



## Secularism in India: Need for rethinking

Dr. Vipin Malhotra

Associate Professor, Department of Political Science Sri Aurobindo College, University of Delhi, New Delhi, India

### Abstract

Since the partition of India, the State has continuously been under ambivalence to carve out a mechanism to keep the various communities together to become a State of its kind. The constituent assembly debates clearly show that the kind of secularism practised in India was not perceived by the lawmakers. Political Parties for their short term benefit fan fired the minority or majority communalism. The lack of consensus amongst the political parties has still left the Indian State at the verge of the situation which was there at the time of partition. There is constant mistrust between the various communities who are not able to digest the concept of secularism in true spirit. Uniform Civil Code is still a mirage for many. Who are genuinely secular Congress's role has been of appeasement without understanding the true essence of secularism. Inserting the word secularism or socialism into the preamble of the Constitution of India has done no good to the people of India. If the partition of India was believed to be a mistake than the way we are dealing with the notion of secularism would be another blunder. No country could progress without respecting the sentiments of its majority community. The article in detail seeks to understand the intricacies of the concept in the global and recent context.

**Keywords:** secularism, communalism, religion, uniform civil code

### Introduction

Since the inception of human civilisation, religion has permeated the socio-economic and political life of people throughout the world, with both its positive and negative consequences. On the one hand, it represents peace, love, brotherhood and salvation of life in its positive assertions, on the other, much of the spiritual energy has been poured into aggressive social and political movements, that is coextensive with the theocracies or totalitarian states throughout the historical evolution of humanity. Persistent and endemic fanaticism or dogmatism and factiousness on the part of the institutionalised or book religions have been the melancholy spectacle and part of the vicissitudes of humanity's religious history <sup>[1]</sup>. If practised religions were closer to their source and original spirit, they would have been conducive to peace, love and harmony. However, if religious persons and movements stray away from their source and are contaminated by political ambitions and worldly consideration of acquisition of power and wealth, they become instruments of exploitation, injustice and oppression <sup>[2]</sup>. However, efforts have been on to separate religion from public life and make it mostly a private affair of one's life throughout the world at a particular conjuncture of historical development as the socio-economic conditions demanded. Firstly, such a situation arose in Europe where the church's authoritarianism was challenged by the temporal power, which was guided by two developments rightly pointed out by Mohit Bhattacharya - the growing confrontation between science and technology and the emergence of utilitarian philosophy <sup>[3]</sup>.

Whereas, in the Indian tradition, the process of secularisation has emerged in a different context and under different situations. Its origin is traced to the Bhakti and Sufi movements. However, these movements could not get as much success as their counterpart in Europe. They are glorified because these sorts of incidents are rare in Indian

tradition. Lately, during the National Movement, the efforts were directed to achieve harmony between various religious groups for waging the freedom struggle against the Britishers. However, the partition of India unequivocally reflected the strength of religion in the Indian subcontinent. In India, the meaning of secularism in general term has meant harmonisation of various religions moreover appeasement of some religions at the expense of others. Whereas in Western countries, it more often meant the separation of religion and politics.

The partition of India was accepted to make India a secular country in which religion will not play any role, and all the religions will get equal respect. However, their hopes have been belied and recently, religious aggression is posing a severe threat to social integrity and political functioning. Since the 1980's almost all the political parties are swearing to the word secularism, but no one is adhering to it. The seriousness and complexity of the problem have induced me to research to delineate the trends which the Indian brand of secularism is acquiring and the challenges with which it is confronted since the 1980s.

### Secularism: A global perspective

Before we address the Indian problem, it is desirable to look into the meaning and worldwide perspective of secularism, which is being practised in various countries. The word secularism has been derived from a Latin word saecularis, which means generation or age, referring to the worldly as opposed to the ecclesiastical.

