INTERNATIONAL JOURNAL OF LAW

MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

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Pluralism and Secularism in India: Sustainability and Challenges of Pluralism in a Democratic Set-Up

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ABSTRACT

In a heterogenous, contemporary society like India, secularism and pluralism are indispensable elements for the smooth interaction and functioning of its organs. Secularism, though loosely understood to be the (non)regulation of religion, is tough to define as it is used to refer to several ideals relating to the same. If no single tradition is represented, no one is excluded – this is the ideology vouched for by our democratic set-up, and is incontrovertibly the most apt, considering the diversity of religious belief-systems prevalent in the sub-continent, and despite this diversity, the State chooses to represent none, stand for none, promote none and think of none as over and above the other, thereby fulfilling its secular vision. This endeavour is a fundamental step towards ensuring religious blindness, which is demonstrative of what is known as the largest democracy in the world. Not only to ensure a peaceful co-existence, but in order to see this diversity as a strength, is quintessential for the success of a democracy. A pluralist democracy, allowing the masses the freedom of association, is a necessary condition for the democratic culture to flow. Various aspects of this culture, such as the arts, press and media work constructively towards building this legacy of pluralistic thought and critical argument. Understanding that secularism and pluralism are compatible and striving to honour both of them simultaneously, needless to say, goes a long way to uphold social justice. Our Constitution has struck a balance between the two which allows an individual to profess a particular religious faith or belief. India, for the longest time has continued to be a standing example of this ideal of tolerance and pluralism, and, despite repeated assaults on its faith, has managed to bounce back and stand tall and proud as a pillar of unity – peacefully co-existing amidst secularism and pluralism.

Keywords: *Pluralism, Secularism, Democracy, Society.*

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I. INTRODUCTION

A modern-day democracy, especially when it is the world's largest one, does not stand as a model of merely one or two universal philosophies, but is in all probability, an amalgamation of various world views, the best of them borrowed, modified and enshrined in its constitution and adopted by its people.

How the democracy perseveres under this pressure and whether it is doing a good job at it, is a question which can be answered not only by asserting these values to be central to the very nature of the democracy, but also, and perhaps more importantly, by disclosing the extent of its success in delivering a translation of this rhetoric into action to the social actors involved, i.e., the masses.

Pluralism and secularism stand as two such values on which the sustainability of a diverse society like India's has relied for ages, and this scenario does not seem to change any time soon.

II. SECULARISM VERSUS PLURALISM

Though often misunderstood and used interchangeably, there is a stark distinction between what we understand by 'secularism' and 'pluralism'. Where secularism is the philosophy of not upholding any particular religion as superior to others, pluralism means upholding not only all religions, but every belief, value and ideology which gives rise to various groups as equal. Restricting our purview only to religion, secularism means accepting religion by distancing, whereas pluralism means accepting religion without distancing.

Secularism, from meaning merely the separation of state from church (from where the idea of secularism started), which implies that state will not try to appease any particular religious group, secularism has morphed into meaning that the state will not appease any group at all, be it a religious or ideological group. On the other hand, pluralism is a political philosophy that embraces social and political inclusiveness. In pluralistic societies, men and women from different religions, ethnicities, races and political parties cooperate to share power. Although they have different – often conflicting – belief and interests, they coexist peacefully through democratic compromise. Members of these competing groups are treated as equals before the law. This is not to say that individuals can't judge that some beliefs and viewpoints are better than others. Rather it means that allowing different approaches is best for society as a whole – for living together in harmony and for the pursuit of truth and progress.

Pluralisation defined ideologically is where there's a competing number of word views

available to its members and no one world view is dominant. 'The pluralistic nature of Indian society and the political system it has adopted owes it all to the pluralism in theory and practice in what is popularly called Hinduism. Define it and you will ruin it.'[2] The concept of religion and the process of a secular state granting freedom of worship to its citizens developed in western political history in a gradual manner after experiencing diverse historical circumstances and philosophical interventions. The contests for supremacy between the state and the church, and the ensuing debates, at times acrimonious, greatly influenced the process of the evolution of secular democracies independent of the control of the church.[3] However, secularism and pluralism are not forms of governments, but are mere ideologies which the state promotes in order to ensure peaceful co-existence and accommodation of interests of every group. It not only means a mere 'tolerance' of a group other than yours but implies an acceptance of the same. Traces of pluralism can be found in the most mundane occurrences of the day-to-day life of an individual. From the formal recognition of religious groups, to the smell emanating from your kitchen being different than that emanating from your neighbour's, attestation of a diverse society can be found everywhere.

