defines Secularism as 'the belief that the state, morals, education etc. should be independent of religion'. The 'English Dictionary on historical Principles' defines Secularism; the doctrine that morality should be based solely on regard the well being of mankind in the present life, to the exclusion of all considerations drawn from belief in God or in a future state.⁵

Similarly, 'Oxford Dictionary of Christian Church' explains Secularism as 'denoting a system which seek to interpret an order life on principles taken solely from this world without recourse to belief in God and future life'.⁶ where as religion and ethics encyclopedia defines it in the following way, "Secularism may be described as a movement, intentionally, ethical, negatively religious, with political express intention of providing a certain theory of life and conduct, it follows that in its positive aspect it is ethical. Since it undertake to do this without reference to deity or future life, and thus proposed to fulfill a function of religion, apart from religious associations, it may be regarded as negatively religious, its origin, however, was primarily due to certain political conditions and philosophical influences".

Encyclopedia Britanica defines Secularism as 'non-spiritual, having no concern with religious spiritual matter'. It further adds "As the word implies, Secularism is based solely on consideration of practical morality with a view to physical, social and moral improvement of society."

According to Encyclopedia of Social Sciences, "Secularism in philosophical sphere may be interpreted as a revolt against theological and universal. In the political sphere, it came to mean that a femoral ruler was entitled to exercised powers in his own right."

The above definitions setout the following three main principles of Secularism:

1. Freedom of religion
2. Absence of discrimination on the ground of religion and
3. Separation of state from religion.

Secularism in Indian Context

Secularism in Indian Context means an equal status for all religious. The long practice and peculiar conditions have given a distinct meaning of Secularism in Indian context. 'It has come to be interpreted in positive sense, unlike its negative connotation in the western world. The state is indifference but equal respect and distance towards all religions'. As rightly observed by Late Smt. Indira Gandhi, "Secularism is neither a religion, nor mere tolerance but positive respect, without it there is no future for the nation"

Freedom of religion of the individual which is one of the basic feature of secular state has for centuries been rooted in the Indian tradition. The Sufi and Bhakti movements in medieval India gave a tremendous impetus to bring the people of various communities closer. In modern India Great thinkers like Raja Ram Mohan Roy, Devendra Nath Tagore, Kesev Chandrasen etc. endeavoured to

initiate social reforms showing that certain practices in Hindu society which had evolved in the name of religion had very little to do with religion.

In India we find mainly two variants of Secularism i.e. (1) Gandhian version and (2) Nehru version.

According to Gandhiji there was no need for separation between state and religion. He believed that state where giving fair treatment to all religious could still maintain equal distance from all religions as well as all religions communities. On the other hand Nehru was an agnostic and his view was that of neutrality of state in matters of religion i.e. state should have nothing to do with religion. Thus, his concept of Secularism was negative mould of equal distance from all religions.⁷

Though Gandhi and Nehru approached the problem of relation between religion and politics from very different angles, but essentially their positions were not so far apart as far as the nature of Indian state as concerned. According to Nehru 'the concept of Secularism is not the negation and condemnation of any particular or all religious, but to respect all religions and conduct the affairs of state in an impartial manner and having no bias and prejudice in favour or against any religion.

In fact, religious tolerance is key element in the concept of Indian Secularism because it has been a significant element of our historical tradition.

Constitutional provisions of Secularism in India

Till 42 amendment to the constitution, neither in the preamble, nor in any article of the constitution, there was any reference to the term 'Secularism' to determine the character of the Indian State. The secular objective of the state has been specifically expressed by inserting the word 'Secular' in the preamble by the constitution (42nd Amendment) Act-1976. Now Secularism is a part of basic structure of the constitution.⁸

Though the word 'Secular' or 'Secularism' was not written in the original constitution, but it does not imply that the founding fathers of the constitution had any doubt about the nature of Indian state being Secular as Loknath Mishra asserted in the constituent assembly that "Deliberately we have chosen that our state is a secular state and we have tried to get rid of all the wrangling of religion." The unity and fraternity of the people of India, professing numerous faiths has been sought to achieved by enshrining the ideal of secular state, so clearly to highlight the Secular nature of Indian constitution later in 1976 the word 'Secular' was inserted in the preamble of the constitution.

What is meant by 'Secularism'? or the safeguards of the minority are exhausting enumerated in Article 25-30 and allied provisions of constitution.

Freedom of Conscience

According to Article 25, 'all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.' Article 25 declares freedom of conscience.