The Webster New College Dictionary (Second College Edition, 1970) gives the meaning of the word secularism to be a system of doctrines and practices that disregards or rejects any form of religious faith or worship. Oxford Dictionary defines secularism as "the doctrine that morality should be based solely regarding the well-being of mankind in the present life, to the exclusion of all considerations

drawn from belief in God or a future state."

These dictionaries' meanings reflect a very simple and parochial interpretation of the concept, whereas the word secularism meant different things to different people. Its nature and scope, various countries in their constitutions, have incorporated the concept of secularism in different contexts and with a different understanding. The principle of secularism as understood and worked in the United States of America means that the state and the church co-exist in the same human society without having to do anything with each other. The state gives no grant to the church or educational institutions run by the church, nor in its turn does the church claim any support from it in its religious or educational activities or a formal say in the state's affairs <sup>[4]</sup>. Mexico, despite being a third world country, is a superb example of a secular state. Mexico is a Catholic Christian country. Mexican constitution prohibits the church from any role in politics so much so that the priests have been disenfranchised, that is, and have no right to vote. The church is also not allowed to hold any property, which is the most effective way to cut its wings and not allow it to interfere in politics <sup>[5]</sup>.

This tradition of separation of the church from politics being followed in Mexico since the revolution of 1857. When the Mexicans were fighting against the colonial domination of Spain, the church sided with the colonial masters and hence, on achieving independence, its wings were clipped and it was prohibited from playing any role in politics. Its priests, as pointed out above were prohibited from voting. In their (the Mexican Constitution - - - makers') opinion, even voting by priests "amounted to influencing politics". Without a doubt, Mexican politics remains to date truly secular and the religious sphere remains separate from the politics <sup>[6]</sup>.

The concept of secularism emerged in a different context in Turkey. In 1924 Mustafa Kemal "Ataturk" after overthrowing the khilafat rule establish a secular polity. He made specific rules regarding dresses and headwear in order to achieve unity in Turkey. The adoption of western of dresses in Turkey was against all norms of Islamic mode of dressing. Mustafa Kemal "Ataturk" therefore, employed the expression secular to achieve uniformity among the various Turkish people.

Lately, secularism in Turkey assumed almost an anti-religious form. Any religious movement was looked upon suspiciously and even suppressed. He forced the government civil and military personals to adopt a uniform dress code to achieve political unity <sup>[7]</sup>.

There is another category of countries that guarantee freedom of religion. They strive to achieve equal respect for all religions. Countries like Holland, Indonesia and India are glaring examples of this version of secularism. The Indonesian model of Secularism is imbued in the Constitution of the Republic of Indonesia, the Preamble of which states, inter alia, "Having through God's blessing and His mercy, arrived at this sacred moment in our history, we now ordain our independence and by this charter establish our Unitary Republican State based on the recognition of Divine Omnipotence, Humanity, National Conscious, Democracy and Social Justice." Chapter 1, Section 5, devoted to fundamental Human Rights, article 18 reads. 'Everyone is entitled to freedom of religion, conscience and thoughts. Clause 2 of Article 43 guarantees freedom to protest one's religion and to worship by one's religion and

belief. Clause 3 provides equal protection to recognised religious denominations and organisations. Aid in any form given by the authorities to the ministers of religion and religious denominations or organisations shall be rendered based on equality'. Dr. R. Supomo, in his notable work *The Provisional Constitution of the Republic of Indonesia*, remarks that this provision puts forth a new principle which again reiterates the principle of equal rights for all religions in the life of the state <sup>[8]</sup>.

However, the provision for the supremacy of the state over the religious authority is also enshrined in the constitution of the Republic of Indonesia. Clause 4 reads, 'The organisations shall obey the law, including the unwritten law'. This has to be seen in the light of article 7, which guarantees equal treatment and equal protection under the law. Thus in Indonesia, there is a common civil code <sup>[9]</sup>.

