CHAPTER: II

Secularism: Concept, Scope and Its Importance

2.1 The Concept of Secularism

This chapter starts with the overview of the major historical developments pertaining to religious freedom; it highlights the major events that led towards the achievement of a complete freedom of conscience and religion. It also discusses how the notion of separation of State and religion evolves and become one of the dominant liberal values in the history of mankind. Then it proceeds to address the issue how the concept of secularism is viewed from the mainstream religion perspective. In connection to this the issue of the place and role of religion in the public sphere will be discussed. In relation to the constant tension between secularism and the freedom to practice or manifest religion, some questions will be raised, such as what are the compelling arguments in favor of restricting religion to private life; what are the counter arguments in favor of allowing religion to play a greater role in the public arena, especially in politics; and how do these competing interests be reconciled. Finally, how other constitutional democracies adopt and implement the principle of secularism vis-à-vis freedom of religion will be examined. Accordingly, this chapter focuses first on the meaning, origin and components of secularism.

2.1.1 Origin of the Concept

The emergence of secularism can be traced to the social and political situation existing in Europe during the 17th and 18th centuries. The term itself was coined by Holyoake in 1851, but the emergence of the concept must be understood in the context of the conflict between Church and the State, which commenced much earlier. It was through this conflict that a gradual delimitation of the spheres of the temporal and spiritual authorities was made and which led to the evolution of the various principles associated with secularism, viz. freedom of religion, and of conscience, tolerance, a democratic conception of citizenship, etc. accordingly, it would be pertinent to trace in brief the historical conflict between Church and state in the West.
The problem of the relationship between religion and the State emerged with the rise of Christianity, with its distinction between the spiritual and the temporal, “Render therefore unto Caesar the things that are Caesar’s; and unto God the things that are God’s. “Until the Edict of Milan (313 A.D.)\textsuperscript{1}, Christians were constantly persecuted for they refused to acknowledge the divinity of the Emperor\textsuperscript{2}. With the conversion of Constantine to Christianity, it became established as the State religion of the Roman Empire. Christianity, which had proclaimed the right to belief, itself, became intolerant of other faiths. While on the one hand, this close alliance led to acceptance of Christianity which heretofore had been taboo. On the other, it led to conflicts between the Pope and the Emperors and active State interference the powers of the State and Church via the Gelanasiann theory enunciated by Pope Gelasius I (495-496) A.D.). This theory attempted to set up a “dualism of authority” in regard to the two spheres\textsuperscript{3}, while maintaining the spiritual power as the higher of the two.

The conflict between the two continued over the next few centuries. It was primarily a manifestation of clash of interests and roles. For instance, in 800 A.D. Charlemagne (Emperor of the Frankish Empire) had been crowned by the Pope, but in order to assert his supremacy, Charlemagne himself crowned his son as his successor.

The period following the disintegration of Charlemagne’s empire was characterized by political and moral decay. The Church was also affected by the decay of such values. A reforming tendency began within the Church with the appointment of a number of reform-seeking Popes. One of the principal aims of their reform was to emancipate the ecclesiastical power from the temporal authority, as a result of which arose the investiture controversy of the 11\textsuperscript{th} Century. The problem mainly revolved around the role of the temporal authority in the choice of Bishops\textsuperscript{4}. This emancipation involved a substantial diminishing of temporal authority over the Church. The Church tended to assume the roles of a colossal supranational power with vast resources and

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1. The Edict of Milan provided for neutrality on the part of the State in matters of religion. See Sidney Z. Euler and John B. Moral, Church and state Through the Centuries, (Burns and Oates, London, 1954), pp.4-6.
2. Ibid I
3. Ibid,P10-11
4. Ibid
authority. It also played a decisive role in the Roman Empire as the Emperor had to be crowned by the Pope.

The struggle for supremacy between the state and Church continued throughout the middle ages. The authority of the Church was further reinforced by the clash between Frederic II, Emperor of the Holy Roman Empire as well as King of Sicily, and the Papacy, which culminated in the former’s deposition and subsequent death in 1250 A.D.\textsuperscript{5} This struggle took another turn in the conflict between Pope Boniface VIII and Philip IV, King of France over taxation of the clergy in which the latter emerged triumphant. Despite the decisive victory, the Church still remained influential.

The idea of religious liberty and toleration was almost unknown in the middle Ages. The medieval Church considered it to be its duty to force a like belief in all men\textsuperscript{6}. The ideas of Augustine and Aquinas regarding heresy as a crime and death penalty as a punishment for such a crime prevailed\textsuperscript{7}, inspire of Marsiglio of Padua’s attack on Papal supremacy and calling for a transfer of authority from the Church to the State in his book Defensor Pacis\textsuperscript{8}. Some monarchs attempted to restrict the Papal power over the Church in their territories\textsuperscript{9} and thereby limit the authority of the Church.

The Church itself suffered from dissensions and abuses resulting in the protestant Reformation of the sixteenth century under the leadership of Luther, Calvin and others. Luther attacked Catholic authority and the Papacy as the seat of such authority. He advocated subordination of the Church to the State and tended to regard religion as merely an aspect of State policy. But he advanced no new notion of religion freedom. As a matter of fact he even defended persecution of heretics and imposition of religion uniformity because the magistrate had a duty to “prevent divisions arising among his subjects\textsuperscript{10}.” The Calvinist wing of the Protestant Reformation stressed Church independence and favored a policy of revolt against “ungodly rules” in support of the “true religion”. Thus it engendered militant fervor and “contributed greatly to complicate

\textsuperscript{5} Ibid,52
\textsuperscript{7} D.E. Smith, op. cit., p.12.
\textsuperscript{8} Ehler and Morall, op. cit., p.160.
\textsuperscript{9} Ibid. pp.96-97.
and embitter the religious conflicts in the sixteenth and seventeenth centuries. Calvin’s own city, Geneva, was theocratic. Even during the protestant Reformation, the governing principle was ‘cujus region, ejus religio’ (whatever the religion of the ruler that would be the religion of the State). Religious minorities, even during the Reformation, were “encouraged or compelled to immigrate to states professing their own religion.”

Even until the end of the middle ages, the church was regarded as superior to the State. As late as the sixteenth century freedom of religion was denied and persecution of heretics was defended even by enlightened politicians such as Sir Thomas More. More defended the preservation of heretics as something essential “not only to the preservation of true religion, but also to the cohesion of civil society itself.”

The underlying principles of the Reformation such as “the right to rebel against the established ecclesiastical authority and to examine the truths of religion without restriction and the idea of a direct relationship between God and man obviating the necessity of mediation by a charismatic church”, however, contributed towards greater religious liberty. The Reformation also provided an opportunity to monarchs to assert their independence from all external authority, be it spiritual or temporal and worked towards religious liberty and toleration. For instance, in England, Henry VIII revolted against the authority of the Church and established the Church of England, assuming the title of ‘Defender of the Faith’.

