



सत्यमेव जयते

REPORT OF THE  
LIBERHAN  
AYODHYA  
COMMISSION  
OF INQUIRY

CHAPTER 12  
SECULARISM

## 145. SECULARISM

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145.1. The Hindu society is a well rooted and established patient society since time immemorial. It is of multicultural, multi religious, multilingual, multi-regional, multi-caste and multi-creed people. It has diversity of language and religion. The basis of secularism is the tradition of acceptance of complex, multilingual, multi-ethnic and multi religious diversity as demonstrated in the historical process of thousands of years. Pluralism of religions and convictions is well recognized. There is strife amongst indigenous religions because of diversity of language and religions. It has multi-religious faiths, diverse creeds and culture.

145.2. Innumerable factors like geography, race, religion, culture, and language etc make a nation. One single component, howsoever important it may be, is of no consequences in making a strong nation, nor is any one act good enough. Cultural nationalism howsoever defined or explained philosophically or literally would alone not make a particular nation. It is the sum total of all that confers on a person his nationality. There is no doubt that while religion is a distinct factor making a nation, still the culture and other factors become important for forming nationality.

145.3. Democracy is accepted as one of the best forms of government, all over the world. It gives the opportunity to break free from caste and creed etc. from which our society was and is suffering. It provides an opportunity to develop a casteless society. It stands for freedom of conscious belief, tolerance and

mutual respect. In it, everyone who is governed participates in governance. Fundamentally our democracy depends upon the principle of representative government. The democracy means majority rule. It is one of equal representation of equal number of people, regional needs, interest, ignoring the ethnic, religious, political, racial, geographical and demographic facts. It is based on the doctrine of equality as its foundation. It means letting the people not to have a religious state and society. In democracy legislation reflects the majority sentiments. The minority cannot win their view point in the political process.

- 145.4. A particular question which arises in democracy of adult suffrage is, what happens to democratic, human rights and the minorities? In a democracy cosmopolitan, traditional, religious ties, social fabric, commitment to rule of law, respect for humanity because of question of faith, politics of religion and money enwind with it. Minorities have to be protected from manifestation of community morality or bigotry. At the same time it has to be ensured that it does not trample down majority under the garb of minority rights. Rights of majority are required to be protected, ensuring the minority rights to an extent, that they do not become tyrannical. The judiciary has to take care that the minority's sentiments are not trampled by the majority sentiments, while at the same time exercising self restraint to ensure that it does not itself turn tyrannical, destroying the very constitutional spirit and democracy which it seeks to safeguard. The question of rights of majority or minority is a question of perception of human affairs, for which politicians, statesmen and social leaders are expected to be experts.

- 145.5. There is no gain saying that no democracy would be perfect, particularly when human beings operate it. Crafty nature of human beings cannot be denied. In democracy no electoral process can succeed in the absence of political parties. Fundamental rights protect not only the rights of majority but of one and all. Our constitution ostensibly granted and continues concessions to minority religions, recognizing them as social communities. Personal laws were included in religion.
- 145.6. In one of his lectures, Amartya Sen pointed out that by the end of the century India will be home to one half of all the illiterates of the world. The heartland of India, covering four states of Hindi belt and sharing 40% of the population of India is at the top of the illiteracy graph; which dubious distinction cannot probably be removed for decades.
- 145.7. It was realized that we were governed on the principle of divide and rule, be it on the basis of castes or religions or regions. The country suffered from caste discrimination. The process of secularism was being represented at social level by Bhim Rao Bala Sahib Ambedkar, Jyoti Phule etc. Appropriate treatment for *Shudras* and women at social level was spearheaded by them. Mahatma Gandhi represented it at the political level. Mahatma Gandhi said, "*Religion should pervade every one of our actions. Herein religion does not mean sectarianism.*" He said "*religion and state will separate - I swear by my religion and I will die for it. But it is my personal affair. The state has nothing to do with it. The state will look after your secular welfare etc. but not your or my religion. This is everybody's personal concern.*" Jinnah gave a different meaning to religion.

- 145.8. Nehru said, "*what it means is that it is state which honours all faiths equally and gives them equal opportunity as a state, it does not allow itself to be attached to one faith or religion which then becomes the state religion – and in a country like India no real nationalism can be built up except on the basis of secularity – narrow religious nationalism are a relic of past and no longer relevant today*"
- 145.9. Keeping in view the cleavage between the castes, the religions, past experience, and the historical experience, framers of the constitution provided for separating religion from political governance. It envisaged a state without any religion of its own. It may be given a name of secular state. Secularism was meant for doing away the hierarchy of caste, religion etc. Constitution provided secularism as the premise for governance. Framers of constitution used it *sine qua non* in the creed of governance.
- 145.10. Austin said, "*The Indian constitution is the cornerstone of the nation*" and observed that, "*the constitution makers intended to secure secular and socialist goals envisaged in the preamble of the constitution.*" Constitution allows the fulfilment of carving of self-realization or religious beliefs with national loyalty. It had been admitted even by LK Advani that secularism is the constitutional necessity, despite the fact that he carried out the mobilization which had as one of its objectives, the initiation of a debate on secularism or the need for redefining it.
- 145.11. Amartya Sen said that the idea of India, tolerant of different religions was taken for granted. It has been severely damaged by the extremist Hindu political groups by politically organized mobs of activist Hindus, repeatedly

