

A STUDY ON SECULARISM CONCEPT IN INDIA THAT ATTAINED ITS OBJECTIVE

¹Chandini Rajkishore, ²Ms.Renuga C

¹Student, Saveetha School Of Law, Saveetha Institute Of Medical and Technical Sciences,
Saveetha University, Chennai-77, Tamil Nadu, India

²Assistant Professor, Saveetha School Of Law, Saveetha Institute Of Medical and Technical
Sciences, Saveetha University, Chennai-77, Tamil Nadu, India

¹chandini1301@gmail.com, ²renugac.ssl@saveetha.com

Abstract

This research paper is based on the secularism concept in India that attained its objective. The English term “secular” comes from the Latin word “saeculam”, which meant a generation, or an age, or the spirit of an age that could signify the span of a century. Status of secularism in the Indian Constitution after the 42nd Amendment has been hugely contested. As a fundamental principle of Indian constitution, secularism is reflected in article 25-26, 29-30 probably the establishment of a theoretic state. Secularism as a concept an ideal is contested to terrain and started from what might be minimalist and possibly the least controversial norm, that a state and its institutions must enable equal opportunities. Constitution does not use the word secularism in any of its provisions are inspired by the concept of secularism. Promotion of Secular, Modern, and Scientific Outlook. Before the arrival of the colonialists, there were no educational institutions in India only Brahmins were considered qualified for higher education that too in ancient texts. A secular state is one which recognises every citizen as equal and does not recognise any social or religious groups. But practically, in secularism there is also tolerance of all religions with special emphasis on the protection of minorities and preservation of communal harmony. India is assumed as a nation in theoretical phase where as tensions of all kinds are making around. During its long development the term “secularisation” has often served the

partisans of controversy and has constantly taken on new meanings without completely losing old ones.

Keywords: secularism, indian constitution, religion, modern, fundamental principle

Introduction

At the very best, let us face up to a point that will be invariably made in any discussion on 'secularism' in india, viz, that in the indian context has very different meanings from its standard use in the English language (Das Acevedo and Acevedo) (Partha Chatterjee, 1994). the status of 'secularism' in the Indian constitution after the 42nd amendment has been hugely contested. The term "secular" has at advisedly not been defined presumably because it is very elastic term not capable of a precise definition and perhaps best left undefined (Dhyani) (veit bader, 2010). The English term "secular" comes from the Latin word "saeculam", which meant a generation, or an age, or the spirit of an age that could signify the span of a century (Smith) (Larry shiner, 1967). By secular nation, we mean a nation which has plurality of religious but which does not identify with any of them either by making religion as its organising principle or in other ways (Formichi) (muchkund dubey, 2012). Secularism plays a major role for the protection of the state order. There is an inseparable linkage between democracy and secularism in India. In india secularism has emerged in our struggle for freedom as a complimentary value of democracy and nationalism (Raghavendra Rao) (Subramanian. J, 2014). Amid the freedom struggle Mahatma Gandhi attempted to unite different groups. He searched for a principle that could bind people of different faiths into a unified whole. This standard needed to promise the minority that they would not be oppressed and to caution the greater part that the lion's share administered is undemocratic since majority rule government maintains freedom and uniformity for all. Nehru's idea of secularism, then again was that of 'dharma nirapekshata'. This doctrine implies that the state would not be influenced by religious considerations in formulating the policies. But Nehru later realised that policy making could not be banished from political and public sphere. Nehru made it clear that secularism did not mean a state where religion is disheartened, rather it implies freedom for all religion, including the freedom for the individuals who have no religion.

Status of secularism in the Indian Constitution after the 42nd Amendment has been hugely contested. As a fundamental principle of Indian constitution, secularism is reflected in article 25-26, 29-30 probably the establishment of a theoretic state (Farha)(Vibha Arora,2006). Secularism implies no oppression anyone for the sake of religion. The idea of secularism assumes a vital part in India. Secularism in india is a positive, progressive and extensive idea which takes inside its scope every one of the groups in India following a few religions. Indian secularism is certifiably not a visually impaired duplicate of western secularism. Western secularism depends on add up to dismissal of religion and no such acknowledgment. The most imperative reason for the need of a common india is its non-adaptability in financial gauges of the general population. Secularism is about culture simultaneously as it is the part of culture. Secularism was really Mehta culture of secularism enabling social relations across different domains belief or unbelief (Finnis) (Gerg Urban,2015). The secularism idea has turned into the most grounded weapon in decreasing fear based oppression. Secularism is essential for India since it controls the connection between the state and the religious gatherings on the rule of correspondence that the state might not segregate any religion(Kuru).