The presence of sizable religious minorities in France and England also had the effect of introducing a “conception of citizenship not dependent on a common religious faith.” Theoretically, it had been Machiavelli who, in the sixteenth century, first separated politics from religion and asserted the supremacy of political power, while emphasizing the Prince’s duty of independent rule. Toleration was emphasized by Bodin in the

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11. Sidney Z. Ehler and John B. Morral, op. cit, p.16
sixteenth century and by Locke in the seventeenth century in his Letter on Toleration. However, Catholics and atheists did not come under the purview of Locke’s toleration.

In the seventeenth century with the emergence of the process of enlightenment, scholars such as Descartes, Hobbes, Spinoza and Leibniz represented “the first sustained attempt to construct a rational picture of the universe on the basis of scientifically established knowledge” and emphasized human values. The development of modern science and the spirit of reasoned inquiry inspired the scholars and philosophers of the Renaissance.

The gradual emergence and growth of the ideas of religious liberty and tolerance marked a step towards secularism. Enlightenment, in the eighteenth century, was furthered by Rousseau and Kant, resulting in increased rationalism and declining superstitions and dogmas. The European rulers, Attempted to reconstruct their State on the basis of the teachings of the rationalist thinkers of the Enlightenment.

The French Revolution of 1789, based on the political dogma of popular sovereignty, combined with the emergence of the nation-state resulted in depriving the church of the last remnants of supremacy, at the same time enabling the State to regulate the affairs of the Church. This was amply demonstrated by Napoleon when he refused to be crowned by the pope, instead performing the ceremony himself. A broadly humanist approach became the predominant factor in matters of state policy.

Throughout the nineteenth century, the principles of religious liberty and toleration received support from political philosophers such as Bentham and Mill. Thus the British utilitarian’s were “philosophically, the sponsors of secularism”. All this prepared the environment for the establishment of secularism. Secularism, as a doctrine, emerged in the late nineteenth century, especially in the works of Holyoake. Secularization was, however, not complete for freedom of religion was limited. Even in

the nineteenth century, Gladstone defended the imposition of the Protestant religion upon the people of Ireland, declaring it to be beneficial to them, whether they knew it or not. “Shall we, then, purchase their applause at the expense of their substantial, nay their spiritual interests?” Religious tolerance was thus frequently denied. In France, the later years of the revolution were marked by persecution of heretics. In England, it was not until 1829 that the legal disabilities of Catholic were removed.

With the advancement of scientific knowledge, however, religious intolerance declined and the concept of a secular State gained ground. The American Revolution led to the establishment of a secular order. Soon afterwards, Karl Marx propounded the view that religion is the opiate of the masses and the Soviet Revolution based on his teachings, had an anti-religious thrust.

Thus ever since the rise of Christianity mankind has been faced with the dilemma of the relation between religion and politics, only its manifestation has varied according to time and place. The emergence of secularism was the result of a gradual delimitation of the spheres of the temporal and the spiritual over a long period of time, which resulted in the institutionalization of the secular state in the West. This, however, does not imply that the issue of the relationship between the temporal and the spiritual has been settled once and for all. The problem continues in various forms and has been handled by each State in accordance with its particular history and institutions in a more or less distinctive manner.

The concept and praxis of secularism in India as it has evolved since independence has evoked a wide ranging public debate. Before discussing the major issues and problems which imperil secularism in India, it would be pertinent to set out a theoretical framework on the basis of which the discussion in the following chapters will proceed. It would also be apposite to examine the variations in secularism. Secularism, as a concept, has been variously interpreted. The term secular has, on the one hand, been contrasted with the sacred or the spiritual as against the worldly; and, on the other, is interpreted as a trend or condition continuing over a period of time. The expositions on secularism vary from an out rightly anti-religious definition of secularism, to indifference

in religious matters, to an equal regard for all religious, secularism is defined by the Encyclopedia Britannica generally in terms of separation of state from religion.\textsuperscript{21}

Secularism as a modern concept was born in Britain, It was Holyoke, for the first, who used the word "secularism" and its systematic formulation was done mainly by him. Charles Bredlaugh further elaborated its basic principles and virtually agreed with Holyoke. The secularism of Holyoke was but a conscious affirmation of the goals and urges of westerns during the nineteenth century. They, in turn were product of the renaissance that asserted the dignity of the person, and of the science, as also of the liberalism of the nineteenth century.

The concept of secularism in its modern form was articulately expressed by \textbf{George Holyoake}. It owes its name and, in a large measure, its existence to the life and labor of Holyoake, who was born 1817 in Birmingham, of artisan parents with religious upbringing. Secularism is the concept that government or other entities should exist separately from religion and/or religious beliefs. The term was coined by British writer George Holyoake in 1851. It was regarded by its first proponent, G.J.Holyoke, as an alternative to atheism and be defined on considerations purely human, and intended mainly for those who find theology indefinite, or inadequate, unreliable and unbelievable.\textsuperscript{22} Secularism is also described as a movement founded with the intention of providing a certain theory of life and conduct, without reference to religion, having its antecedents in the political situation of Europe and also in the philosophical school of the Utilitarian's.\textsuperscript{23} There is thus a widespread and long-standing sense or meaning of secularism as per which it involves the rejection of religion, opposition to religion, conflict with religion. It stands as district or separate from, and is not connected or concerned with religion or spiritual matters. The secularism represents a sphere which is purged of the supernatural; there exists an antinomy between religion and secularism. Secularism sometimes expresses the fear or consternation of religion. The objective of

\begin{footnotes}
\footnotetext{21.} Encyclopedia Britannica, Vol.20[London],P.264
\footnotetext{22.} G.J.Holyoke. The Origin and Nature of Secularism[London,1986],p.41
\footnotetext{23.} Eric S.Waterhouse,op.cit,p.347
\end{footnotes}
Secularism is to free human mind from the “illusion”, “neurosis”, and “tyranny” of religion.  

**According to Dietrich Bonheoffer,** Secularism lays emphasis on this world rather than the supernatural, behavior rather than belief, freedom rather than obedience and a bold maturity rather than conservatism.  

**According to Wilfred Cantwell Smith,** "a secular state is a form of state so contrived as to win and hold and deserve the loyalty and warm allegiance of any citizen of whatever religion or of none"  

**According to G.G.Hackman,** secularism signifies the kind of life that is lived in complete indifference to God and to religious values. The same view has been put with greater force by.  

**The Jerusalem meeting of the International Missionary Council 1928.** defined the term 'Secularism' as a way of life and interpretation of life that includes the natural order of things and that do not find God or realm of spiritual reality necessary for life or thought". To Hackman ' it signifies the kind of the life that is loved in complete indifference to God and religious value.  

According to **Reverend Leslie Newbigin** thinks the term 'secularism' has been taken to refer to 'a system of belief or on an attitude which in principle denies the existence or the significance of realities other than those which can be measured by the methods of natural science.  

**J.C Benet** also repeats that secularism is life organized apart from God and thought God did not exist.

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27. George g. Hickman, Religion in Modern Life [1957] p, 283  
28. The Jerusalem Meeting of the international Missionary Council.1928  
30. George g, Hack man, Religion in Modern Life [1957]p,284
2.1.2 The Meaning of the Word 'Secular', Secularization' and 'Secularism'

In politics today, both Indian and International, perhaps few other words of frequent use are as confusing, abused and misunderstood as Secularism. The West is believed to be the cradle of this concept. But, as we shall see soon, in the Western dictionaries secularism is described as something opposed to religion, as something which has nothing to do with God or with anything super-natural or transcendental.