Japanese Constitution represents another type of secularism, which is the mixture of the western brand of secularism and the secularism, which is enshrined in the constitution of Indonesia, Holland and India. While freedom of religion is guaranteed under Article 20 of the Japanese constitution, the same Article Lays down that no religious organisation shall receive any privilege from the state nor exercise any political authority. The state and its organs shall refrain from religious education or any other religious activity. Whereas in the communist world where the religion is considered as a means of exploitation and is regarded as 'Opium of the masses', the provisions had been made to contain it in the Constitution of former Soviet Union and there had been wide-ranging propaganda to discard religion from the public life. After analysing the provision of various constitutions in which different secular models have been reflected, views of Dr. Luthera are worth mentioning. In his book, 'The Secular State and India', he rightly sums up the various secular models into three types of categories. Firstly, there is a secular system which means that religion is regarded as a private matter and the State is not concerned with it in any way. This system is prevalent in the U.S.A. Secondly, there is a situation in which there is an established church. The state controls the established church in several important respects. In such a system, other religions are tolerated and are allowed to manage their own, affairs without state interference. This sort of system is prevalent in countries like Britain. Thirdly, there is what Luthera calls the jurisdictional system, it aims at giving freedom to all religions equally but the state does not divest itself of responsibility for controlling the affairs of any religion. The jurisdictional system prevails in Holland and a similar position is accorded to religions in Indonesia. Expressing his views about the Indian state, Dr. Luthera says, "The constitution of India does not establish a secular state. It established a state-, which is very near to jurisdictional state and is very far away from a secular state. He thinks it appropriate to describe it as a " religiously impartial or non-communal, non-denominational state" <sup>[10]</sup>.

### **The constitution of India and secularism**

After analysing the concept of secularism at the global level, we shall focus our attention on the Indian version of secularism. As the concept of secularism is embedded in our constitution, it would be desirable to have a brief analytical study of our constitution how far it has been able to sustain the concept and which are the provisions that do not comply with the concept of secularism in the strict sense of the term.

Concepts of "Secularism" as stated above, differ widely. They range from religious neutrality, separation of state and religion to an anti-religious policy. Initially, when the constitution was framed, the word secular did not occur in it. Only lately, it was inserted in the preamble under the 42nd amendment to the constitution. Sardar Swarn Singh, the architect of the 42nd amendment, stated in Parliament, "When we talk of secularism, we have our concepts of equal respect for all religions" For this purpose, the constitution of India has incorporated various provisions. The preamble of Indian constitution states; "We, the people of India, having solemnly resolved to constitute India into a sovereign Socialist Secular Democratic Republic and to secure to all its citizens; justice, social economic and political liberty of thought, expression, belief, faith and worship; equality of status and opportunity: and to promote, among them all fraternity assuring the dignity of the individual and the unity and integrity of the nation;" Article 14 establishes equality before law - "The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

### **Prohibition of discrimination**

Article 15 and 16 prohibit discrimination on the grounds of religion, race, caste, sex, or place of birth concerning access to a public place and employment opportunities. However, Clause 5 of the Article 16 provides, "Nothing in this article shall affect the operation of any law which provides that incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

### **Right to freedom of religion**

Freedom of religion enshrined in Article 25 and 26 has two aspects. Positively, It provides for the freedom of conscience and the right freely to profess, practice and propagate religion and freedom to manage religious affairs, including religious institutions. In Negative sense the state, however, reserves to itself the right to regulate and restrict economic, financial, political or other secular practices associated with religion and to provide for social welfare and reform of Hindu religious institutions. Moreover, religious liberties are subject to public order, morality and health. Article 27 prohibits the imposition of any tax intended for the promotion of any religion or religious denomination. Article 28 religious instructions are prohibited in state-regulated educational institutions and institutions established by religious bodies can not compel students to receive religious instructions, if they or their guardians do not wish them to do so <sup>[11]</sup>.

