



CHAOTIC SECULAR INDIA

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ABSTRACT

Nationalism and religion have been the subject of debate in India for the past few decades. Religion in this context will be understood as an individual activist and therefore a political tool. Secularism is India's national system and is known as the only way to ensure religious and cultural diversity. It provides a place to ensure cultural and religious diversity and to support a culture full of "unity in diversity". Indian secularism emerged as a political ideology in the middle of the 20th century, to preserve religious and cultural diversity to allow India to curb social competition and develop as a modern republic of the country. This paper seeks to discover the historical variability of this world power. It faces questions such as these: What is the state of India's resistance? Is it a real social and political reality, or is it just a theoretical concept? This paper, therefore, attempts to examine whether the political view of intolerance provides a basis for affirming the religious and cultural diversity of India, especially given the current political advantages of Hindutva and Sangh Parivar.

India, widely known for its intertwined religions and democracies, has 1.4 billion residents. The country is home to a sizable Muslim community, second only to Indonesia, in addition to a sizable Hindu population. It is a nation where religious intolerance and cultural diversity go hand in hand, with religion serving as a focal point for social unrest and political unrest.

Despite the absence of the phrase's "secularism" and "secular" when the Constitution was drafted, it guaranteed equality and freedom for all religions. The Constitution was written with the principles of religious freedom, religious equality, and religious tolerance in mind from the beginning. The fundamental structure of the Constitution, found in Part III, encompasses the Right to Religious Freedom.

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WHAT IS SECULARISM?

In its strictest form, secularism suggests that the state and religious organizations should be kept apart.

The late writer Khushwant Singh defined secularism as the Western distinction between religious functions restricted to houses of worship and governmental functions, including political ones. Nehru espoused, embraced, and lived by this idea. Treating all religions equally was one of the reasons. Men like Maulana Azad and Mahatma Gandhi taught and observed this, and it persisted for as long as they were living.

It changed into a religious program after that. A pious Hindu went to the Islamic Dargah or celebrated Iftar to show human neutrality. If you were a Muslim, you would celebrate Diwali alongside your Hindu friends. Nationalism is now viewed as a difficulty. Time has shown that, when it comes to religion, Nehru was correct and Gandhi and Azad were incorrect.

WHAT DOES IT MEAN TO BE SECULAR?

The Indian Supreme Court ruled in the case of *Indira Nehru Gandhi v. Raj Narain* that secularism entails that every citizen of the nation has an equal right to freedom of conscience and the ability to profess, practice, and spread any religion. Secularism is defined as the absence of a state religion. Secular disbelief, strictly speaking, encompasses the total separation of Church and State.

How can courts in India, purporting to be secular, acknowledge Islamic law based on Shariah? How could governments and provincial administrations take over the management of Hindu temples if they were not secular? How might the nation's government support religious institutions financially so they could continue to practice their religion? How could Hindu law be arranged and modified by the global government? How could one raise the status quo if the government actually existed in the world?

FAITHS

Who are Hindus?

The name "Hindu" was first used by indigenous peoples, particularly Greeks and Persians, to describe the people who lived on the other side of the Indus/Sindhu River. Hindus currently create intricate social structures and worship a variety of deities. Hinduism shares common beliefs in the following areas: long-lasting consciousness, the omnipresence of Brahma, or the Divine, the soul's subsequent transformation of the human body, and the role that one's activities play in all of these ideas.

Vidyosha student of BSC economic honors, currently studying at Christ University identifies herself as Hindu. For her, her religion, and her faith comes first then her nation. According to her, the nation has given them exodus, oppression, forced converging, and mob lynching of her community.

She remembered the Kashmiri Pandit¹ exodus where 4000 Kashmiri Hindus were murdered by Muslims present there. She even gave the example of Godhara² train case. And how all the mob lynching against Hindus and mocking the deities have been normalized by both masses and politicians. So, for her India is not a secular country but a showcase of it.

Any pilgrimage would not be supported by a completely secular nation. However, in 2012, the Indian government paid out Rs 836 crores in subsidies for the Hajj. The government must phase away this subsidy within 10 years, according to a Supreme Court ruling. Shouldn't the state finance religious pilgrimages of all kinds if it is so eager to do so? Why Amarnath Yatras and Kumbh Melas aren't given the same kind of subsidies?