Before presenting the case of Indian secularism, it is essential to define secularism, so as to have a benchmark against which to compare the Indian variant. Quite simply, secularism is the separation of state and religion, or more broadly zero interference of the state in the matters of religion, and vice-versa. What this implies is that the state treats all citizens equally, regardless of religious beliefs (among other things). Secularism implies that all are considered equal in the eyes of the law.

Its origin can be traced to the western world view. It is, therefore, important to understand its philosophical base to fully appreciate its connotation, its importance and its limitations. Before considering the topic under discussion it would be naturally appropriate to briefly notice the meaning of the word 'secular' and 'secularism'. The word is a product of the Renaissance and post Renaissance period and has not always meant the same thing to all people. As I will presently show, for the purpose of our study it is enough to understand the word secularism as meaning something which is opposed to religion.

Secularism is the like a hat has lost its original shape, as it assumes the shape of the head on which it has been placed. It is viewed by different person form deferent angles hence; its whole meaning is difficult to comprehend. Men of philosophy, of ethics, of religion and of social science have looked at it from their respective points of view and have offered their definition. Secularism is a catch word and watchword of the present century. Like socialism and democracy, it has proved to be a hydra of political science. It defies definition.

[A] Meaning of the Term 'Secular' and ‘Secularization’

"Secular" means " not connected with religious or spiritual matter" In this sense it is probably right to say that many of us live in secular states, in countries in which the origin and justification of the political power is totally secular state in which religion is
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present but, as charls Taylor point out, religion "occupies as different place in social life, compatible with the sense that all social action take in profane time". Put in another way, in our Secular societies, you can engage fully in politics without ever encountering God'.

The English word ‘secular’ comes from the Latin ‘saeculum’, which means ‘an age’ or ‘the spirit of an age’. It has the same meaning as the Greek ‘a eon’, which is used in the New Testament for an ‘age’ or ‘era’. The conflict between religious faith and human reason, which forms part of the background to the emergence of the modern ideology of secularism, surfaced in the late middle Ages. Historically secularism as an orientation to the world is linked to two major interrelated processes in Europe.

Laicite is a French concept related to the separation of state and religion, sometimes rendered by the English cognate neologism laicity and also translated by the words secularity and secularization. The word laïcité is sometimes characterized as having no exact English equivalent; it is similar to the more moderate definition of secularism but is not as an ambiguous as that word.

Along with the term secular, immediately it appears the term "secularization". Strictly speaking, secularization tin "means "to transfer from ecclesiastical to civil or lay use, possession or control" Secularization is process in which religion ceases to be the central factor of social cohesion, of collective world explanation, to become a choice among others choices.

Secularization according to Oliver Roy "a social phenomenon that requires no political implementation ". It would be proper to say that religion has been "tamed" or domesticated" and rendered under the legal scheme of the civil right as "freedom of religion or belief". The understanding of religion as a matter of choice leads to the understanding of religion as a matter of freedom". However, this perspective may lead also to privatization of religion [a private choice] and also to the detriment of that link between culture, religion and identity.

The Concise Oxford Dictionary defines secular as that which is concerned only with the affairs of this world and not with the sacred or the ecclesiastical. The Dictionary of the social Sciences the has identified three usages of the term ‘secular’, first it refers to

31. Madan1997,6
32. Ibid.
the worldly as against the spiritual, secondly as opposed to the sacred and thirdly as
applied to trends and conditions which continue over a period of time.\(^{33}\)

As we are all aware the word secularism was coined by George Holyoake (1817-
1906) while publishing a statement of secular doctrine in an issue of Reasoned in 1851.
Oxford English Dictionary rightly credits George Holyoake with the parentage of this
word. The OED states that secularism is the doctrine that morality should be based solely
on regard to the well being of mankind in the present life to the exclusion of all...

**The Encyclopedia Britannica** too, has attributed two meanings to the terms
‘secular’, first, as referring to that which lasts for a long period of time and secondly as
that which is not concerned with religious or spiritual matters.\(^{34}\)

**The American College Dictionary** defined the word 'secular' as "a system of
political or social philosophy which rejects all forms of religious faith and worship and
the view that public education and other matters of civil policy should be conducted
without the introduction of religious element.\(^{35}\)"

**The Longman Dictionary of Contemporary English** gives the meaning of
"secular" as not religious, not connected with the Church. If one contemplates on the
dictionary meaning of the term secularism, the origin and evolution of the case for
secularism, the framework of which secularism is a part, and the ethos, psychological
make-up, and thought-patterns which the ideology of secularism has actually nurtured,
one would realize that the secularism is not a lofty ideal, that it is an anti-religious
philosophy, and that it is incapable of securing integration, harmony, peace, and
happiness at the individual, social, national, and international levels.\(^{36}\)

**In Webster's Third new International dictionary**, 'secular' means "Relating to
the worldly or temporal as distinguished from the spiritual or eternal, relating to or
advocating secularism.'\(^{37}\) Defines it as a “system of social ethics based upon a doctrine

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33. The concise oxford Dictionary
34. Encyclopedia Britanica,Volume XXI londn,1960
35. Quoted in M.V Kamath, Role of Religion in Secular State main Stream. Volume XXXVII,
no34,may20.1989.p.9
36. The Longman Dictionary of Contemporary English
37. In Webster's Third New International Dictionary
that ethical standards and conduct should be determined exclusively with reference to the present life and social well being without reference to religion.”

The Chambers Twentieth Century Dictionary, define s" secular means 'not concerned with religion, pertaining to the present world, or to things not spiritual”

Advanced learners Dictionary of current English "secular "means worldly or material, not religious or spiritual. According to Random House Dictionary. "Secular" means not pertain to or concerned with religion, concerned with non- religious subjects, not belonging to a religious order.

[B] Meaning of the Term "Secularism"

A Beginning may be made with the Dictionary. The Oxford English Dictionary, states that Secularism is the doctrine that morality should be based solely on regard to the well-being of mankind in the present life to the exclusion of all considerations drawn from belief in God or in a future state.

The Concise Oxford Dictionary defines the word “secularism” as something which is concerned with the affairs of this world, something which is worldly not sacred, not monastic, not ecclesiastical. Secularism is skeptical of religious truth and is also opposed to religious education. Secularism, therefore, must mean an attitude or an approach which is concerned with the affairs of this word and which does not regard anything as sacred or as not open to question. It is not concerned with monastic life or ecclesiastical doctrines. It questions the basis of religious faith and insists that the things of the flesh should not be governed by considerations of the spirit. The affairs of this world must be ordered as to the known truth and not by speculative doctrines.