There is, despite the distinctions in both ideologies, an interrelation and almost a co-dependency between secularism and pluralism. While pluralism stems from secularism, secularism stems from pluralism.

III. How pluralism and secularism came to be

The first step to understanding the contemporary debate on a peculiarity as persevering as the pluralistic nature of Indian democracy, is to strive for accurate comprehension of the same in its historical context. In the late nineteenth-century India, a seemingly enlightenment took place in India in the form of an internal criticism of religious norms and practices by an influential group of Muslim intellectuals, who ultimately played a leading role and joined Gandhi in the independence movement. While genuinely religious, these people argued for a secular and tolerant nation, equal education for women, and a range of progressive values. In contemporary India, Muslims are active democratic citizens and for the most part, strongly support the goals and institutions of the pluralistic secular state.

It can be safely said that the beginning of the pluralist ideology of the Indian society cannot be traced or attributed to any particular period. The Indian society today, which is by its very nature, an impeccable blend of pluralist and secular values, is a result of centuries of

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[2] Seshadri Chari, "The Hinduness of Indian Pluralism", November, 2018, Article available at https://www.outlookindia.com/magazine/story/the-hinduness-of-indian-pluralism/300945 retrieved on 07-10-2019.
[3] ibid

transformation and reiteration of these ideals which find its place back in the ancient period, even. The Ancient Indian society was a model of inclusion, diversity and peaceful coexistence which can be difficult to imitate in the modern world. In the words of Sumit Guha[4], 'we should not forget that a primitive economy can survive and flourish at levels of disorder and violence that modern industrial societies cannot tolerate'.

India was faced with a number of choices at the time of partition and at the threshold of constitution of a brand-new government. One of these was whether or not to retain the recognition of the diverse nature of India's population. 'The partition of India in 1947 was driven by the demand for two states on the basis of the theory that Hindus and Muslims constituted separate nations. While the creation of Pakistan was an affirmation of this idea, India remained committed to the recognition of cultural diversity and the possibility of pluralism despite a large Hindu majority.'[5] 'Although it faces grave challenges—most recently from a strand of Hindu nationalism—a commitment to pluralism remains a living part of Indian national identity.'[6]

In furtherance of upholding its pluralist spirit, the Constitution offers substantive protections to safeguard group autonomy and individual rights along with a formal commitment to institutional heterogeneity which provide additional avenues for challenging majoritarian policies. Needless to say, these protections are not characteristic of only the Indian scenario. Taking the example of US, where a secular state was established by the Constitution in 1787-89 – Even at that time dubbed a 'Godless Constitution'. Article 6 deliberately excluded religious tests for appointment to any public office – and was a part of a general effort to separate church and state.[7] However, despite the individualism of American life and multiplicity of religions, it would yet be apposite to identify the US both as a secular state and a religious nation. 'In theory, secularism in the US dictates that the state be equally indifferent to all religious groups and play no role in promoting the interests of any religion. In practice, religion plays a role in politics, and the separation of church and the state is never an absolute achievement but a process on ongoing negotiation that historically has resulted in workable, more or less stable, balances between the various elements of America's plural society. '[8] India is not very different in this forefront and inevitably in such a situation, breaches occur in what

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[4] Sumit Guha, "Cultural and Religious Pluralism in India and the US", *Economic and Political Weekly*, Vol. 32, No. 44/45 (Nov. 8-14, 1997), pp. 2851-2853.
[5] "Why Did India Choose Pluralism? – Lessons from a Postcolonial State", *Global Centre for Pluralism*.
[6] ibid
[7] Supra note 3.
[8] ibid

Thomas Jefferson described as the "wall of separation."