There are few problems of secularism. The first problem is the problem of uniform civil code. Uniform civil code in india proposes to replace the personal laws base on the scriptures and customs of each major religious community in the country with a common set governing citizen. It is practically tough to come up with a common and uniform set of rules for personal issues which neglects the secularism concept. The next problem of secularism is the defective education and caste system, where in secularism it is defined that there is no discrimination against caste but due to the reservation policies there is discrimination. The real education can grow only in secular environment of the country. Indian constitution is based on concept of political philosophy under which all forms of faith and worship are of equal importance(Kosmin and Keysar) (Hasan nourbaksh, 2015). Due to these problems the secularism concept is not followed properly. The aim of this study is to discuss about the secularism concept in India that attained its objectives. This study helps to study about the secularism concept in modern India.

2. Methods and materials

This paper is a doctrinal research. The methods involved collection of data through primary and secondary sources.

2.1. Primary data source

A few sources is collected by the researcher and the data on how the secularism concept attained its objectives in India

2.2. Secondary data source

Secondary information for the present research is collected from online articles, research papers, journals, government records, newspapers, from authors and websites based on the topic.

3. Hypothesis

3.1. Null hypothesis :There is no change is secularism concept

3.2. Alternate hypothesis :There is change in secularism concept.

4. Review of literature

1. Secularism is a concept vitalises the integrated values in the modern society but the trends of Multi-pluralistic society by the new phraseology of pseudo-secularism(Watson) (Ajith Kumar, 2014).
2. A Last and more controversial reason to forego secularism as a descriptor has to do with the perineal concern of Indian secularism, Hindu nationalism, Hindu nationalist support for true secularism (Nandy)(Deepa Das, 2013).
3. Secularism plays a major role for the protection of the state order. There is an inseparable linkage between democracy and secularism in India. In India secularism has emerged in our struggle for freedom as a complimentary value of democracy and nationalism(Moyn)
4. The real education can grow only in secular environment of country. Indian constitution is based on concept of political philosophy under which all forms of faith and worship are of equal importance(Giddy).
5. At the very best, let us face upto a point that will be invariably made in any discussion on 'secularism' in India, viz, that in the indian context has different meanings from its standards use in the English language(Gledhill).

6. The English term "secular" comes from the Latin word *saeculum*, which meant a generation, or an age, or the spirit of an age and could also signify the span of a century (Taylor).
7. The status of 'secularism' in the Indian constitution after the 42nd amendment has been hugely contested. 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 (Levey and Modood).

5. The Colonist Contribution Towards Indian Secularism

5.1. Toward the start of the 17th century of Portuguese took after by their Dutch, the French and the British came to India. Initially having sought reasons for exchange these East India Companies started to colonize the land. Before long, competition ascended among them until the point when every one of them aside from the English East India Company lost hold over their regions and needed to take off. The passage of the colonialist denotes a noteworthy defining moment ever of. The English East India Company was the overwhelming force on India by the beginning of the nineteenth century. It additionally prevailing with regards to assuming control Sri Lanka and the North Eastern territories. The company vanquished Maharatha in 1813, Sind in 1843 and Sikh kingdom of Punjab in 1849 built up itself as a solid power on the subcontinent. Its success of the land was inspired by a longing to accommodate the reasons for smooth business a steady government and temperate conditions. Under the establishing authority of Clive, Hastings and Cornwallis the company could bring the entire thought of India under the British run the show. Amid this same time secularism was picking up fame and endorsement in England. As an obvious reality, the origin of the expression "secularism" as of late is related with George Jacob Holyoake (1817-1906) and Charles Bradlaugh (1833-1891). As indicated by Holyoake, Secularism was a prompt journey for the physical, good and scholarly improvement of human instinct to its most elevated conceivable degree.

