

# The Variant Meanings of Secularism in India: Notes Toward Conceptual Clarifications

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Multiculturalism has a rather strange name in India. It is known as secularism and is a multifaceted expression, meaning different things to different people. "Secularism" seems incongruous in a land that is home to virtually all the major religions of the world. As a doctrine advocating the separation of church and state, it has little meaning in India. If it means "equal respect for all religions," as the Indian state defines it, then the term is incorrect. How, then, did this expression become a part of the political discourse in India?

Until the early part of the twentieth century, secularism remained relatively obscure as a political concept in India. It gained prominence in the 1940s, after the Muslim League demanded a separate homeland for the Muslims. The League predicated its demand on religious and cultural grounds, arguing that as followers of Islam, Muslims constituted a separate nation and a different culture. It expressed misgivings about the fate of Muslims in a Hindu-dominated free India. As the League's movement gained strength, with the tacit patronage of the British, the Indian National Congress (Congress, henceforth) contested its claims by pointing out the syncretic religious traditions of India. It also decried what it considered to be an illegitimate abuse of religion in politics and accused the League of indulging in the politics of communalism. To distinguish itself from the communal politics of the Muslim League, the Congress affirmed its faith in "secularism." It argued that unlike the "communal" League, it was wedded to secularism, by which it meant two things. First, it did not believe in misusing religion for ac-

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complishing political objectives, but believed in confining religion to the private sphere. Second, that contrary to the League's propaganda, the postcolonial state would not discriminate on the basis of religion. Thus, the Congress invoked "secularism" to distinguish its politics from the "communalism" of the Muslim League. Its twin goals were to affirm the moral superiority of its politics and to assure the minorities that their rights would be secure in independent India.

Much has happened since secularism first entered the political discourse of India. It has acquired new nuances and variant meanings. In this essay, the different meanings of secularism will be explored. The Western, constitutional, Congress, and Hindu nationalist discourses of secularism will be analyzed and I will point out the aberrations in their conceptions and the problems they engender. I argue that considering the historical context in which it emerged, secularism must be understood from a minority perspective, meaning that the quintessence of its meaning is that it would protect and promote the socio-economic, political, and cultural rights of the religious minorities.

#### THE INCONGRUITY OF WESTERN SECULARISM IN INDIA

In Hindi and other vernacular languages, the term "secularism" is often rendered as "*Dharma Nirapekshata*," which, approximately, means "religious neutrality." While the Indian expression does not reflect the nuances of "secularism," this is about as close as one can get in Indian languages. This approximation underscores the alienness of the concept in the Indian context. Since it conveys the sense of "religious neutrality," secularism, in the popular mind, stands for the pursuit of atheism by the state. Furthermore, since the notion of the ruler and the state as defenders of faith is fairly well entrenched, secularism arouses further suspicion as a doctrine whose aim is to disembody the traditional pillars of support for religion. The opponents of secularism, particularly the Hindu nationalist party BJP and its allies, have exploited all these factors in their attempts to exacerbate popular hostility toward the concept.

It would be instructive to explore the factors that influenced the state's decision to privilege the definition of secularism as "equal respect for all religions." To do so requires delving into the options that the state had for making its choices. For various reasons in the Indian context, it would have been inconceivable for there to have been a definition of secularism as the Enlightenment-inspired total separation of the state from religion, or as the wall of separation between state and church under the American Constitution, or even as the neutrality of the state toward all religions. There were five factors that militated against the adoption of the Western connotations of secularism.

First, Hinduism does not possess the features of Semitic religions such as a central authority, a centralized church, and a common scriptural or canonical authority. The absence of a spiritual authority made

it imperative for the state to intervene in matters concerning Hinduism, particularly issues concerning its reforms.<sup>1</sup> For instance, reforms in the administration of Hindu temples, Hindu endowments and charitable institutions, Muslim *wakf* (religious endowments) properties and the like required the state to get involved in matters which, strictly speaking, fall under the domain of religion. Invoking, however, the plea of protecting public interests, the state has institutionalized its interventionist role.

Thus, several provincial governments have regular ministries for the administration of Hindu religious endowments and temples and Muslim wakfs. They are headed by cabinet ministers and have huge bureaucracies to manage what the state contends are "secular" matters of religious bodies. Dichotomizing secular issues from spiritual ones is easier in theory than in practice. And this is not just because Hinduism is not an "organized" religion but also because there is a long history of symbiotic relations between the temples and the state dating back to the colonial period. The temples have all along provided the state with rich material and symbolic resources for its legitimation. In turn, the state has provided patronage to temples and enabled them to flourish. Secularism that requires the state to abjure its right to intervene in matters of religion subverts a neatly worked out arrangement which augments the state's legitimacy and prowess. This is one of the main reasons why the western connotation of secularism has been rejected as being unsuitable in the Indian context.

Franklin Presler's work (1984) on the interventions of the Tamil Nadu government in the affairs of 32,000 public temples through its Hindu Religious and Charitable Endowments (Administration) Department is quite revealing. The provincial government of Tamil Nadu has justified its intervention on the ground that the temples are "public trusts for which the state has a direct responsibility."<sup>2</sup> The Supreme Court of India has upheld this claim. As Presler argues, however, since it is virtually impossible to distinguish "temple as public trust" from "temple as religion," the state has sullied its secular record.<sup>3</sup>

The temples collectively own around 500,000 acres of fertile agricultural lands,<sup>4</sup> and have huge incomes in the form of public donations. Although not all temples are prosperous, Presler states that 16,500 temples are wealthy since they own lands and get sumptuous donations from devotees.<sup>5</sup> The trustees of these rich temples are appointees of

1. D.E. Smith, *India as a Secular State* (Princeton, N.J.: Princeton University Press, 1963), 231.

2. Franklin A. Presler, "The Structure and Consequences of Temple Policy in Tamil Nadu, 1967-81," in *Cultural Policy in India*, ed. Lloyd I. Rudolph (New Delhi: Chanakya Publications, 1984), 59-76; see esp. 60.

3. *Ibid.*

4. *Ibid.*, 62.

5. *Ibid.*, 64.

the government, and such appointments are much sought after because they confer access to useful resources and privileges. Presler estimates that if one takes an average of four trustees per temple, the state has around 66,000 trusteeship positions that it can disburse as patronage.<sup>6</sup> He has shown how all political parties that have ruled Tamil Nadu, including the professedly atheistic regional parties DMK and AIADMK,<sup>7</sup> have exploited the benefits accruing from intervening in the affairs of temples under the guise of streamlining their administration.

The second factor that militates against the adoption of the Western connotation of secularism relates to the precedents laid down in the course of centuries of colonialism. Both in the Mughal and British periods, the state provided patronage to various religious groups. In the initial stages of the British period, the East India Company adopted a policy of religious neutrality so as not to offend the religious sensibilities of the "natives" and jeopardize its commercial interests. Yet the British were drawn into religious affairs for a variety of reasons. In some instances, they were convinced that they had to continue the religious patronage provided by the rulers from whom they took control. The populace, accustomed to official patronage, came to expect the same from the British. Thus, before long, the British were involved in regulating religious fairs, pilgrimages, and the like. Also, they were gradually drawn into the supervision of temples.<sup>8</sup> In 1805, Governor General George Barlow "ordered (the) British collection of a tax" for managing the Jagannath temple in Puri and for paying the priests and officers, a practice that was earlier followed by the Maratha rulers whom the British succeeded.<sup>9</sup> A similar tax was levied in other temples too. Although the British abandoned the practice after some years, according to Potts, "over a 17-year period the government reaped a net profit of £99,205 from Jagannath; and £445,941 and £159,429 from Gaya and Allahabad respectively over a 16-year pe-

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6. *Ibid.*

7. The DMK (Dravida Munnetra Kazhagam) and the AIADMK (All India Anna Dravida Munnetra Kazhagam) are regional political parties of Tamil Nadu. They are offshoots of the Dravida Kazhagam (DK) movement started by Periyar Ramaswami Naicker—a well known atheist. The DK movement was avowedly atheistic and anti-Brahmanical in its ideology. One of the "Golden Sayings" of Naicker is as follows: "There is no God. There is no God. There is no God at all. The inventor of God is a fool. The propagator of God is a scoundrel. The worshipper of God is a barbarian." Both the DMK and AIADMK swear by the intellectual legacy of Naicker. Yet that has not prevented them from using the resources of the temple for furthering their political objectives.

8. Robert Eric Frykenberg, "The Emergence of Modern 'Hinduism' as a Concept and as an Institution: A Reappraisal With Special Reference to South India," in *Hinduism Reconsidered*, ed. Gunther D. Sontheimer and Hermann Kulke (New Delhi: Manohar Publications, 1991), 34-38.

9. Daniel E. Potts, "Missionaries and the Beginnings of the Secular State in India," in *Essays in Indian History*, ed. Donovan Williams and E. Daniel Potts (Bombay: Asia Publishing House, 1973), 127.

riod."<sup>10</sup> Thus, in addition to a form of social control, intervention in religious matters was also a lucrative proposition.

The British intervened again in religious matters when they codified Hindu and Muslim criminal and civil laws to facilitate the administration of justice and collection of revenues. Since criminal and civil laws, particularly the later, derived their legitimacy from, and were in fact drawn from, religious sources, the colonial "systematization" of laws inevitably involved intrusion into the realm of religion. Besides reifying an upper caste version of "Hinduism" and rigidifying canonical laws, the colonial trespasses, albeit in the name of streamlining the dispensation of justice, set a precedent for the state's encroachment into the domain of religion.

Likewise, the Enlightenment-inspired social reforms that the British introduced (such as abolition of *sati*, a ban on child marriages, etc.) legitimized the supremacy of the state over scripture and religion in matters that had deleterious social consequences. Few would complain about the legitimate role of the state as social reformer. But the subliminal imperial agenda was to accentuate the benignity of colonial rule and establish the superiority of Western notions of fairness, justice, and other virtues. Understandably, the postcolonial Indian state has made full use of this colonial precedent and has often intruded into religious matters in ways that have had the effect of ironing out the rich pluralities of Indian society and rendering it more amenable to centralized authoritarian administration.

The third factor precluding total separation of religion from politics pertains to the nationalist tradition of using Hindu religious idiom for mass mobilization during the freedom movement. Leaders of the Congress, notably Bal Gangadhar Tilak and Gandhi, liberally used themes, motifs, and metaphors from Hinduism to rally disparate sections under the banner of anti-colonialism. Gandhi held up the millenarian vision of *Rama Rajya*—the egalitarian and prosperous regime of Lord Rama—as the post independence scenario. Tilak provided a nationalistic interpretation of the *Bhagavad Gita* and exhorted people to serve the motherland regardless of consequences. He also started the celebration of the birthday of the Maratha ruler Shivaji to promote communitarian solidarity among the Hindus. These strategies successfully camouflaged myriad inner contradictions, schisms, castes, and communal fragmentations, and forged a united, pan-Hindu identity for struggling against the might of British imperialism. The nationalist strategy, however, also had the long-term consequence of routinizing the invocation of religious motifs for patently political purposes. Whether or not such a fusion of religion and politics is desirable is a futile question, although much academic energy has been wasted on it. The fact to be noted here is that religion has the innate capacity to provide enormous symbolic and material resources to those who harness

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10. *Ibid.*, 131.

its forces adeptly. By using religion for its political purposes, the Congress provided a lasting seal of approval on such use and thereby blocked the possibility of divorcing politics from religion.

