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A Critical Analysis on the Relationship between State and Religion in Relation to Philosophy of Secularism in India

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ABSTRACT

The founding fathers of the Indian Constitution always had secularism as a foundation of a democratic India. Secularism means the acceptance and respect of all the religions in a country without any coercion and minimal interference of state in the religious matters. A country is considered secular only when the state without any discrimination, considers the value of each religion and empathize towards the people to profess any religion of their choice. In a country as diverse as India, there are several religions and communal groups with various interests, belief and faith. There is a possibility of religious conflicts in India, since the interest of one religious group may be violating other groups faith. In such a situation the state plays an important role in regulating the acts of the people, protecting the religious beliefs and preventing the destruction of lives and property. The philosophy of secularism has been analysed in this paper. The meaning of secularism has different interpretations but is same at its core, i.e. freedom of religion with no state interference. The meaning and importance of secularism of secularism in India has been understood. The paper focuses on the Constitutional relation between state and religion in India. The view of secularism in India is different. There is no strict separation between state and religion. The state interferes when matters of religion affect the peace of other living beings. Indian constitution provides a blend of secular and non-secular features which has been focused in this paper in detail. Further, an analysis has been drawn upon the role of the state in affairs of religion prior to the adoption of the Constitution in India. Before the British and during the British Indian period, the role of religion in state and vice versa has been looked into. The present situation of the relation between state and religion has been inferred, with reference to the in secular acts of the religious groups in the country. The post constitution role of state in religion is also the focus of this paper. What was considered supreme for governance of the people is now governed by the state for welfare of society at large.

Keywords: Religion, secularism, minimal interference, relation between state and religion, constitutional provisions.

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I. INTRODUCTION

Secularism is a political philosophy defining the relation between religion and the state. Secularism means the separation of church and state. To protect individual rights relating to freedom to profess any religion shall be within the scope of law. For this the state plays an important role in regulating the practice of religion by one community with that of the other community and also individuals under the communities to prevent any conflict. The state does not usually interfere in matters of religion and religion should not disrupt the matters of the state. The importance of the role of the state becomes important in deciding under what circumstances can the state interfere in matters of religion and vice versa.

The constitution generally regulates the relationship between religion and state. They after realising connection between state and a religion, establish institutions or laws relating to that religion. This declares a state to be secular or religion neutral. Around the world, religious identification is an integral part of communal and national identity, which is expressed through constitutional recognition. A need to protect religious diversity and acknowledge them in a society inclines the constitutional makers to give special recognition to various religious groups.

The problem is with giving religious recognition or establishment of institutions, giving religious privileges or making laws for the same can have damaging effects on the rights of religious minorities or people without religion. "It may increase tensions between 'in-group' and 'out-group'."² Most of the drafts of the constitution will have to consider the problem of religion state relations.

"According to the background of the religious diversities the Indian Constitution and laws governing relationship between state and religion embodies in it. The challenge in the constituent Assembly was how India would accommodate the diversity in a modern, democratic state which shall ensure equal rights and opportunities to the citizens. The result was thus, a secular state."³

The importance of secularism in the present scenario can be seen with the demands of diverse religions. India's past in respect of relation between state and religion has greatly affected the present situation as we can see today. The role of the constitution was a strong step towards conflict resolution between different religions and also in governing the state keeping religion

² RELIGION STATE RELATIONS, International IDEA, 2014, (last visited May 19,2020), http://constitutionnet.org/sites/default/files/religion-state_relations.pdf.

³ Erik Reenberg Sand, STATE AND RELIGION IN INDIA: THE INDIAN SECULAR MODEL,(last visited May19,2020),https://www.idunn.no/file/ci/66930421/State_And_Religion_In_India_The_Indian_Secular_Mode1.pdf.

in mind. The present scenario in different countries on relationship of religion and state is influential and all the suitable aspects can be adopted by India.

(A) RESEARCH QUESTIONS

1. What is secularism and how is it important?
2. Whether the constitution has sufficient provisions in regulating the relationship between state and god?
3. Whether the philosophies of secularism affect the relationship between state and religion, in India in the past?
4. Whether the role of state in respect of religion sufficient in the present world scenario?