The scope of this article is very wide and meaningful. It guarantees freedom not only to the citizens of the India but also to all the persons including aliens. It deals with particularly the individual aspect of religious liberty, which consists of his freedom to choose a particular faith he likes to believe in and to manifest his belief in such overt acts as are prescribed by his religion. This act is further supplemented by the freedom to practice and propagate religion.⁹

Freedom to manage religious affairs

According to Article 26, all citizens are free to establish and maintain institutions for religious and charitable purposes, and manage it own affairs in matter of religion or own and acquire movable and immovable property and to administer such property in accordance with law.

Limitations on the Right to freedom of Religion

It is a matter of controversy whether the right to freedom of religion as provided under Arts. 25 & 26 is absolute or subject to certain limitations. So far as text of these articles is concerned both the provisions are subject to 'public order, morality and health; and in Article 25 there are two more exceptions. (1) this freedom is subject to the other of part III of the constitution and (2) under clause 2(3) "Nothing in this article shall affect the operation of any existing law or prevent the state from making law (a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice (b) providing for social welfare and reform or the throwing open Hindu religious institutions of a public character and sections of Hindus."¹⁰

In this way freedom of religion is not absolute and unlimited. That's why certain actions which are sanctioned by same religious are prohibited by law framed under these limitations.

Freedom as to payment of taxes for promotion of any particular religion

According to Article 27, 'No person shall be compelled to pay any taxes, the proceed of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination. Article 27 is one of the essential consequences of Secularism. A 'tax' is a compulsory exaction of money for public purpose. If the state exacts money through tax whose proceeds are assigned for the benefit of a particular religion, obviously the state favours, patronises and supports that particular religion. Hence, the prohibition against such taxes, the distinction between 'tax' and 'fee' has been adhered to in the context of this article also, so that fees for secular regulation can be charged for defraying expenses of administrative regulation.

Freedom as to attendance at religious instruction or religious worship in certain educational institutions

According to Article 28(1) No religions instruction shall be provided in any educational institution which is funded by the state. But under it those institutions are not included which are conducted by

a trust. No one will be forced to follow a religion under the institution which is financially aided by the state.

The constitution makers were well aware the socio-economic needs of the society. Therefore, they tried their best to protect the interest of lingual and religious minorities. Article 29 and 30 are unique in the sense that there are no similar provisions in the constitution of USA. The some total of these provisions make our state more secular than even the United States of America.¹¹

According to Article 29(2) "No citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race, caste, language or any of them."

According to Article 30(1), "All minorities, whether based on religion or language, shall have the right to establish and educational institutions of their choice."

Apart from this there are certain provisions which establish India as a Secular state. According to Article 14, the state gives sanction to law of equality to all the citizens. It is clearly written in Article 14 that "the state shall not deny to any person, equality before the law or equal protection of the laws within the territory of India." According to Article 16(2) "Citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the state."

According to Article 325, "there shall be one general electoral roll for every territorial constituency for election to either house of the Parliament or to the House or either house of legislature of a state and no person shall be ineligible for inclusion in any such role or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them."

Future of Secularism in India

In the present political circumstances, the Secularism in India is under heavy strains and some unprecedented events are hovering over the horizons of country's environments to undermine the well cherished notion of Secularism as a envisaged by the constitution makers. Such prominent constraints are communalism, casteism, party politics and obscurantism. Thus the future of Indian Secularism seems rather gloomy, because of the predominance of these obstacles in the existing situation. Besides this, India has stupendous challenges to meet due to its economic backwardness and unemployment, which increase communal struggle. Unemployed and frustrated youth can easily be induced to think and act communally as he thinks that his unemployment is due more to caste or community than economic backwardness. Thus chances of Secularism will certainly bright with more economic progress and reduced levels of unemployment, particularly educated enemployment.¹²

Conclusion

In present scenario, Secularism is the only way of the development of the country. If Secularism will not be adopted, then the country will be divided into numerous parts where people will demand for independent state on the basis of religion, ethnic group, caste, race, language and economic condition etc. but we must remember that Secularism is not feasible in India without social and religious reforms. At least, everybody should realize that religions tolerance has been basic tenet of India's ancient civilization and it is also the hall mark of modern age of globalization. Thus, if India is to remain strong and united that Secularism is must, because this is the only way when the people of India having different castes, creeds, customs and traditions can be brought under a single umbrella. If Secularism is followed sincerely, it can solve majority of our problems automatically and can make India an abode of peace, progress, prosperity and tranquility.

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