going on the rampage; the police frequently failed to protect the Muslims under attack, and were more violent in dispersing Muslim mobs than the Hindu ones. He further pointed out that the extremist Hindu political movement that spearheaded the present turmoil has gone on to demand an official end to Indian secularism, to be replaced by the recognition of India as a Hindu state. After pointing out that secularism was an integral part of pluralism, he said that the sectarian forces trying to demolish Indian secularism would have to contend not merely with the presence and rights of the Muslims in India, but also with India's regional, social, and cultural diversity.

145.12. Amartya Sen stated the country has well over a hundred million Muslims.

India is the third largest Muslim country in the world. To see India just as a Hindu country is fairly bizarre in view of that fact alone, not to mention the fact of the intermingling of Hindus and Muslims in the country's social and cultural life.

145.13. Our constitution is the sole religion, caste and creed for governance. It does not tolerate classes amongst its citizen based on any *isms*. Equality is its hallmarks.

145.14. Seervai said "*Sants may do without property but constitutions are for the frail humanity, and men who have the haunting fear of being deprived of property are not free Indians*". This thought applies as such to the freedom of religion which has been granted by the constitution in its fundamental rights for all men of the country may they be in majority or minority.

## 146. The definition of Secularism.

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146.1. It is well-known that in the north or in the Hindi speaking belt, mostly regional parties are confronting the Hindu BJP political party at the national level. Congress failed to take a stronger position in the extremely destructive Hindu political violence like demolition of mosque. All the parties believing in secularism had not only consistently challenged election of Hindu political parties and provided effective leadership in defending the constitutional secularism against communal politics. Other political parties having obsessed with the fear of losing votes to sectarian Hindu parties did not take any strong defensive stance to meet the propaganda of anti secularism, communal, and religious in order to win the election. No political mass opposition was organized to meet the communal or anti-secular slogans. Promoting of sectarian view of Hindu nationalism is not something new to the country. Hindu Mahasabha had been unsuccessfully propagating and representing said view in the past.

146.2. Secularism has been defined and interpreted by innumerable philosophers, thinkers, leaders, preachers, according to their perception, of course with the limitation of language and situation inherent in it. Secularism got associated with enlightenment of men of verifiable knowledge. It was recognized that man has to take the responsibility and bear the consequences of his own follies and inequalities. It became a means to liberate the human spirit from bondage etc. Freedom of faith and religion is integral part of social structure

and not the bounty of the state. Secularism, with the passage of time, has acquired various meanings, and shades. There is a great scope for discussing it. Amartya Sen wrote, “*one of the problems that secularism as it is practiced in India is that it reflects the some of the collective feelings of intolerance of the different communities and is not based on combining their respective capacities for tolerance*”. Authorities take repressive action whenever any religious community claims that it has been offended.

- 146.3. The Oxford dictionary defines secularism as the opposite of fundamentalism extending secularism to an extreme has the danger of isolating oneself from the largest segment of society or community. The Supreme Court accepted that *secular* means the republic in which there is equal respect for all religions. Jag Mohan while describing secularism observed that *[in] India religion is anything but a soporific learning the oppressed to quiescence and inaction*. Conformity to religious doctrine is not enough to sustain secularism. The inherent legal compulsions of a federal structure put a restraint on the law enforcing agencies to effectively carry out the secularism to its logical end. Secularism is nothing else but providing a casteless society. The cleavage between Hindu and Muslim is a challenge to secularism. Amartya Sen said that given the heterogeneity of India and Indians, any alternative to secularism would be unfair. Hinduism within itself has a diversity that is not only in caste but also in innumerable thoughts and differs from the other. Britishers used to refer to “Hindu Muslims” and “Hindu Christians” in order to distinguish them from Muslims and Christians from outside India. Sen wrote that even among those who see themselves as religious Hindus, a great



many would dispute Ram's divinity. The identification of Ram with divinity is common in the north and west of India.