(B) RESEARCH OBJECTIVES

- To analyse the meaning of secularism.
- To understand the importance of the philosophy of secularism.
- To interpret the constitutional provisions governing the relation between state and religion.
- To infer the conduct of the state in the past in regulating relations with religion in India.
- To focus on the present world's philosophy on secularism and role of state in accordance with religion.

(C) RESEARCH METHODOLOGY

The present research article is **doctrinal** research. The article is about the philosophy of secularism and the role of the state in providing such secularism. The article does an in-depth study on the constitutional provisions by the state in governing the relationship between man and god. The research is **theoretical** and **analytical**. The article has **secondary sources of data**. These secondary sources of data include books, articles, journals, website articles, newspaper articles, etc.

(D) LITERATURE REVIEW

1. **STATE AND RELIGION IN INDIA: THE INDIAN SECULAR MODEL BY ERIK REENBERG SAND**

Erik Reenberg Sand, STATE AND RELIGION IN INDIA: THE INDIAN SECULAR MODEL,

This article shows how the relationship between the state and religion has been described under the Indian constitution. The article also contains several instances where state interferes in matters of religion, in spite of freedom to choose and profess any religion. The paper also describes a criticism on the present secular system in India and misuse by the Indian society. The gap in the paper is that less reliance is given to factual data and is more analytical. Also there has been no comparison with other countries not any reference has been given to the past of Indian religion and state relationship.

2. INTRODUCTION TO SECULARISM BY GERARD PHILLIPS

Gerard Phillips, INTRODUCTION TO SECULARISM, (National Secular Society, 2011),

This article is an introduction to the concept of Secularism. It established the concept of secularism and religion in public life and also describes what secularism is not. This has been referred in the present article. Also the concept of secularism in content of UK has also been mentioned. The gap in this article is that it is restricted to UK and no comparison has been made with any other secular countries in the world.

3. RELIGION-STATE RELATIONS BY INTERNATIONAL IDEA

RELIGION STATE RELATIONS, (International IDEA, 2014), (last visited Jan 19, 2020), http://constitutionnet.org/sites/default/files/religion-state_relations.pdf

This article described the role of the constitution in relation to the state and religion relations. The article incorporates the fundamental religious guarantees given to its citizens by the constitution. The article also shows the archetypes of religion state constitutional relationships. The article also gives few additional considerations that constitutions should follow. Few of these concepts have been included in the present article. The gap in this article is that no examples in real life like countries with working constitutions have been given. There is also no explanation to the concept of secularism in the archetypes deeply

II. PHILOSOPHY OF SECULARISM

(A) MEANING OF SECULARISM

Secularism means no interference on part of the states in matters of religion. Secularism means the citizens of the state are given equal opportunities and status irrespective of the religion they profess. Secularism does not have any relation with god and the related concepts. A secularist country provides a platform to the states to include different religions and diversity of people having several interests. Any democratic state must be secular in nature. Thus, secularism can be given the meaning of separation between religions and state

in terms of personal matters until it doesn't go beyond control. Various philosophers have given different definitions to the interpretation of the word 'secularism'. According to **Oxford Dictionary**⁴, secularism means morality of the state in the well-being of the citizens having no relation to God. **The New English Dictionary on Historical Principles**⁵ has the similar view. According to **Winston Dictionary**⁶, secularism means rather than sacred issues focusing on well-being of words. The **Encyclopaedia Americana**⁷ states principle of secularism to include morality and having autonomy from religion or god. "According to **Swami Vivekananda**, Secularism has its basis and belief upon faith and due to these beliefs, all religion has different theories of faith, thus, they seem to quarrel with each other. **Dr. Radhakrishnan** identifies secularism to increase the spirit of religion among Hindu's and worship the supreme or the god who resides in all human beings."⁸

After Secularism started as a difference between science and religion, since then promoted the welfare and independence of mankind from the characteristics of religion. The court in case **SP Mittal v Union of India**⁹, held that religion is a substance of faith and also focuses on the conscience of a man, which is also an act or expression like ritual or worship. Secularism is governed by reason, intelligence and choice of man. What a man thinks as reasonable in matters of religion can be professed by him. Secularism is different from atheist.¹⁰ Secularism simply means the right of the man whether to profess any religion or not, and if to practice such religion then which one. This right to choose the religion is given equally to all citizens in a democratic state. The **U.N. Declaration on the Elimination of All Forms of Intolerance and of Discrimination** based on Religion or Belief has asserted the importance of freedom of religion. **Encyclopaedia Americana**¹¹ further suggests that since religion answers question of faith, god, morality, individual's conscience among others, thus, it also indicates freedom of expression.

