

# Introduction to Politics, with reference to India

Secularism

# Secularism

## The Concept

- A secular state is one in which religion has been disestablished. Which means that the state is separated from all religions.
- A secular state is not anti-religious.
- It admits a general equality between believers and non-believers. It secures peace not only between different kinds of religious believers but between believers and non-believers.
- Meaning, it legally sanctions freedom for all religions and also freedom from religion itself.
- Official status is not given to any religion.

# Secularism

## The Concept

- Much of the ambiguity that attends the debates on secularism can be traced to the fact that scholars tend to employ two different interpretations of secularism.
- These two meanings are that of secularism as the separation of state and religion, and secularism as equality of all religions.
- The “wall of separation” thesis comes to us from the history of Western Europe. It holds that (a) the state shall not concern itself with religious beliefs, practices, and institutions; (b) that the state shall not be associated with a particular religion; (c) that the state shall permit freedom of conscience, belief, and religion for all its citizens; and (d) that the state shall not discriminate between citizens on the basis of their religious beliefs.
- The second interpretation of secularism was generated in and through the Indian historical experience; that the state shall treat all religious groups equally.

# Secularism

## History of Indian Secularism

- By the 1920s, at the very time when Mahatma Gandhi set out to forge a major mass movement that could take on colonialism, the politicization of religious identities, whether in the form of the Muslim League or that of the Hindu Mahasabha, could have hampered the project of building a pan-Indian freedom struggle.
- Gandhi looked for a principle that could bind people who subscribed to different faiths together, and which could weld them into a mass movement. This principle he found in the doctrine of 'sarva dharma sambhava', which can be read as 'equality of all religions' or 'all religions should be treated equally'.
- This was both pragmatic and normative principle that appreciated the value of religion in people's lives.

# Secularism

## History of Indian Secularism

- Nehru's preferred notion of secularism was that of 'dharma nirpekshata', or that the state would not be moved by religious considerations in enacting policy.
- However, the recurrent communal riots which culminated in the frenzy of the Partition proved that religious prejudices, more than religious sensibilities, had become a constituent feature of Indian politics. So with time, Pandit Nehru's understanding of secularism came much closer to the notion of 'sarvadharmā sambhava'.
- Nehru: secularism did not mean 'a state where religion as such is discouraged. It means freedom of religion and conscience, including freedom for those who may have no religion'... 'a state which honours all faiths equally and gives them equal opportunities; that, as a state, it does not allow itself to be attached to one faith or religion, which then becomes the state religion'
- In effect, the meaning that secularism acquired in the Indian context added one more dimension to the generic concept of secularism: not only the recognition of faith, but the equal treatment of all faiths.

# Secularism in India

- The Western concept of secularism connotes a complete separation between the religion (the church) and the state (the politics). This negative concept of secularism is inapplicable in the Indian situation where the society is multireligious.
- Hence, the Indian Constitution embodies the positive concept of secularism, i.e., giving equal respect to all religions or protecting all religions equally.
- The then Union Law Minister, H.R. Gokhale defined this concept as: ‘There will be freedom, liberty of faith and worship, whatever religion you belong to. The State will not have anything to do, as a state, with any religion excepting to treat every religion equally, but the State will not have any foundation of religion’.
- Similarly, **P.B. Gajendragadkar**, a former Chief Justice of India, defined secularism as in the Indian Constitution in the following way: ‘The State does not owe loyalty to any particular religion as such: it is not irreligious or anti-religious; it gives equal freedom to all religions’

# Secularism

## Values of a Secular State

- A secular state is constitutively tied to the value of religious liberty that has three dimensions.
  - The first refers to the liberty of members of any one religious group. Every individual or sect within the group has the right to criticize, revise, or challenge dominant interpretations.
  - The second aspect is that this liberty is granted non-preferentially to all members of every religious community.
  - The third dimension is that individuals are free not only to criticize the religion in which they are born, but to reject it and remain without one.
- The second value to which a secular state is constitutively linked to is the equality of free citizenship.
  - The benefits of citizenship must be available to everyone and there is no room for discrimination on the grounds of religion.
  - Irrespective of one's religious identity, all citizens must be recognized as equal participants of the public domain.

# Secularism in India

## State Interference in Religion

- To ensure equal treatment, to uphold the value of equal citizenship, and therefore secularism, the state must interfere in hierarchically organised religions.
- In India, the state maintains a principled distance from religions, not equidistance. Whether or not state intervenes or refrains from action depends on what really strengthens religious liberty and equality of citizenship for all.
- Principled distance builds upon Ronald Dworkin's idea that there is a distinction between equal treatment and treating everyone as an equal.



