Original Article

Fundamental Principles and Evolving Narratives of Secularism in Indian Democracy: A Critical Appraisal

Nida Fatima [1]

Research scholar

University Department of Political Science

Binod Bihari Mahto Koylanchal University,Dhanbad(Jharkhand)

Dr. Jitendra Aryan [2]

Assistant Professor

University Department of Political Science

Binod Bihari Mahto Koylanchal University,Dhanbad(Jharkhand)

Abstract:

Secularism, a cornerstone of India's constitutional framework, ensures state impartiality across religious denominations. Formalized in the Preamble via the 42nd Amendment (1976), its ethos was inherent from 1950, with Articles 25–28 guaranteeing religious freedom and state neutrality. This fosters interfaith harmony, protects minority rights, and upholds democratic inclusivity in India's diverse society. Indian secularism, rooted in *sarva dharma sambhava*—equal respect for all faiths—diverges from Western models by engaging with religion to ensure equitable treatment, enabling free practice while preventing discrimination. Secularism's integrity is threatened by identity-driven politics and value erosion. Political exploitation of religious sentiments for electoral gains blurs governance-faith boundaries, fostering communal polarization and selective legal enforcement. This marginalizes minorities, undermining non-discrimination principles. Majoritarian narratives challenge the pluralistic vision, reducing secularism to a rhetorical tool, subordinated to political expediency, and threatening democratic cohesion. This study examines secularism's ideological foundations, its interplay with federalism and pluralism, and evolving narratives. Federalism supports diverse religious practices, while pluralism sustains India's multicultural fabric. Yet, communalism disrupts these synergies, necessitating renewed commitment to secular principles. The analysis highlights secularism's erosion and advocates its revitalization to safeguard India's pluralistic ethos.

Keywords: Secularism, Pluralism, Federalism, Communalism, Democracy

Background of the Study

Secularism, defined as the state's neutrality toward all faiths, anchors unity in diverse societies. In India, this principle adapts to a complex cultural mosaic, ensuring fair treatment across religions without favoring any. Distinct from Western secularism's rigid divide between faith and governance, India's approach embraces religious diversity to safeguard individual and communal liberties (Chishti, 2004)[1]. Secularism means sarva dharm sambhav that means universal tolerance or equivalence of all religions. Grounded in—equal respect for all beliefs—this model shapes India's democratic structure, striving to maintain harmony and justice within a nation of vast religious, linguistic, and cultural variety (Raghav, 2006)[2].

Historically, Indian secularism has evolved dynamically. During the freedom struggle, it united varied communities under a shared national cause, bridging religious divides. After 1947, the Constitution wove this spirit into Articles 25–28, securing religious freedom while mandating state impartiality (Singh & Deva, 2005)[3]. The 1976 42nd Amendment's inclusion of "secular"

in the Preamble cemented this identity. India's federal system, by dispersing authority, accommodates regional religious practices, while its pluralistic foundation nurtures cultural diversity. These mechanisms have historically strengthened secularism, enabling governance of a heterogeneous society while upholding equality and inclusivity (Rajagopalan, 2004)[4].

Yet, communalism's rise threatens this framework. Political tactics leveraging religious identities for votes deepen social rifts, marginalize minorities, and weaken secular values (Vanaik,1992)[5]. This shift subverts the Constitution's commitment to impartiality, replacing unity with division. Examining these challenges is vital to preserve India's democratic core. This study probes secularism's interaction with federalism and pluralism amid current tensions. Its aims are: (1) to assess the ideological shifts and modern narratives defining Indian secularism, and (2) to explore how federalism and pluralism can counter communalism, bolstering secularism's role in sustaining India's democratic and pluralistic character.

Constitutional Foundation of Secularism in India

The Indian Constitution establishes secularism as a core tenet, reflecting the nation's commitment to religious neutrality and equality. The Preamble, amended by the 42nd Constitutional Amendment of 1976, explicitly declares India a "secular" republic, though this ethos was implicit from the Constitution's adoption in 1950 (Orgad,2010)[6]. Key provisions underpin this framework. Article 14 guarantees equality before the law, prohibiting discrimination. Article 15 prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. Articles 25–28 form the bedrock of religious freedom: Article 25 ensures the right to profess, practice, and propagate religion; Article 26 grants religious denominations the right to manage their affairs; Article 27 prohibits taxation for promoting any religion; and Article 28 bars religious instruction in state-funded institutions. Article 30 further empowers minority communities to establish and administer educational institutions, safeguarding their cultural and religious identity (Bhatia, 2016)[7].