Secularism is not being anti -religious but being neutral. Even though secularism includes aspects of freedom of religion, thought and conscience, right to equality, citizenship and other rights guaranteed by the states irrespective of religion but in present day, with increase in conflict of interests the role of state comes into focus. The state if secular is required to be

⁴ The Oxford English Dictionary O.E.D vol.IX1978p.261.

⁵ The New English Dictionary on Historical Principles [OED], Vol,VIII.[Oxford,1914],p1236

⁶ The Winston Dictionary, [Philadelphia1946],p.888

⁷Encyclopedia Americana [American crop, New York,1944],Vol.24,p.521

⁸Aniketsml, Secularism and Constitution of India, (last visited May 11, 2020), <http://www.legalservicesindia.com/article/1964/Secularism-and-Constitution-of-India.html>

⁹SP Mittal v Union of India,AIR 1983 SC 1

¹⁰ Julian Baggini, Atheism: A Very Short Introduction, Oxford University Press, 2003 11.

¹¹Encyclopedia Americana, Supra Note 7.

aloof from matters of religion but in practice certain situations which beyond control make the states interfere in functioning of religion for the benefit of larger societal interest.

(B) IMPORTANCE OF SECULARISM

Secularism means separate functioning of religion and the state. For this function of its secularism is important. To protect the individual liberties and rights of the citizens it is essential for any state to be secular to protect people's interest and opportunities. Another importance of secularism is that for any democratic state to function efficiently and call itself truly democratic, they need to adopt secularism. In a world with diverse religions a state is bound to have more than one religion. To uphold the rights to these religious groups and to make sure rights of one group are not undermined by the other, secularism thus becomes the need to every democratic country. Secularism thus enforces that people of all religion are equal. It is also important to check that religion doesn't affect matters of state and let it function independent of any influence and vice versa. The need of secularism can be highlighted in the choices and wishes of the people. The public shall not be stopped from doing anything religious which is morally just and ethically not harmful to the remaining population. Thus, secularism protects people who either follow or don't follow any religion and also provides religious freedom to the people. Secularism, furthermore, believes that human rights are superior than any religious right. If such religious practice takes away the natural rights of the citizens then in a democratic country, the state must interfere to meet the ends of justice and fairness. Secularism is required by a state to be free from discrimination, enhance the right of freedom of speech and expression by expanding their religious voice and giving people access to all services and rights that may come in their way.

III. CONSTITUTIONAL PROVISIONS TO REGULATE RELATIONSHIP BETWEEN STATE AND RELIGION

India is a country of diversity. Most of the religions are practised in India by its citizens be it Hinduism, Islam, Christianity, Jainism, Buddhism or Sikhism. The word religion has not been defined in the Constitution of India but the meaning given by the Supreme Court of India in the case of **Commissioner H.R.E v L.T. Swammiar**¹², held that Religion is a matter of faith within individuals or communities and it is not necessarily theistic. India has always strived to be a secular country but only after the 42nd Amendment to the Constitution in 1976, it was formally secular and the word secular was added to the preamble. In an early

¹²Commissioner H.R.E v L.T. Swammiar, (1954) SCR 100

case **Narayanan Namboodripad v State of Madras**¹³ after the Constitution was acknowledged, the courts recognised unlike the US theory of separation between church and state, India had no separate church and state. In **Indra v Rajnarayan**¹⁴, the court held that the basic feature of Secularism means that state supports no particular religion and all people have the equal right to their respective consciences and have the freedom to profess, practice and propagate any religion. The state allows the public to practice any religion without compromise but the practice shall not violate the rights and beliefs of other people. The state shall not interfere until any harm is caused in the society. Secularism is not strictly practised in India, even though it is considered a private matter of the public.