# Secularism in India

## Constitutional Provisions

- The Constitution of India stands for a Secular State. Hence, it does not uphold any particular religion as the official religion of the Indian State.
- The term ‘secular’ was added to the Preamble of the Indian Constitution by the 42nd Constitutional Amendment Act of 1976.
- The Preamble secures to all citizens of India liberty of belief, faith and worship.
- The State shall not deny to any person equality before the law or equal protection of the laws (Article 14).
- The State shall not discriminate against any citizen on the ground of religion (Article 15).
- Equality of opportunity for all citizens in matters of public employment (Article 16).

# Secularism in India

## Constitutional Provisions

- All persons are equally entitled to freedom of conscience and the right to freely profess, practice and propagate any religion (Article 25). (g) Every religious denomination or any of its section shall have the right to manage its religious affairs (Article 26).
- No person shall be compelled to pay any taxes for the promotion of a particular religion (Article 27).
- No religious instruction shall be provided in any educational institution maintained by the State (Article 28).
- Any section of the citizens shall have the right to conserve its distinct language, script or culture (Article 29).
- All minorities shall have the right to establish and administer educational institutions of their choice (Article 30).
- The State shall endeavour to secure for all the citizens a Uniform Civil Code (Article 44)

# Introduction to Politics, with reference to India

**Multiculturalism**

# Multiculturalism

- The liberal democratic state is premised on the ideal of universal citizenship in which each person is treated with ‘equal concern and respect’.
- There is a growing effort to redefine citizenship by giving due importance to cultural differences among individuals and striking a balance between the numerous religious, ethnic, and linguistic identities while constructing a common political identity of the citizen of the nation.
- Contemporary debates on citizenship and rights have questioned the idea that the citizen can enjoy rights independent of the contexts to which s/he belongs.
- While the politics of equal dignity calls for civil rights and entitlements, the politics of difference is based on mutual respect of the right to culture of each group: the right of the minority to preserve its cultural integrity and resist its assimilation by a dominant or majority identity.

# Multiculturalism

## Liberal Individualism

- Liberal individualism:- people should be considered as individuals only, and not as members of groups. They should be evaluated on their individual merit and treated in accordance with their actions and achievements, not according to ascribed characteristics or group affinities which they have not chosen.
- It thus proposes an assimilationist ideal as a political goal. The assimilationist ideal envisions a society where a person's group membership makes no difference for their social position, the advantages or disadvantages that accrue to them, or how other people treat them.
- It seeks to ensure individual freedom, equality, and self-development.

# Multiculturalism

## Criticism of Liberal Individualism

- Advocates of multiculturalism, however, assert that the ideal of universal citizenship is based on the conception of equality as ‘difference-blindness’, which they argue is ‘formal’ and not ‘real’ in nature.
- The assimilationist ideal presumes a conception of individual as transcending their social context. **Sandel** argues that the conception of self is socially constituted. Each individual is embedded in their communities. They do not voluntarily assume all aspects of their life and identity.
- According to this view, the accommodation of difference is the essence of true equality, and group-specific rights are needed to accommodate our differences.

# Multiculturalism

- An increasing number of theorists argue that different groups can be accommodated into common citizenship only by adopting what **Iris Marion Young** (1989) calls ‘differentiated citizenship’, which means that members of certain groups should be accommodated not only as individuals but also through their group, and their rights would partially depend upon their group membership.
- Real equality, according to the theorists of multiculturalism, is ensured not through ‘uniformity of treatment’ but by keeping in mind their social and cultural location.

# Multiculturalism

- Proponents of individual rights respond that individual rights already allow for the accommodation of differences, and argue that true equality requires equal rights for each individual regardless of race or ethnicity. But some minority rights eliminate—rather than create—inequalities. Some groups are unfairly disadvantaged in the cultural marketplace, and political recognition and support rectify this disadvantage.
- **Kymlicka** gives the example of the national minorities, the viability of their societal cultures may be undermined by economic and political decisions made by the majority.
- They could be outbid or outvoted on resources and policies that are crucial to the survival of their societal cultures. The members of majority cultures do not face this problem. Given the importance of cultural membership, this is a significant inequality, which becomes a serious injustice if not addressed



# Multiculturalism

- Giving minority rights to members of minority cultures may eliminate the disadvantages faced by them. Group-differentiated rights—such as territorial autonomy, veto powers, guaranteed representation, land claims and language rights—can help rectify these disadvantages by alleviating the vulnerability of minority cultures to majority decisions. Given that it is important for minorities to preserve their culture and their differences, they demand special rights that are essential for preserving their culture.

# Multiculturalism

- Difference between multiculturalism and assimilation – Assimilation is a process of cultural integration where individuals from different cultures abandon their cultural identity and adopt the values, customs, and traditions of the dominant culture. Multiculturalism is a social policy that recognizes the diversity of cultures within a society.
- Scholars have hailed the Indian Constitution of 1950 as a prescient model of multicultural accommodation for its recognition of a range of group-differentiated rights within a broadly liberal democratic framework.