According to the Fontana Dictionary of Modern Thought, secularism means the rejection of religion after secularization.
Everyman's Encyclopedia Describes 'secularism: materialistic and rationalistic movement, aimed at establishing morality on utilitarian basis.\textsuperscript{45}

The Winston Dictionary Defines 'secularism as "the quality or state of being devoted to word, rather than to sacred matters."\textsuperscript{46}

The New English Dictionary on Historical Principles explains secularism as "The doctrine that morality should be based solely on regard to the well-being of mankind in the present life, to the exclusion of all considerations drawn from belief in God or in a future state.\textsuperscript{47} The same idea is also followed by, The Oxford Dictionary of the Christian Church which explains secularism as denoting "a system which seeks to interpret and order life and principle taken solely from this word, without recourse to belief in God or a future life".\textsuperscript{48}

According to the New Schaff Herzog Encyclopedia of Religious Knowledge, secularism is "an atheistic and materialistic movement".\textsuperscript{18} It proceeds to explain that "the sole ethical principles of the school was utilitarian and its dogmatic position was entirely negative, denying the justifiability of assuming the existence of God, the divine governance of the world, the reasonableness of prayer, the possibility of a future life, and the like. At the same time, this position was primarily not one of absolute denial but rather extreme agnosticism, with the assumption that what cannot be positively and indubitably known should be ignored both in theory and in practical life\textsuperscript{49}

Encyclopedia of Social Sciences Explains: If secularism is defined as the attempt to establish an autonomous sphere of knowledge purged of supernatural, fideistic presuppositions, its modern origins are to be traced to the later, middle ages of Western Europe. The distinction drawn up by the scholastics between faith and knowledge while it left room for revealed theology was also capable of evolving in a type of philosophical or natural theology which placed its chief emphasis on the truths

\textsuperscript{45} Everyman's Encyclopedia, Vol xi [London].p.212
\textsuperscript{46} The Winston Dictionary, [Philadelphia1946].p.888
\textsuperscript{47} The New English Dictionary on Historical Principles[OED], Vol.VIII.[Oxford,1914],p1236
\textsuperscript{48} The Oxford Dictionary of the Christian Church[London-1958],p.1236
\textsuperscript{49} The News Schaff Herzog Encyclopedia of Religious Knowledge
perceptible by human reason, a broad category which served not only all physical knowledge but even metaphysical knowledge of God.50

The ESS points out that the ideal of human and social happiness proclaimed by the French Revolution has continued to influence subsequent generations of political and social workers. It is further pointed out that this has to some extent molded the temper of some religious groups who are now compelled to accept that mankind shall strive by the most enlightened methods to establish social justice and welfare. Even the Encyclopedia Britannica points out that in the latter half of the twentieth century some theologians have been advocating Secular Christianity by suggesting that Christianity should not be concerned only with the sacred and the otherworldly. The power of secularism is derived from its close connection with science, and in Renaissance has been gathering momentum and finds its logical climax today.

The Social Science Encyclopedia (Ed. Adam Keeper & Jessica Keeper Routledge & Kegan Paul) points out that secularization refers to the displacement of religious beliefs, rituals and sense of community from the moral life of society. The major institutions of society became legitimated by secular ideologies and formal legal doctrines rather than by religions. It was the philosophy of enlightenment that provided the pivotal impetus towards the thoroughgoing secularization.51

At the root of secularism is the principle that the society should be founded on principles devised by rational inquiry into the universal nature of human social life. The ESS has cited other authors who have pointed out the other facets of secularism. For example:

(a) The rational principles of social organization are antithetical to religious traditions based upon faith;

(b) The moral authority of ideologies independent of religious ethics was established for evaluating economic, political stratifications and other social arrangements;

(c) Despite their rootedness in European culture, secular ideologies have taken on moral authority in many civilizations around the globe, somewhat in the manner of world religions.

50. Encyclopedia of Social Science [Vol, XXX. P.264,1960
Let me enumerate some of the propositions that emerge from the discussion so far or that are necessary to understand what follows:

1. Secularism is a system of social organization and education which believes that religion has no part to play in the problems and events of everyday life.

2. A culture is seen as secular when its acceptance is based on rational and utilitarian considerations rather than on reverence and veneration.

3. A secular society is one that engenders in or elicits from its members readiness to change customary orientation towards or definition of values regarded as essential in that society.

4. Secularism on the part of the individual means a rational state of mind which refuses to recognize the arbitrary authority of any individual or any book.

5. In the context of 'state' or 'society', secularism means an endeavor on the part of state or society to modernize the societal values and thus a policy of not being.

Broadly speaking, secularism is a movement of thought, which aims to improve the temporal welfare of the people on rational and ethical grounds independently of religious considerations. The liberal ambiance of the nineteenth century Western Europe favored the emergence of this movement. In the course of time, this concept has been assimilated into many systems of philosophical thought and socio-political movements and assumed different value connotations. Hence; it may be difficult to give an adequate conceptual definition to secularism. Among them,

2.1.3 The Principle of Secularism

The essential principle of secularism is to seek for human improvement by material means alone. It holds that such means are the more important, because the more proximate and that, independently and in themselves, they are adequate to secure the desired end.

It has been defined by the Encyclopedia Americana as an ethical system which is “founded on the principles of natural morality and independent of revealed religion or supernaturalism.”

The principle of secularism is a theory which has no concern with religion, God and unknown world.

52. Encyclopedia Americana [American crop, New York,1944],Vol.24,p.521
Secularism arose and developed at a period when the relations of science and religion were beginning to be regarded as those of sharp opposition. In harmony with that notion. It proclaimed the independence of this life and can be maintained and tested by reason at work in experience. It conceived that just as mathematics, physics, and chemistry were "secular" sciences. So it would be possible on the same lines to establish a secular theory of the conduct and welfare and life, and to add the instruction of the conscience to instruction in the sciences, in a similar manner and on similar condition.

The relation of secularism to religion was accordingly defined as mutually exclusive rather than hostile. Theology, professes to interpret the unknown word. Secularism is wholly unconcerned with that world and its interpretation. Holyoke says: Secularism relates to the present existence of man and to actions the issue of which can be tested by the experience of life; and again Secularism means the moral duty of man deduced from consideration which pertain to this life alone. Secularism purposes to regulate human affairs by considerations purely human. The second of these quotations is clearly more comprehensive than first, and is certainly a better expression of the view entertained by the vast majority of secularists. It dismisses theology from all control over the practical affairs of this life. It deals with known world interpreted by experience and neither offers nor forbids any opinion regarding another life. Neither theism nor atheism enters into the secularist's scheme, because neither is proved by experience and . In so far as Christianity is moral, secularism has common ground with it, but it offers a basis for morality wholly independent of all Christian belief and one that will appeal to those who, for various reasons, are dissatisfied with theology. It submits that complete morality is attainable by and can be based upon. Secular consideration alone, "just as the all the used for which the house was designed can be fulfilled without reference to the architect who may have designed it. Unless dogma actively interferes with human happiness. Secularism is content to leave it to flourish or perish as it may.

