



Secular or non-communal? ideas, debates and criticism of Indian secularism

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Abstract

The article examines the status, controversy and various theories and criticisms of the concept of Indian secularism. Many thinkers question the terminology of secularism and many describes that it is a flawed modernization ideology that has been imposed on Indian society. Influenced by the philosophy of Western Secular State, the concept of Secularism denies the importance of community in the lives of the people who believe in religion. Apart from this, the present article not only explores the concept and features of secularism in India but also discusses and evaluates the ideological and authentic structures of Indian Secularism. Finally, through this article, an attempt has been made to know why the concept of secularism is necessary in India.

Keywords: state, religion, secularism, renaissance, principled distance

Introduction

Religion has been influencing human life in one way or the other since the beginning of human civilization. It can be argued that religion has been influencing human life since the beginning of human civilization. Religious Individuals have faith in a 'supreme power', by which they satisfies and fulfills their emotional needs. Therefore it is said that the Religion, as a broad attitude, affects all the tendencies of Human life, be it personal, family, social, and political. To quote Asghar Ali Engineer, "Religion can be defined as a system of beliefs and values with associated rituals to give these beliefs and values a concrete form. When these beliefs and values are held in and common and rituals are performed in congregation it gives rise to a sense of commonality and a religious community comes into existence ^[1].

With the expansion of religion in the later years, the concept of secularism also came into existence. According to the Encyclopedia Britannica, "Secularism" means "free from religion or non-spiritual or cosmic or worldly idea." Secularism is a modern phenomenon and theory, which emerged in Western society. Secularism is considered to be associated with the era of Renaissance which played an important role in the formation of the modern state. Before this era, the interference of religion (church) in the political affairs of the state had increased a lot and the feudalistic form of the states had also encouraged this intervention. After some time, Europe and many western states witnessed industrial revolution. This development played an important role in demise of feudal state and liberal states came into existence. In this liberal state, a detailed discussion on justice, liberty, equality and rights of individuals started. This era is considered to be the dominance of negative liberal ideas, where state was minimal state and the interests of capital and the bourgeoisie were paramount. In this new liberal state and its various activities the intervention of religion was not conducive. This caused implementation of the "Principle of separation" of religion from the state, in this new phase, the concept of Self and Community was recognized as the important and main creator of modern nation-state, builder of human history with various

political institutions and not God. Therefore, secularism became a part of the state's activity as an effective theoretical discourse of modern intellectualism brought by the Renaissance, and as a result science and logic began to gain importance in every person's private and public life rather than religion and superstition.

George Jacob Holiak is considered the father of the term "secularism". In 1851, Jacob defined secularism as 'a major tool in the promotion of human welfare by material means and the service of others as the ideal of life.' He criticized the orthodox dimensions of religion and also held that secularism does not mean being an atheist or an anti-religion. He put a question mark on the religious structure of any civilized society and asked, "what a poor person has to do with such orthodox religion, which starts itself by calling poor individuals as poor and inferior creature and finally a helpless makes them slave? A poor person finds himself in a weapon-locked world, where power is God and poverty is a chain ^[2]. But later, Charles Bradlaugh (1860) attempted to give a new dimension to the idea of secularism and presented a complex nature of secularism, believing that a secularist should be a fanatic atheist. This theoretical approach of Bradlaugh was also adopted by Marxists, Socialists and Communists ^[3].

Therefore, according to the Western view, "The doctrine of secularism is the philosophy in which traditional religions and spirituality are disregarded and human beings are taught to be more concerned for their earthly interests and needs. The idea of secularism negate both theism and atheism because they can neither be accepted nor fragmented through scientific method. Neglect of religions and adopting neutrality or indifference is the basis of Western secularism.

Thus, it can be said that secularism is an idea which supports the complete separation of literature, religion and state of the western world, in which religion is a personal matter of individuals and the work of the state is to maintain distance from religion to implement various political or state related activities.

Globally, two major concepts of secularism are found, they read;

1. American concept of Secularism.
2. French concept of Secularism.

According to the American concept of secularism state shall neither be guided by the religion and nor it shall interfere in the religious affairs of any individuals. In the United States of America (USA), complete separation of state and religion is found, where religion is a personal matter of the individual and the state does not nurture/support any religion. In short US state has no religion.