5.2. Philosophy was deficient, questionable and incredible in such a quest, argued Holyoake. The cutting edge secularism and logical viewpoint had just started to have an effect of England and

started to inspire itself on the Indian cash through the pioneer organization in India. Secularism is the foundation of the Indian Constitution. As per article 25, each one of the individuals who dwell in India are allowed to admit, hone and spread religion of one's decision subject obviously to social well-being and peace. The pluralistic character of the nation, which has been ascribed as the best resource of India, some of the time, be that as it may, turns into the risk when collective craze comes to fruition. Henceforth, the part of broad communications turns out to be critical in keeping up the pluralist character of the general public and along these lines reinforcing the majority rule government of the nation. The status of "secularism" in the Indian constitution after the 42nd amendment has been hugely contested. The opinions of the justices in the selected cases constitute, according to Panikkar, ' by far the most significant interpretation of the secular character of the Indian constitution to date'. Constitution does not use the word secularism in any of its provisions are inspired by the concept of secularism

6. Meaning of secularism and its jurisprudential view

6.1. Secularism as a concept an ideal is contested to terrain and started from what might be minimalist and possibly the least controversial norm, that a state and its institutions must enable equal opportunities(Liew) (Pritam Singh, 2005). The word secularism is derived from the Latin saeculum, meaning a generation of this age and corresponds to the Greek aeon. Its meaning extends to connote also this worldly, thus its lower Latin from saecularis means worldly. The law, state and the religion are three vast concepts of law. Secularism is the word which shows the relationship between the concept of law. It is generally understood that secularism implies religious tolerance. But it is so difficult to explain real meaning of secularism. Secular traditions are very deep rooted in the history of India. Indian culture is a composite one which is based on the blending of various spiritual traditions and social movements. In ancient India, Santam dharma(Hinduism) was basically allowed to develop as a holistic region by welcoming different spiritual traditions and trying to integrate them into a common mainstream. Sometimes the word secularism is used as a contrast with the word religious, which lead people to believe that secularism is opposed to religion. But in reality rather than remaining opposed to religion, Secularism takes a dispassionate view in running the affairs of the state. In the context of India it connotes treatment of all religions on a footing of equality and ruling out of discrimination.

Secularism in India throat of Indians lacks evidence. If the Government had made laws on the basis of Christianity alone and not in accordance with the developing ideas of secularism, it would surely have also interfered in the religious practices of Indian religions that did not accord with the concept of Christianity. But the Government didn't do so because its policies were more oriented towards secular humanism. Vishal notes that traces of this secular humanism are evident even in Macaulay's speech in India's freedom.

6.2. Promotion of Secular, Modern, and Scientific Outlook. Before the arrival of the colonialists, there were no educational institutions in India; only Brahmins were considered qualified for higher education - that too in ancient texts. When the House of Commons debated the renewal of the Charter of East India Company in 1792-93, Wilberforce suggested the adoption of such steps as would lead to the advancement in useful knowledge of the people of India. He suggested that schoolmasters and missionaries be sent to educate the people of India in modern knowledge. However, Wilberforce's move was opposed on the argument that the Hindus had 'as good a system of faith and morals as most people'. A few years later, Charles Grant, one of the Directors of the Company, submitted a memorandum in which he suggested that the only way by which the moral condition of Indians could be improved was by imparting to them a knowledge of the English language which would become a means by which a world of new ideas would be opened to them. Lord Minto, in 1811, suggested the improvement of existing colleges in addition to the establishment of new ones for the development of literary and scientific awareness in India. In 1813, a clause was inserted in the Charter Act that stipulated the setting apart of a sum of not less than one lakh rupees every year for the purpose of revival and improvement of literature and for the introduction and promotion of knowledge of the sciences among the inhabitants of the British territories in India.

6.3. The Christian Missions in Danish territories were already doing significant work in the field of Education by now. Now, the British Government itself was beginning to see the value of education for the betterment of India (Marbaniang). In 1823, Mr. Adams appointed a Committee of Public Instruction to make suggestions with regard to the same. The preoccupation with the First Burmese War, however, hampered their work. In his Minute of 1823, Elphinstone urged the establishment of schools for teaching of English and European sciences. The Orientalists,

however, were in favour of education in the oriental languages (Sanskrit and Arabic). Such a controversy made the Government to set up a Committee to settle it. Lord Macaulay was appointed the Chairman of the Committee in 1835. On February 2, 1835, Macaulay presented a Minute that argued the importance of modern education through the English language. Part of his argument was that Sanskrit was itself a dead language and the books written in it conveyed information of the least value for the modern context. In comparison, the English language had books rich in literature, science, arts, philosophy, politics, trade, and so on. He said, 'Whoever knows that language has already access to all the vast intellectual wealth which all the wisest nations of the earth have created and hoarded in the course of ninety generations.' Earlier on he had argued in the House of Commons: 'The question before us is simply whether, when it is in our power to teach this language-English-we shall teach languages in which, by universal confession, there are no books on any subjects which deserve to be compared to our own. Consequently, on March 7, 1835, Lord William Bentick passed a resolution in approval of Macaulay's Minute. The resolution emphasized the employment of all educational funds on English education alone and the discontinuation of Government funds towards oriental.