The fourth factor emphasizing the unity of religion and politics, particularly in the Indian context, pertains to the innate peculiarities of the various religious traditions, prominent among which is their refusal to dichotomize the spheres of religion and politics. For example, the troubled origins and long history of Sikhism's persecution at the hands of the Mughals, heightened by lack of protection from Hindu kings, led to the accentuation of "self-protection" in the Sikh tradition<sup>11</sup> and the indivisibility of *miri* (politics) and *piri* (spirituality).<sup>12</sup> In fact, the centrality of this notion can be gauged from the fact that it has been given an emblematic status in Sikhism in the form of two swords, one symbolizing *miri* and the other *piri*, that several Sikh gurus sported.<sup>13</sup> In Islam and in certain readings of the Hindu tradition, the importance of fusing spiritual and political power and their mutually reinforcing character have been underscored. Clearly then, the religious traditions of India do not provide a salubrious climate for the entrenchment of the Western notion of secularism.

Finally, India's transition to modernity, though painful and slow, has unleashed forces that have reinforced the connection between the secular and the sacerdotal realms. Even at the time of independence in 1947, when India's passage to modernity was inchoate, it was still enough to reveal the potential dividends religious issues could reap in politics. An illuminating example is the census operations launched by the British as part of their attempt to control the "natives." Several scholars have commented on how this process heightened the awareness of caste, communal, and religious identities.<sup>14</sup> In fact, this was one of the chief factors that provided impetus for the growth of Hindu nationalism. It was the All India Census of 1871 that revealed that the "twice born" upper castes comprised just a little over 15 percent of the total population while the Muslim and the untouchable communities

11. T. N. Madan, "Secularization and the Sikh Religious Tradition," *Social Compass* 33, nos. 2-3, (1986): 259.

12. Joyce Pettigrew, quoted in Harjot Oberoi, "Sikh Fundamentalism: Translating History into Theory," in *Fundamentalisms and the State*, ed. Martin E. Marty and R. Scott Appleby (Chicago, Ill.: The University of Chicago Press, 1993) 278.

13. *Ibid.*

14. Arjun Appadurai, "Number in the Colonial Imagination," in *Orientalism and the Post-colonial Predicament: Perspectives on South Asia*, ed. Carol A. Breckenridge and Peter van der Veer (Philadelphia, Pa.: University of Philadelphia, 1993), 314-39; Bernard S. Cohn, "The Census, Social Structure and Objectification in South Asia," in Bernard S. Cohn, *An Anthropologist Among the Historians and Other Essays* (New Delhi: Oxford University Press, 1987), 224-54; Robert E. Frykenberg, "Hindu Fundamentalism and the Structural Stability of India," in *Fundamentalisms and the State*, ed. Martin E. Marty and R. Scott Appleby (Chicago, Ill.: The University of Chicago Press, 1993), 233-55; Sudipta Kaviraj, "Religion and Identity in India," *Ethnic and Racial Studies* 20, no. 2 (April, 1997): 239.

together constituted approximately 45 percent of the population.<sup>15</sup> The upper castes then realized that they could retain their hegemony only by forging a pan-Hindu identity that included the lowly peasant castes, the untouchables, and the aborigines. Though caste-based enumeration has been abandoned since independence, census still triggers communal paranoia, particularly between Hindus and Muslims.

To state that the Western notion of secularism is incompatible with the Indian context does not mean that secularism itself has no place in the Indian polity.<sup>16</sup> There is little merit in the argument that since India is a land of several religions, it can never be secular in any shape, manner, or form. Essentializing the religious and conflict-prone nature of Indian society was one of the pet strategies of British colonialists to justify their "civilizing mission." Clearly, it can be no one's case, except perhaps that of some Anglophiles, that India is unsuited for secularism or that it lacks the maturity to put in place an arrangement for the amicable resolution of issues of religion and politics. Evidently, given the peculiarities of the Indian situation, it is imperative that we start with a particularly "Indian" connotation of secularism, one that is workable in its milieu.

#### SECULARISM ACCORDING TO THE INDIAN CONSTITUTION

In spite of all the controversy it has generated, the term "secularism" has not been explicitly defined in the Indian Constitution where it is mentioned only twice: once in the preamble, which states that India resolves to be a "sovereign, socialist, secular, democratic republic"; and in Article 25, clause 2, which authorizes the state to frame laws "regulating or restricting economic, financial, political or other secular activity which may be associated with religious practice."<sup>17</sup>

Yet scholarly and judicial opinions are almost unanimous that the spirit of secularism is contained in the various provisions of Articles 14-17 and 25-30. The issues with which these Articles deal are as follows:

Article 14 provides that the state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15 prohibits discrimination on grounds of religion, race, caste, sex, or place of birth.

15. Frykenberg, "Hindu Fundamentalism and the Structural Stability of India," 233-55.

16. V. P. Luthera has taken the separation of state and church as the defining criterion of secularism and has argued in his book that India "is not and cannot be a secular state." This is a narrow understanding of secularism and clearly overlooks the positive aspects of Indian secularism, however truncated it is. For details, see V.P. Luthera, *Concept of the Secular State and India* (Calcutta: Oxford University Press, 1965).

17. P.K. Majumdar and R.P. Kataria, *The Constitution of India*, 8th ed. (New Delhi: Orient Publishing Company, 1996).

Article 16 ensures equality of opportunity in matters of public employment. Affirmative action policies for the amelioration of the untouchables, tribals and backward castes, classes, and communities are exempted from this provision.

Article 17 abolishes untouchability and makes its practice a punishable offence.

Article 25 provides for freedom of conscience and free profession, practice and propagation of religion subject to public order, morality, and health. It confers on the state the right to regulate or restrict any economic, financial, political, or other secular activity which may be associated with religious practice. Also, it stipulates that the state can make any law providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes of and sections of Hindus. Here "Hindu" includes people professing the Sikh, Jaina, or Buddhist religions.

Article 26 provides freedom to manage religious affairs, subject to public order, morality, and health.

Article 27 states that no person shall be compelled to pay any taxes the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.

Article 28 states that no religious instruction shall be provided in any educational institution wholly maintained out of state funds. Article 28(3) says that no person attending an educational institution recognized by the state or receiving aid out of state funds shall be required to take part in any religious worship conducted in such an institution except (in the case of a minor) with his or her guardian's consent.

Article 29 offers protection of the cultural and educational rights of minorities. It provides that any section of citizens having a distinct language, script, or culture of its own shall have the right to conserve the same.

Article 30 guarantees that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

From the aforementioned articles, it is apparent that Indian secularism, among other things, primarily means that the state cannot establish or practice any religion; use public revenues for promoting any religion; and that it should ensure equality before law for all its citizens, irrespective of their caste, class, race, sex, religion, and so on.<sup>18</sup>

Keeping in mind the spirit of these articles and the debates of the Constituent Assembly, the Supreme Court of India has upheld the secular character of the Constitution in several cases. In the landmark *Keshavanand Bharati v. State of Kerala*, a full bench of thirteen judges pronounced, *inter alia*, that secularism is an inalienable part of the basic structure of the Indian Constitution and that it is sacrosanct.<sup>19</sup> A similar ruling was given in *Indira Gandhi v. Raj Narain* and more

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18. Upendra Baxi, "The 'struggle' for the Redefinition of Secularism in India: Some Preliminary Reflections," *Social Action* 44 (Jan-March, 1994): 18-19; Robert D. Baird, "'Secular State' and the Indian Constitution," in *Religion in Modern India*, ed. Robert D. Baird (New Delhi: Manohar Publications, 1981), 389-416.

19. Baxi, "The 'Struggle' for the Redefinition of Secularism in India: Some Preliminary Reflections."



recently, in *Bommai v. Union of India*.<sup>20</sup>

It is one thing, however, to uphold the principle of secularism and quite another to define it precisely and lay down ways of implementing it. Unfortunately, little consensus exists on these issues. Since secularism has not been specifically defined, it lends itself to varying interpretations, depending on the ideological predilections of the interpreter. With no unanimity on the import of several key expressions, there is bound to be a great deal of confusion. What, for instance, does the term "Hinduism" stand for? Is it a religion? Or is it a "way of life?" Who is a Hindu? How does one distinguish between religion and culture? What protection can the Constitution offer to minorities if a provincial government pursues a patently communal Hindu agenda and argues that it is providing patronage to Indian culture which, in any case, is predominantly Hindu?

Similarly, who are the minorities? Are Hindus in the state of Kashmir to be considered minorities since Muslims outnumber them in that state? Can Arya Samajis claim minority status in Punjab on the basis of their smaller numerical strength? It is also not clear whether "minorities" right to establish and administer educational institutions of their choice includes the procedure and method of admission and selection of students. Strange though it may seem, these questions have not been addressed satisfactorily either in the Constitution or by the various courts. Several verdicts of the Supreme Court relating to minorities and their right to establish and administer educational institutions have been criticized as being unsatisfactory or as conflicting with previous judgements of the Court.

There is a great deal of confusion arising from ambiguities in the various provisions concerning secularism. Ill-defined statutes have provided room for exploitation with impunity in the name of minority rights. As we have seen, Article 30 gives minorities the right to establish and administer educational institutions of their choice. Its original intention was to ensure that they have the freedom to take institutional measures for the preservation and propagation of their culture, language, values and so on. Hence the federal and provincial governments have provided minority institutions a greater measure of autonomy in several matters such as day-to-day administration, appointments and promotions. This immunity from the usual regulatory mechanisms of the government is meant, ideally, for the nurturance of minority educational and cultural rights untrammelled by bureaucratic norms. Though laudable, it has had unsavory consequences. Several Christian and Muslim bodies have started lucrative (mainly medical and engineering) professional colleges and enriched themselves by charging exorbitant "capitation fees" from students. They resist all attempts by the state to prevent exploitation of students by invoking the plea that they are minority institutions and that the measures of the government

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20. *Ibid.*

are an infringement of their rights under Article 30.

This argument is not unassailable. First, the rights under Article 30, like any rights guaranteed under the Constitution, are not absolute and are subject to the police powers of the state. Hence minorities cannot abuse their rights and claim legal indemnity. Second, and more fundamentally, how can minorities claim to preserve and protect their language, culture and religion envisaged under Article 30 by running medical or engineering colleges? Why is it that Muslims do not run institutions for teaching Urdu or for propagating Islam? Evidently, because they are not profitable ventures. Educational entrepreneurs have exploited the vagueness of Article 30 and escaped penal consequences under the guise of minority rights. Not surprisingly, therefore, Hindu nationalists criticize the very notion of secularism and demand its abolition citing the travesties of Article 30.