On the other hand, the French concept of Secularism believes in the direct division between religion and politics. But at the same time, it justifies reasonable interference of state in religious matters. Reasonable interference demands that the state treat all religions equally while interfering in religious matters.

Secularism in India

Contrary to US and French secularism, Indian secularism does not follow strict absence or separation of religion from politics but it means equal respect and opportunity for all individuals irrespective of their religious identities, therefore it negates any kind of discrimination or favor on religious grounds. While Western secular state disregards religion and spirituality from politics, the Indian state is tolerant for all religions and treat them equally which means state shall have no religion. In fact, both Western and Indian views tend to impart a negative and emotional form of secularism respectively, but despite this difference, both adopt scientific approaches and support human welfare in a broad sense by intellectual and scientific measures. Thus both the views do not give patronage to any religion in any state affairs or its functions. In other words, it can be said that both Indian and Western model of secularism support the religionless form of the state. In a broader sense, secularism is a kind of humanist biography that keeps politics, administration and law, etc. separate from religion, community and sects and motivates humans to become fully self-reliant for their personal and social welfare instead of being dependent on supernatural or divine powers.

In Indian tradition, religion has been regarded as an elaborated concept, in addition to this, religion has also been associated with duty-bound justice and morality. This is one of the important reasons for inclusion of the word Secularism through forty-second amendment to the Preamble of the Indian Constitution. The secular state is based on the principle that the subject of the state is inter-relationship between individuals, not the relationship between Individual and God. India is a multicultural country and to establish unity among various communities and to establish brotherhood among them, the values of secular state was placed in the constitution. This means that the state, without any discrimination, will protect all the communities equally irrespective of their religions affiliation.

Article 15 of the constitution prohibits any discrimination on the basis of religion, descent, caste, sex or place of birth. Article 25 declares that every citizen of India has a freedom of conscience and the freedom to profess and practice his/her religion, 'subject to public order, health and morality'. Articles 25 to 28 provide for freedom of conscience and free acceptance of religion, conduct and propagation. Apart from this, Article 29 of the Constitution of India makes provision for the minority religious

communities that the state shall not impose any other culture on any minority religious communities other than their own culture. Article 30 provides that minority religious communities will have the right to establish and administer their own educational institutions and the state will not discriminate against any educational institutions run by minority community/ies in providing any kind of assistance to them. It is necessary to clarify here that Indian secularism in any form is not negative but positive, in other words it advocates a rational intervention in religious matters, that is, in the social system, if a particular ritual or worship method of public health or morality If it is against or is not an integral part of the religious system and violates any method of social, economic or political regulation, the state shall interfere in such matters ^[4].

At the end, it can be said that the concept of secularism is broad but not universal, that is to say, it is a relative concept that varies according to country and situation. Therefore, no single definition of the concept of secularism can be given, nor can any one form of secularism be suitable for other state/s. Whosoever in the world has adopted the concept of secularism, it has been adopted as per the circumstances/situations or needs of that country. For example, in Western and European societies, secularism arises due to conflict between church and state, on the other hand, in a multicultural society like India, it has its origins to establish a sense of mutual harmony and brotherhood among various religious communities. Therefore, it can be said that the tradition of Indian secularism nurtures all religions in a positive way.

Constituent Assembly and the Question of Secularism

After independence, India was surrounded by many issues/problems and efforts were being made to find a positive solution to all those issues and problems so that it could establish itself as a powerful nation. The biggest question before the country was the formulation of a strong constitution. The task of framing the constitution was done by the "indirectly elected" Constituent Assembly. Indirect because the universal adult franchise was not used to establish and form the assembly.

Dr. Sachchidanand Sinha was appointed its first chairman and after some time, Dr. Rajendra Prasad was elected the second chairman with Harendra Mukherjee as the deputy chairman of Constituent Assembly. The Constituent Assembly also formed various committees in which the draft committee was prominent, Dr. Bhim Rao Ambedkar was appointed as the chairman of this committee. The Constituent Assembly discussed a wide range of issues, among which the issue of secularism was an important subject. Members of the Constituent Assembly had diverse views on secularism. Although there was no direct discussion on the question "What would be the nature of secularism in India?", but there was much discussion and debate on "what should the secular state be like?". In the Constituent Assembly, mainly three views were presented and discussed on this issue, these three views are mentioned below ^[5],

1. The first idea was based on the concept of some members of the Constituent Assembly that India should be declared a democratic secular state. These members were not fully satisfied with many other provisions, including fundamental rights (which supported secularism in the state's tendencies and functioning). They demanded that the word "secular" should be included in the constitution. Among them, Mr. KT Shah was prominent, who strongly in favored inclusion of

the word secular to the original constitution In November / December 1949, several times a proposal to this effect was also presented in the Constituent Assembly by him ^[6].

