

Who is Secular in India?

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I may be permitted to start this paper with a personal statement because some controversial issues would be raised in the paper and I want it to be understood in advance that personally I am deeply committed to secularism. I sincerely believe that the State must be secular, our polity must be secular and that as a country we are all that much richer by the fact that we are multi-religious, multi-ethnic, multi-cultural, multi-lingual and diverse but united. In my belief I am reinforced by the Constitution whose Preamble mandates that we shall be a secular, democratic republic. Fortunately the Constitution itself defines secularism, not in so many words but through the tenor of the Constitution as given in the Preamble, in Part III which refers to the Fundamental Rights, Part IV which the Directive Principles of State Policy gives and Part IV A which gives the Fundamental Duties. Social, economic and political justice means justice for all and no State which is not secular can possibly dispense this kind of justice to all its citizens. The liberty of thought, expression, belief, faith and worship means that regardless of his own religious beliefs the Constitution gives citizen the liberty to hold these beliefs. The Preamble calls for equality of status and opportunity and it is only a secular State, which views all citizens through a common lens, which can ensure such equality. The Preamble also states that it is our duty to secure fraternity for all the citizens and whereas fraternity can only flourish in a secular environment, it is fratricide which flourishes in a State whose polity is based on narrow minded theocracy.

The part dealing with the Fundamental Rights further clarifies the meaning of secularism in another context. Article 14 makes equality before law and the equal protection of law fundamental to our existence as citizens of India. A theocratic State distinguishes between citizens and, therefore, equality before law cannot be ensured for everyone. Article 15 specifically prohibits discrimination on grounds of religion, race, caste, sex or place of birth. Article 21 ensures protection of life and personal liberty of every citizen, Article 25 mandates freedom of conscience and free profession or practice and propagation of religion, which provision covers every religion in India and the world. Article 29 provides for special protection of the interests of minorities. Article 38 directs the State to secure a social order for the promotion of welfare of the people, not some of the people but all of the people. Article 51-A makes it the fundamental duty of every citizen, among other things, “to promote harmony and the spirit of common brotherhood amongst all people of India, transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women” Equally important is Article 326 which states that elections will be on the basis of adult suffrage, that is, every citizen of India above the age of eighteen is entitled to be registered as a voter and to exercise his franchise at the time of elections. There is no discrimination in this behalf on account of religion, caste, class, gender or place of birth. There are no separate electorates and the vote of a Hindu, a Muslim, a Sikh, a Parsee, a Christian, a pagan, an atheist or an agnostic has the same value. Apart from my own personal commitment to secularism the Constitution orders that I shall be secular and, therefore, India can only be a secular State.

When British India split at Partition into the State of Pakistan, which was unashamedly an Islamic State and India, which opted for secularism, because of the nature of Partition our interpretation of secularism became rigidly related to the question of equality between Hindu and Muslims. Communalism, therefore, came to be defined as a condition in which Hindus and Muslims were in conflict and that this often manifested itself in violence. If, however, there was peace between Hindus and Muslims the situation was not considered communal and, therefore, secularism was said to prevail. This became so embedded in our thinking that no other forms of communalism were ever considered as such by our politicians, our officials and, generally speaking, the citizens at large. That is not how the Constitution defines secularism. Under Article 15 discrimination on grounds of religion is only one of the factors in determining whether the State is secular or not. There are other grounds also, such as race, caste, sex or place of birth. Even within the same religion if caste is exploited selfishly than this, too, becomes a form of communalism. Under section 29-A (5) of Representation of The People Act, 1951, every political party which seeks registration with the Election Commission has to contain in its memorandum of rules and regulations a specific provision that the party will bear true faith and allegiance to the Constitution and, among other things, to the principle of secularism. Such secularism naturally cannot confine itself to religion or religious faith and must cover the issues of caste, race, sex and place of birth also. A party which promotes caste interests only, discriminates on account of gender, is exclusively regional and shuts out national interests cannot be deemed to be secular. Here the definition of secularism itself stands enlarged and expanded.

In understanding the word “secular” recourse must also be had to the Indian Penal Code. Section 153 A IPC defines as an offence anything which promotes enmity between different groups on grounds of religion, residence, language, etc., and doing anything which is prejudicial to the maintenance of harmony. Whether it be the Constitution, the Representation of The People Act, 1951, or the Indian Penal Code, secularism is not confined to religious conflict between Hindus and Muslims and covers virtually every aspect of life in the country.

In this behalf it might be worth looking at the dictionary meaning of the word “communal”. The Chambers Twenty-first Century Dictionary defines it as “that relating or belonging to a community”. The same dictionary defines community variously as “a group of people living in a particular place, a group of people bonded together by a common religion, a nationality, occupation; a religious or spiritual fellowship of people living together; the quality or fact of being shared or common”. Secularism is defined as “the view or belief that society’s values and standards should not be influenced or controlled by religion or the Church”. Fortunately our constitutional definition of secularism as enshrined in Article 15 goes beyond Church, spirituality and religious belief because it covers caste, place of birth, gender, apart from creed. It is in this wider context that we must view secularism if we are to become a truly secular State.

Unfortunately reality is far removed from this ideal of secularism. For example, many of us consider Narendra Modi to be communal because he is alleged to promote the idea of Hinduism to the detriment of Islam. What about Mulayam Singh Yadav who promotes the concept of backwardness as a class or caste for the purpose of politics? What about V.P. Singh who accepted the Mandal Commission report which talks of multitudes of sub-castes within Indian castes, identifies the so-called other backward castes and in a colourable exercise of its mandate classifies these as other backward classes? Because the Constitution prohibits

discrimination on account of caste but promotes special provisions to be made to promote the interests of social and economically backward classes of citizens, the Mandal Commission defines as a class whole sub-castes which do not constitute a class in the normally understood sense of the word. Under the guise of classification as a class rather than a caste the RJD of Lalu Prasad Yadav and Samajwadi Party of Mulayam Singh Yadav openly and unashamedly appeal to a whole segment of the population defined as OBC. The invoking and exploitation of the OBC factor divides the Hindu community along caste lines and an electoral appeal made in this behalf, therefore, can well be said to promote communalism and deviate from secularism. That, however, is not how these politicians view such blatantly sectarian attributes, which is unfortunate.

