

INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]

ISSN: 2584-1513 (Online)

Volume 2 | Issue 4 [2024] | Page 166 - 175

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INDIA'S SECULARISM UNDER THREAT

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ABSTRACT

This article begins with how the idea of secularism got its existence in the Constitution of India. It then specifies the challenges related to secularism in today's Indian society. The examples mentioned show how the idea of secularism got eroded in the present society. India is a diverse country with people belonging to different religions living with co-existence. But, because of the political ambitions of the politicians there is growing division among the people. Furthermore, the article highlights the importance of secularism in India.

INTRODUCTION

Preamble of Indian constitution declares India as a sovereign, socialist, secular, democratic and republic. The focus of this article is on the idea of 'secular'. India is a diverse country with people belonging to distinct religions, castes, creeds, and socio-cultural backgrounds. India is a secular state like which it is a democratic state. Secularism is under threat these days due to the occurrence of many incidents like communal riots, demolition of mosques, temples, etc. The chaos continues until and unless the serious efforts and policies are made. Religion is impeding the development of society these days. This article is an attempt to study the challenges of secularism in India. If India is needed to be strong and united, then secularism is must because this is the only way to bring people of different religions, castes, cultures, communities, languages, traditions, customs under a single umbrella. History says the number of people dying in communal riots is more than the number of people dying because of droughts, famines, earthquakes etc. The only remedy to the religion-related problems is secularism.

India is a secular state because people of different religions like Hindus, Muslims, Christians, Sikhs, Buddhists, Jains were present. The word 'Secular' was not mentioned in the preamble initially, but it was added later through the 42nd Amendment Act, 1976 during the emergency. The inclusion of "secular" in the Preamble is to promote unity among India's diverse religious communities. It

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means that the state treats all religions equally, remains neutral, and does not favor any particular religion as the state religion. Even before the 42nd Amendment Act, secularism was a part of the Constitution's philosophy which finds its mention in Articles 25 (Freedom of conscience and free profession, practice and propagation of religion), Article 26 (Freedom to manage religious affairs), Article 27 (Freedom to payment of taxes for promotion of any particular religion) and Article 28 (Freedom as to attendance at religious instruction or religious worship in certain educational institutions) in the Part III (Fundamental rights) of the Indian Constitution, which were designed to promote secularism. The 42nd Amendment simply mentioned the term “secular” explicit in the constitution, but the underlying principle of secularism was already implicit in the overall philosophy of the Constitution. The Constitution states that India is a secular state as the state has no official religion. The citizens have the right to choose their religion as they like. The state cannot promote or favor any

particular religion and the state provide full freedom to the people to practice any religion of their choice. The state treats all religions equally without any bias. In the case, *S.R. Bommai v. Union of India* (1994), the court held that the concept of secularism as the basic feature of the Constitution. In the case of *Bal Patil v. Union of India* (2005), the Court stated that all religions and religious groups must be treated equally with equal respect. In the case of *M.P. Gopalkrishnan Nair v. the State of Kerala* (2005), the Court held that the secular state is different from an atheist society, which means the state allows every religion and disrespect none.

We all are aware that in 1947 our country India got divided into two based on religion. I would say that the power-hungry politics were solely responsible for this. India got partitioned and new nation Pakistan was born from partition. Pakistan became an Islamic Republic where Islam became state religion. At that time even in India some zealots and fundamentalists people who belong to major communities argued that Hinduism should become state religion of India. Our forefathers were fully aware of the obstacles which would come if India became religious state. So, they decided not to adopt any state religion and gave us a constitution. Religion is beautiful only when it is kept separate from the state and government because if religion mixes with state and government, it will become a poison which would destroy the whole country. This shows that they realized the importance of secularism even though they did not add it in the preamble initially.

The decade of eighties saw rise of religious aggressiveness among Hindus, Muslims and Sikhs. This decade also seen dangerous communal violence in Northern India. The Khalistan movement came to the fore. There was the Shah Banu and Ram Janambhoomi Movement on one side, and Mandal

commission or Kamandal disputes on the other. The Babri Masjid demolition in the nineties pushed the Indian secularism to the brink. Followed by the Bombay riots. The North-eastern states are affected by religious and communal politics. The fundamental challenges before the Indian secularism are religious and communal politics, caste leadership, religious militancy, communal mindset, poverty, unemployment, illiteracy, and religion-based organizations such as Vishva Hindu Parishad, Muslim-league etc. The political parties use these cards to gain political image. Political parties are secular more in theory rather than in practice. The Constitution has set up a secular state, but it failed to set up a secular society.