2. There was another group of members in the Constituent Assembly, who rejected the above mentioned view and demanded that religion should find a place in public life, although they did not directly oppose secularism as secularism was important for a multicultural country. Therefore, these members indirectly tried to link the above proposal on religious grounds because they considered India to be a religion-based and religiously-connected nation. These members were apprehensive about inclusion of secular word in the Constitution, their main reason of opposition was that the inclusion of secular words may affect various religious activities and the religious life an individual. Majority of these members were from the minority community, prominent among them were Frank Anthony, who was from the Anglo Indian community, Qazi Karimuddin, Z. H Lari, Begum Ejaz Rasool and B Pokhar Sahib Bahadur were from the Muslim community. These members expressed their concerns because of fear of the probable dominance of Hindu culture in public life, which may affect the cultural values of other religions in independent India. Therefore, these members did not openly advocate the inclusion of word secular in Constitution and demanded to accept the importance of religion in public life ^[7].
3. The third group chose the middle path between the two above mentioned debates. They rejected the religious prejudice of the second group and did not support the advocacy of inclusion of the secular word of the first group in the constitution. They opposed the inclusion primarily because they believed that adding the word Secular in Constitution is not necessary and many provisions of a secular state have already been protected by various provisions in proposed Constitution, For example, firstly the provision of fundamental rights and secondly, the Preamble of the Constitution which says 'no financial help will be provided by the state for any religious activity/ies. no fund for religious education institutions and in any institution which propagates religion. Therefore, this group did not advocate inclusion of the word secular. The prominent names in this group are Shri. Jawaharlal Nehru and Bhim Rao Ambedkar ^[8].

In this way, the Constituent Assembly tried to choose a middle path by incorporating all the ideas on secularism. And this is one of the important reasons that the secular nature of Indian state not only protects the rights of the individual but is also committed to protecting the cultural rights of all communities.

After independence, the word 'secular' was not written and explained in the Indian constitution, although the framers of the Constitution declared India a secular state and made some statutory provisions to ensure the protection of the culture of religious and linguistic minorities. All citizens were given the right to religious freedom from Articles 25 to 28. Through Articles 29 and 30 provisions are made to protect and preserve the unique identity and culture of linguistic and religious minorities. In 1976 through the forty-second constitutional amendment the word Secularism was added in the Preamble of

the Constitution. Alexander Owics says that "Secularism is an integral part of the core of the Constitution of India, and it means equal freedom for all and a sense of respect for all religions." ^[9]

Right to Religious Freedom (Articles 25 to 28)

Indian society is known as religion based society and primarily because of this religious freedom has been ensured in the constitution for the citizens. Articles 25 to 28 of the Constitution provide religious freedom. It means that these articles recognize and protect the religious rights of an individual. These Articles also makes provision that the state shall have no inclination towards any particular religion and will treat all religions as equal. In other words, it can be said that the state shall not have any religion of its own nor will the state establish any religion. The religious rights of every individual are equally protected by the Constitution without any discrimination.

The Right to Freedom of Religion is enshrined in Articles 25–28, which provides religious freedom to all citizens and ensures a secular state in India. According to the constitution, there is no official state religion and all religions should be treated fairly and neutrally by the state. Article 25 guarantees to all people the freedom of conscience and freedom to preach, profess, practice and propagate religion of their choice. The right of publicity does not include the right to proselytize any individual, as it violates the right to conscience ^[10]. Article 26 of the Constitution provides the rights of all religious sects and creeds to manage their religious affairs under public order, health and morality, to establish institutions for charitable or religious purpose and to possess, acquire and manage property in accordance with the law is guaranteed under Article 26 ^[11]. These provisions do not reduce or curtail the power of the state to acquire property/ies which belong to different religious sects. The state is empowered to regulate any economic, political and the secular activity associated with religious observance. Article 27 guarantees that no person can be forced to pay taxes to promote a particular religion or religious institution. Article 28 prohibits religious education in state-funded educational institutions and prohibits such educational institutions for compelling any of its members to receive religious education or participate in religious activities without their approval ^[12].

