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A Tale of Secularism: Opportunities and Challenges.

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Abstract

The founding father of the Indian constitution always had secularism as a foundation of democratic India. Secularism refers to an idea where citizens are given equal opportunities and status irrespective of religion they profess. Our constitution upholds the doctrine of secularism ; to guarantee all its citizens equal standing no matter whether they perform any religious activities or not. Adhering to any Religion never remained a determining factor for granting citizenship to its people. All rights and privileges are conferred to all the citizens indiscriminately without considering their social, political and economic status. What we look into through this study is to what extent is the idea of secularism related and relevant in today's politics; with the help of delineating the histories of the evolution theories attached to secularism (both western and Indian perspectives). A detailed discussion about the two different versions of secularism will give a more clear perception in this regard. This paper argues secular ethos requires constitutional morality and pluralism, judicial safeguards to balance state authority and religious freedom.

Keywords - secularism, constitution, democracy, citizen

Introduction

We begin with the definition of secularism. Secularism is defined as a positive equal respect for all faiths and the functional differentiation of modern spheres like law and science from religious authority. So we may say, secularism accepts at its core the notion of religious neutrality on the part of the state. Neutrality here means, the aloofness of the State from any religious commitments. I.e. State shall neither promote nor discourage religious events beliefs or customs. State has very less to speak about religious affairs of the State. Modern societies are inclined towards science, rationality and value neutrality. To them, religion has a little room for prosperity. St. Augustine in his work titled "City of God " bring in forth his idea of secularism where he differentiated City of God vs City of Man. He sees, City of Man as temporal earthly and material; whereas City of God is far beyond it. With the second coming of Christ City of Man lost its divinity. Another thinker named John Locke also advocated a firm separation between personal matter of religion and political world of the State. To conclude, Western idea of secularism advocates for a complete separation of State and religious affairs indeed.

Now let us look into the Indian concept of Secularism. The 42nd Amendment Act of 1976 inserted the term secularism into the Preamble of constitution. Indian secularism is unique in its interpretation as it enables the functioning of the state along the proposition of principled distance. To put simply, principled distancing of the state is an endorsement of equal respect towards all religions and their practices. Thus, while the Indian State recognizes, respects and treats all religions equally. State has the right to intervene in religious matters wherever such interventions are considered necessary. Such state intervention is intended to weed out social evils which plague the society. These social evils crafted out of religious dogmas within the society over time. Continuity to these

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practices leads to social stagnation which in turn inhibits growth of modernity. As these socio religious practices are deeply rooted in the individual psyche, state intervention becomes necessary in this regard. The diverse nature of India in terms of ethnicity, culture and religion adds responsibilities to its judiciary to protect and retain the multicultural flavor of the State. Without it, the essence of the idea unity in diversity may show a setback.

Literature Review

Reimagining Indian Secularism by Rajeev Bhargava analyses how Indian secularism differs from the West, focusing on principled distance rather than secularism

The Making of Indian Secularism by Shabnum Tejani examines the historical legal and post-colonial developments of secular ideas in India.

Secularism's Last Sigh? Hindutva and the (Mis) Rule of Law by Brenda Cossman and Ratna Kapur - highlights challenges to secularism in India.

Research Objectives

The objective of my study is to find out how is the narrative called secularism been conceived in Indian aspect. The principle of equidistance from all religions is a conceptual folly or true in reality. How are political parties adhering to this ideology is also a part of enquiry in our discussion.

Research Questions

1. What is secularism?
2. Why is secularism important in Indian context?
3. How is the narrative of secularism different from West in case of India?
4. Are our political structures enough strong to fit or to accommodate the changing patterns of cultural secularism?

Research methodology

This study uses qualitative method content analysis as tool of methodology. A systemic study of literature is made in this regard to understand the core idea. Different interpretations of the same idea are also been studied to get through the nuances attached along it.

Legislations related to cultural rights

India is a land of immense diversity, home to numerous languages, cultures scripts and religions. Recognising this, India has guaranteed special rights to cultural minorities through articles 29 and 30. Some of the provisions are as follows -

The right to preserve and conserve cultural identities.

The right to establish and administer educational institutions

The right to non-discrimination in taking admission to state aided institutions.

So we can say, these rights provides minorities a special status considering their vulnerabilities. This recognition might seem as discriminatory from the surface. If we look

deep inside, we would see a different picture altogether. This principle of affirmative action is founded on the idea with a view to uplift overall conditions of the minorities as it enhances social securities of the concerned. Many laws have been formulated in this regard as protective measures for cultural minorities.

S. R BOMMAI CASE (1994) VS UNION OF INDIA declared secularism as a fundamental basic structure of the constitution, meaning it cannot be abolished by parliament.

It affirms that, the state must treat all religions equally.