(A) SECULAR FEATURES

The constitution provides secular safeguards to its citizens. These rights form part of the Fundamental right of the constitution which under no circumstance can be violated by the state or any other citizen. The right that prohibits any religious discrimination and shows the secular nature of our country by providing equal status and opportunities to all religions is mentioned under **Article 15** of the constitution. Similarly, **Article 16** prevents any religious discrimination on employment matters.

Under **Article 25** of the constitution the citizens have the right to profess, propagate and practice any religion keeping in mind morality, health and public order. There is a restriction in this right only due to excessive nature of religious practice which goes against the basic feature of human rights. For example, the practice of dowry and sati are unacceptable religious practices and states interference in such situations are a must. **Article 26** also provides religious rights to maintain religious institutions, manage the affairs on its own, acquire property in conformity with the law but the condition is no public order, morality or health shall be harmed. The Court in **AS Narayana Deeshitalyu v State of Andhra Pradesh**¹⁵ while interpreting Article 25 and 26 puts a careful balance between matters which are essential and those which are not and the need for the State to regulate or control in the interests of the community. **Article 30** also provides the religious and linguistic minorities to handle educational institutions. **Article 29** prohibits discrimination between religious groups in educational institutions maintained by the state fund. **Article 28** states no religious instruction shall be forced on institutions run by state fund. The Supreme Court has made it

¹³Narayanan Namboodripad v State of Madras, AIR 1955 Mad 385

¹⁴Indra v Rajnarayan, AIR 1975 SC 2299

¹⁵AS Narayana Deeshitalyu v State of Andhra Pradesh, (1996) 9 SCC 548

clear in the **Shirur Math Case**¹⁶ that this provision prevents any person to pay tax if being compelled and also, not state fund shall be used for promotion or maintenance of any particular religion. Further, **Article 27** prohibits collection of taxes in order to promote religion. This shows the secular nature of the country conferred to the citizens by the Constitutional provisions. The court held in case of **Sardar SuednaTaiirSaifiiddin v State of Bombay**¹⁷ that Articles 25-30 represent the principles of religious tolerance and this has been from the very start of the Indian Civilization. The founding fathers of India, always wished India to be a democratic secular state respecting all religions. This aspect has also been the basis for the Constitution.

(B) NON - SECULAR FEATURES

Although it is important for India to be a secular country, it cannot be unaware of the fact that the religious diversities tend to create conflicts and for this purpose it is essential to regulate the affairs to the religion by interruption of the state. There are provisions for the same in the constitution to maintain the relationship between state and religion.

Another reason as to why the state should regulate religious practises is that the minorities must be given opportunities so that they maintain an equal status with other groups and this can be done by affirmative actions by the state. Under **Article 15(4)** of the constitution the state is allowed to make special laws for upliftment of socially backward people and further **Art. 16(4)** give authority to the state to make reservations in employment matters. Also, **Art 330(1)** and **332(1)** give the state the right to make laws on reservation on election of members who are from disadvantaged backgrounds to the houses of parliament.

Article 25(2) provide the state with the power to make laws in matters of social, political, economic and secular aspects of practicing religion and furthermore, Hindu religious institutions on the command of the state shall be available to all classes of the Hindu religion. This limitation is given to provide all Hindus equal access to religious institutions and also the state is enabled to make laws if it sees any unjust or unfair treatment among the religious groups or within the religion itself.

The constitution also provides under the Directive Principles of State Policy to establish and maintain a Uniform Civil Code under **Article 44** which tries to collaborate the laws relating to marriage, divorce, succession, etc of most religions followed in India to function according to the mixed religious practices of Hindu's, Muslims, Christians or parse's. This takes away

¹⁶Commissioner H.R.E v L.T. Swammiar, (1954) SCR 1005

¹⁷Sardar SuednaTaiirSaifiiddin v State of Bombay, AIR 1962 SC 853

the rights of the people wanting to follow a particular religion due to the customs followed by such religion. Thus, this provision is contrary to secular nature.

IV. ROLE OF STATE IN RELIGION: PRE- CONSTITUTIONAL PERIOD

(A) PRE- BRITISH INDIA PERIOD

Religion existed even before the concept of state. Religion was seen as a method of maintaining social order in any territory. Without some rule or principle of governance, the state would be in anarchy. Thus, religion was used for the purpose of governance of the public and religion was considered as supreme law.