7. Difficulties of secularism in India

7.1. India is known for its social heterogeneity as for dialect and religion. Hindus constitute the lion's share, while the Muslim constitutes the biggest minority (Abdullah and Salim Abdullah). The hostility between the Hindus and Muslims was to a great extent the production of the English rulers. With a specific end goal to keep themselves in control, they received an arrangement of 'separation and administer' and endeavor to advance sentiments of threatening vibe among the individuals from these two networks. After long history of freedom, at show too, the absence of appropriate change between them has regularly brought about a rough upheaval and public mobs tragically turns into a genuine test to common personality of our nation. Then again, all the time the political gatherings including the national gatherings, to some of the time comma don't enabled secularism to outweigh their political intrigue. The electorate in india, guided by convention has a tendency to be receptive to bids in light of position, religion and dialect.

7.2. Initially is the rule of freedom, which requires that state allow the act of any religion, inside the farthest point set by certain other fundamental rights. second is the standard of balance, which requires that the state don't give any inclination to one religion over another. The third standard is lack of bias which is best portrayed as the prerequisite that the state not offer inclination to the religions over non religious and which leads in continuation with the freedom and balance standards. By mainstream country, we mean a country which has majority of religions yet which does not recognize itself with any of them either by making religion as its arranging rule or in different ways. All country states are not common. There a few states, including a large portion of the Bay and Middle Easterner nations like, Pakistan, Malaysia and Brunei in Asia and Israel, which are not mainstream.

8. Secularism in India and under the Indian Constitution

8.1. Connection amongst religious and the individual, the mainstream State. Liberal equitable custom of the west and it is additionally said to be basically that which can be gotten from the Indian Constitution itself (Liew; Habermas) (Donald Eugene, 1963). Constitution of India is embraced an arrangement of political rationality that all types of religious confidence and love are of equivalent status and has acknowledged the view that government funded training and different issues of open strategy ought to be directed with the presentation of religious conclusions. Indian constitution has expounded the rule of secularism in awesome detail. The idea of secularism isn't new to India. The vision of secularism-'sarwa dharma sambhava', that is, resilience for all religions-has dependably been there in our nation and has its foundations in the Yajur veda, atharva veda and apparatus veda. Anyway the word secularism was not utilized as a part of the Indian Constitution until 42nd alteration in 1976, which consolidated the word unequivocally in the introduction. The genuine instruction can become just in mainstream condition of nation. A common state is one which perceives each subject as equivalent and does not perceive any social or religious gatherings. Be that as it may, for all intents and purposes, in secularism there is likewise resilience of all religions with extraordinary accentuation on the insurance of minorities and protection of shared agreement. India is accepted as a country in hypothetical stage where as strains of assorted types are making near.

8.2. The Hon'ble Incomparable Court of India, which is viewed as the watchman of constitutionalism in india. The Hon'ble Incomparable Court of India in sardar taheeruddin syedna saheb v. Territory of Bombay AIR 1962 SC 871, 853 out of the blue clarified the idea of secularism wherein Ayyangar, J., clarified article 25 and 26 exemplify the rule of religious toleration that has been the trademark highlight of Indian Human progress from the beginning of history. The occasions and periods when this element was truant being just variations. Plus, they serve to underline the mainstream idea of Indian popular government which the establishing fathers thought to be the plain premise of the constitution.

9.Suggestions

9.1. Presumably of the change of individual laws of various networks and the authorization of uniform common code isn't a simple assignment. It is exceptionally questionable and touchy issue. The investigation is additionally troublesome. In this paper the uniform common code ought not be executed. It gets executed then the secularism idea won't be demonstrated. The secularism idea will wind up illegal. The secularism idea lead will get ignored. The following issue confronted is the deficient training and station framework. In India there is no secularism in view of the position framework. On the off chance that a poor needs to get instruction framework is faulty. At the point when the training and the station framework is damaged ten the secularism idea manage will be disregarded and won't be material in the present situation

10.Conclusion

Amid its long improvement the expression "secularization" has frequently served the partisans of contention and has always gone up against new implications without totally losing old ones,. Thus it is swollen with hints and suggestions, particularly those related with apathy or threatening vibe to whatever considered "religious". There is change in secularism idea. The elective theory is demonstrated. The various beginnings of Indian secularism ascend as a legitimating vocabulary of political talk, as highlighted by this article. Dependent upon the significance attributed to "being normal", the association among religion and administrative issues can be imagined similar to separation or closeness, forbiddance or consolidation. In the occasion that Article 371F of the Indian Constitution that appreciates one of a kind game plans

for the blend of a religious Sikkim and declared its change into a fame based state reveals the serious significance of secularism, by then the dynamic redoing of Sikkim as a blessed scene in the contemporary setting of state-facilitated headway and the state governments tries to change Sikkim into a point of convergence of trip indicates both the commodification of religion and the reconstitution of its standard inspiration.