India's secular model diverges from Western secularism, which often enforces a rigid church-state divide. Instead, Indian secularism embraces *sarva dharma sambhava*, ensuring equal respect for all faiths without privileging any. The state engages with religion to regulate practices that may infringe on public order, morality, or health, as seen in laws addressing untouchability or dowry. This approach balances individual liberties with collective harmony, reflecting India's pluralistic ethos (Galanter,1965)[8].

The evolution of the Basic Structure doctrine in India represents a persistent tension between the Judiciary and the Executive, particularly concerning constitutional amendments related to land reform (Raza,2015)[9]. This culminated in the landmark *Kesavananda Bharati v. State of Kerala* (1973) case, which established that constitutional amendments must not violate the Constitution's fundamental principles—collectively known as the Basic Structure. Although secularism was not the central issue in this case, several judges acknowledged it as a core constitutional value. Justice Sikri mentioned secularism among foundational principles, while Justices Shelat, Grover, and H.R. Khanna offered detailed interpretations, emphasizing religious freedom, equality, and the prohibition of discrimination based on religion.

Over time, secularism has evolved within Indian jurisprudence, extending beyond religious neutrality to encompass equal respect for all religions and the protection of minority rights. A notable judicial expansion occurred in *Indra Sawhney v. Union of India* (1992), where Justice Kuldip Singh, in dissent, viewed caste-based reservations as contrary to secularism—interpreting secularism as a caste-free, unified social vision. This interpretation broadened secularism's scope beyond religion to include social justice, demonstrating judicial activism (Das, 2023)[10]. The most decisive endorsement came in *S.R. Bommai v. Union of India* (1994), where the Supreme Court formally declared secularism as part of the Basic Structure. Although the case focused on the dismissal of State Governments, judges emphasized that secularism required impartial governance, religious equality, and separation between religion and state affairs. Various interpretations emerged—ranging from a strict divide between state and religion to the concept of "Positive Secularism," which respects religious diversity while focusing governance on material life. Despite diverse views, the consensus affirmed secularism's inviolability within the constitutional framework.

The judiciary has resisted rigidly defining secularism, acknowledging its conceptual flexibility. This lack of precise boundaries raises concerns over potential subjective interpretations. Nonetheless, core principles consistently emerge: a distinction between personal faith and public governance, equal treatment of all religions, and protection for marginalized communities. These underscore secularism's role in upholding religious freedom, equality, and inclusive governance. The evolving nature of secularism, while adaptable, necessitates clearer interpretive boundaries to prevent ambiguity and ensure alignment with the Constitution's broader goals of justice, liberty, and fraternity.

Intersections of Secularism, Federalism, and Pluralism in India

Secularism, federalism, and pluralism are foundational principles that collectively uphold India's democratic and constitutional framework. Secularism ensures the state remains neutral in matters of religion, treating all faiths equally without promoting or interfering in religious affairs (Mahajan, 2017)[11]. Federalism allows diverse regions with distinct linguistic, cultural, and religious identities to coexist under a shared constitutional structure, distributing powers between the central and state governments (Ganguly, 2003)[12]. Pluralism, on the other hand, recognizes and respects India's vast diversity in ethnicity, language, religion, and culture. Together, these principles work synergistically to preserve India's unity in diversity by promoting inclusive governance, decentralization, and equal representation of all communities.

The interrelation between these principles becomes evident in India's political and administrative setup. Federalism provides space for regional aspirations and identity politics, which are essential in a pluralistic society. At the same time, secularism safeguards minority rights across states, ensuring that religious and cultural differences do not become grounds for discrimination or exclusion. Pluralism fuels this dynamic by encouraging social cohesion and mutual respect among diverse communities. However, tensions arise when state policies challenge secular ideals or when federal autonomy is undermined by central overreach. For instance, conflicts over religious conversions, language imposition, and state-level laws regulating interfaith marriages have led to friction between state governments and the Centre, threatening the balance among these principles (Upadhyaya, 1992)[13].

In recent years, several developments have tested this delicate balance. The Citizenship Amendment Act (CAA), the National Register of Citizens (NRC), and rising communal tensions have raised concerns about the erosion of secular values and the marginalization of religious minorities (Chandrachud, 2020)[14]. Simultaneously, the abrogation of Article 370 in Jammu and Kashmir was seen by many as a weakening of federalism, as it dissolved the state's special constitutional status without broad local consensus (Alam, et. al. 2020)[15]. Issues such as the imposition of Hindi as a national language and resistance to central laws by southern states also reflect ongoing challenges to pluralism and federal unity. These developments have sparked debates about the future of India's commitment to unity in diversity, emphasizing the need for reaffirming constitutional values that promote cooperation, respect, and inclusion across religious, regional, and cultural lines. To preserve India's democratic ethos, it is essential that secularism, federalism, and pluralism continue to operate in harmony, reinforcing each other rather than becoming sources of conflict.