“Even before religion people believed in magic. Magic was succeeded by faith in god and using prayers as a form of worship.”¹⁸ The Rig Veda is a proof of prayers made by people to god for long lives. This behaviour of man was further replaced by the peace and prosperity would be achieved in next lives, if prayed with utmost faith in this life. The Hindu Upanishad’s promoted the concept of Moksha or salvation as the ultimate destiny of human beings. According to this, the world is unreal and with good deed and praying to only one god Brahma, can a living being merge with god. For thousand years, Christianity has given its focus on worship of god to go to heaven. Jainism and Buddhism believe in the concept of reincarnation which is governed by Karma, i.e. the prosperity in this live is the result of actions in the previous life. The strong values of compassion and love among religions established religious tolerance. “The Hindu jurisprudence was based on morality and dharma, which was beyond secular attributes.”¹⁹

“In India the rulers and the Kings always had religious tolerance in their actions. Ashoka was engrossed in the concept of Dharma which means to hold together and keep people unified. Under the Gupta period thought was respected in manner of literature and art. Even the Muslim rulers, did not change the religious lifestyle of the people and themselves imbibed to the Indian lifestyle of culture.”²⁰

Religion was considered to be superior than state and its functioning as religion was only to regulate the acts of the people. But now, state is superior to religion and all religious activities are to be done in accordance with the state, which makes sure no religion hampers the working of some other individual.

¹⁸Tarkunde, V., *Secularism and the Indian Constitution*. India International Centre Quarterly, 22(1), 143-152. (1995), Retrieved May 11, 2020, from www.jstor.org/stable/23003717

¹⁹P. Ishwara Bhat, *Towards bridging the gap between People and the Constitution : A Comment on the NCRWC Report*, (NALSAR Law Review, Vol 2 No. 1, 2004-2005).

²⁰Dhan Singh, *Secularism as it Means to the Youth of India*, (Avant Garde, 2016), (last visited May 12, 2020), http://www.iitk.ac.in/ime/MBA_IITK/avantgarde/?p=1442

(B) DURING BRITISH PERIOD

Before the British, India lived in harmony. It was the British policy of divide and rule that heightened the communal feelings both in Hindu's and Muslim's. For their convenience in governance they clubbed the Hindu lifestyle and created a monolithic religion of Hinduism which was previously inclusive of different lifestyles. By active participation in Muslim league politics, who had different ideologies, the British created a divide among the Muslims and Hindus. The British interference in the Muslim League and the Hindu Mahasabha led to India's Partition. The Christians in India were insignificant in number but had a hand in shaping the Indian Secularism. The Christian influence has been on education, personal law, politics since British period in India. With increase in numbers of Christians in India after British invasion, the Hindu's were governed on Christian laws. The Muslims were allowed by the British to practice Hindu laws of inheritance since the Muslim law was inconsiderate of women. The Britisher included race in religion and made matters worse.

V. ROLE OF STATE IN RELIGION: POST CONSTITUTIONAL PERIOD

In India Post commencement of the Constitution, Secularism is a concept in which the state does not control the affairs of religion. The state guaranteed each individual the right to practice their choice of religion, if they want to. But any of such religion will not get preferred treatment by the state. There is no discrimination on grounds of religion and the secularism is considered as the soul of democratic India. Each individual has the right to religion by maintaining peace and dignity of others who reside along with them. The Indian secular model not only differentiates between religion but also gives freedom to maintain institutions having religious backgrounds. The Secularism in India not only protects religious rights but provides community rights due to Inter religious command.

In the case of **S.R.Bommai V. Union of India**²¹, the court held a state should neither have a religion of its own nor shall it be unneutral towards other religions. But in the case since BJP had a religious background in politics controlling four states, it was dismissed on grounds that it favours religious positions. The freedom of religion is also extended to any resident or non-citizen in India, as held by the SC in **RatilalPanchand V. State of Bombay**²². This case was filed to protect the rights of foreign Christian missionaries in India. In **Bal Patil and Anr. v. Union of India**²³, the court held that in India, state has no religion and all religions are equal in law and must be respected without involving in matters of faith.