Historically, Secularism has been mixed with atheism throughout its course, but Holyoke always insisted that the two were distinct. On secularists principles he was willing to associate with Bradulaugh and equally ready to associate with any theist who would unite with him in seeking the mutual improvement of the racy by secular means. He regards both theism and atheism as what would now be called 'over belief'. In contrast
with Holyoke, Bradlaugh considered that secularism was bound to contest. Theistic belief and that material progress were impossible so long as Superstition 'so powerfully manifested itself.\textsuperscript{53}

Secularism held that its principle could be established and sustained by the intellect as principle's reason and intelligence equally applicable to all humanity. Holyoke thought it possible to establish material conditions which would eradicate poverty and depravity. With the utilitarians he held it as self-evident that morality was the conduct which establishes the common welfare, and through that science could teach the laws of happiness equally with the laws health. To that end we must be guided neither by reason, believing not what we desire, which gives the condition neither or certainty nor of uniformity. But that which reason can vindicate. To fulfill this function, reason must be left unfettered. Ethical and religious or spiritual for any investigation, criticism publicity. In this aspect of a reasonable theory of life secularism fulfills a function which it regards religion as imperfectly serving. It takes truth for authority, not truth and 'substitutes' the piety of usefulness of piety. What is best for man will be approved by reason tested by experience and will surely be approved by. The author of humanity; .The new piety exhibits itself in self help and "Vexes not the eras of the always with capricious supplications"[Holyoke: secularism" in chambers Encyclopedia]. Recognizing that we are wholly ruled by general laws, man's duty is to study them and live by them.

Giving a wider meaning to secularism, Donald E. Smith, in his study India as a Secular State, defines a secular State as “a state which guarantees individual and corporate freedom of religion is not constitutionally connected to a particular religion nor does it seek either to promote or interfere with religion.”\textsuperscript{54}

Secularism, in the Indian context, too has connotations, The first and the most common connotations equal regard for all religions' or saravdharm samabhava' and the second 'dharma nirpekshta' or neutrality as against the aniti religious or separating the two spheres of the temporal and the spiritual, Secularism may, then be regarded as an ideological concept which attempts to keep the state politics apart from religious

Secularism: Concept, Scope and its Importance

It further aims to guarantee freedom of religious belief as well as provide fundamental human rights regardless of religious belief.

A closer analysis reveals certain fundamental principles or components of secularism which allow us to generalize and classify a state as secular or otherwise. The presence of even a few of these components may suffice for a state to be held as secular. For instance, United Kingdom has no institutional separation of State and religion and yet it is regarded as secular per se. On the other hand, the erstwhile USSR was anti-religious and yet could not be called truly secular, for there was no freedom of belief.

Donald Smith’s definition (referred to earlier) refers to three inter-related sets of relationship concerning the State, religion and the individual, which are indispensable in the establishment of a secular State, namely:

- Religion and the individual (freedom of religion).
- The State and the individual (citizenship).
- The State and religion (separation of State and religion).

Secularism is generally seen simply in the context of separation of the temporal and the spiritual. Thus separation of State and religion is the most commonly recognized component of secularism, the underlying assumption being that each limits itself to its own sphere. This necessarily implies that the State shall not undertake religious functions and vice versa, nor will the State impose any religion upon its subjects.

However, such separation does not suggest that secularism is anti-religion. The spheres of the two are distinct and relations between them are defined as “mutually exclusive rather than hostile.”

Holyoake, too, had argued that secularism was distinct

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55. This could be found in emphasizing a ‘principled distance’ to use Rajeev Bhargava’s term,
from atheism. Secularism, therefore, merely intends to restrict religion to the private domain and does not entail a total abandonment of religion. As pertinently observed by Black shield, “While non-religious, anti-religious, skeptical and profane positions may exemplify “secularism”, or offer one king of basis for it, it would be fatal, a liming error to identify it with these.” It is argued at the same time that an anti-religious exposition of secularism which would envisage elimination of religion from public affairs and which could be termed as radical secularization of society can have an adverse impact in that secularism itself becomes a religion, intolerant of other religions.

Secularism is not only anti-religion, but it expressly guarantees freedom of religion. Freedom of religion involves the right of an individual to profess any religion without interference or compulsion by the State, viz. individual freedom of religion. Concomitant with the individual freedom of religion is the right of individuals to form associations for religious purposes, viz. collective freedom of religion. The importance of freedom of religion is also recognized in the U.N. Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief. Freedom of religion also involves freedom of ethical and religious research. As Waterhouse observes, “There must be no penalties, legal or spiritual, for any investigation, criticism or publicity.”

Implicit in freedom of religion is freedom of thought and conscience, i.e. the right of every man to think for himself, which further implies the right to difference of opinion on all issues as well as the right to express that difference. As stated in the Encyclopedia Americana, “secularism asserts the right to discuss and debate all vital questions, such as the commonly received opinions regarding the foundations of moral obligation, the existence of God, the immortality of the soul, the authority of conscience, etc.” This also calls for freedom of expression.

Freedom of thought necessarily entails toleration of ideas which may conflict with the dominant ideology of the period. John Rawls, discussing the question of “toleration of the intolerant” in his book A Theory of justice, comes to the conclusion that the

58 Ibid.,
59 Eric S. Waterhouse, op. cit., p. 349.
freedom of the intolerant should be restricted only when the tolerant “believe that their own security and that of the institutions of liberty are in danger.”

Besides freedom of religion, another vital prerequisite of secularism is that citizenship must be based on considerations other than those of religion. Furthermore, secularism requires the provision of fundamental human rights regardless of religion to men and women equally. Secularism will not be possible as long as some sections of the populace, particularly women, are deprived of basic human rights in the name of religion. For when almost fifty per cent of a population is denied fundamental human rights, the denial being couched in religious terms, secularism becomes a vacuous word, an empty phrase.

The striving for human improvement through material means is another basic principle of secularism. The Encyclopedia of Religion and Ethics regards this as an essential principle of secularism for “independently and in themselves, they (material means) are adequate to secure the desire end.” This would involve radical social reforms, i.e. change over from a superstition-ridden, obscurantist society to a society based on the spirit of reasoned inquiry, rationalism and scientific outlook. A rational outlook in dealing with problems of economic development, disease and ignorance is vital to secularism. A necessary concomitant of such a rational outlook would be the pursuit of scientific knowledge and development of a scientific temper.

Separation of State and Religion is thus not the only prerequisite of secularism. An interpretation of secularism in terms of only separation of State and religion would perhaps exclude from the ambit of secularism some of the most secular States. On the other hand, this could provide legitimacy to such States as secular states, which have excluded religion from politics but which lack the necessary prerequisites of a free society-tolerance of dissenting opinions, freedom of conscience, etc. a definition of

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62. This may even require granting of special rights of protective discrimination
63. Eric S. Waterhouse, op. cit., p.348
Secularism which gives due cognizance to the other components of secularism, viz. freedom of religion and conscience, tolerance, a democratic conception of citizenship, equality, liberty, freedom of thought and expression, rationality and scientific temper, etc. that is, where the state is not connected to any religion, but maintains a distance from religion as well as guarantees and protects fundamental human rights regardless of religious belief, provides a wider theoretical framework in terms of which the secular status of a state may be adjudged. Such a conception of secularism has emerged as central element of liberal democracy. However, it is only recently that secularism has world. This was preceded by centuries of conflict between the church and the state.