### **Cultural and educational rights of the minorities**

Article 29 and 30 make provisions for the protection of minorities, which includes religious ethnic and linguistic minorities, and confers upon them the right to establish and administer their own educational and cultural institutions. Article 44 directs the state to establish a uniform civil code throughout the territory of India <sup>[12]</sup>.

If we analyse the constitution of India is working, we find that within 73 years, almost all the provisions related to

secularism have been violated at one or the other time. The constitution suffers from serious flaws, which has hindered the establishment of India as a secular state in the strict sense of the term. There are three universally accepted essential postulates of a secular state:

1. The state must not discriminate between its citizens based on religion or form of worship.
2. There should be uniform laws for all citizens.
3. All citizens should be equal before the law.

The Indian state as it exists today does not fulfil any of the three conditions. It claims to be secular but Article 30 of the Indian Constitution gives certain rights and privileges to religious minorities. Article 44 of the Indian Constitution enjoins upon the Indian state to have uniform laws for all citizens. But this article has not been implemented so far. Muslims, Christians and other communities continue to be governed by their personal laws. All the citizens have not been able to acquire equal status before the law. Muslim women, for example, have been denied many of the rights which are enjoyed by other women <sup>[13]</sup>.

Dr. V. P. Luthera is also critical of the Indian state. He raises various points.

1. It is wrong to classify India among the secular states. To describe India as a jurisdictional state would be more correct.
2. He is critical of Article 48 of the Constitution, which prohibits the slaughter of cows and draught cattle. Here his argument seems to be that the Constitution shows an over sensitivity to Hindu sentiments, which would imply that the state is not impartial in its treatment of religions in the country.
3. He further argues in support of the Jurisdictional system as against the secular state in India under the present social circumstances. The Separation from the church presupposes that religion should have some organisation of its own which is capable of dealing with its internal affairs and to effect religious reform in the absence of such internal organisation. It is the state alone that can affect reform; otherwise, the Indian society would remain degenerated.

D.E. Smith maintains, "To most Indians, secular means non-communal and non-sectarian. It does not mean non-religious. For most Indians, the basis of the secular state is not a "wall of separation" between state and religion but rather the "non-preference" doctrines which require only that no special privileges be granted to anyone religion" <sup>[13]</sup>

In his pioneering work "India as Secular State", D. E. Smith concludes that the idea of a secular state is embodied in the constitution and it is being implemented in substantial measure. However, he lamented that the main shortcomings in Indian realisation of the secular goals are three-fold. 1. The absence of common civil code, 2. The government's interference in the religious matter for social reforms. 3. A cultural policy which amounts to the propagation of the Indian religion <sup>[14]</sup>.

Reflecting a positive view about secularism, in Indian society, Dr. C.H Alexandro viz maintains, "India is a secular state. The difference between her and the United States is that the latter is statically secular, while India is dynamically secular <sup>[15]</sup>.

According to Moin Shakir, Indian secularism is "Neither entirely Indian in essence nor western in a temper." He described Indian secularism as the admixture of certain aspects of Indian traits and the western notion of a secular state <sup>[16]</sup>.

### **Diversion and interpretation of Indian secularism**

In order to view the Indian version of secularism in a more clear-cut perspective, it is desirable to have a brief look into the vision of our constitution makers about the concept of secularism. Mr. G. B. Pant said, "Our aim is to secure a secular state in which there would be no feeling of minority or majority, and all would live together as equal citizens." Abul Kalam Azad asserted, "India is a democratic secular state where every citizen, whether he is a Hindu, Muslim or Sikh, has equal rights and privileges" <sup>[17]</sup>.

Vallabhbhai Patel went to the extent "so long as we are in the Government we have to govern. If we cannot act as trustees for the entire population, irrespective of religion, caste, or creed, we do not deserve to be where we are" <sup>[18]</sup>.