²¹S.R.Bommai V. Union of India, AIR 1994 SC 1981

²²RatilalPanchand V. State of Bombay, 1954 SCR 1035 23

²³Bal Patil and Anr. v. Union of India, (2005) 6 SCC 690

After the British rule, the constitution prescribed secularism is only followed in text. In the present scenario it is not followed in its strict sense. The rise in communal violence between different religious communities have left state with no choice but to interfere in such religious matters as they harm the public and property at large by breaking all moral and ethical values. For example, “In 1992, the **Babri Masjid** in Ayodhya, was destroyed by Bajrang Dal and Vishva Hindu Parishad, as they claimed it as lord Ram’s birthplace.”²⁴ “Around 1200 people died.”²⁵ The government in these areas has increases security to avoid any such communal violence. They have made an attempt to solve these matters peacefully. “The **communal riots in Gujarat in 1969**, after the attack on the Hindu temple broke out violence among the religious groups of Muslims and Hindus. Attacks were also made on Muslim chawls.”²⁶ “Nearly, 700 people including Muslims and Hindus were killed and many were injured.”²⁷ The **Godhra train** burning incident in which Hindus were burned alive allegedly by Muslims by closing door of train, led to the **2002 Gujarat riots** in which mostly Muslims were killed.

Despite secular and religiously tolerant Constitution of India, sometimes due to history, religious activities, and politics religious violence take place and disturb the secular character of the state. These incidents forced the government to take action and stop the violence and killings of people and destroying of public property. Thus, the govt. stepped in the curtailed the right to secularism, due to the misuse of the secular rights by these communities.

The **Sabrimala temple** banned entry of women between age 10 and 50 to the temple due to their menstruation cycle.²⁸ This caused a religious upheaval in Kerala. In the case of **Indian Young Lawyer’s Association & Ors v the State of Kerala & Ors**²⁹, the court put an end to this age old practice and discussed the issue not only related to women entering Sabrimala temple but entry of Muslim women in mosques. After the judgment Kerala saw state-wide protests that later turned violent. The temple town was guarded with hundreds of police personnel, including armed commandos and women cops were deployed in large numbers to

²⁴The Context of Anti Christian Violence, HRW, (last visited May 11, 2020), <https://www.hrw.org/reports/1999/indiachr/christians8-03.htm>

²⁵Gargan, Edward A., India, Acting on Militants, Ousts Local Rulers, New York Times, (16 December 1992), [nytimes.com/1992/12/16/world/india-acting-on-militants-ousts-local-rulers.html](https://www.nytimes.com/1992/12/16/world/india-acting-on-militants-ousts-local-rulers.html)

²⁶ History of Communal Violence in Gujarat, Concerned Citizens Tribunal - Gujarat 2002, (last visited May 11, 2020), <https://www.sabrang.com/tribunal/volII/comvio.html>

²⁷Laurent Gayer; Christophe Jaffrelot, Muslims in Indian Cities: Trajectories of Marginalisation, (Columbia University Press. pp. 53–60. ISBN 978-0-231-70308-6), (30 May 2012)

²⁸Ishita Guha, Sabarimala temple case referred to larger Supreme Court bench of 7 judges, LiveMint (2019), (last visited May 11, 2020), <https://www.livemint.com/news/india/sabarimala-temple-case-referred-to-larger-supremecourt-bench-of-7-judges-11573707336204.html>

²⁹Indian Young Lawyer’s Association & Ors v the State of Kerala & Ors, [w.p. (civil) 373 of 2006]

resolve the violence. This misuse of religious freedom from state resulting in violation of rights of women under Article 14 the right to equality to enter into a religious institution like any other man and 25 from practicing their religion, thus the state had to interfere to uphold the rights of the society at large.

The recent acts of communal and religious violence and the further aggravated by the political parties in form of their agendas, has changed the meaning and face of secularism. Secularism in India exists in theory. For such violence occurrences, it has become essential for the state to interfere and settle the matters. A country can be truly secular, if the people rationally believe in it and not follow secularism just as a provision under law. The values of secularism should be deep rooted in the country to actually feel its presence.