It is true there is one tradition according to which secularism does not conflict with religion but it stands for equal respect all religions. It is said that in the Roman Empire, the various modes of worship were all considered by the people as equally true, and by the philosophers as equally false, and by magistrate as equally useful. Similar, the administrators in British India understood secularism as scrupulous impartiality in the treatment of or even-handed operation of the rule of law in regard to different beliefs. The policy was to hold the scale of balance fairly between different communities.

2.1.4 Secularism and Secular State

When secularism is actively applied to all important affairs of a state. We call it a "secular state" Such a state is wholly non religious [non anti-religious] in the sense that it has no official religion of its own is totally indifferent to all the religious followed by its citizens in their private life. It grants every individual the freedom to follow any religion or no religion in his personal life. It does not compel him to promote any religion by paying taxes for its prorogation or by any other means. If the individual decides to renounce his own religion and embrace another one he free to do so. A secular state does not dictate any kind of religious beliefs to its citizens, nor does it force them to profess a particular religion or any religion.

A secular state does not mean an irreligious state rather it means that in the matters of religion it will remain neutral. The state will not have any religion of its own i.e. it will promote any religion and at the same time it interfere with none. Secularism or reflects a policy of religious non-discrimination and equal liberty for all, including believers and non-believers. Although it connotes irrelevance of, and indifference to
religions and exclusion of religion. Its logical delineation in the religion-ridden world does not necessarily require such wall of separation. A secular state is a state which guarantees individual and corporate freedom of religion. It considers individual as a citizen irrespective of his religion i.e. it is not constitutionally connected to a particular religion contemplates guarantee of religious freedom to all both individual and groups subjects to legitimate restrictions in the interests of safety, public order and morality.

Secular democracy is a form of representative democracy where elected representatives that hold the government power are constrained by Constitution that ensures individual liberties, adopts majority rule and respects the rights of minorities in society, such as freedom of speech, religion, assembly, the right to privacy, private property, as well as equality before the law and due process under the rule of law, and many more. Such constitutional rights, also named liberal rights, are safeguarded by various democratic institutions and several legislative acts. Additionally the Constitution of most of the contemporary liberal democracies is designed in such a way to tame the excess of majority. In this case some would argue that liberal democracy does not respect majority rule, others would say that only a liberal democracy can guarantee the individual liberties of its citizens and prevent the rise of majoritarian tyranny. According to liberal's un-moderated majority rule could lead to an oppression of minorities, especially those that are known as ‘discrete and insular’ minorities, who almost can’t aspire to become a majority, any time soon. Thus, a basic liberal argument is that liberal Constitutions are necessary first and for most to enable individuals and minorities to enjoy a decent life immune from public invasion, though, of course, Constitutions also set up the institutions of government.

As hinted above all liberal democracies are representative democracies, conducting free and fair elections on regular basis, having an independent judiciary, pluralistic parties, transparent and accountable legislatures and executives, free press,

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68. Public Scrutiny, Oct., 27,(2004), (Sheridan_conlaw.typepad.com/Sheridan/scrutiny level) last visited, 24/06/2011
active civil society and market oriented economy. Some of these democracies have also additional systems of referenda to give the electorate the opportunity to overturn decisions of elected legislature or even to make decisions by plebiscite which out giving the legislature any chance of influencing that decision. Liberalism comes in many varieties, but at its core is a common doctrine based on the importance of individual choice mostly motivated by self interest. When interests of different individuals cannot be reconciled to their mutual benefit in the ordinary course of things, politics comes into play. Liberal politics is therefore, mostly and properly about the reconciliation and aggregation of predetermined interests under the auspices of a neutral set of rule that is a Constitution.

The ideal secular society will not have a State religion, even if all members of the community confess to one faith. Liberal society does not punish apostasy or heresy. In a liberal democracy, citizenship is not dependent on adherence of a certain religion. Religion is not a constitutive element of citizenship. This principle is today accepted universally in many democratic States. Equally well accepted is that in a liberal democracy the government may not penalize citizens or persons within the jurisdiction because they profess a faith that is not shared by a majority of their fellow citizens. It is also settled that in a liberal democracy citizens enjoy the freedom to express their religious views, and to form institutions consistent with those views, without fear of punishment or civic disability. It is likewise widely accepted that liberal democracies cannot compel the doing of religious acts or attendance at worship services. Liberal democratic theory assumes the importance of a sharp demarcation between State and the private sphere, so as to distinguish State action and private one.

This principle suggests among other things, that citizen’s action in a non-governmental capacity may create communities in which religion is the constitutive element, and which are in every way permeated by religious values while the government

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70. (www.spiritus_temporis.com/liberal_democracy/open_society.html), last visited, 13/06/20098
71. Id, P. 32, See also, what is a Liberal Democracy?
72. (www.co.intelligence.org/wisedemocracyandcrisis.htm1), (2003), last visited, 17/06/2009
74. Ibid
75. Ibid
is barred from creating such communities.\textsuperscript{76} Liberal democracy also assumes that citizens should not be prevented from practicing their faith for flimsy reasons and that the government ought not to interfere with the religious decisions of citizens or their institutions. Despite this fact, all liberal constitutional democracies impose restrictions on what private activity government may and should regulate, including, of course, religious practices, and what values are tolerated.\textsuperscript{77}

Arguably, one may conclude that in a liberal democracy religion is purely a private affair. People are and should be free to believe and practice what they please, of course, as the price of that liberty they may not make religion a public affair.

\textbf{2.1.5 The Role of Religion in the Public Sphere}

The tension between the State and religion in its broader sense has been more or less discussed in the foregoing titles; now it would be appropriate to narrow down the scope to the role of religion in the public sphere. More specifically, how should citizens in a modern pluralist democracy debate and discuss public affairs? What kinds of reasons are appropriate in the context of legislative debate, judicial opinions, or administrative decision making? There is a wide agreement that the government should not censor public debate about politics, at least not without very good reason.\textsuperscript{78} But when it comes to the issue of religion vis-à-vis public discourse; to what idea should citizens aspire in political debate. For example, some have argued that religiously motivated political debate should be allowed in the public sphere, others argue for the complete exclusion of religious voices. Still others contend that in the public debate, an ideal of political morality should mirror the freedom of expression to all, provided religious reasons are subject to equal scrutiny as any other civic reason.

The interaction between religion and politics has been a subject of debate among scholars of theology, and academics. These complex relationships between religion and the State as they are regulated by law, often constitutional law are characterized by discord than agreement.\textsuperscript{79} At the risk of much generalization, there are three views

\textsuperscript{76} Ibid
\textsuperscript{77} (www.bpb.de//426GEU.O_The_Limitsof_Religious_Freedom), last visited, 18/07/2010
\textsuperscript{78} The Indian Constitution, Article, 26 (2&3)
\textsuperscript{79} (www.religiousfreedom.com/conferences//vermeulen), last visited, 18/06/2012.
concerning the role of religion in the public sphere. The first position holds that religious participation in the public political discourse is not likely to undermine the constitutional principle of separation of religion and State. On the contrary, a ban on religious speech or religious reasons would be difficult to square with the secular values of freedom of speech and rings undemocratic.

