

EDITOR'S NOTE

I have great pleasure in presenting this volume on *Secularism : Its Implications for Law and Life in India*. It contains the papers presented at a seminar organized at the Indian Law Institute, New Delhi, under the joint sponsorship of the Institute and the Education Commission, Government of India, in November 1965. Summaries of the proceedings at the discussion sessions are also included. The seminar (which was originally to have been held at Jaipur) was attended by eminent educationists, judges, lawyers, law teachers, political scientists, Indologists, historians, priests and sociologists. As many points of view as possible were presented at the seminar.

No apology is needed for a seminar of this kind in India. An effort to examine and analyze the concept would have been a necessary and welcome step at any time in the history of the country after independence. But the social and political problems of contemporary India make serious thinking upon the subject inevitable. In view of the stresses and strains and feelings of insecurity generated by continuous conflict with our neighbour it becomes the responsibility of the intellectuals to guide Indian social thinking on proper lines and to see to it that an atmosphere of brotherliness, tolerance, national unity, and the transcending of religious and sectarian differences is created. It is only through this atmosphere of a compromise of interests, of willingness to give everybody a hearing, of emphasizing that opinions should not be formed and expressed unless they are based upon rational appraisal, that Indian democracy can flourish. In truth the complex heterogeneity that India presents in almost all directions—race, language, religion and colour can only be suitably contained through a democratic principle. But the atmosphere to operate happily and functionally rests not upon special privileges to any group but upon a guarantee that the institutions of law and order will be so run that there is no discrimination or arbitrariness as against individuals or groups.

Secularism emerged in the West as a concept antagonistic to religion and as a byproduct of materialism and industrialization. The problem of secularism in India is how such a peculiarly intellectual and scientifically empirical concept can be made viable in a community subject to mass illiteracy, superstition and the all-inclusive hold of religion. Both the Hindu and the Muslim religions, though neither has an established church, profess to guide the life of their votaries from birth to death.

The peculiar problems of the Indian scene in relation to secularism were continuously voiced at this seminar, and if any one particular con-

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sensus appeared to have been arrived at, it was that if the concept of secularism is to become functional in India it has to relate itself to the racial, spiritual and cultural motivations of the social tradition. It came out clearly that in spite of the divergence of religions in the country there existed a tradition of mutual tolerance of people belonging to different faiths, and this tolerance was only disturbed not by the believers themselves living in social groups in remote areas, but by the armies of certain bigoted rulers who tried to enforce their religion upon their subjects. In spite of this history, however, a harmonious living for thousands of years was known in India. The emphasis upon the use of religion in the British advocacy of the two-nation theory, ultimately ending in division of the country into India and Pakistan, had largely an economic motivation as well as a political one.

For secularism to thrive in India it is necessary to find proper institutions through which the economic motivations of the individual could be channeled into other interest-group organisations. It is hoped that as society becomes economically better ordered and merit and skill become the criteria of selection for jobs in industry and government, the religious motivations will gradually disappear. The prevalence of the communal basis in political elections is indicative of a shift in emphasis from a purely religious and non-economic motivation to an economic and power motivation. It is understandable that in the absence of any other means of organisations, not only the religious minorities but the majority community seek to rely on caste and sect organizations. The historical survival of the two-nation theory will for quite some time perhaps continue to motivate the Muslim community, which is the major minority community in the country. In my opinion, a more healthy approach to political bargaining and interest representation in this community ought to centre round not on an appeal through religion but through an emphasis upon the cultural contributions that the Muslims have made to the complex of values of India. One cannot, whatever one might do, neutralize centuries of borrowing and mutual influence between the two cultures, in spite of the religious bigots of both communities. Language, manners, artistic tastes, paintings, architecture to a high degree, and even the inner feelings of man's relation to God and universe, have all been structured in India not on the Muslim or Hindu religions but upon a curious unidentifiable mixture of both. What part either of the two cultures plays in this inextricable mixture can usually not be scientifically analyzed? In the absence of this analysis the future educational policy of India should build upon a consciousness and emphasis of this mixture. This can be done if we seek, for example, to identify and formulate ideas drawn from Urdu poetry during the decadence of the Mughal Empire, particularly in northern India; or the ideas of Sufi philosophy. This emphasis will not be unreal when we realize that automatically and

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imperceptibly a transition is in fact occurring in the behavioural and habit patterns of individuals in the whole of India through the spread of technology and industrialization. There is a peculiar culture, a mechanical one, neutralizing the effects of religious bigotry. It is true that along with the bad and the superstitious some good also is washed away. There is no denying the fact that there is a trend towards uniformity of life and behaviour, and to some degree also of thought, in every country. Efforts should be made by the intellectuals in the country to build upon this trend towards uniformity which will provide a rich and fertile soil for secularism to take root. This would not be an easy task and will involve a great deal of theoretical as well as empirical research, the results of which may have to be implemented through careful legislative programming and judicial guidance. The first step towards this over-all research and rethinking would be to identify as clearly as possible what may be called the *components* of secularism for modern India. Some of these were suggested during the discussion. Once a list of these components is settled the following questions would need to be asked :

- (1) What precisely do we mean by each component ? (“Individualism,” “the Rule of Law,” “Scientific Spirit” and so on, may be somewhat more concrete and precise than an undifferentiated concept of “secularism.” But they are still not very concrete or precise. Each of them needs to be the subject of a special clarifying study.)
- (2) What is the causal connection between each component and the others ? This really involves two questions, namely :
 - (a) How far is each a *necessary* condition of the other components or some of them, in the sense that the other components cannot be achieved at all unless that factor is present?
 - (b) How far is each a *sufficient* condition of the other components or some of them, in the sense that once that component is established the others will tend to follow automatically?

(These are questions for sociological study.)

- (3) As to each component, *do we want it* ? (e.g., some participants thought that “individualism” is an essential component of secularism; but others wanted to insist evaluatively that we do not *want* “individualism.” These are questions for wise cultural evaluation on a philosophical and sociological policy-making level.)

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- (4) How far is each component, or the conditions for its growth, already established in Indian society?
- (5) How far is each component hampered, or altogether blocked, by contrary factors present in existing Indian society?
- (6) What can be done in each case to foster the development of a particular component, or to remove obstacles to its development?

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