Though the leaders of Independent India have struggled hard for the fair execution of the ideology of Secularism but there are certain problems which need to be addressed for proper functioning. Even after many years of Independence still, some political parties use the agenda of religious diversity and caste to garner votes. This can be seen during elections how the political parties' stresses upon religion in order to make their vote bank. Some politicians for their personal benefits refuse the motive of creating a secular state. So, there is an urgent need to separate religion from politics. Religion has nothing to do with the running of the government of the country. All political parties aim to get power, and in this path the politicians exploit the religious and communal sentiments. The occurrence of communal riots in recent times poses a serious threat to secularism. The Gujarat riots 2002, is one of the worst communal clashes happened in India that left at least 1,000 people dead and thousands were injured. A coach of the Sabarmati express was set ablaze by a mob consisting of people from the Muslim community when it was returning with passengers from the Ram Janmabhoomi site in Ayodhya. This triggered communal riots across Gujarat. Like this, there are many incidents of communal violence happened in India, during the demolition of Babri Masjid in 1992, 2006 Vadodara riots, 2007 Christmas violence in Kandhamal, 2013 Muzaffarnagar riots, 2020 Delhi riots etc. With the latest being 2023 Manipur violence where ethnic tensions between the Meitei and the Kuki people resulted in violence. This communal violence poses a threat to the idea of secularism. According to the National Crime Records Bureau data, there were over 2900 cases of communal or religious rioting registered in India between 2017 and 2021. It also has serious implications on India's democracy. There have been various social, political and economic causes of communal violence. Political causes like where the political parties and political leaders mobilize communal sentiments for electoral gains. Social causes like extremists' groups influence people which results in communal hatred and violence, using religious symbols and sentiments to manipulate people for communal purposes. Economic causes like deprivation and discrimination among marginalized groups. Most of the communal riots happened between the Hindu and the Muslim communities. When communal riots take place in the country,

not only is there a big loss in terms of life, property, time and energy but also impacts on the education, security, food, clothes, health, housing and employment etc.

People remained divided into religion and caste-based politics. India despite being a secular state there are growing number of cases of Mob Lynching, Vigilantism etc. and there are incidents where people are being targeted because of their religion. There was an incident happened in Delhi where a disabled Muslim man was beaten to death by a Hindu mob. He was killed for taking a food offering from a Hindu temple. He was tied to a pole and beaten brutally by a crowd of people because he was a Muslim. He was accused of taking a banana left as an offering to Hindu deities. This type of incident poses a threat to the idea of secularism. Cow vigilantism in the name of cow protection poses a threat to the secular fabric of the nation. The most recent incident taken place on July 24 in Mumbai where two men from Mumbai was intercepted by a mob on suspicion of smuggling beef. Shouting "Jai Shree Ram", the men brutally assaulted the two men. The harassment happened on the highway in the name of Bajrang Dal. Despite adhering to all permissions and regulations to transport animals to various places, they face harassment. These types of incidents pose a threat to the secular fabric of the nation. The Supreme Court has also raised its concern to stop the attacks on innocents in the name of cow vigilantism and also issued some directions like setting up of fast-track courts in states to exclusively deal with the cases of mob lynching. The Centre and the states should look forward to bring a proper legislation to eradicate the incidents of mob lynching and cow vigilantism. In a country like India which adopted the idea of secularism in the constitution gives people the right to freely profess, practice their religion but not to misuse to show the dominance of their religion. There was an incident happened in Rajasthan in which a 9-year-old Dalit boy died after he was beaten by his upper caste teacher for allegedly drinking water from his pot. The caste discrimination is responsible for the boy's death. The mindsets of some people haven't changed even after 75 years of Independence.