Before critics claim that the government overspends on security for Amarnath Yatra or Kumbh Mela pilgrims, I would emphasize that protecting citizens is not a favor but rather a fundamental duty of any state.

Temples are under government jurisdiction, but not mosques or churches.

Under the Hindu Religious and Charitable Endowment Act, state governments are able to seize possession of temples and their extensive holdings.

It seems odd that the state government may support initiatives that have nothing to do with the temple, other temples, Hindus, or Hinduism with the money produced by the temple (donations, revenue from assets, etc.) It's interesting to note that this does not apply to churches, mosques, or gurudwaras. In any case, the government cannot seize control of a non-Hindu site of worship. As I write this, I wonder in whatever universe this is fair. I also think, "What business does the government have in houses of worship?" I have no answers.

DIFFERENT LAWS FOR HINDUS, MUSLIMS, AND CHRISTIANS

Every individual, regardless of religion, would be governed by the same set of laws in a genuinely secular nation. In India, however, rules varied according to a person's religious views. Hindu code bills (Hindu Marriage Act, Hindu Succession Act, etc.) apply to Hindus, Sikhs, and Buddhists; Muslim personal laws apply to Muslims; and Christian personal laws apply to Christians. Therefore, among other things, Hindus, Muslims, Christians, and Parsis

¹ The Exodus of Kashmiri Hindus, or Pandits, in early-1990 migration.

² Burning of S6 coach of Sabarmati Express train at Godhra on February 27, 2002.

have separate laws on marriage, divorce, and adoption; they also inherit property differently. After all of this, the subject of intolerance has also garnered a lot of attention.

The best example was the demolishing of Babri Masjid³, the demolition of the Babri Masjid was illegally carried out on 6 December 1992 by a large group of activists of the Vishva Hindu Parishad and allied organizations. How most of the young so-called Hindus in the name of religion not only illegally demolished the holy place of Muslims but also incited communal violence in which around 2000 people died mainly Muslims.

Isn't it ironic that those people were chanting "JAI SHREE RAM" while creating chaos and spreading hatred? They call themselves a devotee of ram (RAM BHAKTS), Ram who was the idol of a calm and composed mind. I feel if ram today comes down and sees these rioters who call themselves his devotee, he will not only feel bad but also question his path of life because he was never a supporter of invalid violence, and how he calmly handled the Parshuram. Then it must not be the religion that taught them this much hate.

When we talk about hate and if we are not talking about the Tabrez Ansari mob lynching case, it will be injustice, and it is only the government's right to perpetuate injustice in Jharkhand, India, on June 17, 2019, a lynch mob attacked Tabrez Ansari, 24. Ansari, a Muslim, was violently beaten, tied to a tree, and made to sing mantras from the Hindu religion. 4 days later, he passed away. After a video of the lynching went viral, people were aware of the occurrence. He was accused of bike theft by the assailants. The case's facts are straightforward, but what stands out is the intensity of the hatred directed at the individual, whose surname was Muslim. Not as a thief, but as a Muslim, it was perceived as a criminal. The police were informed in the early hours of June 18. Ansari was taken into custody and imprisoned at the Saraykela Police Station. He called his wife and informed her of the incident. She told her family members.

Residents requested that Ansari receive medical attention, but the police instead sent him to jail without it. Ansari was unable to speak when his uncle visited him in prison two days later. His uncle claimed that he requested medical assistance from the police but was turned down. He made attempts to speak with the prison's medical officer as well but was unsuccessful. Ansari's family learned on the morning of June 22 that his health was critical and that he had been admitted to Sadar Hospital. His relatives reached the hospital by 7:30 am, but by that time, he had died.

³ December 6, 1992, kar sevaks started attacking Muslim residents of Ayodhya, ransacking and demolishing their houses.

Now who is responsible for his death, the Religion, the so-called 'Ram Bhakts' or the authority? Religious books talk about nonviolence and respect for others that's why Ram touched Ravan's feet after the fight, so religion is not the issue, the issue is PREJUDICE, HATE, INTOLERANCE, and the HUMANS. Humans who don't even know about their religion but always are in front to question other religions, filled with hate and using religion as a weapon to not even spread hate but kill the faith of others. These so-called Hindus who go on the streets of democracy and kill secularism with so much pride is so illiterate to even know about their faith. Hinduism gave Ram, the most dignified person in the whole history who was loyal to his wife and his dharma, Hinduism gave Krishna, one who taught Arjuna how to forgive, and Hinduism gave Draupadi, one who was born out of the fire with a calm mind like a sandal. Rather than following their path, people manipulate them for their interest and their interest lies with hate.