Cultural and Educational Rights

The cultural and educational rights are ensured through Articles 29 and 30 which protect the rights of cultural, linguistic and religious minorities by enabling them to preserve their heritage and protect them from any kind of religious discrimination ^[13].

Article 29 empowers community or individuals to preserve, develop and profess their specific language, script and culture. Thus state protects such communities from imposition of any external culture on them. This provision empowers the state to prevent and protect these communities or individuals against imposition of any external or dominant culture. It also discourage any kind of discrimination based on religion, descent, caste, creed, language etc in any educational institutions run or funded by the state ^[14]. Article 30 empowers all religious and linguistic minorities to set up and run educational institutions of their choice in order to maintain and develop their own culture. The state shall not discriminate in granting financial assistance to any institution which are run and administered by any religious, linguistic or cultural minority,

Although the term "minority" is not defined in the Constitution but it is interpreted by the Supreme Court, which claims that the minority is a term which is not defined in the constitution, and in the absence of any precise definition it must be held that, a minority community means a community which is numerically less than 50% but then the question is not fully answered, for part of the question has yet to be answered 'namely 50 percent of what' it is 50 % of the entire population of India or 50 per cent of the population of a state forming part of the union? ^[15] The court said that a bill is passed by a State Legislature which extends to the whole of the state, the minority must be determined by reference to the entire population of the state ^[16]. It is clear if the term is used in connection with an Act of Union, minority will be determined in terms of nation as a whole. Therefore, to claim this right, it is necessary that the educational institution was established and administered by a religious or linguistic minority in any state or union ^[17].

Secularism in Indian Politics: The Viewpoint of Politicians

India got independence in 1947 but the tragedy and pain of Partition with the circumstances arising out of spread of communal violence in many parts of the country was the biggest challenge before country and to maintain its secular image. This period was an era of turmoil for India and due to communal violence and mobilization of religious groups on religious lines some political parties and leaders wanted to make India a Hindu nation on the lines of Pakistan.

But thanks to the foresight of many members of the Constituent Assembly and the framers of the constitution, India was not influenced by the views of those leaders who were indulged into mobilization of masses on religious grounds (the religious nationalists) and was successful in maintaining the secular nature of the country. Gandhi, Nehru and Ambedkar's trust on secularism and democracy played a very important role in maintaining this image.

The legacy of secularism in India, also known as the "Gandhi-Nehru Heritage", both believed in pluralism and wanted to develop India as a secular state, but both had very different views on secularism. Gandhi was a religious figure in his personal and public life and was against the separation of politics and religion as Gandhi wanted politics to be based on moral values and he supported the sacred relationship between politics and religion. Gandhi's understanding at this point was that "there can be no politics without religion". He emphasized the importance of religion in politics in his speech where he contends that, "If I seem to take part in politics, it is only because politics today encircle us like the coils of a snake from which one cannot get out no matter how one tries. I wish to wrestle with the snake. I am trying to introduce religion into politics" ^[18].

On the other hand, Nehru wanted to keep religion and politics separate, he wanted to make India a secular country, where state and religion are separate entities.

He considered religion to be a private matter and was opposed to its congregation in politics. Nehru believed that the state should be without any inclination towards religion or its principles, ^[19] because he believed that without the secular state India cannot achieve equality and political/economic independence, therefore he supported state should treat all faiths and religions equally and provide them equal opportunity without any kind of discrimination ^[20].

However, both leaders considered secularism as a powerful means of establishing harmony and brotherhood among different religions in a multicultural country like India. But the incidents of communal violence, that took place after or on the eve of independence, forced Gandhi to rethink his views on religion and politics and Gandhi felt that his principles could give communal forces an opportunity to misuse religion in politics and India can be inclined towards religious fundamentalism. Therefore, during the 40s, Gandhi himself began to regard religion as a personal matter of the individual ^[21].

It is not that these were the only views about the nature of secularism in India. There were few leaders as well who had different opinions on it, among them the thoughts of Pandit Deen Dayal Upadhyay and Atal Bihari Bajpai are prominent. Their ideas are different from the principles of secularism as proposed by Nehru and Gandhi. Pandit Din Dayal Upadhyaya opposed the doctrine of Western secularism.