However, Nehru maintained that for establishing secular values in Indian Society, there is a need to cultivate scientific attitude among the Indian people. But directly on the secular state, in India, he said precious little. The same goes for other leaders. A forthright statement was given by B.R. Ambedkar when he intervened in the discussion on article 13 on December 2, 1948. An attempt was being made to introduce a clause to save personal law to which Dr. Ambedkar strongly resented, mentioning thereby that the matter had been thoroughly and fully discussed when Article 44 of the directive principles was under consideration. He said that, if such a saving clause were introduced into the constitution, it would disable the legislature from enacting any social measure whatsoever. He further maintained that the religious conceptions in this country are so vast that they cover every aspect of life from birth to death. There is nothing, which is not religious, and if personal law is to be saved, then the legislature would come to a standstill in social matters. It is not necessary; the laws relating to tenancy or laws relating to succession should be governed by religion. In Europe, there is Christianity, but Christianity does not mean that Christians all over the world, or in any part of Europe where they live, shall have a uniform system of law of inheritance. No such thing exists. Dr. Ambedkar could not appreciate why religion should be given this vast expansive jurisdiction as to cover the whole of life and prevent the legislature from encroaching upon that field in India. He lamented, "After all what are we having this liberty for? We are having this liberty to reform our social system, which is so full of inequalities, discrimination and other things that conflict with our fundamental rights" <sup>[19]</sup>. "

In addition to this legal notion of Dr. B. R. Ambedkar, certain broad features of the Indian conception of the secular state have been clarified by Dr. Radha Krishnan. The first point, which he makes, is that the state is not hostile towards any religion. In his luminescent work *Recovery of faith*, Dr. Radha Krishnan remarks that the religious impartiality of the Indian state is not to be confused with secularism or atheism. Secularism as here defined is by the ancient, religious tradition of India, which is vociferously propagated in the Vedic principles. Ekam Sad Viprabahudha Vadanti: - God or truth is one, wise men call him by many names. "It tries to build up a fellowship of believers not by

subordinating individual qualities to the group mind but by bringing them into harmony with each other. It proclaims that it lays stress on the universality of spiritual values" <sup>[20]</sup>, referring to the concept of Sarva Dharma Sambhava.

Secondly, secularism in the Indian concept means equal status for all religions. "No one religion should be given preferential status or unique distinction that no one religion should be accorded special privileges in national life or international relations" <sup>[21]</sup>. This is an extension of the principle of separation of state and church.

In summarising the debate, in a short and lucid article, Rege suggests, that the concept of secularism in the Indian context could have three meanings:

1. The religious communities recognise that the state is secular. Moreover, they are ready to reform their values and practices in consonance with the values and principles which govern the secular jurisdiction of the state.
2. The acceptance of Sarva Dharma Samabhava, i.e., the attitude of equal respect for all religions, social and religious values.
3. The acceptance of the worldview of secularism which claims to be based on rationality, that is, scientific knowledge of things and rational morality, in other words, utilitarian morality qualified by some principles of justice. Secularism in the aggressive form has a positive role to play, because, it throws a challenge to traditional religions to put the Hindustan Times, Jan houses in order to purify, refine and develop their values, to enable them to face the problems of contemporary life <sup>[22]</sup>.

However, all the above propositions have been challenged by various academicians to be unfit for Indian society. The first opposition, which referred to the inculcation of composite culture among the Indian people, cultivated by Bhakti Sufi movements, is challenged by Sudipta Kaveraj. He argues that these sorts of incidents are referred to because they are rare, not that they have influence or built a secular culture. He maintains, even during the nationalist movement, the loyalties of Indian people remained strictly around the religious grounds. Hindu religious symbols were often used to bring the people into nationalist mainstream. The concept of the separate identity of the various communities remained sacrosanct. The concept of secularism remains to be associated with the upper-middle class, which is highly anglicised. "To this elite, including their left-wing members, Sanskrit is a language of Hindu fundamentalists; Urdu, similarly, by their Muslim counterparts." He further maintains that "It seems a better policy to accept the complex and contradictory nature of our national movement, to accept that the creation of a secular discourse is not something achieved in the past, but to be accomplished hopefully in the future" <sup>[23]</sup>.