Leaders of the Indian National Congress, such as Gandhi and Nehru, defined cultural diversity as India's distinguishing civilizational trait, declaring it a source of strength rather than a weakness.[9] This commitment to pluralism has been built into India's self-understanding as a postcolonial state and has helped Indian leaders to pursue their goal of prosperity of the nation and all its people, unfettered by the various challenges posed to this very nation, owing to this very diversity. This diversity has hardly ever been seen as a challenge and has been promoted unconditionally through the decades. However, being 'increasingly diverse' is not synonymous with being 'increasingly pluralist', and this endeavour of the subsequent governments has come with its own set of shortcomings.

IV. FEATURES OF THE INDIAN SYSTEM AND ITS SHORTCOMINGS

(A) Livelihood

Under-representation of marginalised castes and classes, tribes and Muslims in employment sectors remains an unresolved affair after almost seventy years of signing of the Constitution. 'In Indian society, division of population on the basis of birth as per the preambles of Varna system became core base of marginalisation of significant segment of population who were placed outside for fold Varna system, who are today constitutionally known as Scheduled Castes.'[10] Many reasons can be attributed to their marginalised status – geographical seclusion, maternal exploitation by outsiders, and the like. Human resource, for any developing democracy, can undoubtedly be called the most potent of all resources, and unsatisfactory involvement of members of these marginalised groups in terms of employment, to date, remains a challenge which has not been tackled fully. It is the moral responsibility of the state to identify, protect and promote concerns of all these segments of population. However, at the same time, it's an undisputed fact that affirmative action policies or quotas targeted towards correcting these historic exclusions take time. Setting in place mechanisms for monitoring progress, in addition to collecting of data disaggregated by social groups which is often withheld by the government as sensitive is a hefty task.[11]

(B) Recognition

'It is important to understand the multiple axes of difference that lead to exclusion in order to ensure the most marginalised are also part of the inclusion process. Through understanding the

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[9] Supra note 4.

[10] S N Chaudhary, "Social Problems and Marginalized Groups", Article available at http://www.insoso.org/images /English_Abstracts_RC_21.pdf retrieved on 07-10-2019.

[11] ibid

various axes of difference that lead to exclusion, inclusion campaigns can focus on different inclusionary markers.'[12] In furtherance of this philosophy, the constitutional framework recognizes multiple sources of group identity as having a latent tendency of generating exclusion and offering multiple routes to group claims – religion, language, caste, class, etc.

In order to create an inclusive polity, a constitutional framework that recognizes standard liberal individual rights as well as group membership, is pertinent. The Indian constitutional set up offers a good example of this recognition of individual, vis-à-vis the ability to identify with a group. One example of such a right is the right to religious freedom under the Indian Constitution which 'attempts to mediate between competing claims of individuals, religious groups and the state, in a manner that is born out of specific historical circumstances.'[13] It is argued that the Indian Constitution is 'committed to an 'anti-exclusion principle', that is, group rights and group integrity are guaranteed to the extent – and only to the extent – that religious groups do not block individuals' access to the basic public goods required to sustain a dignified life. Moreover – and unlike most other Constitutions – an individual may vindicate this right directly against her community in a court of law, by invoking the Constitution.'[14]It is in this way that an innovative and novel solution is offered by Indian constitutionalism to the perennial problem of having to balance claims of community against the individual right to religious freedom. However, at various instances, the practical reality of this endeavour is questioned as was in the case of *Goolrokh Gupta vs. Burjor Pardiwala and Others*[15], wherein the religious excommunication of a Parsi woman upon her marriage to a non-Parsi was challenged. In view of this, it has been observed that 'A literal reading of the constitution could result in the interpretation that the individual's right to freedom of religion under Article 25 is subject to the group's right to manage religious affairs under Article 26(b). This was the interpretation by the court in 1962 when a five-judge bench of the Supreme Court struck down a provision of the Bombay Prevention of Excommunication Act 1949 in *Sardar Saiffudin Saheb vs State of Bombay*[16], where the violation of an individual's right to religion was accepted as a 'necessary consequence of excommunication', giving primacy to group rights over individual rights to religion, which makes us wonder about the fate of the individual in this case.'[17]

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[12] Dylan O'Driscoll, "Transformation of Marginalised Through Inclusion", 2017, Article available at https://assets.publishing.service.gov.uk/media/5c6c22da40f0b647a8f662ab/403_Transformation_of_Marginalis ed_through_Inclusion.pdf retrieved on 07-10-2017.