Deen Dyal Upadhyaya and Indian Secularism

He did not consider the proposed idea of secularism suitable for Indian society and state and supported the idea of Sarva Dharma Sambhav as the basic principle of secularism. He was against the Nehruvian secularism and called it as borrowed western concept. For him, the secular state in the Western sense can be interpreted as a cosmic or worldly state, but the Indian public wants to attain Dharmrajya or Ram Rajya and therefore the idea proposed by Nehru cannot be suitable for Indian circumstances ^[22]. The foundation of Indianness cannot be achieved only by one-sided progress, because Indians have considered earthly and otherworldly progress both as complementary and integral to each other. But for overworldly advancement, he says, imposition of one type of opinion from the state will be inappropriate and biased. Therefore it will have to create an environment in which all the opinions and views can grow ^[23].

He says that the concept of the word Dharma is not the synonymous of English word Religion. Dharma is different from religion and has a wider meaning. Without Dharma it is impossible to imagine the existence of any individual. He further says that, We, as Indians, understand that our state and society cannot afford religion, but Dharma, therefore, all the words like, irreligious, secular, religionless, secular etc. neither express the ideal of our state nor justifies the concept of secular state ^[24].

Difference between Sect and Religion

Deen Dayal Upadhyaya said that the synonyms of the English word Religion in India is Sect and the believers of one particular sect is called Sampradaya or community. In India we have existence of various such sects, for example, Shaiva sect, Vaishnava sect etc. And therefore, neither the earlier nor the present day Indian state could belong to any one of these sects. The vision of the state should be the same for all communities. Therefore, Deen Dayal Upadhyay maintains the view that the state should be non-communal rather than communal. This was his concept of an ideal Indian state and such a state shall be a Dharmrajya, paving the way for the secular and spiritual progress of life without having any kind of prejudice or hatred towards any community. Therefore he supported India to be a Non-communal state and opposed the idea of secular state ^[25].

Former Prime Minister of India, Shri Atal Bihari Vajpayee also considers the Indian secularism as a concept which has been

imported from the West. According to him, India has separated religion from politics like the West. Bajpai also believe that Dharma is not a synonymous of the English religion, according to him, even if a person does not believe in religion, he can still be a follower of Dharma. According to him, dharma has two meanings, dharma in the first sense means dhatu, which means handling or saving an object, which keeps that object in its original form, and in the second sense dharma means duty. Therefore, Dharma has special importance in our social life. On the other hand, Religion means faith or belief, and as long as a person is attached to a faith or belief, he will be considered a believer of a religion related to that same faith or belief. Therefore, while Dharma can be considered a way of life, religion is a matter of faith ^[26].

Here he defines the concept of religion with the sects or Panth and advocates for the use of the term Panth-Nirpekshita in place of secularism. He also considered Gandhi's Sarva Dharma Samabhav an essential element for Indian secularism. Sarvadharmā Sambhava means "Equal respect for all religions without discrimination. And Bajpai is also a supporter of this notion of secularism ^[27].

Indian Secularism and its Critiques

The main critics of the idea of secularism are TN Madan, Asis Nandy, and Partha Chatterjee. They broadly believe that "Secularism is an unacceptable modern concept in a multi-religious nation like India because it separates religion from politics or the state, religion in India is deeply ingrained and cannot be separated from public life. Secularism in India is borrowed concept from west and imposed on Indian people.

Asis Nandy, who is one of the critics of the modern version of secularism, states that Nehruvian secularism, which separates the state and religion, is an imposed idea on the Indian public, It is a part of the modern western package whose inclination is towards scientific development, nation building and development. Nandy further states that, accepting this concept of secularism means that the country wants to develop new dimensions to establish a justified-looking 'domination' in the name of progress and modernity. It wants to provide modern ideologies to the public as a new idea to establish and to protect them from the use of violence ^[28].