As already stated, communalism based on religion divided India in two, India and Pakistan. But what about caste and region based communalism? The politics of caste virtually replaced all ideology based politics. When deciding on candidates for an election parties no longer look for persons who are honest, dedicated to the party programme, are locally respected and who can be trusted to contribute meaningfully to proceedings in the legislature. Instead it is now very much a case of working out caste equations in a constituency and selecting candidates whose caste affiliations can garner votes. It matters little that the candidate might be a well known criminal, semi-literate at best and with a low moral character. So long as he is from the dominant caste all these factors do not matter. That is why the Gujarat elections are not being fought on the basis of credo, issues of good governance or the ideology of the contending political parties. Instead exercises are being conducted to ascertain whether the Leuva Patels will side with Keshubhai Patel or with Narendra Modi. Is this how low we have sunk?

Communalism based on region and territoriality is equally dangerous. The State of Maharashtra is a constituent State of the Union of India under Article 1 of the Constitution read with the First Schedule, in which Maharashtra figures at Entry 8. The city of Bombay is both the capital of the State and India's largest city and busiest seaport. Under Article 19 every Indian has the right to travel to that State and city, settle there and practise any trade, profession, business or occupation. But the Shiv Sena, dependent on its region based communal status, violently targets outsiders, especially Biharis, UPites and Mangaloreans, to name just three. A pusillanimous State hums and haws but takes no action to counter such communalism. This brand of communalism hits at the very roots of the Constitution, as do the separatist movement in Bodoland, militancy and separatism in Jammu & Kashmir, the agitation in Telangana and insurgency in Nagaland. Let us recognise these as fissiparous and divisive and not elevate them to a heroic or revolutionary status. They are all blatant examples of extreme communalism. Between caste and religion communalism and regional communalism India is facing not partition but extreme Balkanisation and fragmentation.

Mayawati in Uttar Pradesh and her Bahujan Samaj Party (BSP) have a specific Dalit agenda. The Constitution does promote special provisions for the scheduled castes and scheduled tribes and to the extent that an appeal is made to these sections of the community to unite and fight for their rights I would consider this a legitimate exercise of the constitutional rights given to these communities. Empowerment of these communities is mandated by the Constitution. However, when this appeal becomes divisive it automatically becomes communal. Similarly, when an appeal is made to Muslims to collectively vote as a community for a particular party, this becomes an exercise in communalism. I personally do not think that Muslims are like driven sheep and that they would vote collectively because come religious

leader or unscrupulous politician asks them to do so. However, an appeal to them to vote in a particular manner because they are Muslims is definitely an exercise aimed at disturbing the secular balance and promoting communal interests. Because the issue of Hindu-Muslim harmony is sensitive a communal appeal to Muslims as such can and quite often does trigger an opposite Hindu reaction and this frequently erupts into communal violence. However, the so-called secular parties are living quite happily with communalism which aims at polarising Muslim votes, appeals to particular sections of the community, mobilises particular castes and seeks votes on this account rather than on specific issues of general public welfare and promotion of a particular political ideology. They consider this to be legitimate and secular. If, however, a politician or a party tries to consolidate and polarise Hindu votes that party or politician is immediately condemned as communal. The so-called secularists consider Narendra Modi to be that satanic icon who openly promotes communalism. Rahul Gandhi touring eastern U.P. with a fortnight's hirsute stubble on his face in order to give an impression of inclining towards Islam is considered by the Congress to be in public interest, aimed at promoting secularism. Narendra Modi promoting Hindutva and appealing to Hindu voters is immediately condemned as being communal. I do not condone the seeking of the votes of a particular religious group, in the case of Modi the Hindus. However, the antics of Rahul Gandhi in the UP elections are on par with what is being condemned in the case of Narendra Modi and it is about time that the Congress realises this.

In the ultimate analysis, because of sheer demography, it is the Hindus who will determine which party will rule India. The evidence so far is that the average Hindu voter is basically secular, is quite prepared to vote for what, in his perception, will give him good government and to exercise his franchise in favour of a candidate of choice regardless of his religious or caste alignment. He is often misled, but he remains open to a secular appeal which promises good government. The misfortune is that whereas the instinct of the voter is to be secular, the selfishness of our politicians and political parties makes them totally amoral in the matter of a communal agenda, generally disguised as a package of programmes for the poor and the down-trodden. In this if an honest attempt is made to appeal to a majority of the voters, who happen to be Hindus, that is deemed to be communalism almost as if it were a sin to seek the support of the majority community. For India to be truly secular the parties will have to develop an ideology and programme based approach to politics in which the secular prevails and the communal is submerged. This is certainly where Narendra Modi scores over Malai Baba—I mean Rahul Gandhi. Modi talks of the “asmita” . or justifiable pride of five and a half crore Gujaratis. Malai Baba talks of how unsafe Muslims are in Gujarat without volunteering to personally play guard dog to them. He imitates a Muslim in eastern U.P. and mimics a Sikh in the Golden Temple, while his mother, born a Roman Catholic, makes a public show of bathing in the Ganga at Prayag at the time of the Kumbh. Therefrom comes a new definition of secularism – HYPOCRISY AND AFFECTATION. Long live secular Bharat!