[13] Gautam Bhatia, "Freedom from Community: Individual Rights, Group Life, State Authority and Religious Freedom under the Indian Constitution." *Global Constitutionalism*, Vol. 5, No. 3, 2016, pp. 351–382.

[14] ibid

[15] *Goolrokh Gupta vs. Burjor Pardiwala and Others*, 2013 (2) RCR (Civil) 91

[16] *Sardar Saiffudin Saheb vs State of Bombay*, AIR 1962 SC 853

[17] Satya Prasoon and Ashwini Tallur, "Rescuing Individual Rights from the Chokehold of Groups Rights", *The*

The accommodation of linguistic and regional diversity is further enabled by a federal model based on power-sharing. With the delegation of responsibilities to the state governments in respect of areas which are difficult for the central government to oversee effectively, focused attention is paid to linguistic and regional groups. An inherent feature of federalism is the importance which it accords to diversity. Federalism, in essence, is a route to ensuring that the diversity of India is not overlooked while making laws. If the law-making power is unconditionally given to the centre, the specific interests of regional groups may be disregarded. Not only do federal governors have a profound understanding of their region, federalism ensures that citizens feel more in touch with their governors. Thus, the redressal of group issues as well as the promotion of active involvement of these groups in policy making makes federalism an ideal model of governance in a pluralistic democracy.

An institution can be described as a system of rules through which a set of social behaviours is mediated. These rules may be enforced mainly via two forces. Firstly, third-party enforcement power (formal institutions) may enforce these rules. Secondly, diffuse participant enforcement practices (informal institutions) may play a part in the informal imposition of these rules on extended social actors. 'Institutions are embodied in the beliefs, values, attitudes, and motivations of socially constructed individuals at various levels of action; they act to constrain and incentivize individual behavior in ways that are to some extent independent of the actions and preferences of those individuals. The individual is rarely in a position to directly change the rules of the institution so as to serve his/her goals better.) So, institutions are both ***caused by*** (embodied in) the social consciousness of an extended set of social actors and are ***causal in shaping*** the future behavior of an extended set of social actors.'[18] It is this institutional heterogeneity in India's political system which plays an indispensable role in sustaining pluralism.

Another facet of a democracy which is hard to ignore when we talk about what can make or break the pluralistic nature of a democracy, is political leadership. It is not uncommon for a political party, even one set against the backdrop of a secular state, to have apparent religious inclinations. These inclinations become difficult to overlook for the masses when religious energy spills into places where it shouldn't, giving religious communities a political location. Some may argue that the development of caste politics and localism has caused the Indian society to change from pluralism to fragmentation. Political leadership, undoubtedly, can make

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Wire, 2017, Article available at https://thewire.in/law/constitution-individual-group-rights-religion retrieved on 07-10-2019.

[18] Little, Dan, "The Heterogeneous Social: Institutions", *Understanding Society*, 18-11-2007, https://understandingsociety.blogspot.com/2007/11/heterogeneous-social-institutions.html, 07-10-2019.

a crucial impact on the inclusion of minorities. The current government of India under Narendra Modi has often been accused of being inclusive towards all sects except for Muslims. In view of the increasing hate crimes against Muslims in the country, the fear of the community towards the incumbent government is not irrational. There's a legitimate concern that those wielding power in today's India embrace a culture of impunity. The return of Modi government has lead to surfacing of varying views in context of its implications for the Muslim minority in India. The scepticism seems to have surfaced long back when the BJP targeted the strong Hindu vote bank and even the Left-wing, attempting to appease the Muslim and other minority groups in India, used communalism under the surface, projecting themselves as minority sympathisers and playing vote bank politics.

Certain shortcomings remain an inextricable part of a democratic structure, especially one with as many number of diverse groups as India, striving to strike a balance between rights which the state owes to them and the duties owed by them towards each other. Ultimately, it is the language of dignity and respect which is common and has held and continues to hold this structure together. However, the message of pluralism will reach each and every individual only when it is implemented and the state takes cognizance and effective action to fill in the loopholes. With this hope in mind, India moves forward every day, marching towards the realization of this goal.

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