Abhiram Singh vs C.D commachem (2017) ruled that secularism does not demand total separation of religion from politics but mandates that the state shall remain neutral and not favor any religion.

Dr. Bul ram Singh vs union of India (2023) upheld the inclusion of secular and socialist in the Preamble dismissing challenges to the 42nd amendment.

Ahmedabad ST Xavier's college vs state of Gujarat Held that secularism is neither pro- God nor anti- God, but ensures equality and prevents discrimination based on religion.

The Citizenship Amendment act (2019), aspires to guarantee citizenship rights to persons from the Hindus, Sikh Buddhists Jain Parsi or Christian entered India on and before 31st December 2014 and who could be subject to v=various provisions of the Act now benefit from Indian citizenship. The inclusion of religious identification as a determinant of citizenship led to widespread opposition against the law which was perceived as anti-secular for its sectional alignment to few religions.

Another mention includes, law on Cow Slaughter 2005. This law upheld the constitutional validity of anti-cow slaughter in different Indian states. Article 48 directs the Indian state to make efforts to put an end tp cow slaughtering along with other milch and draught cattle.

Cultural secularization

Cultural secularization is the process by which religious symbols, beliefs and practices lose their social significance, becoming less central to daily life and culture. It involves a shift toward rational and scientific reviews. Main elements of secularization are as follows-

Urbanization - urbanization is a process where agglomeration of high rise building takes place. Transformation of rural setting takes place here. Urbanization shows greater shift from agrarian practices to factory based works or any tertiary sector. Knowledge based society is mostly found in these set-ups.

Social and Religious movements- Many social and religious movements have also contributed a lot in secularization. Leaders like Sir Sayed Ahmed Khan, Rammohun Ray, and Mahatma Gandhi etc. initiated many social and political movements in this country. These

movements pointed out the shortcomings of religions and also made substantial reforms in it.

Western Culture- onset of globalisation marks the beginning of westernization on a fuller scale. Predominance of cultural exchange has influenced the lives of people across the globe leading to reshaping of thoughts, beliefs and ways of life. What we see is the traditional ways of living are now shrinking. Modern ways are well accepted among the masses. Indians in metro cities; now love wearing jeans t shirts as compared to kurtas and sarees.

Transportation and communication

With modern education came the invention of telephones and railways. This gave opportunities to travel from one point of the country to the other. This led to an exchange of ideas and growth of liberal thoughts.

Caste and Secularism

Caste -A fourfold divisions of labour particularly in Hinduism divides its population into four different ranks.

The priestly class (Brahmin)

Second is the kshtrays (warriors)

The vaishyas (trader)

The shudras (laborers)

The caste system in India has significantly impacted the development of secular perspectives among its people by creating social hierarchies and inequalities that often clash with the principles of equality and non-discrimination central to secularism. So we may say, secularism comes in conflict with the idea of casteism. Where secularism puts a check on orthodoxies, blind beliefs and superstitions the other doctrine of casteism stands opposite to it both in terms of nature, scope. Modern value system has incorporated rationality in living by and large but unfortunately this social dogma has not been wiped out completely because of psychic deep rootings to social practices.

It would be wrong if we conclude that the idea of secularism has no impact on caste and politics. Caste has become more secular focusing on secular goals like education job political powers.

Challenges to secularism in India

Indian secularism appears to be in crisis. The development of the idea of secularism has been stunted because both opponents and proponents of secularism define it as inherently Western, Christian and foreign to land. Constraints to secularism are as follows -

Communalism - It becomes a problem in secular state with Muslim minorities because there is an inherent clash between the requirements of a secular way of life on the one hand and religious orthodoxy on the other. Dr. Bipin Chandra has identified three conditions for the birth of communalism, they are-

1. People following same religion and having common interests.
2. The secular interests of different religions is dissimilar from other religions.
3. When interests of different religions is seen to be incompatible antagonistic and hostile.

Party politics - Another significant reason of communalism is party politics. These parties represent sectional interests of communities causing dissent to spread all over. Political parties play communal politics for achieving and safeguarding their political interests. It has been remarked that, the known secular parties are not very secular in terms of composition and working.

Obscurantism - Obscurantism is one of the obstacles in Indian secularism. Despite the progress in almost all life, obscurantism still exists. In all religions there are obscurantism elements which create obstacles in the way of evolution of human social order. It is because of obscurantism people give importance to customs and rites.

Conclusion

The entire discussion on secularism has been portrayed from several angles to get an in depth insightful ideas relating to secularism. The segmented discussions made us understand the interrelationships between caste, secularism and politics. Laws and regulations made so far instills both joy and tensions together as it impacts its citizens both in positive and negative ways. At last it may be concluded that, secularism might be a debated concept but its relevance still be felt as cases of honor killings, riots marks column in dailies weeklies newspapers even today.

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