The happening of these incidents is not just limited to between the religions but also to the untouchables (officially designated as Scheduled Castes, Scheduled tribes) of a religion. Even though untouchability was abolished many years ago, Dalit people faces a lot of caste atrocities committed by upper caste people. Discrimination on the basis of caste also poses a serious threat to the idea of secularism. Even though there are many laws like SC/ST (Prevention of Atrocities) Act, 1989 etc. to prohibit atrocities and caste-based discrimination, the occurrence of these incidents is continuing.

The controversial hijab issue has become a raging national debate last year. The hijab controversy erupted after an educational institution in Karnataka's Udupi barred some Muslim students from entering its premises and were not allowed to attend classes as wearing a hijab was against the prescribed norms of the college. A high court in Karnataka upheld a government order that banned headscarves in classrooms. The court ruled that wearing them is not an integral part of religious practice in Islam. The secularism is the cornerstone on which the Hijab ban has been defended in several cases, it is worth debating whether it truly promotes secularism at all or whether a ban on religious symbols can be a way to justify a discriminative practice against one religion in particular? In the present scenario in India, this ban is increasingly causing religious tension and mistrust in minority communities about the respect and inclusion shown to them in an apparently secular democracy. The courts in this case have failed to answer the questions of what is private, whether religion and its practices comes under private and if yes, to what extent can the state intervene in private affairs and in stating what constitutes essential practice of a religion. India being a secular state, religion, religious practices, identities and symbols are essential for the proper functioning of the state.

The Renaming of Indian cities by the government shows the biasness of state by promoting a particular religion even though it is not mentioned but it is evident from the actions of the government. The Uttar Pradesh government changed the name of Allahabad, which was given by Mughal emperor Akbar, to Prayag Raj, which means the place of confluence of sacred rivers. The Uttar Pradesh government also changed the name of Faizabad district, which was given by Nawab Saadat Ali Khan, who founded the city, to Ayodhya, which is believed to be birthplace of Lord Rama. The Maharashtra government also changed the names of Aurangabad Division and Osmanabad Revenue Division to Chhatrapati Sambhajinagar and Dharashiv Revenue Divisions. The actions of the government in changing the names of the cities can have serious implications like affecting the identity, emotions, and sentiments of the people who live in or connected with the region. It also results in creating divisions, disputes and controversies among different communities, groups and parties. This undermines the secular nature of the state.

The acts of the government like, the Prime Minister laying the foundation stone of the new parliament as per Hindu traditions; the inauguration of the new Parliament building by Prime Minister Narendra Modi on the birth anniversary of the V D Savarkar, who is considered as one of the founding fathers of Hindutva ideology; inaugurating the new parliament building after performing puja as per Hindu traditions majorly; Prime Minister holding the Sengol and leading a procession of Adheenams (priests and heads of the mutts) to the new parliament to place it; and

the installation of the Sengol in the new parliament goes against the secular character of the country wherein a religious symbol is placed in a superior position in parliament. These acts of the government show how the government is involved in Hindutva politics. All these acts go against the principles of secular democratic republic. This gives a wrong message to the country India which is being considered as a secular country.

India has civil laws which guide marriage, inheritance, adoption, divorce, and taxation. These laws are different for different religions. In the recent times the Prime Minister Narendra Modi expressed his support to implement the UCC in the country. He emphasized the importance of a single set of laws for the country. While the opposition leaders warn the government of law-and-order issue if the common law comes into effect. There is a concern among the people that if Uniform Civil Code (UCC) comes into force, the personal laws are likely to be affected. Secular India needs a uniform civil code but the urgent need to force any uniform civil code on people resistant of change is not necessary. Most of the people are not ready to accept secular laws different from religious customs. The UCC can be implemented only when we achieve improved levels of literacy, awareness on socio-political issues. While implementing the UCC throughout the country the problems and difficulties of minorities should be taken into account. The UCC cannot be implemented until and unless it gets accepted by all stakeholders and communities.