Gyanendra Pandey supports this view when he points out that since the national movement had to mobilise the support of all classes against foreign domination, the leaders of different classes could not adhere to the principle of secularism firmly for fear of losing the allegiance of religious-minded and obscurantist groups <sup>[24]</sup>.

The separate identity of various communities based on religion has been a predominant feature of Indian multicultural society, which posed severe hurdles in building a composite culture for a peaceful and harmonious

living.

The second proposition, which refers to the Sarvdharam Sambhava, is both supported and refuted by various academicians. This view is reflected in the thoughts of Mahatma Gandhi, Vinoba Bhave and V.V. Giri. First, such an attempt was made by Akbar in the 16th century when he tried to make a new religion (Deen-e-Ilahi) which was a fusion of various principles of Islam and Hinduism. Unfortunately, the attempt could not gain much popularity. The event was significant as it was a tremendous historical intervention to achieve communal harmony. The tolerance of the other religions became the core of Gandhi's secularism. "Be a Hindu, but tolerate Muslims, be a Muslim but tolerate Hindu. Because I am a good Hindu," said Gandhi Ji, "I tolerate good Muslims". Vinoba Bhave commenting upon Sarv-Dharma-Sambhava maintains, "I am of the view that there are four essential ingredients of Sarv Dharma Sambhava. One of them is faith in one's religion, the second is respect for all religions, the third is the reformation of one's religion, and the fourth one, which naturally follows from these three is opposition to irreligiousness, When all these ingredients are found together, there is "Sarv Dharma Sambhava"<sup>[25]</sup>." V.V. Giri asserted, "Our secularism is not a negative concept but a positive one of respect for all faiths and is based essentially on a spirit of humanism",

However, the concept of Sarv Dharma Sambhava has proved to be Utopian. Once religious considerations are accepted as a factor in social and political programs, tolerance, however loudly or persistently and piously preached, can never be exercised by ordinary people. Both Hinduism and Islam are orthodox and based upon mutually opposed social rituals. The masses, drowned for ages in superstition and blind faith, cannot develop the tolerance which the English educated Gandhiji and his colleagues in the freedom movement could do in their personal lives.

Mohit Bhattacharya has put forward a different argument in opposition to the concept of Sarva Dharma Sambhava. He maintains, "The source of communal differences may not lie in religious differences per se though religious differences and religious identities often help to crystallise conflict among the communal divide"<sup>[26]</sup>." Respect for all religions in a technical sense means tolerating their beliefs and practices, which may be unaccepted in a civilised society. Take the case of marriage. According to Sastri law and Shariat, Hindus and Muslims are allowed to practice polygamy that is contrary to modern democratic norms.

The impracticability of Sarva Dharma Sambhava, especially in a developing country like India, has best been summarised in the words of Dr. Chanchal Sarkar, "We observe the festivals of all the communities, giving a developing country more holidays, than perhaps anywhere else in the world." If to meet a severe food crisis, we pass an austerity order, then Churches, Temples, Mosques, and Gurudwaras are exempted for purposes of Bhog or Prasad. Our leaders do not think twice about participating in a denominational religious ceremony even if it may lead to unintended insult to other communities<sup>[27]</sup>". This has given rise to the policy of appeasement on the one hand, and mutual mistrust on the other. Along with the other factors, this notion of state participation has given birth to communal antagonism rather than creating an atmosphere of communal harmony.