According to this view, though, secularism separates religion and State, a secular State does not have justifiable cause to bar religious arguments from the political arena and formulation of public policy. Democratic discourse allows a diversity of views based on political, ethnic and racial identities. Hence, there is no reason to close the doors to religious voices. Thus, the real question should be how to negotiate the overlapping realms of politics, State and religion, while maintaining a secular State. Advocates of this view call to acknowledge the pivotal role religion plays in politics and to understand how religious institutions, can contribute to the public discourse.

They further argue that religious discourse set to impart a sense of purpose and direction to public policies. This position also contends that, those who tend to exclude categorically religious reasons from the public sphere; exhibit the erroneous understanding of secular democracy, believing the best way to deal with religion is to silence it. According to the proponents of this view, people who advocate the most radical version of secularism hold the notion that religion is purely private affair that has no place in the larger public arena and in particular of politics, in effect prefer the non-religion to religion and the atheists to believers, which is against the liberal ideals of equality, non discrimination and fairness.

84. Secularism: what it is and why it is bad? (www.cazort.net/content.php?name=Secularism),
85. Lorenzo Zucca, cited above at note 9
Such as materialism, hyper-individualism, consumerism and acquisitiveness. Religion can also serve as a means of filling the voids of secular philosophy, (especially at times when the political environment so corrupts), by injecting a number of moral ingredients, such as discipline, generosity, forgiveness, service, hope and endurance.\(^{86}\)

One of the scholars in this camp, Eboo Patel calls for active involvement of religion in public life, founded on principles of religious pluralism.\(^{87}\) He argues, religious voices, in all their peculiarities have a legitimate and important role to play in public debate. He further contests the assumption that, when religion appears in the public politics, division and chaos ensue. In his view the solution to the problem of divisive religious voices in public life is not excluding religious at all. The answer is he said, allowing greater participation of diverse religious voices, guided by principles of religious pluralism.

According to him religious pluralism creates enabling environment for democratic scrutiny of religious voices, while encouraging their expression toward the goal of a common vibrant society.\(^{88}\) Eboo Patel, warns that when ‘liberals’ and moderates’ avoid public discussion of religion and morality, they inevitably create a vacuum to be occupied by ‘extremists’, that can take this advantage to obtain disproportionate influence and power. As a result radicals will command a moral high ground claiming that they are the sole guardians of religious truth. Patel suggests that the best way to diffuse their power and to snatch their rhetoric is to add more religious voices to the public realm. Accordingly moderate voices can effectively challenge the illiberal views of extremists, disprove their opportunistic claims and nourish to the vigor of public debate.\(^{89}\) The second position argues that, liberal democratic theory recommends the strict institutional

\(^{86}\) Robin Lovin, Living faithfully in a Democratic Society, (www.religion.online.org/show article.asp? title=3054), last visited, 05/07/2011.


\(^{88}\) Id

\(^{89}\) Id, P.18
separation of religion and State, and the confinement of religious identity to the private sphere.\textsuperscript{90}

Advocates of the private role for religion insist that for a liberal democracy to function there must be the possibility of shared political and social conversations. This is discussions of public policies must be accessible to all. According to them in a diverse society there is no religion that predominates to the point where it is acceptable to impose religious view on every one. In addition they argue that religious intervention in public affairs, particularly in political affairs diminish independent judgment since those who represent the religiously informed arguments are beholden to their respective spiritual dogma.\textsuperscript{91} On the contrary, ’civic reason’ allows for an open political debate where persons can present ideas based upon a number of concepts.

John Rawls argues that religious identity should be limited to the private sphere of individual members of society. According to him the notion of religious reasoning should be completely absent from political discourse. He insists that a polity be based on reason open to all since religious reasons are not accessible to non religious people.\textsuperscript{92} Thus, he proposed that a society must forge a common ground where a common language can be employed and common values can be implemented. Moreover, he emphasized that, though, compromise is essential to a functional democracy, religious views often cannot easily be compromised for religious arguments reflect absolute truth revealed by spiritual power himself not susceptible to evidence, and do not lend themselves to civil debate or negotiated settlement.\textsuperscript{93}

The third position maintains that religious freedom requires full and equal access to public debate for people of faith and others.\textsuperscript{94} According to this view arguments used to justify public policy positions in the public sphere are fair game for examination. In other words if religious ideas are to enter the public sphere, they should be subject to the

\textsuperscript{90} Haarscher, Guv, cited above at note 74.
\textsuperscript{91} Histoire-sociale.univ-paris1-fr/collo/migration/Mahlmann.pdf., last visited, 11/10/2009 (June, 28, 2005), P.12
\textsuperscript{93} Lee Corbett, Can Liberalism Meet the Challenges of Cultural Pluralism? University of New South Wales, 21 July (2003), P. 1
same rules that apply to the discussion of other ideas. David Hollinger argues, that religious ideas offered as justifications for public policy should be open to critical debate, and no longer left unchallenged. According to him any religiously motivated public debate should face the pressure and scrutiny of democratic debate.

As Paul Horwitz observed it in the American context, the overall movement of religiously motivated debate is characterized by three dimensions. The first is what he referred to as ‘strategy of avoidance’ demonstrated most notably by John F. Kennedy, in which though minority religion candidates are embraced in the public square, religion is relegated to a private matter for both candidates and electorates alike. The second approach is what he calls ‘a strategy of inclusion’ in which both religious candidates and religious arguments are increasingly permeate in the public sphere; as practiced by presidential candidate Senator Mitt Romney.

The third dimension offers a thoughtful interaction between religion and politics, subject to a ‘rule of engagement’ in which religious voices are required to cast their terms in publicly accessible manner, and this has been manifested by the then Senator Barak Obama. As quoted by David Hollinger Obama has made the following remark, concerning the place of religious reasoning in the public sphere. One can get the impression from Obama’s statement that religious people like any other citizen have to convince their fellow citizens that what they propose is best for the common good, by translating their religiously driven policy stances in to commonly accessible reasons. Thus, as has been raised in his remarks, abortion raises fundamental issues of morality, of the role and place of women, the issue of privacy, and the permissible role and scope of government etc… but, even as to abortion, it would be appropriate for the common good if the arguments were to the extent possible, cast in secular terms, accessible to all, and subject to the constraint applicable to more ordinary debates.

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95 Ibid
96 Id, David Hollinger, “Civic Patriotism and the Critical Discussion of Religious Ideas”, In Debating the Divine: Center for American Progress, (2008), P. 9
98 Id., PP. 1-2
99 Ibid
As far as the Indian situation is concerned, the country is basically driven by secular reason in its all public affairs. There is no visible presence of religiously motivated debate as regards public policy and decision making process, of course, save the religious wearing and prayer controversies in public school context.\textsuperscript{100} In India no religious organization is allowed to operate as political party and according to the Indian Election Board sources the political space does not embrace faith based parties with clear religious programs.\textsuperscript{101} The public sphere is virtually free of religious reasons, though, parliamentarians, and civil servants who choose to wear religious attire are tolerated; religion does not play vital role in the conduct of public affairs. Of course, some times in pre legislative public debates as regards some specific issues of interest, such as the family law,\textsuperscript{102} and criminal law religiously motivated reasons have been voiced in matters of bigamy and abortion, especially in the former case there are extreme detractions in some regions where bigamous marriages are rampant.