What lends further credence to such calls is the acquiescence of the government in the misdeeds of minority institutions. The reasons for this capitulation are not hard to find. Political parties are wary of taking tough measures to regulate minority educational institutions for fear of being branded "communal." More important, the cultivation of the elites among the minorities often pays rich electoral dividends that can make the difference between winning a majority or losing it.

Most errant minority institutions, therefore, manage to dodge punitive measures. They continue to flourish with little accountability for their acts of omission and commission. The upshot of all this is that many influential religious groups within Hinduism have started demanding minority status, with all the attendant privileges. Such demands, however, are often predicated on dubious grounds and are aimed at circumventing the rule of law. The case of the Ramakrishna Mission,<sup>21</sup> a Hindu religious body founded by Swami Vivekananda for propagating the teachings of Sri Ramakrishna, is an interesting example.

#### WHO IS A HINDU AND WHO ARE THE MINORITIES?

##### THE CASE OF THE RAMAKRISHNA MISSION

The Ramakrishna Mission (the Mission, henceforth) runs the Vivekananda Centenary College at Rahara in West Bengal. Founded in 1961 with financial support from the federal and provincial governments, the College operates on grants from the government of West Bengal. Though the government funds this institution, it was allowed a free hand in administration and was not required to follow the norms of management laid down for regular colleges. The West Bengal gov-

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21. For a detailed account of the Ramakrishna Mission case, see M.D. McLean, "Are Ramakrishnaites Hindus? Some Implications of Recent Litigation on the Question," *South Asia* 14, no. 2 (1991): 99-117.

ernment, for example, did not insist on a governing body for running the college. It was also exempted from the statutory regulations concerning appointments and service conditions of teachers that apply to other colleges. The reasons for special treatment for this college are not clear.

In 1978, when the college wanted to appoint a principal of its choice, teachers protested and demanded that the management follow norms laid down for government-funded colleges in matters of appointment. The Mission, which runs the college, refused to oblige. Consequently, fifteen lecturers challenged this decision in the Calcutta High Court in 1980. The teachers pleaded that the Court should direct the college to follow the West Bengal College Teachers (Security and Service) Act of 1975 and the West Bengal College Service Commission Act of 1978 that apply to other colleges regarding appointments. They also argued that the college should be asked to form a governing body as per the norms of the government. Just as this dispute was heating up, the Left Front-led West Bengal government directed the college to constitute a governing body like any other college. Alarmed by what it considered "infringement" on its administrative freedom, the Mission pleaded in court that it was a minority institution and hence must be allowed the autonomy assured under Article 30.

The Mission's argument was that it was a religious minority following and propagating the cult of Sri Ramakrishna (1836-86), a Bengali mystic. It maintained that it followed a separate religion, "Ramakrishnaism," based on "*neo-advaitabad*"<sup>22</sup> and that its followers were "Ramakrishnaites" and not Hindus. The Mission also argued that Ramakrishnaism "includes the basic virtues of Hinduism and particularly the Hindu spirit but does not exhaust itself in the Hindu Religion."<sup>23</sup> It took great pains to distinguish itself from Hinduism and, while agreeing that the former is hard to define, proceeded to fix its attributes and those of Ramakrishnaism. Briefly, the Mission claimed that Hinduism is based on beliefs in "(a) rebirth and pre-existence, (b) a large number of gods, and (c) Nirvana as a goal which can be reached by not one but by many ways and means, and based on the Vedas, both doctrinally and ritually (*sic*)."<sup>24</sup> Ramakrishnaism, on the other hand,

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22. The teachings of Sri Ramakrishna are based on Advaita Vedanta. Advaita, meaning non-dualism, is one of the three schools of thought in Vedanta which in turn is one of the six orthodox systems of Indian Philosophy. Both Ramakrishna and his chief disciple Swami Vivekananda, particularly the latter, popularized an all-inclusive, syncretist version of Advaita Vedanta and taught that it is a valid means of attaining Truth that is available to the followers of all religions, including Islam and Christianity. This openness of approach and interpretation was meant to bring about the "harmony of all religions" and is an innovation that traditional Vedanta does not emphasize. Hence the claim that they follow "*neo-advaitabad*" or neo-Advaita.

23. Quoted in McLean, "Are Ramakrishnaites Hindus? Some Implications of Recent Litigation on the Question," 104.

24. *Ibid.*

taught Neo Vedanta based on the "experimental data provided by Sri Ramakrishna and is founded wholly upon his immediate certitude."<sup>25</sup> It was further claimed that Ramakrishnaism rejected the caste system, "has its separate God, separate name, separate church, separate worship, separate community, separate organisation and above all separate philosophy. . . ."<sup>26</sup>

The Mission's definition of Hinduism draws heavily on Orientalist scholarship. Critical students of Hinduism know that Hindus in various parts of India do not subscribe to the tenets mentioned by the Mission. In fact, recent critical scholarship is almost unanimous that "Hinduism" is a descriptive label coined by Orientalist scholarship; it lacks universal validity and has little analytical or explanatory potential.<sup>27</sup> As for the "Ramakrishnaism" that the Mission claims to propagate, it is also not quite different from the Brahmanical version of Hinduism. Besides, it is common knowledge that both Sri Ramakrishna and Swami Vivekananda, the two major figures in the movement, saw themselves as Hindus and described their teachings as such. Vivekananda was, in fact, described as "an aggressive Hindu Monk" when he spoke at the World Parliament of Religions at Chicago in 1893. Neither Ramakrishna nor Vivekananda claimed that they were preaching a new religion, they both emphasized their Hindu roots, never left the Hindu fold and, in fact, strove for the reformation of Hinduism. The teachings<sup>28</sup> of Sri Ramakrishna draw heavily from the Upanishads, Bhagavad Gita, the Vedas, the Puranas, Ramayana and Mahabharata, and so on, all belonging to the corpus of Hindu scriptures. And yet the Mission claimed that it was a minority religion.

Some dedicated lay "Ramakrishnaites" who also considered themselves Hindus were so outraged by the absurd claims of the Mission that they too filed a case against it along with the college teachers.<sup>29</sup> The Calcutta High Court upheld the Mission's claim of being a separate minority religion and provided all the relief it had demanded. The aggrieved petitioners appealed against the verdict in the Supreme Court, which examined the Mission's arguments at great length. The case dragged on for ten years and at one stage in the hearings, Justice N. Venkatachala, one of the judges in the three-judge bench, remarked that the Mission was claiming minority status only to "escape" from the provisions of the West Bengal Colleges Act and the Teachers' Service

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25. Ibid.

26. Ibid.

27. For details, see Gunther D. Sontheimer and Herman Kulke, eds., *Hinduism Reconsidered* (New Delhi: Manohar Publications, 1991); also, see Frykenberg, "Hindu Fundamentalism and the Structural Stability of India."

28. For details of the teachings of Sri Ramakrishna, see *The Gospel of Sri Ramakrishna* (New York: Sri Ramkrishna-Vivekananda Center, 1942).

29. McLean, "Are Ramakrishnaites Hindus? Some Implications of Recent Litigation on the Question," 106.

Protection Act.<sup>30</sup> The Supreme Court finally quashed the judgment of the Calcutta High Court and ruled that the Ramakrishna Mission was not a religious minority. The Court had little option given the mass of evidence about the Hindu origins of the Mission. The Court was also concerned that if the Ramakrishna Mission's plea was upheld, then it would be flooded with appeals from numerous sub-sects of Hinduism to recognize them as minority religions, all for the sake of enjoying the privileges granted under Articles 28, 29, and 30.

The Ramakrishna Mission case demonstrates that so long as the admittedly difficult task of defining key terms like "Hinduism," "minorities" and the like is not dealt with in an objective manner, they are likely to be abused, and it would be virtually impossible to uphold the spirit of secularism. Neither the state nor the courts have dealt with this issue satisfactorily and hence there have been several anomalies in the name of secularism and minority rights. Second, the privileges provided to the minorities have not been properly conceived; neither are there proper guidelines for their implementation. As things stand, they are primarily meant to humor the elites among the Muslims and other minorities, not to benefit their communities as a whole.

#### ABERRATIONS OF INDIAN SECULARISM

The polymorphous meanings of secularism have provided the rationale for acts that are hard to justify. For instance, the federal government annually declares seventeen days as public holidays to celebrate religious festivals or to commemorate the birth or death of prophets and saints of the major religions of India. Every party that comes to power adds to the list, and this is justified in the name of the secular policy of giving equal respect to all religions. Thus, in 1990, the V. P. Singh government declared the birthday of the Prophet Mohammed a public holiday—something that is unheard of in several Islamic countries. Secular India, therefore, has one of the highest number of public holidays in the world—a luxury that a poor country can hardly afford.

Similarly, every year the federal government subsidizes the Haj pilgrimage for Muslims. It provides a subsidy of Rs. 5000 (approx. \$112) for the airfare of every devotee and makes special arrangements for renting an aircraft for ferrying pilgrims. The Haj subsidy benefits affluent Muslims while their less fortunate brethren languish in deprivation. Since the Constitution mandates that the state should concern itself only with the regulation of secular aspects of religious activity, how can any government justify its subsidy for the Haj? Hindus, Christians, and other religious groups are piqued by this discriminatory subsidy, particularly because they cannot get funding for pilgrimages to

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30. R. Venkataraman, "RKM Claiming Minority Status to 'Escape' Laws: SC," *The Telegraph*, Calcutta, 1995, 5.

their own holy places.

Again, two facts need to be emphasized here. First, since secularism remains a nebulous concept, the ruling party can pursue partisan ends and still claim to be upholding secularism. The Congress and the centrist parties that ruled after independence used secularism to accommodate the interests of elites of all religious communities with the intention of winning acquiescence in Hindu majoritarian rule. Second, lest one get the impression that Muslims alone have been singled out for official patronage, it should be noted that the majority Hindus have also been amply compensated. In fact, a heavy Hindu bias is built into the very notion of secularism. Not surprisingly, all actions based on such a Hinduized concept favor the Hindus.

### THE AMBIGUITIES OF INDIAN SECULARISM

It is indeed true that in a multicultural, multi-religious state, secularism does not lend itself to precise definition. Trying to impose definite features on a nebulous concept is likely to invite serious objections from different religious groups. Instead, if the concept remains somewhat ambiguous, the state can use it judiciously to promote intercommunal harmony and to ensure, depending on the peculiarities of each case, that the various communities receive equal treatment and justice.

Notwithstanding the political and legal value of ambiguity, it must still be borne in mind that a crucial concept like secularism cannot be defined so vaguely as to render it meaningless. When the ambiguity lends itself to political and legal abuse and generates intercommunal acrimony, the very purpose of secularism, that is, ensuring harmony and amicable relations among the diverse communities, is defeated. The best way out is to explicate some inviolable features of secularism and conceive ways of implementing them. In other words, this noble concept, ideally, must be made operational.