The third proposition, which was propagated by Nehru and

M.N. Roy, refers to the inculcation of scientific and rational temper among Indian people for building up a secular society. However, Jawaharlal Nehru, the architect of Indian Secularism, was unclear as to what secularism should signify in the Indian context. In 1954, he had stated that the word secular had been adopted because of the lack of a better term. This indicates that Nehru was well aware of the limitations of secularism in India in the strict sense of the term. Though he was essentially wedded to the western concept of secularism as being an all-pervasive rational and scientific outlook, he was, however, conscious of the fact that state secularism had not produced the desired results. Shortly before his death, he had written, "Our constitution lays down that we are a secular state, but it must be admitted that it is not wholly reflected in our mass living and thinking"<sup>[28]</sup>. " Sudipta Kaviraj maintains that "It is a standard theory that the growth of capitalism leads to the disenchantment of the world, to greater hegemony of rationalist social discourse and therefore, a decline of religion. Nothing is clear in modern India than a fast and powerful growth of capitalist forms, but apparently, this has not led to any corresponding weakening of religious influence on individual and social action"<sup>[29]</sup>.

Recognising that anti-secular forces are tending to thwart the secularisation process, T.N. Madan has sketched a depressing scenario by asserting that, "in the prevailing circumstances secularism in South Asia as a generally shared creed of a life is impossible, as a basis for state action impractical, and as a blueprint for see able future, impotent"<sup>[30]</sup>.

Madan's pessimism is embedded in the fact that the people of Asia are so much engrossed in religious sentiments, virtually making it impractical for the state to maintain equidistance from all religions. As a logical corollary to this, any kind of secularism under these circumstances is reduced to impotence, which is unable to curb the religious fundamentalism and fanaticism. The weight of evidence provided by the empirical reality in India perhaps justifies Madan's contentions; various political parties are continuously posing a question mark over the mode of secularism existing in Indian society, executed by the state and implemented by the judiciary. The kind of secularism existing in India has, however, been attacked by almost all the political parties. Muslim League calls Indian secularism a fraud, cloak in which the Indian state hides its true nature, that of a Hindu state. The Akali Dal also upholds these views. On the other hand, Hindu parties contend that secularism is a subterfuge by which state seeks to appease the minorities, mainly, the Muslims and thereby to deny the Hindu majority its rightful due<sup>[31]</sup>.

The primary purpose for projecting such a wide-ranging debate over the conceptions and perceptions of secularism by various scholars, politicians and political parties, is to reflect the seriousness of the problem in which one of the main pillars of the state, namely its secular character, is confronted with. It could be delineated the trends and challenges with which the process of secularisation is passing through since the last quarter of the 20<sup>th</sup> century. As it is observed in 1980s internal processes of most of the institutions, have been short-circuited. Civil liberties have become a casualty in the process. The substance of secularism sharing elements of different religious traditions - has consequently undergone a sea change. Under this dispensation, the public arena has shrunk, and political

accountability of the ruling elites to the Parliament and electorates as well as to the rule of law has been greatly reduced altogether, eliminated and so channelised where there is no accountability at all. Recent efforts in the part of BJP has restored some dignity to the State for bringing about the significant changes in the mode of secularism, which was practised earlier. No country could claim to be a secular state if it does not respect the sentiments of its majority secular population. Though, parliament has already amended the personal law of Muslims by criminalising the menace of triple Talaq. The journey is going to be tough for any government which adventures to implement uniform civil code as enshrined in the constitution of India. The overall scenario of the functioning of Indian vis-à-vis the Indian religious communities reflects that accepting the partition of the Indian subcontinent was a grave tragedy that hindered the growth of secular society in India. Adding fuel to the fire the undue appeasement of minorities further weakened the notion of secular fabric in India. The mode of Indian secularism has always led to greater miseries of all the religious communities in the enormous numbers. Indian State has not been able to take a sturdy stand to make India a secular State like Mexico, Turkey, which were fundamentalist States before. The Only path towards progress for India is to adopt secularism which clearly negates the religious interference or vice-versa. Or to declare itself a religious State inline with Indonesia, Thailand, Sri Lanka, Myanmar, etc. which are somewhere more secular.