Evolving Narratives of Secularism

Post-independence, Indian secularism was marked by idealism, rooted in the vision of leaders like Jawaharlal Nehru, who championed unity through diversity (Embree, 2012)[16]. The Constitution's secular framework aimed to integrate India's pluralistic society into a cohesive democratic state. However, over decades, this idealism has given way to political pragmatism. The rise of identity politics and vote-bank strategies has shifted secularism's narrative. Political parties increasingly exploit religious sentiments to mobilize voters, blurring the line between faith and governance. This shift has birthed accusations of "pseudo-secularism," where policies perceived as appeasing minorities are criticized by majoritarian groups, fostering counter-narratives that equate secularism with minority favoritism (Khan,2016)[17].

Political parties, media, and civil society significantly shape these narratives. Parties like the Congress historically positioned themselves as secular, but their reliance on minority vote banks has drawn scrutiny. Conversely, parties like the Bharatiya Janata Party (BJP) advocate a cultural nationalist framework, often challenging secularism's inclusivity (Jain, 2016)[18]. Media amplifies these divides, with polarized reporting fueling public discord. Civil society, including NGOs and interfaith groups, strives to counter these trends, but their reach is limited. The evolving narrative reflects a tension between constitutional ideals and political realities, with secularism increasingly viewed as a contested space rather than a unifying principle.

Contemporary Challenges to Secularism

Indian secularism faces significant contemporary challenges, including communal polarization, religious intolerance, and legal controversies. Communal polarization, fueled by identity politics, has deepened social divides, with incidents of mob lynching and hate speech targeting minorities (Thapar, 2007)[19]. Legal and policy controversies, such as the Citizenship Amendment Act (CAA) and National Register of Citizens (NRC), have sparked debates about discriminatory intent, as they appear to prioritize certain religious groups. The Uniform Civil Code (UCC) proposal, while aimed at legal uniformity, raises concerns about eroding minority personal laws, further straining secular principles. The misuse of religious identity in elections undermines democratic fairness. Political campaigns often invoke religious symbols or rhetoric, violating the Representation of the People Act, 1951, yet enforcement remains lax. This erodes social harmony and national unity, as communities grow mistrustful of state impartiality. The impact is evident in rising communal violence and declining interfaith trust, challenging India's pluralistic fabric. Addressing these issues requires robust legal, political, and social interventions to restore secularism's credibility (Saikh, 2024)[20].

Three pivotal events illustrate the changing secular fabric: the Babri Masjid verdict and the Triple Talaq legislation (Siddiqui, 2021)[21]. The *Babri Masjid* case culminated in the Supreme Court's 2019 verdict, granting the disputed Ayodhya site to Hindus for a Ram temple while allotting Muslims an alternative site. While legally resolving a decades-long conflict, the verdict was perceived by some as favoring majoritarian sentiments, raising questions about secular impartiality. The *Hijab ban* controversy in Karnataka (2022) saw schools prohibiting hijab-wearing students, sparking protests and legal battles. The Karnataka High Court upheld the ban, citing uniformity, but critics argued it violated Article 25's guarantee of religious freedom, highlighting tensions between secular governance and individual rights.

The *Triple Talaq* legislation (2019), criminalizing instant divorce among Muslims, was framed as a women's rights reform. It faced criticism for targeting Muslim personal law, with opponents arguing it reflected selective secularism. These cases underscore the complexities of applying secular principles in a diverse society, where legal decisions often carry profound social and political ramifications.

Critical Appraisal

The gap between secularism's constitutional ideal and political reality is stark. Constitutionally, secularism is a robust framework, upheld as a basic structure in *Kesavananda Bharati* and reinforced through judicial activism (Pantham, 1997)[22]. So far, politically, it is undermined by communal rhetoric and vote-bank strategies. Secularism operates as both a legal framework and a lived practice, but its implementation falters when state actions appear biased. For instance, uneven enforcement of laws against hate speech or communal violence erodes public trust in state neutrality. The judiciary plays a pivotal role in preserving secularism, with landmark rulings like *S.R. Bommai v. Union of India* (1994) affirming that secularism precludes the state from promoting any religion. However, judicial decisions in cases like Ayodhya or the Hijab ban have sparked debates about balancing competing rights. Civil society, through interfaith initiatives and advocacy, counters communalism, but its impact is limited by polarized narratives. Education is critical, yet curricula often fail to emphasize secular values, leaving youth vulnerable to divisive ideologies. This appraisal reveals that while secularism's legal foundation is strong, its social and political practice requires urgent reinforcement.