Nandi contends that this 'modern Western rational-scientific secularism' introduced in India by Nehru, has failed to eliminate or separate religion from politics, and hence this form of secularism cannot guide moral or political actions. Rather, it opens space for religious bigotry and communalism, the ideas which Nehruvian secularism claims to eliminate completely from public domain ^[29]. According to Nandi, the best possible option is in the non-modern, pre- secularism phase where religious values and its basic principles were dominant force in society. in this system different religions was accommodated through tolerance. Indian secularism has failed to bring the masses closer, finally Nandi incorporates Gandhi's anti-modernism and anti-secularism ideas and says that true tolerance can be achieved only by the confluence of religion and politics as conveyed by Gandhi. Secularism has failed as an ideology and religious bigotry and communalism can only be fought by following the path shown by Gandhi ^[30]. Similarly, TN Madan has also stated that both religion and politics have equal importance and therefore, it would be unfair to separate them from each other. Supporting the views of

Gandhi, Madan says that Gandhi's ideas emphasize the confluence of religion and politics and at the same time his idea believes in Sarva Dharma Samabhav which also promotes inter-religious tolerance ^[31]. In his words, "Secularism in South Asia can only be successful if we take both religion and secularism seriously, religion should not be criticized just because it has superstition and secularism should not be treated as only a tool to fight communalism, nor should it be used for any benefit ^[32].

Partha Chatterjee argues that secular terminology is inadequate and incapable of countering Hindu majoritarianism, and instead he proposes the idea of religious tolerance. He said that due to religious fanaticism, tolerance among various religious communities is eroding, and that is why there are violence, mobilization of masses on religious grounds etc. Secularism has failed to establish tolerance among the people, due to which Hindu majoritarianism is spreading its roots in India ^[33].

Indian secularism has failed to protect the rights of minorities. India needs some other ideology instead of secularism. Here Chatterjee gives the concept of tolerance, and recommends the inclusion of the politics of representative democracy among various groups, so that the conditions for internal reforms could be created without reformist interventions of state which can create a strong path for mutual tolerance among various groups ^[34].

Rajiv Bhargava's Viewpoint and Response to the Criticisms

Rajiv Bhargava strongly denies the criticism of secularism and states that Indian secularism should not be compared to western notion because Indian secularism is totally different from the western concept of secularism. Bhargava says that in Indian model of secularism, the state maintains a "principled distance" between religions. Here Bhargava talks about contextual secularism, which means that either the state interferes in certain matters or refrains from interfering, therefore, the state uses these two principles to do justice to the values of religious freedom, personal freedom and equality of citizenship ^[35].

After this, Bhargava talks of political and moral secularism. Moral secularism, however, is far from the ground reality, in which Bhargava believes that people of all religions themselves embody the values of secularism, which arouses mutual trust on its own and people recognize each other's beliefs, traditions, etc. but it is a far-fetched idea which is based on ethical or moral principles. This is why, Bhargava prefers political secularism over moral secularism ^[36]. Bhargava divides political secularism into three distinct versions, first, (a) hyper-sensitive secularism that separates religion from politics, second, (b)) ultra-procedural secularism, which also advocates separation of religion from politics. But both these concepts cannot advocate the Principled distance theory of secularism. Finally, the third, (c) Contextual secularism, according to Bhargava, this policy allows to keep a Principled distance between 'politics and religion' ^[37].

Bhargava adopts this Contextual secularism and says that only through Principled distance dignified life of individuals can be protected and ensured, religious discrimination can be eliminated and religious bigotry can be prevented, violence on the basis of religion can be prevented and can be controlled. In the end, Bhargava says that the reasons which provide grounds for the critiques of Indian Secularism, India needs Secularism to curb those reasons from social and political discourse to have a society which is free from bigotry ^[38].

Amartya Sen on Indian Secularism

Amartya Sen also responds to the ideologues who criticize Indian secularism, Sen says that it is not justified to call India a Hindu model of Pakistan, where Pakistan is a declared Islamic country, where rules, laws etc. are based on Islamic principles, in India we do not have any Hindu model. The Indian state has no religion of its own and has no inclination towards any religion. This is the reason the Indian state treats all religions equally^[39]. Indian secularism has also been criticized by Hindu nationalists, calling it pseudo-secularism which has always favored Muslims and has hurt Hindu sentiments. Sen denies this criticism outrightly and says that these allegations have been made so that people from majority religion can be mobilized in the name of religion to achieve political and electoral gains by Hindu nationalists^[40].

The second criticism states that Indian secularism places the identity of the group above the national identity. Sen also rejects this argument and says that Indian secularism encapsulates both identities, a person can be religious as well as nationalist. To prove his point, Sen cites the example of Gandhi and says that Gandhi was religious in his private life and nationalist in his public or political life and he never allowed any contradiction in his both lives^[41].