The ambiguities of secularism have not escaped the attention of legislators. Yet little has been done to explicate the full scope of its meaning. Surprisingly, all efforts in this direction have been deflected. At the time of drafting the Constitution, Professor K. T. Shah, a member of the Constituent Assembly, made two attempts to enshrine secularism in the Constitution and to define it. Both attempts were frustrated.<sup>31</sup> In the first instance, in November 1948, he moved an amendment to Article 1 of the Constitution to make it read, "India shall be a Secular, Federal, Socialist Union of States." This was rejected because the Constituent Assembly, particularly the chairman of the drafting committee, Dr. Ambedkar, felt that the goals of socialism were already incorporated in the various articles of the Draft Constitution. However, as Baird points out, "the 'secular' part of the amend-

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31. Baird, "'Secular State' and the Indian Constitution," in Baird, ed., *Religion in Modern India*, 391.

ment was never addressed."<sup>32</sup>

Prof. Shah tried again to define the term "secularism" in the Constitution a month later. This time he wanted the state to commit itself to observing total neutrality in all matters relating to religion. Shah pleaded for a strict doctrine of separation between the state and religion. Perhaps because this was considered unworkable, the Constituent Assembly rejected the amendment without any discussion.<sup>33</sup> Thus ended two early attempts to explicitly commit the state to a clear definition of secularism.

India waited another twenty-seven years to enshrine secularism as one of the objectives of the nation. On 1 September 1976, through the 42nd Amendment Act, passed during an internal emergency, the words "secular" and "socialist" were formally added to the preamble of the Constitution. Why did the Indira Gandhi government introduce these terms in the preamble? Most importantly, why did the state add only the term "secular" and not try to define it?

In mid-1975, a coalition of forces opposed to the delegitimized and corrupt regime of Prime Minister Indira Gandhi had mounted a serious challenge to her leadership and organized country-wide protests against the hegemony of the Congress, which was ruling at the center and in several provinces. This coalition included the Hindu right led by the RSS and Jan Sangh (the forerunner of the BJP), disgruntled Congressmen, socialists, Gandhians, Sarvodaya activists, university students and NGOs. Since the Hindu right dominated the coalition, the Congress tried to diminish its legitimacy by harping on its "communal" ideology and background. The inclusion of the terms "secular" and "socialist" in the Constitution was meant to burnish the pro-people credentials of the Congress and to discredit the ideology of its opponents. When the coalition became vocal and violent, Indira Gandhi imposed a state of internal emergency throughout India, suspended fundamental rights, and incarcerated the leaders of the major opposition parties, ostensibly to ward off "threats to national integrity" and to curb growing lawlessness and social unrest instigated by opposition parties. At the height of the repression unleashed during the emergency, Mrs. Gandhi's government passed the 44th Amendment Bill (after receiving presidential assent it became the 42nd Amendment Act). There was little discussion on substantive issues concerning secularism since stalwarts of the opposition were all in prison.

While introducing the 44th Amendment Bill in the Lok Sabha, the Minister for Law, Justice and Company Affairs, H. R. Gokhale, made a lengthy speech on its far-reaching consequences. Yet about secularism and its introduction in the preamble of the Constitution, this was all he had to say:

(T)he objectives which we had always in view, namely, socialism and secularism, which

32. Ibid., 392.

33. Ibid., 393.

we have tried to implement, will be more and more implemented and will be more accurately and correctly reflected in a basic part of our Constitution, namely, the Preamble. Let anyone say that "socialism" or "secularism" is incapable of definition (*sic*). Well, if that argument were to be accepted, even "democracy" in that sense is incapable of definition because, is it not understood in different ways in different countries? But, we understand what kind of democracy we stand for. In the same way, we understand what "socialism" stands for and what "secularism" stands for. Therefore, these criticisms are really intended to divert the attention from the main focus. The main objective of the amendment to the Preamble to my mind, is a very important and fundamental feature in the present amendment Bill to the Constitution (*sic*).<sup>34</sup>

Prime Minister Indira Gandhi's speech on the 44th Amendment Bill was no more illuminating:

The founding fathers of our Constitution and of our country had intended Indian society to be secular and socialist. These are not new definitions. They have guided our laws all these years. All we are doing now is to incorporate them in the Constitution itself for they rightly deserve to be mentioned there. The specific mention of this fact in the Preamble will provide the frame of reference to all, to our people, to the Government, to the judiciary and to the world.

During the entire course of the debate, not a single member objected to the inclusion of the term "secular." The common refrain, in keeping with the tone set by the Leader of the House, Indira Gandhi, was that secularism was an inalienable part of the Indian Constitution and that the bill made explicit what was already inherent in the Constitution. As we have seen earlier, there was a great deal of resistance either to question or oppose secularism or to demand that its content and ramifications be worked out unambiguously. It always evoked respectful, if distant, obeisance from politicians of all hues. Expectedly, the bill passed in both houses of the Parliament and became law after receiving the president's assent.

Scholarly opinions about the silence regarding secularism point to many reasons. First, since the Constitution of India was framed against a background of the nightmarish communal holocaust that erupted in the wake of India's partition, it was decided not to rake up further controversies concerning the role of religion in public life. Also, it was felt that the partition of the sub-continent into India and Pakistan had clinched the question of religious and national identity. Though members of the Constituent Assembly routinely described India as a "secular state," such talk was basically meant to assuage the fears of the minorities about their security in Hindu-dominated India.<sup>35</sup> Second, secularism was a severely contested and thorny issue, as is evident from the acrimonious debates in the Constituent Assembly. Even within the Congress, there was little unanimity on whether or not to include secularism in the Constitution and, if so, what policy implications it should

34. *Debates Before Lok Sabha*, Fifth series (New Delhi: Lok Sabha Secretariat, 1976), 59-60.

35. *Ibid.*, 146.

36. Baird, "Secular State' and the Indian Constitution," 395.



have. As a matter of fact, all issues concerning religion were extremely contentious. There were, for example, rancorous arguments about the right to propagate one's religion, with all shades of opinion from the progressive to the fundamentalist vying for supremacy. This tension was only to be expected, given that upper caste Hindus dominated the Constituent Assembly.<sup>37</sup> They were resentful that Muslim obstinacy had resulted in the vivisection of the country and so were reluctant to enshrine a concept that would be fair to the latter.

According to Baird, at the time of independence, secularism was deliberately left vague and bereft of a "universally-accepted content."<sup>38</sup> He argues that the "multivalence" of the concept "enabled persons with a variety of religious goals to use it as a banner under which they could endeavour to build a nation together."<sup>39</sup> In other words, since nation-building had to be given top priority, the Congress did not wish to take a strong position on the relations between state and religion. He maintains that, even in 1976, secularism was endorsed because it continued to have "a minimal universally accepted meaning coupled with a multivalent nature."<sup>40</sup>

Baird's thesis, though apparently convincing, is not entirely tenable because it seems to ignore the preponderant influence of the hegemonic Hindu meaning of secularism. Indian secularism is firmly anchored in a majoritarian Hindu idiom and philosophy. Its meaning might seem to be "multivalent"; but for the managers of the state, its meaning is synonymous with the preservation of Hindu interests. Contrary to Baird's assertion, regardless of which party is in power at any given juncture, secularism can have only a Hindu meaning and connotation in India. These assertions do not preclude the possibility of paying homage to the need for protecting minorities, treating them with respect, and even co-opting their elites, in the interests of furthering electoral prospects.

### HINDU MOORINGS OF INDIAN SECULARISM

One of the abiding bromides of the political discourse in India is that India is secular because Hinduism is tolerant. Hinduism is often identified with the twin virtues of tolerance and non-violence. Hindu

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37. The Congress had a commanding position in the Constituent Assembly with 82 percent of the members on its side. Ghanshyam Shah points out that of the Hindus who constituted the largest bloc (83 percent) of the Assembly, 45 percent were Brahmins, 13 percent were Kayasthas, ten percent were Marwaris and Banias and six percent were Rajputs belonging to the land owning class. All in all, 74 percent of the members belonged to the upper castes. For details, see Ghanshyam Shah, "Reservations, Promise and Performance," *Third Concept* 4, no. 44 (1990): 27-32.

38. Baird, "Secular State and the Indian Constitution," 400.

39. *Ibid.*

40. *Ibid.*, 408.

tolerance is credited with nurturing the diversity of faiths, religions, and cultures in India. Hindu nationalists claim that secularism, understood as *Sarva Dharma Samabhava* (equal respect for all religions), is a natural corollary of the Hindu tradition of tolerance. Hence they never tire of reiterating that their struggle is to uphold "positive" secularism—meaning equal treatment of all and appeasement of none—and not for establishing a theocratic Hindu state. Such "liberal" statements mask a majoritarian political agenda that derives its strength from Hinduism. They also seek to accomplish two purposes. First, they seek to reaffirm the catholicity and tolerance of Hinduism and thereby enhance its acceptability as a liberal philosophy catering to the interests of all Indians. Second, they seek to drive home the patronizing point that secularism—meaning equal respect for all religions—is possible only because of the innate greatness and fairness of Hinduism. In plain terms, the message that is sought to be concretized is that India can afford to be secular only because of Hinduism. The other point being made is that Indian secularism based on its Hindu ethos and values, is about as good as it can get for other religions and their followers in India. Sophisticated versions of this argument emphasize the "long history of tolerance and eclecticism" in Hinduism. Less sophisticated ones make the same point by contrasting the record of Hinduism with the "innate intolerance" of Semitic religions like Islam and Christianity. They cite the treatment meted out to novelists Salman Rushdie and Taslima Nasreen by Islamic clerics to buttress their argument.

Amazingly enough, the notion that Indian secularism is the product of the genius of Hinduism finds acceptance and active support from all quarters, including mainstream political parties across the board. Since independence, this has become a state sponsored ideology and has been rarely questioned. One of its early exponents was Dr. S. Radhakrishnan.<sup>41</sup> He popularized the idea that from the time of the Rig Veda to the present, India has followed the policy of "live and let live" and tolerantly welcomed and nurtured ideas, peoples, religions, and cultures. On secularism, here is what he had to say:

It may appear somewhat strange that our government should be a secular one while our culture is rooted in spiritual values. Secularism here does not mean irreligion or atheism or even stress on material comforts. It proclaims that it lays stress on the universality of spiritual values which may be attained by a variety of ways. This is the meaning of a secular conception of the state though it is not generally understood.<sup>42</sup>

P. B. Gajendragadkar, a former chief justice of the Supreme Court,

41. Routinely described as a "statesman-philosopher," Prof. Sarvepalli Radhakrishnan was a charismatic exponent of traditional Indian philosophy who rose to become President of India. He was also the Spalding Professor of Eastern Religions and Ethics at Oxford University. Dr. Radhakrishnan wrote a number of books and articles on Hinduism and India's religious and philosophical heritage. His interpretation of secularism as deriving from the genius of Indian culture is often cited as proof of its greatness and superiority.