Way Forward

Reaffirming India's constitutional commitment to secularism demands multifaceted strategies. Strengthening civic education is paramount, integrating secular values into school curricula to foster tolerance and critical thinking. Interfaith dialogue, facilitated by community platforms, can bridge divides, promoting mutual understanding. Legal reforms are essential to ensure genuine religious neutrality, including stricter enforcement of election laws to curb religious rhetoric. The media must adopt responsible reporting, avoiding sensationalism that fuels polarization. Civil institutions, including NGOs and academic bodies, should amplify secular narratives, countering divisive ideologies through research and advocacy. Policy measures should balance individual rights with collective harmony. The UCC, if pursued, must be inclusive, respecting minority concerns while promoting equality. Federalism's role in accommodating diversity should be leveraged to address regional religious tensions. By fostering a culture of pluralism, India can restore secularism's credibility, ensuring it remains a lived reality rather than a constitutional abstraction.

Conclusion

Secularism is indispensable to India's democratic survival, serving as the glue that binds its diverse populace. Its constitutional foundations, rooted in equality and freedom, provide a robust framework, but evolving narratives and contemporary challenges reveal its fragility in practice. Communalism, legal controversies, and political pragmatism threaten to unravel India's pluralistic fabric, necessitating collective responsibility to uphold secular values. The judiciary, civil society, education, and media must collaborate to bridge the gap between constitutional ideals and lived realities. By reaffirming its commitment to *sarva dharma sambhava*, India can evolve secularism to meet modern challenges, ensuring it remains a beacon of democracy and pluralism in an increasingly polarized world.

References:

1. Chishti, S. M. A. W. (2004). Secularism in India: An Overview. *The Indian Journal of Political Science*, 183-198.

2. Raghav, D. (2006). Secularism in India: Theory and Practice. The Indian Journal of Political Science.

3. 67(2) 402-404.

4. Singh, M. P., & Deva, S. (2005). The constitution of India: Symbol of unity in diversity. *Jahrbuch des Offentlichen Rechts der Gegenwart, Yearbook of Public Law (Germany)*, *53*, 649-686.

5. Rajagopalan, S. (2004). Secularism in India: Accepted Principle, Contentious Interpretation. In *The Secular and the Sacred* (pp. 235-251). Routledge.

6. Vanaik, A. (1992). Reflections on communalism and nationalism in India. *New Left Review*, 43-43.

7. Orgad, L. (2010). The preamble in constitutional interpretation. *International Journal of Constitutional Law*, *8*(4), 714-738.

8. Bhatia, G. (2016). Freedom from community: Individual rights, group life, state authority and religious freedom under the Indian Constitution. *Global Constitutionalism*, *5*(3), 351-382.

9. Galanter, M. (1965). Secularism, east and west. *Comparative Studies in Society and History*, *7*(2), 133-159.

10. Raza, A. (2015). The Doctrine of'Basic Structure'of the Indian Constitution: A Critique. *Available at SSRN 2661127*.

11. Das, G. (2023). Basic Structure Doctrine of Indian Constitution. *Available at SSRN 4377908*.

12. Mahajan, G. (2017). Contextualizing secularism: the relationship between state and religion in India. In *Secularism, Religion, and Politics* (pp. 36-56). Routledge India.

13. Ganguly, S. (2003). The crisis of Indian secularism. *Journal of Democracy*, *14*(4), 11-25.

14. Upadhyaya, P. C. (1992). The politics of Indian secularism. *Modern Asian Studies*, *26*(4), 815-853

15. Chandrachud, A. (2020). Secularism and the citizenship amendment act. *Indian Law Review*, *4*(2), 138-162.

16. Alam, S., Bhat, M. N., & Awan, M. W. (2020). Abrogation of Articles 370 & 35A of the Indian Constitution: Implications for Peace in South Asia. *International Review in Social Sciences*, *8*(8), 9-20.

17. Embree, A. T. (2012). Religion, Communalism, and Security in Post-Independence India. In *The Routledge Handbook of Religion and Security* (pp. 226-237). Routledge.

18. Khan, S. (2016). Secularism in New Phase in Contemporary India. *International Journal of Research in Social Sciences and Humanities*, *6*(2), 31-41.

19. Jain, R. B. (2016). Similarities and Differences in the Strategies and Programmes of the BJP and the Congress in India. In *The Transformation of Politicised Religion* (pp. 121-130). Routledge.

20. Thapar, R. (2007). Secularism, history, and contemporary politics in India. *The crisis of secularism in India*, 191-207.

21. Saikh, M. H., & Sk, I. (2024). Exploring the Secularism of India: A Historical and Contemporary Analysis. *India and Identity-Some Reflections*, 324.

22. Siddiqui, S. (2021). Triple-Talaq and the Political Context of Islamic Law in India. *J. Islamic L.*, *2*, 5.

23. Pantham, T. (1997). Indian secularism and its critics: Some reflections. *The Review of Politics*, *59*(3), 523-540.