Sati Pratha, a culture in Hinduism that was used to practice by women in Mughal's time to protect themselves, as barbaric Mughals used to kidnap the Rajput women and rape or keep them as a prostitute but as we move towards colonialism, we saw the step that was taken up in helplessness has become now a notion or expectations from all the Hindu women. The term sati pratha has nowhere written in any holy book of Hinduism, so it's Hindu human beings who tweaked their religion to hurt the people of their religion.

Hinduism also has a caste system. In reality, there is no caste, there are varnas. There is 4 varna, the varnas have been known since a hymn in the Rigveda (the oldest surviving Indian text) that portrays the Brahman, the Kshatriya, the Vaishya, and the Shudra. And according to Rigveda, it's the qualities or characteristics of a human that determines his varna not birth. A mere birth cannot decide whether that person is learned or not. Everyone is allowed to read Vedas and understand it. Understanding the Vedas and implying them in real life determines your varna. But again, caste system came which gave birth system and it is understandable as no one will be able to adapt to the lifestyle of real Brahmin, no one can leave the worldly lust, and no one is tolerant of other's ideologies, in the same way, no one can be Kshatriya because no one is warrior rather everyone is a coward who satisfies their hate by killing a man mere just because he was of either other cast or other religion. And again, they dare to come up on stage and say they believe in non-violence, I want to ask whether they will be able to look into the eyes of Tabrez Ansari's wife and say that they do not have any hatred for their religion.

The majority of the primary religious and philosophical texts in Hinduism have a long history, dating back to 1000 BC. Two new faiths were introduced in the middle of the

millennium by the founders of Jainism, Mahavira, and Buddhism, Buddha. The first Hindu state, the Maurya dynasty, which was controlled by Ashoka in the third century BC over most of the Indian subcontinent, was a patron of Buddhism. When Hinduism gained popularity in the fourth century AD under the Gupta dynasty, Buddhism started to wane. In the meantime, Punjab saw the rise of the Sikh religion by the fifteenth century.

So, it is very evident that Hinduism is a kind of mother to many other religions and a mother cannot be wrong or this intolerant towards others. It's all because of the fake or pseudo-Hindus who are unfortunately even representing the whole religion as they are part of the authority. We as a human but keeping religion aside just for once need to see the authenticity of any actions. A mere difference of opinion cannot be the reason to kill anyone.

WHAT IS ISLAM IN INDIA?

Ozma is a student of Economics honors currently studying at Christ University Delhi NCR. She identifies herself as a Muslim. (Surprisingly both Vidyosha and Ozma are roommates and living peacefully in the same room for the last 1 year). One more thing that surprised me was that for Ozma also, this country is not a secular country. She feels discriminated against and has been asked several times to move to Pakistan. Why Pakistan? Why that place where Indian Muslims are been treated worse than any dogs and why move out of their own country who do these people are to decide who will live in India and who will not?

She recalled the entire barbaric incident that has happened to her community by other religions, the Gujarat riots⁴. Where 790- 1926 Muslims were killed, I am waiting for someone to come up and say "Hindus also were being killed" that does not justify the trauma these people will hold for life. And since when the concept of blame games started and how these blame games help people to satisfy their hate is what attracted me the most.

1987 HASHIMPURA MASSACRE⁵

19 members of the Provincial Armed Constabulary (PAC) are accused of rounding up 42 Muslim youth from the Hashimpura Mohalla (locality) during the Hindu-Muslim riots in Meerut city, Uttar Pradesh state, India, on May 22, 1987. They then allegedly transported the youth in a truck to the city's outskirts, where they were shot, killed, and their bodies dumped in water canals. Corpses floating in the canals were found a few days later. Three of the 19

⁴ The 2002 Gujarat riots, also known as the 2002 Gujarat violence and the Gujarat pogrom, were three days of inter-communal violence in the western Indian state of Gujarat.