42. Quoted in Smith, *India as a Secular State*, 147.

has also underscored the Hindu origins of secularism:

the point I wish to emphasize is that the spirit of tolerance, born out of a firm conviction that all religions are entitled to freedom and each one of them has an element of truth—this is a legacy of Hindu philosophy, and that is the cornerstone of secularism of which I am speaking. This is a special feature of Hindu philosophy, religion and culture and as such it is on this foundation that the whole edifice of secularism rests. This aspect of Hindu tradition is, and, I venture to suggest, does form the theoretical basis of our secularism.<sup>43</sup>

Several scholars have also accepted this notion and treat it as axiomatic. D. E. Smith, one of the first scholars to work on Indian secularism, makes a similar point:

Hindu tolerance is far more than an intellectual abstraction expounded by Radhakrishnan and Gandhi. It is indeed a living tradition which has contributed vitally to the establishment of a secular democratic state in India. There is the doctrinal assertion of the essential oneness of all religions, to which many educated Indians (and not only Hindus) subscribe as a self-evident truth. More important, however, is the general attitude of "live and let live" toward all manifestations of religious diversity. When questioned about the theoretical basis of India's secular state, a large majority of Indian leaders will immediately relate it to the Hindu tradition of tolerance.

Pandit Nehru himself, for all his professed agnosticism, his Marxist outlook, and his aversion to the misuse of religion in politics, could not liberate himself from the Brahmanical interpretation of the connection between Hinduism and secularism, because he accepted the Brahmanical underpinnings of Hinduism as synonymous with Indian culture.<sup>45</sup> In his speeches and writings, there is the sense that in his fondness for Indian metaphysics he tended to look upon the excesses of Brahmanical dogma and everyday religious exploitation as peripheral aberrations surrounding an unsullied core of pristine Hinduism.

Thus, since the pre-independence period, the fusion of secularism and Hinduism has gained wide acceptance. The BJP has carried the argument a step further and popularized the idea that Indian culture and civilization are essentially Hindu, thereby conveniently eliding the composite character of Indian culture and the significant contributions of minorities. Defenders of secularism have not tried to question the core of Hinduism and secularism and examine why, if they are as benign as their votaries assert, they have caused such misery, violence, and destruction. Hence, it is important to investigate all claims being made in the name of these concepts in order to ensure that we start with a clear understanding of what they stand for. Many of the existing analyses are flawed because they seem not to have paid attention to the subtext of the vocabulary of Indian politics.

43. P.B. Gajendragadkar, *Secularism and the Constitution of India*, Kashinath Trimbak Telang Endowment Lectures (Bombay: University of Bombay, 1971), 101.

44. Smith, *India as a Secular State*, 149.

45. Gail Omvedt, *Dalit Visions* (New Delhi: Orient Longman Limited, 1995), 14-15.

## THE ORIGINS OF "HINDU" AND "HINDUISM"

We begin with the question of Hinduism. What exactly does its concept stand for? Does it have the antiquity extending to thousands of years that is claimed for it? Is it really tolerant and non-violent? How does one understand the claims made in the name of "Hinduism?"

Contrary to popular notions, Hinduism is not an ancient religion and its origins not of hoary antiquity. Critical scholarship has also shown the related notion of Hindu identity to be a recent, colonial construct. Likewise, the Hindu community that the BJP wishes to unite is no more than an "imagined religious community."<sup>46</sup>

"Hindu" is a Persian word first used to denote the people of "Hind," i.e. those living on the banks of the river Indus. Though early references to this expression are found in the inscriptions of Darius I and other rulers of ancient Persia from the sixth century BC onwards,<sup>47</sup> it did not stand for the homogenized "Hindu" community that we know today. Neither did it refer only to people following Hinduism. Hinduism as a religion and the notion of a "Hindu" community are of nineteenth-century vintage. Nowhere is the term "Hindu" ever mentioned in any scriptural work now revered by Hindus, not even in the normative and canonical texts of Brahmanism like the *Dharmashastras*.<sup>48</sup> Though a notion of community existed in India, it was not one of a uniform, well-crystallized "Hindu" community. On the contrary, there were diverse sects and communities identified by markers such as "locality, language, caste, occupation and sect."<sup>49</sup> Thus to assert that an inclusivist Hindu community existed in ancient India is to disregard historical evidence. In reality, according to Thapar, there were:

a cluster of distinctive cults and sects observing common civilizational symbols but with belief and ritual ranging from atheism to animism and a variety of religious organizations identifying themselves by location, language and caste. Even the sense of religious identity seems to have related more closely to a sect than to a dominant Hindu community.<sup>50</sup>

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46. Romila Thapar, "Syndicated Moksha," *Seminar*, no. 313 (1985): 14-22. See also her "Historical Realities," in *Communal Problems in India: A Symposium*, ed. Ramjilal (Gwalior: KPS Publications, 1988); and "Communalism and the Historical Legacy: Some Facets," in *Communalism in India: History, Politics and Culture*, ed. K. N. Panikkar (New Delhi: Manohar Publications, 1991), 17-33; and "Imagined Religious Communities? Ancient History and the Modern Search for a Hindu Identity" in Romila Thapar, *Interpreting Early India* (New Delhi: Oxford University Press, 1992), 60-88.

47. Von Heinrich Stietencron, "Religious Configurations in Pre-Muslim India," in *Representing Hinduism: The Construction of Religious Traditions and National Identity*, ed. Vasudha Dalmia and Heinrich von Stietencron (New Delhi: Sage Publications, 1995), 51-81.

48. Thapar, "Imagined Religious Communities? Ancient History and the Modern Search for a Hindu Identity," 75.

49. *Ibid.*, 77.

50. Thapar, *Interpreting Early India*, 85.

Affirming the same thesis, Stietencron argues for a radical reconsideration of "Hinduism" since "there is hardly a single important teaching in Hinduism which can be shown to be valid for all Hindus, much less a comprehensive set of teachings."<sup>51</sup> In a scholarly argument based on textual evidence and daily practices of the various sects, he shows how and why no agreement exists on even the so-called "universally accepted essentials of Hinduism, namely, the recognition of the Vedas as authoritative holy scriptures, belief in reincarnation and the doctrine of *karma*, and the hierarchical caste structure."<sup>52</sup> Hence Stietencron concludes that "there are a number of different religions existing side by side within Hinduism."<sup>53</sup> In other words, Hinduism is "not one religion, but a group of distinct Indian religions."<sup>54</sup>

Frykenberg also reiterates Stietencron's conclusion and observes that "there has never been any such thing as a single 'Hinduism' or a single 'Hindu community' for all of India."<sup>55</sup> He explores the historical evolution of Hinduism in the last 200 years and states that it did not "simply spring, full blown, into being. Rather it was *constructed*, piece by piece."<sup>56</sup>

If Hinduism and the Hindu community are "manufactured" entities, the question arises why they were "manufactured." Again, Romila Thapar's analysis is helpful to understand this process.

The notion of Hindu community as it is defined today became necessary when there was a competition for political power and access to economic resources between various groups in a colonial situation. There was need to change from a segmental identity to a community which cut across caste, sect and region. This social need also required a reformulation of Hinduism which was attempted in various socio-economic and reform movements of the nineteenth century.<sup>57</sup>

This is not the place to go into various other reasons for the emergence of a "Hindu" identity. For our purposes, it is sufficient to note that Hinduism and the Hindu community arose from the homogenization of a plural, multicultural tradition. Thapar calls this corporate version of neo-Hinduism as "syndicated Hinduism."<sup>58</sup>

The originators and proponents of Hinduism are mainly the twice born upper castes led by the Brahmins. They have forged the Hindu community by ironing out the variegated diversity of Indian society and

51. Heinrich von Stietencron, "Hinduism: On the Proper Use of a Deceptive Term," in *Hinduism Reconsidered*, ed. Gunther D. Sontheimer and Herman Kulke (New Delhi: Manohar Publications, 1989), 13.

52. *Ibid.*, 15.

53. *Ibid.*, 17.

54. *Ibid.*, 21.

55. *Ibid.*, 29.

56. Robert Eric Frykenberg, "Constructions of Hinduism at the Nexus of History and Religion," *Journal of Interdisciplinary History*, 23, no. 3 (Winter 1993): 523 (italics in the original).

57. Thapar, "Historical Realities," 82-83.

58. Thapar, "Syndicated Moksha," 22.

by forcibly co-opting the former untouchables, tribals, and lowly peasant castes who comprise its numerical majority. It comes as no surprise that Hinduism has a heavy Brahmanical orientation and is centered around Brahmanical scriptural works like the Vedas, the Upanishads, the Bhagavad Gita, Purānas, Ramayana, Mahabharata, and the like. Common to all these works is their insistence on the primacy of caste, the superiority of the Brahmins and other upper castes, and the low status of women, untouchables, and the peasant castes. Besides, they have stymied the growth of a rational outlook by emphasizing salvation, *karma*, and subordination. In sum, "Hinduism" is a hegemonic, status-quo ideology aimed at perpetuating the privileges of the upper castes. By "Hinduism," I mean only the exploitative, Brahmanical version of the religion that virtually all major political parties and the state have appropriated. Folk versions of Hinduism—those associated with the lower castes and traditions like the Bhakti movement—have all, in their own ways, provided meaning to the lives of subalterns and even enabled them to realize their revolutionary potential.<sup>59</sup> Mainstream "Hinduism" has adopted a patronizing attitude toward these aspects of Hinduism and tried to coopt them. It also strategically invokes these traditions to argue for the innate tolerance of and the diversity within the Hindu tradition.

#### THE MYTH OF HINDU TOLERANCE AND NON-VIOLENCE

The success of organized Hinduism lies in its mythology of tolerance, non-violence, and egalitarianism. Secularism is held up as the abiding proof of its liberal, benign credentials. In stressing the supposedly tolerant, catholic outlook of Hinduism, its proponents seek to drive home the point that anything other than Hinduism, i.e. the religions of the minorities, Islam and Christianity, cannot be secular. The crucial question is: are these claims historically valid? No great scholarship is needed to answer this question. The horrors of untouchability, the stultifying logic of *karma* and reincarnation, and patriarchy have besmirched the record of Hinduism. It is important, though, to go beyond the obvious blights that it visits on its most vulnerable followers. Quite often it is argued that untouchability, disfiguring widows and such other practices are mere aberrations, the dross and deadening accretions that any mass-based religion acquires in the course of its history. In contrast to this argument, Hindu enthusiasts point to the "sublime" aspects of Hinduism found in the higher reaches of its philosophy, in the arts, culture, and traditions that its elites pursue.<sup>60</sup>

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59. Several scholars have worked on people-centered and "folk" versions of Hinduism and on the Bhakti tradition. For an interesting work in this area, see Jayant Lele, *Tradition and Modernity in Bhakti Movements* (Leiden: E. J. Brill, 1981).