In spite of this fact, organized religious institutions do not have direct or indirect access to politics that enables them to lobby and influence for or against any basic public policy issues. Arguably, various reasons may contribute to the absence of religion in the public square. First, religious institutions in Ethiopia are more interested in their spiritual business distancing themselves from the day to day State politics and they opt for self restraint in cognizance of civic sphere is different from the religious sphere. Second, since most of the parliamentarians and policy makers in the political spectrum are political party members, their primary responsibility is to pursue and promote their party agenda and in most issues they are expected to reflect their party’s policy stance in deliberations and debates, thus the party discipline may not allow them to work for any other sectarian group outside their party’s interest.

Third, although, the Indian society is both diverse and religiously devout, the majority of citizens primarily identify themselves with their ethnic kinship rather than


\textsuperscript{101} The Revised Political Parties Registration Proclamation, No. 537/2008, Arts. 10(1) & 11(5).

\textsuperscript{102} The Revised Political Parties Registration Proclamation, No. 537/2008, Arts. 10(1) & 11(6).
religious identity. Consistent with this idea in Indian political landscape ethnic identity does have paramount role in politics than religion does. This is perhaps partly because of the fact that the Constitution and other laws and policies give positive incentives to ethnicity in terms of self-governance, power and resource sharing in the overall federal arrangement.

Finally, the Indian ethnic configuration by and large manifests heterogeneity of religion, which means most of the major ethnic groups are not characterized or identified by a single religion. This non-corresponding of religion and ethnicity does seem to serve for good, since it inhibits politicization of religion in the public discourse.

### 2.2 Importance of Secularism

This is important for a country to function democratically. Almost all countries of the world will have more than one religious group living in them. Within these religious groups, there will most likely be one group that is in a majority. If this majority religious group has access to State power, then it could quite easily use this power and financial resources to discriminate against and persecute persons of other religions. This tyranny of the majority could result in the discrimination, coercion and at times even the killing of religious minorities. The majority could quite easily prevent minorities from practicing their religions. Any form of domination based on religion is in violation of the rights that a democratic society guarantees to each and every citizen irrespective of their religion. Therefore, the tyranny of the majority and the violation of Fundamental Rights that can result is one reason why it is important to separate the State and religion in democratic societies.

Another reason that it is important to separate religion from the State in democratic societies is because we also need to protect the freedom of individuals to exit from their religion, embrace another religion or have the freedom to interpret religious teachings differently.

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103 Mehari Redae, Commentary on the Revised Federal Family Law, (1997E.C), (Author’s translation), Vol., 1, PP. 26-29

Secularism is a principle that involves two basic propositions. The first is the strict separation of the state from religious institutions. The second is that people of different religions and beliefs are equal before the law.

2.2.1 Separation of Religion from State

The separation of religion and state is the foundation of secularism. It ensures that religious groups don't interfere in affairs of state, and makes sure the state doesn't interfere in religious affairs.

In the United Kingdom there are official two state recognized Christian denominations – the Church of England and the Presbyterian Church of Scotland. The Queen is both head of state and Supreme Governor of the Church of England. There is no established church in Northern Ireland or Wales but the 26 unelected bishops of the Church of England who sit in the House of Lords influence laws that affect the whole of the UK.

Christianity is one major influence among many that shape our current ways of life; we are a nation of many denominations and religions and large sectors of the population do not hold, or practice, religious beliefs. If Britain were truly a secular democracy, political structures would reflect the reality of changing times by separating religion from the state.

2.2.2 Secularism Protects Both Believers and non-Believers

Secularism seeks to ensure and protect freedom of religious belief and practice for all citizens. Secularism is not about curtailing religious freedoms; it is about ensuring that the freedoms of thought and conscience apply equally to all believers and non-believers alike.

2.2.3 Religious Freedom

Secularism seeks to defend the absolute freedom of religious and other belief, and protect the right to manifest religious belief insofar as it does not impinge disproportionately on the rights and freedoms of others. Secularism ensures that the right of individuals to freedom of religion is always balanced by the right to be free from religion.
2.2.4 Secularism is about Democracy and Fairness

In a secular democracy all citizens are equal before the law and parliament. No religious or political affiliation gives advantages or disadvantages and religious believers are citizens with the same rights and obligations as anyone else.

Secularism champions human rights above discriminatory religious demands. It upholds equality laws that protect women, LGBT people and minorities. These equality laws ensure that non-believers have the same rights as those who identify with a religious or philosophical belief.

2.2.5 Equal Access to Public Services

We all share hospitals, schools, the police and the services of local authorities. It is essential that these public services are secular at the point of use so that no-one is disadvantaged or denied access on grounds of religious belief (or non-belief.) All state-funded schools should be non-religious in character, with children being educated together regardless of their parents' religion. When a public body grants a contract for the provision of services to an organization affiliated to a particular religion or belief, such services must be delivered in a neutral manner, with no attempt to promote the ideas of that faith group.

2.2.6 Secularism is not Atheism

Atheism is a lack of belief in gods. Secularism simply provides a framework for a democratic society. Atheists have an obvious interest in supporting secularism, but secularism itself does not seek to challenge the tenets of any particular religion or belief, neither does it seek to impose atheism on anyone.

Secularism is simply a framework for ensuring equality throughout society – in politics, education, the law and elsewhere, for believers and non-believers alike.

2.2.7 Secularism Protects Free Speech and Expression

Religious people have the right to express their beliefs publicly but so do those who oppose or question those beliefs. Religious beliefs, ideas and organizations must not enjoy privileged protection from the right to freedom of expression. In a democracy, all ideas and beliefs must be open to discussion. Individuals have rights, ideas do not.

Secularism is the best chance we have to create a society in which people of all religions or none can live together fairly and peacefully.
Secularism as a modern political and constitutional principle involves two basic propositions. The first is that people belonging to different faiths and sections of society are equal before the law, the Constitution and government policy. The second requirement is that there can be no mixing up of religion and politics. It follows therefore that there can be no discrimination against anyone on the basis of religion or faith nor is there room for the hegemony of one religion or majoritarian religious sentiments and aspirations. It is in this double sense--no discrimination against anyone on grounds of faith and separation of religion from politics--that our Constitution safeguards secularism, however imperfectly.

This is important for a country to function democratically. Almost all countries of the world will have more than one religious group living in them. Within these religious groups, there will most likely be one group that is in a majority. If this majority religious group has access to State power, then it could quite easily use this power and financial resources to discriminate against and persecute persons of other religions. This tyranny of the majority could result in the discrimination, coercion and at times even the killing of religious minorities. The majority could quite easily prevent minorities from practicing their religions. Any form of domination based on religion is in violation of the rights that a democratic society guarantees to each and every citizen irrespective of their religion. Therefore, the tyranny of the majority and the violation of Fundamental Rights that can result is one reason why it is important to separate the State and religion in democratic societies.

Another reason that it is important to separate religion from the State in democratic societies is because we also need to protect the freedom of individuals to exit from their religion, embrace another religion or have the freedom to interpret religious teachings differently.¹⁰⁵

¹⁰⁵ According to National Secular Society website. 8/6/13