References

1. Abdullah, M. Salim, and M. Salim Abdullah. "The Religion of Islam and Its Presence in the Federal Republic of Germany." *Institute of Muslim Minority Affairs. Journal*, vol. 10, no. 2, 1989, pp. 438–49.
2. Das Acevedo, Deepa, and Deepa Das Acevedo. "Secularism in the Indian Context." *Law & Social Inquiry: Journal of the American Bar Foundation*, vol. 38, no. 1, 2012, pp. 138–67.
3. Dhyani, S. N. *Secularism: Socio-Legal Issues*. 1996.
4. Farha, Mark. "Secularism in a Sectarian Society? The Divisive Drafting of the 1926 Lebanese Constitution." *Constitution Writing, Religion and Democracy*, pp. 101–30.
5. Finnis, John. "SECULARISM AND 'THE CULTURE OF DEATH.'" *Religion and Public Reasons*, 2011, pp. 328–43.
6. Formichi, Chiara. "Religious Resistance and Secular Politics: Laying the Foundations of the Indonesian State (1945-1947)." *Islam and the Making of the Nation*, pp. 79–108.
7. Giddy, Patrick. "Why Theology Can and Should Be Taught at Secular Universities: Lonergan on Intellectual Conversion." *Journal of Philosophy of Education*, vol. 45, no. 3, 2011, pp. 527–43.
8. Gledhill, Alan. *The Republic of India: The Development of Its Laws and Constitution*. 1951.
9. Habermas, Jürgen. "On the Relations Between the Secular Liberal State and Religion." *Political Theologies*, 2006, pp. 251–60.
10. Kosmin, Barry Alexander, and Ariela Keysar. *Secularism & Secularity: Contemporary International Perspectives*. ISSSC, 2007.

11. Kuru, Ahmet T. "Secularism and State Policies toward Religion." *Secularism and State Policies toward Religion*, pp. xix – xx.
12. Levey, Geoffrey Brahm, and Tariq Modood. *Secularism, Religion and Multicultural Citizenship*. Cambridge University Press, 2009.
13. Liew, Ten Chin. "Secularism and Its Limits." *State and Secularism*, 2010, pp. 7–21.
14. Marbaniang, Domenic. *Secularism in India: A Historical Analysis*. Domenic Marbaniang.
15. Moyn, Samuel. "1. Religious Freedom and the Fate of Secularism." *Religion, Secularism, and Constitutional Democracy*, 2015.
16. Nandy, Ashis. "The Twilight of Certitudes: Secularism, Hindu Nationalism and Other Masks of Deculturation." *Postcolonial Studies*, vol. 1, no. 3, 1998, pp. 283–98.
17. Raghavendra Rao, K. "Caste, Secularism and Democracy in India." *International Journal of Comparative Sociology*, vol. 7, no. 1, 1966, pp. 197–208.
18. Smith, Graeme. *A Short History of Secularism*. I.B.Tauris, 2007
19. Taylor, Charles. "10. A SECULAR AGE OUTSIDE LATIN CHRISTENDOM: CHARLES TAYLOR RESPONDS." *Beyond the Secular West*, 2016.
20. Watson, Brenda. "Democracy, Religion and Secularism: Reflections on the Public Role of Religion in a Modern Society." *Journal of Beliefs & Values*, vol. 32, no. 2, 2011, pp. 173–83.
21. Dr.Lakshmi T and Rajeshkumar S "In Vitro Evaluation of Anticariogenic Activity of Acacia Catechu against Selected Microbes", International Research Journal of Multidisciplinary Science & Technology, Volume No. 3 , Issue No. 3, P.No 20-25, March 2018.
22. Trishala A , Lakshmi T and Rajeshkumar S, " Physicochemical profile of Acacia catechu bark extract –An In vitro study", International Research Journal of Multidisciplinary Science & Technology, Volume No. 3 , Issue No. 4, P.No 26-30, April 2018.