60. Ashis Nandy makes a distinction between Hinduism and *Hindutva*, the fundamentalist-nationalist movement spearheaded by the BJP and its allies, and argues that while the for-

One is often reminded that Hinduism has always welcomed and nurtured alien influences; that it is so eclectic that even heretical doctrines were propagated from the temples; and, that it is a non-proselytising religion wedded to the policy of "live and let live." Since these claims are seldom verified, Hinduism is reified in the popular imagination as an ancient, tolerant religion. As for its blighting customs and practices, they are explained away as corrosive influences of corrupt, external forces—mainly the Mughals.<sup>61</sup>

To understand the Hindu tradition of tolerance or lack thereof, one has to examine critically the history of the evolution of Indian philosophical thought.<sup>62</sup> Contrary to the popular impression of India's spirituality, there is a long and vigorous tradition of materialism and rationalism that has also been smothered. Lokayata, the materialist school, emphasized rationalism, laid the earliest foundations of scientific methods of analysis and investigation, and provided the wellsprings for the efflorescence of Indian science, medicine, astronomy and the like. Because Lokayata philosophers debunked the fantastic assertions of the priestly class and refuted their claims about the divinity of the Vedas, the Brahmins and other upper castes systematically persecuted and excommunicated them. Lokayata also denounced the caste system as baseless and cruel and ridiculed the superstitious practices of the Brahmins. Its relentless logic and rationality laid bare the hypocrisy, exploitation, and falsehood of the upper castes and, instead, proposed a rational, people-oriented outlook on life. In short, Lokayata subverted the social control mechanisms of the ruling class and threatened the interests of the entrenched elites. Evidently, the Lokayata philosophers raised inconvenient issues and aroused the ire of the priestly class who then destroyed all the Lokayata works. Not a single foundational text of the Lokayata school is extant and no complete account of their philosophical tradition exists. How, then, do we know about this school of thought? Exponents of the orthodox and theistic schools have, in their philosophical compendia, referred to Lokayata philoso-

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mer is "a faith and a way of life" the latter is "one of those pathologies which periodically afflict a faith or a way of life." However, this argument is flawed because it refuses to engage in a critical analysis of scriptural, ritual, and cultural aspects of Hinduism. For details, see Ashis Nandy, "Hinduism Versus *Hindutva*: The Inevitability of a Confrontation," *Times of India*, February 18, 1991.

61. Ashok Singhal, a leading figure of the Viswa Hindu Parishad (World Hindu Council) accuses Muslim invaders of creating the caste system in Hindu society. For details, see *The Economic Times*, April 16, 1995.

62. India is home to ten major schools of philosophy of which six are considered orthodox since, among other things, they accept the infallibility and authority of the Vedas and four are heterodox, i.e. they deny the authority of the Vedas. Those belonging to the heterodox tradition—Buddhism, Jainism, Tantra, and Lokayata (materialism)—are critical of the entire Brahmanical tradition reflected in the six orthodox schools and are atheistic in their orientation. Of these, Lokayata (Indian materialism) propagated rationalism, ridiculed the divine claims of the Vedas, and was critical of the exploitative ways of the priestly castes.

phers like Bhaguri, Punrandara, and others mainly to denigrate their rational arguments.<sup>63</sup> They routinely describe the materialists as "intellectual perverts," "stupid," and so on and do not examine the merit of their points.<sup>64</sup> Scholars of Lokayata like Debiprasad Chattopadhyaya<sup>65</sup> and G. Ramakrishna<sup>66</sup> have painstakingly culled these references and salvaged the main tenets of Indian materialism.

The harsh treatment meted to Lokayata is by no means the only instance of Hindu intolerance. Followers of Buddhism and Jainism, two heterodox philosophies, were not spared. Thapar has described the persecution of Buddhists and Jains by the Hindus.<sup>67</sup> She points out that Hsuan Tsang, the Chinese scholar who visited India, referred to the atrocities of Mihirakula against Buddhists, both in the Punjab and Kashmir in the sixth century AD. Similarly, the Kashmiri poet, Kahlana, in his *Rajatarangini*, writes about the persecution of Buddhists and the wanton destruction of a *vihara* (a Buddhist monastery) by a Saivite king.<sup>68</sup> In Tamil Nadu, in the south, the Saiva saint Jnanasambandar is said to have forcibly converted the Pandya ruler from Jainism to Shaivism. Thereafter, the king apparently killed 8000 Jains. Furthermore, Saiva sects also "attacked Jaina establishments" and drove them out of the kingdom.<sup>69</sup>

Apart from the followers of the heterodox traditions, the lower castes too have suffered at the hands of the twice born castes. Works on Hindu canonical laws, particularly the *Manusmriti*, abound in negative, insulting references to the *Shudras* (low agrarian castes), untouchables, and women.<sup>70</sup> Brahmanical Hinduism has explicitly prescribed the denial of basic rights like education, a decent livelihood, and full participation in socio-economic and cultural life to people belonging to these groups. Likewise, in the epics, Ramayana and Mahabharata and in the Puranas, one encounters numerous incidents and stories whose sole intention is to uphold the sacrosanct nature of the caste system and the hegemony of the upper castes. Those who disregarded caste injunctions were calumniated and had to pay a heavy price in the form of social opprobrium, excommunication, and so on. One such person

63. G. Ramakrishna, *Deviprasad mattu Lokayata Darshana* (Bangalore: Navkarnataka Publications, 1994), 37.

64. *Ibid.*, 86-87.

65. Debiprasad Chattopadhyaya, *Lokayata: A Study in Ancient Indian Materialism* (New Delhi: Peoples' Publishing House, 1959); and his *Indian Atheism* (New Delhi: Peoples' Publishing House, 1980).

66. G. Ramakrishna, *Deviprasad mattu Lokayata Darshana* (Bangalore: Navkarnataka Publications, 1994).

67. Thapar, "Historical Realities."

68. Thapar, "Imagined Religious Communities? Ancient History and the Modern Search for a Hindu Identity," 73.

69. *Ibid.*

70. G. Ramakrishna, *Deviprasad mattu Lokayata Darshana* (Bangalore: Navkarnataka Publications, 1994), 44-56.



was Charaka, the ancient physician and surgeon of India, who made pioneering contributions to Indian medicine and surgery. He was totally rational in his outlook and so defied caste based rules of pollution and purity to treat patients of all castes, including the untouchables. He faced considerable opposition and harassment from Hinduism's orthodox followers.

In spite of such concrete examples, it should not come as any surprise if Hindu enthusiasts maintain that these were solitary instances of abuse of Hinduism by misguided followers. The thrust of their efforts is to prove that Hinduism is essentially tolerant and concerned with universal well-being and therefore it must be the basis for the national life of India. But the Brahmanical dogma that constitutes the kernel of Hinduism is inherently intolerant, inegalitarian, and chiefly concerned with the perpetuation of the interests of the propertied castes and classes. Brahmanical Hinduism did not acquire these qualities: they are written into it from the earliest times. In its major scriptural works there are copious statements sanctioning the willful disenfranchisement of the marginalized groups and affirming the supremacy of the upper castes. I do not wish to dwell on specific instances as that will take us away from our immediate discussion. In its contemporary incarnation, Brahmanical Hinduism seeks to win adherents through several ways: by projecting a gentle, all-inclusive image of itself; by co-opting the lower castes through inducements; and, by projecting an enemy, an "Other," i.e. Muslims, whom it portrays as being inimical to Hinduism. Any attempt, however, to subvert its hidden agenda reveals its intolerant face.

#### GANDHI'S ROLE IN INSTITUTIONALIZING BRAHMANICAL HINDUISM

We have seen that the Congress used Hinduism and its metaphors for mobilizing the masses during the freedom movement. More than anyone else, Gandhi constantly invoked the metaphors of Hinduism to rally the subaltern castes around the anti-imperialist struggle. Astute leader that he was, Gandhi knew that a more acceptable form of Hinduism, one that made conciliatory gestures to the lower castes, would evoke the proper response from them. Towards this end, he worked in two directions. First, he started movements for cosmetic changes in the Hindu outlook such as the abolition of untouchability, the entry of the untouchables into temples, and so on to establish the bona fides of Hinduism. Yet, though opposed to untouchability, Gandhi never forsook his allegiance to the caste system. He described the four *varnas* (the major caste divisions) variously as "divinely ordained," an "immutable law of nature," and so on. Second, he conferred legitimacy on the use of Hindu idiom by embedding Brahmanical concepts like *Ramarajya* (the regime of Lord Rama depicted as being an ideal state), *Satyagraha* (the struggle for truth) and the like in the political discourse and holding them up as ideals to strive for.

Gandhi's fondness for Hinduism and his repeated assertions that its entrenchment in politics would have an edifying effect must be contrasted with his readiness to promote the interests of the propertied classes. Though a renunciant in his personal life, he promoted the interests of the national bourgeoisie. To achieve this end, he used the idiom of Hinduism. For instance, his notion of trusteeship, which he claimed to be in consonance with Hindu tradition, was a non-confrontational, patronizing arrangement for the management of property in which the rich man would invariably be the trustee. On several occasions, he worked actively to "accommodate the interests of capital."<sup>71</sup> Gandhi employed the heady discourse of Hindu spiritualism emphasizing trusteeship, non-violence and harmonious relations between labor and capital to thwart the radical restructuring of social relations that was being attempted during his time.<sup>72</sup> In the 1920s-1930s, India witnessed severe labor and peasant unrest. Industrial workers agitated for decent wages, and landless peasants were locked in violent confrontations with landlords for exploiting them. Gandhi again used Hindu rhetoric to deradicalize the agitators and divert their movements into non-confrontational channels.<sup>73</sup> More important, even when he led the peasant movement in Champaran, he did not highlight the evils of the *zamindari* system (landlordism). In fact, when he submitted an eleven-point memorandum to the British on behalf of the Congress in 1930, it focused on the grievances of the industrialists and not on those of the peasants and workers.<sup>74</sup> Gandhi also defended the *zamindari* system in his media interviews, a fact that appalled even Pandit Nehru. Interestingly, none other than G.D. Birla, a leading industrialist of India, vouched for his usefulness for the nationalist bourgeoisie in a letter to a friend: ". . . I wish I could convert the authorities to see that he is greatest force (*sic*) in the side of peace and order. . . . He alone is responsible for keeping the left wing in check."<sup>75</sup>

Gandhi's *tour de force* in the cause of Hindu unity was his successful agitation against the introduction of separate electorates for the un-

71. Ananya Mukherjee-Reed, "The State as Charade: Political Mobilisation in Today's India," in *Socialist Register*, ed. Leo Panitch (London: Merlin Press, 1997), 244-64.

72. Dr. B. R. Ambedkar, the leader of the untouchables, was extremely critical of Gandhi's political and social philosophy:

The special feature of Gandhism is that its philosophy helps those who want to keep what they have and to prevent those who have not from getting what they have a right to get. No one who examines the Gandhian attitude to strikes, the Gandhian reverence for caste and the Gandhian doctrine of Trusteeship by the rich for the benefit of the poor can deny that this is an upshot of Gandhism. . . . Gandhism is the philosophy of the well-to-do and the leisure class (quoted in Gerald James Larson, *India's Agony Over Religion* (Albany, N.Y.: State University of New York Press, 1995), 203-204.)

73. *Ibid.*, 254-55.

74. Mohammad Ghouse, "Nehru and Agrarian Reforms," in *Nehru and the Constitution*, ed. Rajeev Dhavan and Thomas Paul (Bombay: N.M. Tripathi, 1992), 77-109.