In response to Asis Nandi's claims of secularism being anti-modern, Sen says that it is not easy to define modernity, it is true that a tolerant society was established in medieval India, as Hindu-Muslim communities existed with few formats of consent, but post-independence India, witnessed lack or absence of such models, and primarily because of this we see a kind of distance between various communities, and to bring these communities closer, modern models of consent continue to be discovered, and if incidents of violence have increased among communities in the modern era, it does not mean that secularism has failed, but to stop this violence the concept of secularism is primary requirement and a much needed philosophy^[42].

Some critics allege that Indian secularism rejects the cultural identity of the country because Indian culture has been synonymous with Hindu culture from the ancient period. Sen says that it is a narrow idea to consider India's culture as just Hindu culture, because the culture of the country is made up of all cultures, and because of this nature of India, it is regarded a multi-cultural country, which respects all cultures^[43].

Conclusion

Contrary to Western thought, Indian secularism does not support the complete separation of religion and politics, rather it runs on the principle of rational distance of religion and politics. This means that India's socio-political decisions etc. will be kept away from religious interference. In short, the state will not have any religion nor will it give protection to any particular religion. Constitutionally, India has no state religion and the Indian state does not promote any form of discrimination on the basis of religion, but socially India failed to implement secular principles in our civic life.

The role of Supreme Court becomes important here as its recent decision has come on the issue of triple talaq prevalent in the Muslim religion, in which the court said that personal law of any religion cannot be considered above Fundamental Rights which are ensured by the constitution of India. Therefore, to protect the fundamental rights of Muslim women, the court banned the triple talaq and at the same time suggested the government to bring a

law in this regard so that the fundamental rights of Muslim women can be protected^[44]. In both these decisions, the court seems to be protecting the constitutional values and secular image of India.

In the end, the question arises whether the society and social structure of our country also views secularism and constitutional values and traditions in this way as court is suggesting or is our society suffering from any prejudice about secularism? The irony of our country is that we have got a very modern state, but the notion of secularism is not found among the people in India. Indian masses defines secularism according to their own understanding primarily because predominantly Indian society is religious and many time people fails to identify themselves with the idea of secularism. Indian state has also not made any effort to define secularism and help people understand it. Here the idea of Pt. Deen Dayal Upadhyaya become relevant and the notion of current secularism should be replaced with the term Non-communal, as proposed by Pt. Upadhyaya.

References

1. Asghar Ali Engineer. "Religion and Communalism", Counter Current.Org. June 30. Accessed Via:, 2003. <https://www.countercurrents.org/comm-engineer300603.htm>. Dated. 6/1/2021.
2. George Jacob Holyoake (1896, Online Edition, 2011). English Secularism: A Confession of Belief. Accessed Via: <https://www.gutenberg.org/files/38104/38104-h/38104-h.htm>. Dated. 6/1/2021.
3. Michael Rectenwald. "Secularism and the Cultures of Nineteenth-Century Scientific Naturalism," The British Journal for the History of Science August. 31. Accessed Via, 2012. <https://www.cambridge.org/core/journals/british-journal-for-the-history-of-science/article/abs/secularism-and-the-cultures-of-nineteenth-century-scientific-naturalism/3F6655169ADBF69052E72D431FD6AFFD>. 6/1/2021.
4. Rajeew Bhargava. 'The Distinctiveness of Indian Secularism', in T.N. Srinivasan, (eds.) The Future of Secularism (New Delhi: Oxford University Press), 2006, 20-53.
5. For these three debates, please see, Jha, Shefali, "Secularism in Constituent Assembly Debates (1946-50)", in Economic and Political Weekly, 2002:37(30):3175-3180.
6. Ibid.
7. Ibid.
8. Ibid.
9. Ghadai, Balabhadra. "The Preamble of the Indian Constitution", Odhisha Review (January). Accessed Via: <http://magazines.odisha.gov.in/Odhishareview/2019/Jan/engpdf/4-6.pdf>. Dated. 10/01/2021, 2019, 2.
10. Bansal, Nitya. "Right to Freedom of Religion", Legal Bite: Law and Beyond, 2020, 6. Accessed Via: <https://www.legalbites.in/right-to-freedom-of-religion-articles-25-28/>. Dated. 15/01/2021.
11. Ibid.
12. Ibid.
13. Bansal, Nitya. "Cultural and Educational Rights (Article 29-30 Explained)", Legal Bite: Law and Beyond. June. 6. Accessed Via: <https://www.legalbites.in/cultural-and-educational-rights-articles-29-30/>. Dated. 15/01/2021. See