⁵ The Hashimpura massacre was the killing of 50 Muslim men by police on or around 22 May 1987 near Meerut in Uttar Pradesh state, India, during the 1987 Meerut communal riots.

accused had already passed away when 16 of them turned themselves in in May 2000. They were all later released on bail. The Supreme Court of India ordered that the case's trial be moved from Ghaziabad to a Sessions Court in the Tis Hazari complex in Delhi in 2002 because it was the oldest case still pending there. The Tis Hazari Court declared all 16 of the persons convicted in the 1987 Hashimpura massacre case to be exonerated on March 21, 2015, citing a lack of evidence. The Court underlined that none of the accused PAC employees could be recognized by the survivors. 16 PKK employees were found guilty and given life sentences by the Delhi High Court on October 31, 2018, overturning the lower court's decision.

But does this justify the amount of hate they are holding against others? Everyone is still waiting for someone to give one reason to kill a Minor Hindu boy Rupesh Pandey by a Muslim gang while going to attend the Saraswati Puja procession. The parent's only son, Rupesh Kumar Pandey, 17, was on his way to the Saraswati Puja procession on a Sunday evening. Little did he and his family know that the celebration would soon end with the death of a young man. A gang of four young Muslims attacked Rupesh for unknown reasons in the village of Kariyadpur under the Barkha police station in the Hazaribagh district. Rupesh, who was seriously injured, was taken to the hospital but died.

A religion (Islam) that has a proper code of conduct even for a war, where women, old, and children are not allowed to be touched and followers of that religion have killed a small boy. How will they manage to look up to the eyes of Allah at the time of doom and call themselves good Muslims? Simply because you have a long beard or you pray 5 times, will not justify you as a good Muslim.

WHAT IS TERRORISM?

Unlawful violence or threat of unlawful violence to inculcate fear for political or social aims. Did we notice in this whole definition, that there was no religious word being mentioned? Then who decided what terrorism is and what not? Isn't untouchability terrorism? Isn't assaulting tribal people a form of terrorism? Or people can't see something else than an Islamic terrorism

Big authorities (politicians) say that they respect Muslims and welcome them, who gave them the right to welcome Muslims in their own homes.

There is a beautiful couplet "how will we convince them to ours? They don't consider us as their kin". US and THEM. Tragically this paper is not about Tabrez Ansari or Pehlu khan. This paper is about US and THEM. Whenever there is an accusation that "there are more kids

in their community, or literacy is low" people tend to laugh, they laugh because all these problems are in some other community not in them. A country is cannot be divided into parts by drawing lines on paper, it is divided in our minds, by color, language, and religion, and tragically our politicians have divided this country into US and THEM very beautifully. And it is citizen's punishment that these politicians have announced before any judiciary could give a verdict. They have taught them the same bias that they (politicians, extremists) believe. This secularism is based on prejudice.

A country where people speak 150 languages, and follow any religion. How can someone do justice with the bias between US and THEM?

Gandhi was not killed by a community; rather he was killed by a human, so we can't blame his community for his crime. Terrorism is a criminal act, not a communal act. If every Muslim is weighed on the same weighing scale, then one-fourth of the population of this world will be under suspicion. We have to find another way, the country can stand by being divided, and all of us are part of this country.

Terrorists are not agents of Islam, but they are misusing Islam. If we acknowledge this fact, we will find out a way to escape from it.

The bomb blast is a part of terrorism but there are many more things that are seen as terrorism. like cast discrimination, tribe oppression, etc. if we don't allow the lectures in temples and prayer in parliament, everything will be under control.

SECULARISM IN THE JUDICIAL WORLD

The term secularism is dynamic as opposed to static there cannot be a single viewpoint on this matter that will hold up for an extremely long period. The Court occasionally assigns different meanings to words. It advances secularism and tries it.

due to *Province of Bombay v. Sardar Taheruddin Syedna Sahib* (AIR 1962 SC 853). "Articles 25 and 26 highlights the common nature of the Indian majority rules government, which the principal architects considered being vital to the Constitution's center establishment," declared the Supreme Court of India.

Secularism was declared to be a fundamental tenet of the Constitution by the Supreme Court in *Kesavananda Bharati v. Territory of Kerala*⁶. Chief Justice Sikri said that the Constitution's embodiment is its mainstream component. The mainstream and government nature of the Constitution are the key components of the fundamental system, according to Justices

⁶ *Kesavananda Bharati v. Territory of Kerala* AIR 1973 SC 1461 (India).