75. Quoted in Mukherjee-Reed, "The State as Charade," 255.

touchables in 1932. The Congress vehemently opposed this move and Gandhi went on a historic 21-day fast in Poona to protest against it.<sup>76</sup> Bowing to Gandhi's pressure tactics, Dr. Ambedkar agreed to withdraw his demand and the British rescinded their policy. Though both Gandhi and the Congress argued that the colonial rulers were promoting the untouchables to create a schism within the Hindu community and subvert the freedom movement, the greater worry was that a separate electorate for the untouchables would hinder panHindu unity whose hegemony the Congress wished to assume.

Thus, Gandhi used Hinduism skilfully to protect and promote the interests of the indigenous, national capital against the twin threats of metropolitan capital and of rebellion by the marginalized groups. But his more enduring contribution is that he completely recast the political discourse of India in non-class, non-economic, religious terms by employing the idiom of Hinduism. Evidently, this redounds to the benefit of the hegemonic leaders of the Hindu community, namely, the twice born castes, mainly the Brahmins and Banias—the latter who are predominantly trading castes.

Ironic though it might seem, Gandhi, who identified himself so completely with Hinduism, albeit a reformed version of it, was assassinated by a Hindu fanatic, Nathuram Godse. He, like most people of the Hindu right, was extremely annoyed with Gandhi's non-violence and his "pro-Muslim" leanings when all the latter demanded was fair play in the treatment of Muslims.<sup>77</sup> Hindu traditionalists, both within

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76. The upper caste elites of the Congress always claimed that they represented the interests of all Indians. But the untouchables, led by Dr. Ambedkar, were not satisfied with the patronizing policies of the Congress. They also did not approve of Gandhi's espousal of caste and his paternalistic attitude toward the untouchables, whom he called "harijans." Around the late 1920s, the untouchables under the leadership of Ambedkar, started launching militant movements demanding civil liberties like the right to draw water from public wells. Soon after, they began agitating for separate electorates. Their complaint was that the Congress elites had neglected their interests. In 1931, the British held a Round Table Conference (RTC) in London where the demands of the untouchables were discussed. To win support for his cause, Ambedkar tried to join hands with the leaders of the Muslims. This move alarmed the Congress. Its upper caste leaders were worried that the Muslims and the untouchables might succeed in challenging their hegemony, particularly if the separate electorates demand was conceded. In 1932, following the failure of the RTC, the Imperial government announced a Communal Award under which the untouchables were given the right to elect their own representatives. Worried that this move would sound the death knell of Hindu unity, Gandhi undertook a fast for 21 days. Bowing to Gandhi's moral pressure, Ambedkar agreed to withdraw his demand and settle for reserved constituencies for the untouchables.

77. The Hindu right was annoyed with Gandhi because he spread the message of communal amity and exhorted the Hindus to treat Muslims in a fair and generous manner. After the partition of India, Gandhi urged the federal government to expeditiously pay the government of Pakistan its share of the assets of undivided India agreed upon under the partition pact. The Hindu right was anguished by the "perfidy" of the Muslims and hence interpreted Gandhi's actions as pro-Muslim.

the Congress and outside of it, lionized Gandhi so long as he fought for a Hindu majoritarian agenda. However, when he urged his Hindu brethren to treat the minorities in a fair and equitable manner, he became the object of such intense Hindu hatred that it culminated in his martyrdom.

#### RECENT INSTANCES OF HINDU INTOLERANCE

The assassination of Gandhi and the subsequent escalation of Hindu violence against the lower castes, tribals, untouchables, and minorities do no credit to Hinduism as a religion wedded to non-violence. But then, non-violence has never been the forte of Hinduism. As Thapar points out, religions of the heterodox traditions, particularly Jainism and Buddhism, laid supreme emphasis on non-violence.<sup>78</sup> Hinduism has privileged this virtue only to prove its spiritual superiority over other religions. Unfortunately, however, instances of Hindu atrocities are too many and too egregious to justify its claim of non-violence. Upper caste anger against the growing assertiveness of the marginalized has revealed itself in periodic outbursts of caste and communal clashes. Often it assumes unconscionable forms. The demolition of the Babri mosque in 1992 and the killing of over 2000 Muslims in communal riots in Gujarat in 2002 are two significant examples of Hindu intolerance.

Curiously enough, though Indian secularism derives its meaning from Hinduism, the Hindu right is still critical of it. One would have thought that the BJP and its allies would be satisfied with the conceptual framework of secularism but might have problems with its flawed implementation. But, as we have seen, they demand that it be scrapped and replaced with "positive secularism." The BJP's prescription is no panacea for the ills of secularism, though, not the least because its critique of the official policy and the alternative it offers are eclipsed by its urge to enthrone an assimilationist, as opposed to integrationist, version of secularism.

#### THE BJP'S CRITIQUE OF SECULARISM

The BJP denounces the official policy on three principal counts. It claims that secularism is a Western concept wholly unsuited to India and is alien to its political culture; that secularism ignores the religious sensibilities of the vast majority of Indians to whom all activity is religious and a form of worship; and that if neutrality of the state is the essence of secularism, then the Indian state has never been and can never be secular. If anything, the BJP argues, "secularism" is partisan, particularly in favor of the Muslims since independence. For these

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78. Thapar, "Syndicated Moshka," 20.

reasons, Hindu nationalists have popularized the notion that because of secularism, "a Hindu society is saddled with an anti-Hindu state."<sup>79</sup>

The BJP's ire is directed mainly against the Congress and centrist parties. It accuses the Congress of pandering to the whims of "fanatical elements" among the minorities, particularly the Muslims, in the name of secularism. Oft-cited instances of "pampering" minorities include:

- allowing Muslims and other minorities to retain and follow their canonical, personal laws while denying this privilege to Hindus
- providing special legal provisions like Article 30 and Article 370 which confer a special status on Muslim dominated Kashmir under which, among other things, nonKashmiris cannot buy property without the permission of the provincial government, and
- the setting up of a Minorities Commission to safeguard their interests and look into the grievances of minorities, such as abuse of human rights.

The BJP alleges that such "pandering" to the minorities has fostered a separatist identity among them that is rooted in their religion. As a result, minorities have not fully assimilated into the national mainstream. The BJP also accuses official secularism of promoting "vote-bank politics"—a reference to the attempt by secular parties, notably the Congress and left and center coalitions to capture the votes of Muslims by giving them illegitimate concessions. The net effect of secularism is that it perpetuates servile, patron-client relations, creates a "minority complex" and thereby encourages fundamentalist and intolerant tendencies among Muslims.

As an antidote against such "pseudo-secularism," the BJP posits "positive secularism" with the motto "justice for all and appeasement of none." This recipe is predicated on a homogenized vision of India, one that equates "Indian" with "Hindu." Its logic is that since India is a land of the Hindus, who comprise around 85 percent of the total population, and since Hinduism is a way of life in addition to being a religion, it is only reasonable to expect all minorities to see themselves as Hindus or at least to Hinduize their way of life. What implications does this have for religious minorities? It means that the minorities should subordinate their religious or ethnic identity to the overarching Hindu identity.<sup>80</sup> Muslims, for instance, must see themselves primarily

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79. Rajeev Bhargava, "Giving Secularism its Due," *Economic and Political Weekly*, 9 July 1994, 61.

80. Golwalkar, a former chief of the RSS and one of its main ideologues, writes:

"The non-Hindu peoples in Hindusthan must either adopt the Hindu culture and language, must learn to respect and hold in reverence Hindu religion, must entertain no idea but that of the glorification of the Hindu race and culture: i.e., they must not only give up their attitude of intolerance and ungratefulness towards this land and its age-old traditions, but also cultivate a positive attitude of love and devotion instead. . . . in a word, they must cease to be foreigners, or must stay in this country wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges, far less any preferential treatment—not even citizens rights."

as "Hindus," adopt the Hindu way of life, pledge loyalty to India and, most important, accept the cultural heroes of the Hindus as their own. The BJP opposes official secularism because it provides statutory safeguards for minority cultural rights, encouraging Muslims to maintain their separate identity and since it is anchored in Islam, their loyalty is not to India but elsewhere. According to the BJP, India will emerge as a strong nation only when it becomes a cohesive *Hindu Rastra*, a Hindu nation-state. It sees "pseudo-secularism" as the biggest stumbling block in the fulfilment of the project of nation-building.

The crux of the BJP's critique is that it opposes special treatment for any religious group; since Hindus do not demand any special treatment, such demands from other groups must be ignored. The BJP is able to make this facile argument for equality only because the very conception of secularism is based on Hinduism. This Hindu base is why the BJP's problem with official secularism is not with the notion of "equal respect for all religions," but with the special provisions enshrined in the Constitution for safeguarding minority rights. Thus, the BJP argument aims to underscore the Hindu majoritarian slant of secularism and, more importantly, it seeks to extirpate special rights for minorities. As Kapur and Cossman point out, this notion is of formal equality, not substantive equality.<sup>81</sup> While the former is premised on "treating likes alike," the latter is a more comprehensive approach aimed at "the elimination of the substantive inequality of disadvantaged groups in society."<sup>82</sup> Hence the substantive equality approach is concerned not with "the equal treatment of the law, but rather with the actual impact of the law," and makes room for differential treatment of religious minorities in order "to ensure that they are equal."<sup>83</sup> Clearly, the BJP opposes substantive equality in order to subjugate not only the religious minorities but also the subaltern castes under its hegemonic rule.

### THREE COMPETING PERSPECTIVES ON SECULARISM: AN APPRAISAL

Of the three major perspectives on secularism the first, the Western, draws on the neutrality of the state toward all religions and the strict separation of religion and politics. Its chief merit, if actualized, is that it dichotomizes politics and religion in hermetically sealed areas and ensures that the one does not cast a baleful influence on the other. As we have seen, however, even in the West, this perspective has not been institutionalized in its purest form, mainly because it demands the

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For details, see M.S. Golwalkar, *We or Our Nationhood Defined* (Nagpur: Bharat Prakashan, 1945), 55-56.

81. Ratna Kapur and Brenda Cossman, "More than a Matter of Words: Secularism(s) and the Challenge of Hindutva," *The Thatched Patio* (January-February 1993), 3-4.

82. *Ibid.*

83. *Ibid.*

severance of symbiotic relations between two entities that have a natural affinity for one another, namely, the state and religion. In the context of India, the separation of religion and politics is neither feasible nor desirable in the present context. The state has a role to play; it has to ensure that secular issues concerning religion are handled without compromising public trust. Though the sacred and the secular often overlap and provide room for an illicit furtherance of partisan interests in the name of upholding public interests in religious affairs, at the present time there seems to be no viable alternative to this.

The second perspective is that of Hindu accommodationism—the Congress and left and centrist coalitions are its votaries. Its main feature is that, under the overarching hegemony of Hinduism, the state accommodates the interests of elites of all religious minorities so that they accept Hindu supremacy unquestioningly. The Hindu accommodationist perspective has two main drawbacks. While professing equality of treatment for all religions, it appropriates a special and privileged place for Hinduism by underscoring the Hindu basis of Indian secularism; it means first, that in India all religions are equal, but Hinduism is more equal than others because without it there can be no secularism at all. Second, as the exploitation of secularism's ambiguities by minorities proves, it has provided the ideological basis for the promotion of communalism of all religious denominations. Under the guise of showing equal respect for all religions, the state has flagrantly promoted communalisms of all hues.