VI. SUGGESTION

With diversity as vast in India, to maintain democracy, peace, empathy and compassion are requirements towards other people, their faith, beliefs, sentiments and interests. When there is acceptance and tolerance of other's freedom and interests, only then secularism in a country as diverse as India can be strong and effective. In a country with such huge population the importance of greater good prevails the choice of interest if such interest interferes with the benefit of public at large. Through platforms like social media and press values of love and peace among various religions and communities must be shared. The youth is the future of the country and if they are aware of the importance of secularism, then all religions can coexist peacefully. In schools, colleges, NGO's and other clubs, the children should be made religiously tolerant and promote harmony. The political parties and news channels should be refrained from negative publicity of any religion. Further they should not treat communal differences as vote bank politics. The civil societies must be active in performing their role of religious tolerance and spread secularism. Even the government should not on any occasion support any religious group exclusively. The institutes like National Integration Council should conduct gatherings and fairs where there are cultural and religious exchanges. This will provide a platform to learn and educate. Also, the religious leaders should propagate the true religion and not any made up ritual. This will also give the young generations and opportunity to really see what religion, if any, they want to can choose. Secularism is the need of the hour. In this competitive world, for India to succeed the people must be united within the country.

VII. CONCLUSION

India has been the land of peace and harmony so various types of religious people from the

world wants to reside in India. India taught the world about the meaning of secularism which attracted the people all over the world. India is a secular nation with no state religion and therefore every citizen residing within the territory of India has the right to follow the religion he believes in. Religion is personal matter and everyone has right to follow one's own religion. In order to hold together a diverse nation as India, which is a democracy, there is no alternative but to further nurture and strengthen the principles of secularism, tolerance, empathy and compassion. India has always been a Secular State from times immemorial. The people in ancient India had freedom of religion, and the state granted citizenship to each individual regardless of whether someone's religion was Hinduism, Buddhism, Jainism or any other. The constitutional principles for Secularism under Part III of the constitution as the Fundamental rights of the citizens under Articles 25 to 30 show secular character but give the state authority to interfere in issues that go beyond the control and the religious communities misuse their rights. Communal incidents bring religious disharmony, disturb the course of life of citizens, hurts the economy and drives away investors from the country. Communal violence and religious conflict in the post constitutional period has left the state with no choice but to curb the situations which would result in to religious apathy and try to create a balance in religious diversities which exists both in belief and practice in India. Socio economic upliftment, creation of religious harmony, inculcating religious tolerance among the citizens by education regarding secular values can be some tools to promote secularism in Indian context. Indian Secularism is a way of life in India as it is deep rooted in Indian society. Thus, to promote the constitutional goal of fraternity, for promotion and assurance of individual dignity and unity and integrity the pro-active role of the state is required for religious harmony and tolerance. Secularism in India, thus, does not mean separation of religion from state. Instead, secularism in India means a state that is neutral to all religious groups. India is the home of many religions where the people of democratic India are free to celebrate their festivals with enthusiasm and equality. People respect each other's religion, thus spreading the message of unity among different nations. To conclude, Secularism in India is the relationship of state and religion is minimal interference of the state in religious matters only when the necessity arises, otherwise the citizens are free to profess their choice of religion.

VIII. REFERENCES

- Gerarld Phillips, Introduction To Secularism, (National Secular Society,2011).
- RELIGION STATE RELATIONS, International IDEA, 2014, http://constitutionnet.org/sites/default/files/religion-state_relations.pdf,(last visited May 19,2020).
- Erik Reenberg Sand, STATE AND RELIGION IN INDIA: THE INDIAN SECULAR MODEL, (last visited May 19,2020), https://www.idunn.no/file/ci/66930421/State_And_Religion_In_India_The_Indian_Secular_Model.pdf.
- The Oxford English Dictionary O.E.D vol.IX1978p.261
- The New English Dictionary on Historical Principles[,OED], Vol,VIII.[Oxford,1914],p1236
- TARKUNDE, V., Secularism and the Indian Constitution. India International Centre Quarterly, 22(1), 143-152. (1995), Retrieved March 11, 2020,
- P. Ishwara Bhat, Towards bridging the gap between People and the Constitution : A Comment on the NCRWC Report,(NALSAR Law Review, Vol 2 No. 1, 2004-2005).
