

- (d) The war against want requires to be carried on with unrelenting vigor within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

The situation calls for a stronger ethical framework: "The governance of globalization must be based on universally shared values and respect for human rights. Globalization has developed in an ethical vacuum, where market success and failure have tended to become the ultimate standard of behaviour, and where the attitude of 'the winner takes all' weakens the fabric of communities and societies."

Addressing these issues sensibly with an eye for all relevant interests and voices will in the coming years be a central test of leadership in all areas of life – Governments including Judiciary, business, trade unions, civil society, Parliaments, political parties, local authorities, international organizations, religious and spiritual

traditions and various emerging forms of citizens' organization.

Ladies and gentlemen let me conclude with this prayer:

"God give us Men/A time like this demands

Strong minds, great hearts, true faith and ready hands;

Men whom the lust of office does not kill;

Men whom the spoils of office cannot buy;

Men who posses opinions and a will;

Men who have honour; Men who will not lie;

Men who can stand before a damagogue

And damn his treacherous flatteries without winking'

Tall Men, sun-crowded, who life above the fog

In public duty and in private thinking."

SECULARISM UNDER CONSTITUTION VIS-A-VIS IMPACT ON POLITICAL PARTY

By

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Introduction

The Constitution of free India came into force on 26th January 1950, as the preamble declared the people of India solemnly resolved to constitute India into a sovereign Democratic Republic, and to secular for all its citizens Justice, Social, economic and

political liberty of thought, expression, belief faith and worship, equality before law and opportunity and promote among the citizen of the country fraternity assuring the dignity of the individual and the unity of the nation¹.

1. Subs. by the (42nd amendment) Act 1946

By 42nd Amendment, the word 'Secular' is inserted in the preamble of the Constitution. In the words of Smith, the Secular State is important to the future of Indian democracy itself. It stands or falls as basic and inseparable element of modern liberal democracy.

Definition of Secularism :

The word 'Secularism' has been added to the preamble of the Indian Constitution by 42nd Amendment Act (1976) and retained by the 44th Amendment Act (1978). Secularism actually an attitude unconnected with nay religion, but if asked its meaning an Indian would invariably. Say that secularism means religious tolerance.

Another bold feature of the Indian Constitution is that it seeks to establish a Secular State instead of a Theocratic State. The term Secular means, according to the Encyclopaedia Britannica non-spiritual, having no concern with religious or spiritual matters - anything which is distinctly opposed to or not connected with religion or ecclesiastical things temporal as opposed to spiritual or ecclesiastical.² According to *Eric S. Waterhouse*, Secularism is an ideology which provides a theory of life and conduct as against one provided by a religion.

Secular State

A Secular State means a State which has no religion of its own and which refrains from discriminating on the grounds of religion. No particular religion would receive any special patronage from such a State, nor could anybody be compelled to accept or abandon any creed or belief.

The Constitution of India establishes a Secular State and such State should not be taken as anti-religion state.³

According to Dr. *B.R. Ambedkar*, Secular State does not mean that we shall not take into consideration the religious sentiments of the people. All that a Secular State means is that this Parliament shall not be competent to impose any particular religion upon the rest of the people.

In India, no discrimination has been made since Independence for any political or administrative office on the basis of castes, creed, religion or sex and equal opportunities are available to all the citizens of India. This was demonstrated well on the occasion of the election to the highest office in India when Dr. *Zakir Hussain* and Sri *Fakhruddin Ali Ahmed* were elected Presidents of India. Muhammadans have also engaged the offices of Chief Minister, Governor, Judges and Chief Justice of the High Courts and the Supreme Court.

IMPACT ON POLITICAL PARTIES

Historically, secularism has emerged as part of the democratic imagination and the institutionalization of freedom, equality, popular sovereignty and accountability. The classic statement on this was made by great political theorist John Locke in his essay on toleration which continues to inspire secularists today.⁴

This makes sense when we remember that the first principle of secularism that everyone is free to practice his/her religion can be institutionalized only in a society that is generically committed to the norms of freedom.⁵

The second principle of secularism that all religions possess equal validity – SARVA DHARMA SAMBHAVA – will not make sense until we are committed to equality. And the third principle that the State will neither initiate nor pursue religious projects

2. *R.C Agarwal*. Modern Indian Constitution and Administration 6th Edition 1984.P.39

3. *R.C Agarwal*. Modern Indian Constitution and Administration 6th Edition 1984.P.39

4. The Hindu Indian, National Newspaper, Saturday April 10, 199 p.10

5. Ibid

on its own and that it will not privilege or discriminate against any religious community rests on freedom and equality.⁶

If this is so, then secularism cannot be either asserted or institutionalized autonomously or in place of democracy for democracy and its attendant norms are a prerequisite for secularism.⁷

As the country was partitioned on the two-Nation Theory of *M.A. Jinnah*, then President of the Muslim League and later on the Governor General of Pakistan, therefore, many orthodox Hindus demanded that India should be a Hindu State, but the Indian National Congress which was totally opposed to the two-Nation Theory but only had to accept it due to compelling circumstances, did not agree to the establishment of Hindu or a theocratic State.

Mr. *H.V. Kamath*, a prominent member, observed that the Secular State is neither a Godless State nor an irreligious State nor an anti-religious State.⁸

Religious equality in the Indian Constitution has been provided in Article 15(1) and untouchability has been done away with by Article 17.

Notwithstanding the fact that the words 'secularism' were added in the preamble of the Constitution in 1976 by the 42nd amendment the concept of secularism was very much embedded in our constitutional philosophy⁹. The term 'secular' has advisedly not been defined presumably because it is a very elastic term not capable of a precise definition and perhaps best left undefined.

According to *K. Ramaswamy*, J. the secularism is a part of the fundamental law

and basic structure of the Indian Political System to secure to all its people Socio-economic needs essential for man's Excellence with material and moral property and political justice.

According to *B.P. Jeevan Reddy*, J., the secularism is one of the basic features of the Constitution. While freedom of religion the point of views of the State, the religion faith of belief of a person is immaterial¹⁰ to the State all are equal and are entitled to be treated equally. In matters of state religion has no place. No political party can simultaneously be a religious party.

Politics and religion cannot be mixed. Any State Government which pursues unsecular policies or unsecular course action acts contrary to the constitutional mandate and renders itself amenable to action under Act 356.

CONCLUSION

In recruitment to Public Services, there is no discrimination on the grounds of religion, caste and creed. The reservation for the public service and private service should not be given on the basis of religions and our Constitution has not permitted to provide such reservation.

Secularism is a basic structure of the Indian Constitution and to the State all are equal and are entitled to be treated equally no political party can simultaneously be a religious party. Politics and religion cannot be mixed and political party should not be permitted to hold political meetings and campaigning on the basis of religion, these should be strictly prohibited in order to have secular free society. The State should not permit to form a political party on the basis of religion.

6. Ibid

7. Ibid

8. Constituent Assembly Debates Vol.XII, p.825.

9. *S.R. Bommai v. Union of India*, AIR 1994 SC 2113

10. AIR SC 1994.