#### References

1. Dhokalia RP. Secularism and the Emerging Challenge of Communalism: Religion Freedom Beleaguered Pluralism, ed., Bidyut Chakraborty, Secularism and Indian Polity, (Segment Book, Distributors, New Delhi, 1989, 10.
2. Ibid. p.11.
3. Mohit Bhattacharya. Secularism and State Building in India, Ibid, 156.
4. Gani HA. Failure of Indian Secularism”, Radical Humanist. 1993; 7(1):31.
5. Asghar Ali Engineer. Secularism and Ethnicity of Mexico, Mainstream. 1992; 30(23):26.
6. Mexican President rejects bill to relax secularism’, retrieved from website <https://www.aacom.com.tr/en/americas/mexico-president-rejects-bill-to-relax-secularism-/1678141>
7. American Federal Constitution explicitly lays down that. Congress shall Make No Laws Respecting an Establishment of Religion or Prohibiting the Free Exercise There Of” Article I, the Bill of Rights Declared in force. 18, 1791.
8. About Kemal. Ataturk and his secularism, retrieved from website <https://rawabetcenter.com/en/?p=418>
9. Chatterji PC, Secular Values for Secular India, (Published by Lila Chatterji, New Delhi, 1984), Also See R. Supomo, The Provisional Constitution of the Republic of Indonesia, with Annotations and Explanations on Each Article TR. By Garth N. Jones (Cornel Univ., SouthEast Asia Program, Modern Indonesia Project Translation Series). Ithaca, New York, 1964, 16
10. Ibid, p.16.
11. Ved Prakash Lutheria, The concept of Secular State and India (Oxford University Press, London, 1964, 159.
12. Sivaramayya B, “Separation of State and Religion” National Convention to promote Communal Harmony and Constitutional Objectives Papers and Reports, (Lawyer’s Chamber, Supreme Court, New Delhi, 1993), 1993, 32.
13. M. H. Beg, Impact of Secularism on Life and Law (People’s Publishing House, New Delhi, 1985, 64-68.
14. Balraj Madhok, “A Plea to Pause and Ponder” Organiser, 1993; 44(26):52.
15. Saiyed AR, “Secularism in Retreat: The Communal Secular Paradox in India” ed. Bidyut Chakraborty, (1), 143.
16. Chatterji PC, opp cit. See also D. E. Smith, India as a Secular State (Oxford University Press, Bombay, 1963, 500.
17. Alexandrowicz CH. The Secular State in India and in the US. Journal of the Indian Law Institute. 1960; 2(2-3):295.
18. Moin Shakir. Roy’s MN. Concept of Secular State”, ed. V. K. Sinha, Secularism in India (Lalvani Publishing House, Bombay, 1968, 144.
19. Hindustan Times, 1949.
20. Hindustan Times, 1949.
21. Constituent Assembly Debates (India). 7(2):781.
22. Radha Krishanan S. Recovery of Faith (Allen and Unwin, London, 1956, 202.
23. Ibid. p.202
24. Rege MP. A Fresh Look at Secularism, New Quest. 1988; (68):67-68.
25. Sudipta Kaviraj. On the discourse of Secularism”, ed. BidyutChakraborty, (1):198-199.
26. Gajendra Pandey, The Ascendency of the Congress in Uttar Pradesh 1926-34: A Study in Perfect Mobilisation Oxford University Press, Delhi, 1978.
27. Vishwanath Tandon, Selections from Vinobha (Sarva Seva Sangh Prakashan, Varanasi, 1981, 80.
28. Mohit Bhattacharya, (3):162.
29. Narang AS. Indian Government and Politics Gitanjali, New Delhi, 1985, 120.
30. AR. Saiyed, opp. cit, 144.
31. Sudipta Kaviraj, opp. cit, 187.
32. Madan TN. Secularism in its Place”, Journal of Asian Studies. 1987; 96(4):748.
33. Chatterji PC, (8)1.