The third perspective, advocated by the BJP and its allies, is Hindu exclusivism. It too reaffirms the supremacy of Hinduism, albeit more stridently. But instead of coopting the elites of religious minorities, it requires minorities to submerge their identity completely within the Hindu mainstream. Needless to say, the Hindu exclusivism perspective is not only xenophobic but also inimical to social diversity. Its chief attraction is that it provides a false sense of empowerment to those who identify with a pan-Indian Hindu community. But, it estranges itself from the minorities who constitute a sizeable number in India. This is why Hindu exclusivism is not yet a winning proposition in India. Besides, at least until recently, Hindu accommodationism accomplished virtually all the objectives of exclusivism. It has masqueraded hegemonic aspirations by projecting a genteel variety of Hinduism and through perfunctory ameliorative measures for minorities.

The current polarization of Indian politics on the question of secularism is mainly between the second and third perspectives. The Hindu accommodationism perspective seems to be the choice of a majority of parliamentarians and of the electorate.

Though gaining ground steadily for a variety of reasons, the Hindu exclusivism still bears the stigma of xenophobia and intolerance. Yet it would be perilous to pretend that Hindu accommodationism is as inimical to the interests of religious minorities as exclusivism: the epitome of both perspectives is a Hindu majoritarian ideology. While this

fact has hardly gone unnoticed, not much seems to have been accomplished either at the conceptual level or in the realm of praxis to emancipate debate from two congruent yet contending approaches. It is imperative to extend the horizons of debate and argue for a minority perspective on secularism, one that makes the interests of the minorities central to any assessment of the secular credentials of a party or a government. Enough historical justification exists to support such an exercise.

### THE MINORITY PERSPECTIVE ON INDIAN SECULARISM

If secularism is to have any meaning in India, then it must be embedded within the minority perspective. This would mean that the secular state's commitment is riveted essentially to protecting and perpetuating the rights of cultural and religious minorities. The crucial point, of course, is that religious minorities include both the minorities within the hegemonically defined Hindu fold as well as those outside of it. Taken to its logical end, the minority perspective would inevitably require the state to cauterize the Brahmanical components of its official policy. Exorcised of its patronizing and ideologically laden connotations, secularism would be a genuine promise to guarantee the inalienable rights of the minorities. The next step would be institutionalization of the minority perspective as the natural corollary of the form secularism should take in India, given its peculiar religious, political, and socio-economic history.

Understood thus, institutionalization would cease to be seen as a gesture of magnanimity on the part of the upper castes. On the contrary, even those who insist on a definition of secularism drawn from India's religious ethos could argue that secularism is the product of the sublime aspects of *all* religious traditions of India, and not just that of Hinduism. More to the point, if, among other things, safeguarding the rights of the minorities is made the touchstone of secularism, then it would ensure greater accountability for the secular claims of all political parties. It would be a bulwark against the vulnerability of the minorities; and, what is more, it would facilitate considerably operationalization of the spirit of the concept.

Critics of the minority perspective are likely to argue that it is not particularly novel, since statutes for the protection of minority rights are enshrined in the Constitution. To them, it must be pointed out that prescribing legal safeguards is one thing; empowering minorities to invoke them is quite another. What can the right of minorities to start institutions for the promotion of their culture and education mean to the vast majority of indigent Muslims for whom mere survival is an achievement? Besides, since all rights of minorities are located under the patronizing canopy of Hinduized secularism, they are seen as largesse that can be withdrawn summarily without any obligation to ex-



plain. Hence, not surprisingly, in riot after riot Muslims are killed and virtually no Hindu culprit is ever brought to justice, even those whose culpability has been established before judicial commissions of enquiry. Nevertheless, the state proclaims its commitment to secularism, unmindful of the lack of concrete results to back its claims.

Central, therefore, to making secularism meaningful and relevant to minorities is the task of reinstating its meaning as the recognition of and the commitment to inherent rights as minorities. This also would enhance its impact by providing objective indices for assessing the secular record of political parties. Based on this definition, only those parties are "secular" that have striven to provide the wherewithal to minorities to enjoy the privileges provided in the Constitution.

Enough evidence exists to argue that such a reading of secularism is also consistent with the spirit of the historical context in which it arose. The importance of secularism as a political concept dawned on the leaders of the freedom movement only when repeated and severe Hindu-Muslim riots broke out in the mid 1920s and 1930s. Initially, Nehru and other leaders of the Congress saw these clashes as the result of retarded economic growth under colonialism, encouraged by feudal elements. The Congress believed that once the manipulative colonial power was driven out of the country and modernization took place, communal riots would stop. Thus, the Karachi resolution of the Congress in 1931—its first explicit enunciation of secularism—declared that "the state shall observe neutrality in regard to all religions."<sup>84</sup> Clearly, the Congress had a myopic view of the nexus between religion and politics; later events would force it to re-examine its stance on secularism.

From the mid-1920s to the late 1940s, the sub-continent witnessed a gradual escalation of ideological polarization between the Hindu and Muslim communities, which culminated in partition in 1947. Relations between the two communities had begun to deteriorate soon after the first All India Census of 1871. The upper castes were galvanized into action once the Census revealed that they constituted no more than 15 percent of the population. Their vigorous efforts to augment their numbers by enrolling untouchables and tribals as Hindus after making them undergo a purificatory ceremony set off a more or less similar response in the Muslim community. In the forefront of the Hindu campaign was the Arya Samaj, a Hindu revivalist organization founded by Swami Dayanand Saraswati. In response to the Arya Samaj discourse and its Hindu mobilization tactics, Muslims formed the All India Muslim League in 1906 to lobby for protection of their interests. The colonial regime seized the opportunity provided by the Hindu-Muslim schism and exacerbated it by introducing separate electorates for Hin-

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84. S. Gopal, "Nehru and the Minorities," *Economic and Political Weekly*, Special Number 23, nos. 45-47 (November 1988): 2465.

dus and Muslims in 1909.<sup>85</sup>

In a bid to augment its political strength and partly in reaction to the formation of the Muslim League, Hindu elites formed the All India Hindu Mahasabha in 1915. In 1923, a prominent Hindu revivalist, V. D. Savarkar, published *Hindutva : Who is a Hindu?*, essentializing the differences between Hindus and Muslims and arguing that they constitute two distinct and irreconcilable civilizations. This influential book formally inaugurated the discourse of Hindu nationalism and caught the imagination of Hindu elites. In 1925, the RSS, a militant Hindu revivalist body, came into existence in Maharashtra with the dual purposes of establishing a Hindu nation by subjugating the Muslims and containing the unrest among untouchables who were then being mobilized by Dr. Ambedkar.

In the midst of heightened Hindu mobilization and the increasing shrillness of militant Hindu nationalist rhetoric, the Muslim populace began to feel uncomfortable. The Congress was overwhelmingly Hindu not only in its composition (which was inevitable) but also in its orientation, its idiom, and its preferences. It was natural for Muslims to develop misgivings about their future in a Hindu-dominated free India. In 1937, following its victory in several provincial polls held under the Government of India Act of 1935, the Congress assumed office. It refused to share power with the Muslim League and tried to marginalize it,<sup>86</sup> thus accentuating the worst apprehensions of the Muslim elites. On several other occasions, the Congress squandered opportunities for building bridges with the Muslim League.<sup>87</sup>

Suspicious of the Hindus in the Congress and fearing that it might not get its legitimate due in free India, the Muslim League passed the historic Pakistan resolution at the Lahore session of its meeting in 1940. Once the League formally demanded Pakistan, the relations between Hindus and Muslims soured irredeemably. It is true that the colonial government manipulated the leaders of the League and that Muslim elites were opportunistic and created a mass phobia about Hindu domination. To acknowledge this is not to absolve the Hindus in the Congress. Indian historiography demonizes the Muslim League and its leader, Mohammed Ali Jinnah, portraying them as opportunistic separatists. This portrayal is only partly true. The Congress also

85. Daniel Gold, "Organized Hinduisms: From Vedic Truth to Hindu Nation," in *Fundamentalisms Observed*, ed. Marty and Appleby, 536-37.

86. Rafiq Zakaria states that in the provincial election in the United Provinces, the Congress failed to win a single seat in Muslim ridings. Maulana Azad, a prominent Muslim in the Congress, then advocated that the party should form a coalition with the Muslim League. Apparently, Nehru rejected this idea. For details, see Rafiq Zakaria, *The Widening Divide: An Insight into Hindu-Muslim Relations* (New Delhi: Penguin Books, 1995), 43-44.

87. Zakaria argues that between 1938 and 1946, the Congress bungled several possibilities of League-Congress alliance and hence squandered the chance of avoiding the Partition. See Zakaria, *The Widening Divide: An Insight into Hindu-Muslim Relations*, 71.

was to blame.<sup>88</sup>

We have dwelt on the deterioration of Hindu-Muslim ties in the 1930s and 1940s because the idea of "secularism" and of India's being a composite nation gained prominence only after the League passed the Pakistan resolution in 1940. In other words, the Congress made a special effort to recognize the composite nature of India and the contributions of Muslims only when Muslims threatened to partition India. "Equal respect for all religions" was meant to assure Muslims that their destiny would be secure in independent India. From the position of neutrality toward all religions, the Congress veered to the notion of equal respect for all religions.<sup>89</sup> A nondiscriminatory model of secularism was meant chiefly to allay the fears of Muslims and to avert partition. In the wake of the partition, 65 million Muslims remained in Pakistan, mostly the middle and upper classes. Around 35 million Muslims stayed in India. To heal the wounds of the communal holocaust and to affirm commitment not to jeopardize the interests of the Muslims who stayed in India, the Constituent Assembly legislated to protect their interests.

Thus Indian "secularism" is primarily a solemn asseveration of the Hindu majority to honor the rights and privileges of minorities and to recognize the composite character of Indian nationalism. The BJP argument about Hindu identity as the defining feature of Indian nationalism is clearly untenable because it negates India's composite nationalism. The Congress makes the same argument in a slightly less dogmatic fashion when it claims that Indian secularism is derived from Hinduism.

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88. Ayesha Jalal's analysis of the events leading to the Partition and the role of Jinnah, the Muslim League, and the Congress are along these lines. For details, see Jalal, *The Sole Spokesman: Jinnah, The Muslim League and the Demand for Pakistan*.

89. Akeel Bilgrami argues that the Congress never seriously applied itself to the question of institutionalizing communal harmony. It always followed an ad-hoc policy and changed its position without seeking the views of different communities. Its policy on secularism did not emerge as a result of an open dialogue. The Congress did not discuss substantive issues concerning majority-minority relations. It imposed its own views from above. This attitude betokens not only its ideological bankruptcy but also its lack of genuine commitment to promote intercommunal solidarity. For details, see Akeel Bilgrami, "Two Concepts of Secularism: Reason, Modernity and Archimedean Ideal," *Economic and Political Weekly* 29, no. 28 (July 9, 1994): 1755.

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