- also, Basu, DD, Introduction to the Constitution of India (15th Edn.) (New Delhi: Printice Hall of India), 1993-2020, 111, 327-328, 330, 336-337 and 343.
14. Ibid.
 15. (AIR, 1958, SC 976).
 16. (AIR, 1958. SC. 977).
 17. Basu DD, Introduction to the Constitution of India (15th Edn.) (New Delhi: Printice Hall of India). See also, Bansal, Nitya (2020), "Cultural and Educational Rights (Article 29-30 Explained)", Legal Bite: Law and Beyond, 1993, 115, 345-349, 355. Accessed Via: <https://www.legalbites.in/cultural-and-educational-rights-articles-29-30/>. Dated. 15/01/2021.
 18. Gandhi MK. "Religion and Politics", Accessed Via: <https://www.mkgandhi.org/momgandhi/chap18.htm>. Dated. 18/01/2021.
 19. Joshi PC. "Gandhi-Nehru Tradition and Indian Secularism", Mainstream Weekly, Vol. XLV, No. 48. Accessed Via, 2005. <http://www.mainstreamweekly.net/article432.html>. Dated. 18/01/2021.
 20. Gopal, Sarvepalli. (Eds) Jawaharlal Nehru: An Anthology (New Delhi: Oxford University Press), 1980, 330-31.
 21. Joshi. Opp. Cite, 2009.
 22. दीन दयाल उपाध्याय (2006 reprint), "लौकिक, धर्महीन, धर्मरहित, धर्मनिरपेक्ष, अधार्मिक, अधर्मी, निधर्मी अथवा असांप्रदायिक", पांचजन्य. Accessed Via: https://deendayalupadhyay.org/lokik_hindi.html. Dated. 10/02/2021.
 23. Ibid.
 24. Ibid.
 25. Ibid.
 26. Bajpai, Atal Bihari. "The Concept of Indian Secularism," Berkely Centre for Religion, Peace and World Affairs, (January. 1). Accessed Via, 1992. <https://berkeleycenter.georgetown.edu/quotes/atal-bihari-vajpayee-on-the-indian-concept-of-secularism>. Dated. 12/02/2021.
 27. Ibid.
 28. Nandy, Asis. "The Politics of Secularism and The Recovery of Religious Tolerance", in Rajeev Bhargava (eds.) Secularism and Its Critics (New Delhi: Oxford University Press) 192. see also, Nandy, Asis (1995), "An-Anti-Secularist Manifesto," India International Centre Quarterly, (Spring), 1998, 35-64.
 29. Ibid.
 30. Ibid.
 31. Madan, Triloki Nath. "Secularism in its Place", The Journal of Asian Studies, 1987:46(4):758:747-759.
 32. Ibid.
 33. Chatterjee, Partha. "Secularism and Tolerance", Economic and Political Weekly, 1994:29(28):1768-77.
 34. Ibid.
 35. Bhargava Rajeev. "Giving Secularism its Due", Economic and Political Weekly, 1994:29(28):1784-91. Bhargava, Rajiv (2007), "What is Indian Secularism and What is it for?," (September. 28). India Review, 1.1. pp. 1-32.
 36. Ibid.
 37. Ibid.
 38. Ibid.
 39. Sen, Amartya. The Argumentative Indian: Writings on Indian History, Culture and Identity (New York: Farrar Straus and Giroux). see also, Sen, Amartya, Kaushik Basu and S. Subrahmanyam, "Secularism and its Discontents", in Kaushik Basu and Sanjay Subrahmanyam, (eds) Unravelling the Nation, Sectarian Conflict and India's Secular Identity (New Delhi: Penguin), 1996-2005.
 40. Ibid.
 41. Ibid.
 42. Ibid.
 43. Ibid.
 44. Krishnadas, Rajgopal. "Supreme Court Set Aside Instant 'Talaq'", 2017. The Hindu (August 23). Accessed Via: <http://www.thehindu.com/news/national/supreme-court-sets-aside-instant-triple-talaq/article19538599.ece>. Dated. 20/02/2021.