Shelatand and Grover. "Freedom of thought, articulation, conviction, confidence, and love couldn't be changed at any expense since they were important for the Constitution's center components," remarked Justice Jaganmohan Reddy.

basic elements of the Constitution," said Justice Jaganmohan Reddy.

In the case of *Abhiram Singh v. C D Commachem*, the Court was urged to decide whether or not secularism entails the complete separation of religion and politics. The Court held that secularism implies that the state should treat all religions equally, not that it should reject religion. Position and religion play important roles in our society, and they are inextricably linked to political matters. The Supreme Court ruled that as secularism forms the foundation of the Constitution, it cannot be altered.

Protesting and making sure that all religions are treated equally are societal values that are essential to secularism. Since public authorities in India are not associated with any particular trust, no religion would face threats. The Court continued by stating that there is a basic link between secularism and a majority government, supposing that we believe a vote-based system would be effective and that meetings shouldn't be evaluated. The exorbitant price is worth it because we want a traditional state. While the Indian democracy has mostly served as a secular version of majority rule, its stability is questionable. It is occasionally asserted that by endorsing a certain religion, the state rejects secularism.

CITIZENSHIP AMENDMENT ACT (CAA), 2019

The controversial Citizenship (Amendment) Act 2019 (CAA) was inserted into the Constitution because it violates the concept of secularism, but the Indian government maintains that it is sacred. Critics of the CAA claim that by awarding citizenship to guests from the Hindu, Sikh, Buddhist, Christian, Jain, and Parsi communities who attend the CAA, the organization misuses the concept of secularism. However, as of December 31, 2014, this nation excludes Muslims, as do Pakistan, Bangladesh, and Afghanistan.

Furthermore, because it violates both Article 14 and Article 15(1) of the Indian Constitution, it is argued to be biased. Article 14 of the Indian Constitution states categorically that the state would not deny anyone living in India's region equal treatment under the law or equity under its vigilant eye. According to Article 15(1), no person shall be victimized by the state solely because of their religion, race, status, sex, place of birth, or any combination of these factors. It has been ensured that the use of the term "individual" in this article protects both residents and non-residents.

The Central Government maintains that granting citizenship to any individual is a political issue that is neither unjust nor hostile to the common good. The Supreme Court of India declared in the *State of West Bengal v. Anwar Ali Sarkar* case that although Article 14 boycotts segregation, it takes a fair arrangement into consideration. In any event, the grouping should not conceal anything, and the categorization should be based on logical differentia.

The Civil Aviation Act (CAA) is a law that protects citizens of three neighboring countries from harsh treatment: Pakistan, Bangladesh, and Afghanistan are all Islamic nations where radicalization is on the rise and Christians, Sikhs, Buddhists, Jains, Parsis, and Hindus continue to face harsh persecution. Accordingly, there is a perceptible contrast between Muslims and different religions.

THE CONCLUSION

India is acknowledged as a secular nation by all nations. Under a secular form of governance, the state is supposed to be impartial on all matters and not give preference to any one religion over another.

The Citizenship (Amendment) Act, 2019 was introduced by the Central Government in 2019 to protect the rights of six religions against severe discrimination in three neighboring Islamic countries. However, it encountered strong opposition from various groups claiming that its exclusion of Muslims was unjust and at odds with the secularism principle, which forms the foundation of India's Constitution.

When researching the latest trends in the nation concerning religious tolerance among Hindus and the perception of secularism, one should take into account the shifting demography with respect to religion, culture, and politics. When examining South Asian data, what is observed? At the time of Pakistan's founding in 1947, 15% of the country's population was Hindu; by 1998, that number had fallen to 1.6 percent.

Unintentionally, some people see the Hindu renaissance through the prism of Narendra Modi and the BJP. It is necessary to return to the original struggle between Dharmic and Abrahamic ideas in order to comprehend the deeper one. The philosophy of Dharma is multifaceted. It covers a lot of information. One family can contain 33 million gods in total. Every time someone attempts to split us up into US and THEM, return home, look at the calendar, and see how many days there are left in the elections.

Without a doubt, India does not have a theocracy, but it does have hypocrisy. Muslims and Christians of today cannot be held responsible for crimes committed in the past that they were not a part of. In truth, a large portion of today's Muslims and Christians are sprung from people who were formerly persecuted and converted under duress. Change your outlook and the world become clearer to you.

Inqilab Zindabad