On the inaugural day of the new parliament, the MPs were given the copies of Indian Constitution, books about the parliament, a coin and a stamp. A new controversy erupted about the omission of the words 'secular' and 'socialist' from the preamble of the given new copies of Indian Constitution. The words 'secular' and 'socialist' were added to the Indian Constitution by 42nd amendment act during emergency. The Government justified this by saying that they may have received a copy of the original constitution. There were also similar controversies erupted in the past where there were discussions held and attempts made to remove the words of 'secular' and 'socialist' from the preamble of Indian Constitution. The Telangana State Council of Educational Research and Training (SCERT) has entangled in a controversy after the publication of the Preamble of the Indian Constitution on the cover page of the of the class 10 social studies textbook allegedly without the words 'socialist' and 'secular'. It is not the first time the debate on the words of the Preamble has been raised. Even the matter has reached the Supreme Court thrice. The Supreme Court clearly mentioned in the Keshavananda Bharati case that secularism was part of the basic structure of the Constitution. It also said that even if parliament amended the constitution, it could not change the basic structure of the Indian constitution. All these developments were increasingly weakening the secular forces in the country.

Political Interference in religion is a major challenge facing the secular state. Candidates for elections are selected based on religious considerations to gain the people votes based on religious sentiments. The clash of values and lifestyles between different communities' results in the erosion of cultural diversity and pluralism. Nonseparation of religion from politics has raised the problem of communalism. The feelings of insecurity in religious minorities makes it difficult to create a secular society. In recent years, there has been a growing in incidences of youth being inspired and radicalized by groups like ISIS, which poses a threat to the secular fabric and nature of the nation. The measures that can help India become a secular state - Using education as a tool to change the mindset of the people; Implementation of Uniform Civil Code (UCC) would simplify the legal framework by strengthening and harmonizing various laws into a single code, this helps in addressing the loopholes in personal laws; Moving towards secular politics instead of communal politics and vote bank politics; strong measures to combat religious extremism; Protecting minority communities and their rights from violence and hate crimes. Addressing economic disparities through policies can help to reduce feelings of marginalization and create an inclusive society. In a pluralistic society, secularism can be advanced through expanding religious freedom rather than practicing state neutrality. Educational awareness about different cultures and religions can play a major role in addressing the problems related to secularism. With political leaders creating an environment for people where everyone can freely practice their own beliefs without any discrimination. Keeping the religion and state apart can help to maintain a fair and inclusive society. Justice needs to play an active role when the government brings any policies which show bias or partialness towards any particular religion. Government should ensure that laws and policies made are impartial and do not favor any particular religion.

Promoting secular nature of the institutions to ensure equal treatment for all individuals regardless of their religion. By following these measures, India can strive towards a more secular and inclusive society.

With the challenges it poses, the framers of the Constitution of India adopted the word 'secular' in the constitution by establishing India as a secular state. The steps and welfare measures taken by the government to promote secularism in India includes formation of National Integration council (NIC) in 1962 under the chairmanship of Prime minister to combat the menace of communalism and to promote unity and integrity of the nation; abolition of separate electorate after independence and introduction of universal adult franchise (Article 326); formation of National Minorities Development & Finance Corporation (NMDFC) in 1994 to promote economic activities among the backward sections by providing financial aid with discounts for

self-employment activities; welfare schemes like Nai Roshni (leadership development of women), Seekho aur Kamao (Learn and Earn); Prime Minister's 15 point programme for minorities.

The wave of violence instigated by Hindutva politics has raised many questions on the authenticity of India being a secular state. Indian philosophy of secularism is based on "Sarva Dharma Sambhava" (which means that the destination of the paths followed by all religions is same, though the paths themselves may be different) means equal respect to all religions. The concept of secularism is not condemnation of any religion, but to respect all religions without having any bias or prejudice towards any religion (stated by Jawaharlal Nehru). Jawaharlal Nehru stated that if secularism is not adopted, then the country will be divided into various parts where people will demand for separate states based on caste, religion, race, language etc. Following the path of secularism shown by Nehru can solve many problems and our country will become an abode of the peace, prosperity, progress and the people from different castes, communities, religions can lead a happy life. In today's times, Secularism is the only way for the development of the country.

CONCLUSION

The political propaganda created by the politicians in the name of religion is causing society to divide. Interference of the state with religion poses a threat to the social fabric of society. India is home to many religions like Buddhism, Jainism, Hinduism, and Sikhism. Secularism is important for nations with multiple societies with different religions. It ensures in treating all citizens equally without any religious bias. Secularism is the only way for religion-related problems.

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