146.4. Justice Chinnappa Reddy while delivering his Ambedkar memorial lectures on "Indian constitution and secularism" observed that "*Indian constitutional secularism is not supportive of religion at all, but has adopted what may be termed as permissible attitude towards religion out of respect of individual conscience and dignity. There even while recognizing the right to profess and practise religion etc, it has excluded all secular activities from the purview of religion and also of practices which are repugnant to public order, morality, health and are abhorrent to human rights and dignity as embodied in the fundamental rights guaranteed by constitution.*" Constitutional secularism cannot be termed anti-God or anti-religion. Basically it is a concept essential for the working of democracy.

146.5. Constitutional secularism should not be given meanings. Secularism is the basic structure of our constitution. It should be understood in the context that the framers thought of, or in the context that the common man understands it, as he is to follow it. State sovereignty should not be used in propagating or extending helping hand to a particular religion. The Gandhian concept of secularism preached an equal tolerance and respect to all religion. Unity of India cannot endure half-baked and slanted meanings of "religions" and "secular". We have to come to terms with ethnic diversity.

146.6. Secularism or the constitutional secularism and the pluralist tolerance in India are facing innumerable challenges. While defining nationalism it is sometimes referred to as cultural nationalism in preference to the

geographical nationalism, pseudo secularism, practical secularism compared with constitutional secularism, politically convenient secularism defined, communal fascism, sectarian nationalism, militant obscurantism, casteism, and regionalism and in any form of communalism etc. The entire movement of Hindu politics cannot be termed as fascist in any sense, yet there are specific political characteristics that are generally associated with the movement which were present. These elements identified with the Hindu extremists politics in India to-day, include the use of violence to achieve sectarian objective, the victimizing of members of the particular community, mass mobilization based on frenzied and deeply divisive appeals, and the use of constitutional and strong arm matter to debase particular groups. Killing of many Muslims in cities is a well known act of extremist Hindu groups.

- 146.7. Secularism is the only social and political engineering model which has the sanction of our constitution, to govern the multi-religious, multi-cultural people who live in this vast country.
- 146.8. In a democracy, there is always the latent danger of the religious majority riding roughshod over the rights of the religious minority, especially if the basic democratic process of elections has been hijacked by a religious rather than secular agenda. To counter the possible trammeling of religious freedoms of even the tiniest of religious minorities, specific provisions have been made in the Constitution to guarantee individual and collective freedom of faith, religion and language to the minorities.

146.9. Religion and state have thus been separated so that people are polarised by the electoral process on any ground other than those of religion, caste, culture or creed.

146.10. It emerged succinctly from the evidence adduced before me that of the proponents of the temple movement (the majority of whom are of the opinion that nationalism is grounded not in geographical but cultural identities) believe that they are the victims of historical injustice perpetrated on the indigenous population during the Mughal era; and they had therefore undertaken to not only undo the historical injustices but to seek retribution for the as well. This stream of thought militates against the secular tone of the Constitution.

146.11. Communal violence or tension does not spring up overnight; rather it is built up over a period of time through communal propaganda, nursed with anecdotal incidents narrated with communal overtones. This classic methodology was employed by the Sangh protagonists who used the dying embers of the post-partition riots and fanned them into resurgent hatred for the Muslim community. Riding the currents of hot air emanating from these flames of hatred, they landed in the corridors of power. The early modest success raised high hopes of seizing the reins of power and spurred these people on to blatant intermixing of religion and politics. The promise of unbridled power attracted those in public service as well.

146.12. Winning of elections was perceived as an exercise in consolidating “vote banks” of minorities. Even whilst securing benefits for their “vote banks”, any

concession given to those belonging to any other religious or cultural group was attributed to an appeasement policy.

## 147. Intolerance in Ayodhya

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- 147.1. BJP managed to channel the frustration of illiterate or semiliterate persons into a destructive direction and tried to increase its political impact for which purpose it stoked mass hysteria. The record of the police of the UP at Ayodhya on the 6<sup>th</sup> of December 1992 in failing to prevent the vandalism at Ayodhya is fairly dismal and speaks volumes about the extent of communal fascist thought among the police.
- 147.2. BJP is the successor of Jan Sangh and Hindu Mahasabha. Jan Sangh and Hindu Mahasabha had failed in their *nationalist movements*. There is no doubt that during the elections three quarters of Hindus in India have not voted in favour of BJP rather for secular parties.
- 147.3. Two religious groups in a nation cannot claim a separate nation only by virtue of religious identity. Though prior to partition the two nation theory propounded by the Muslim League was not accepted, now it has become an established fact.
- 147.4. The other theory that Muslims of India are loyal to Pakistan rather than to India too cannot be accepted as there is no serious evidence for these theses. It is a fact that a large number of Muslims consciously opted to stay in India than to go to Pakistan in 1947. There is a large number of Muslims in various services including army and it is unfortunate and unacceptable for their loyalties to be doubted given the complete lack of evidence. The

Muslims ought not to have to prove their loyalty time and again to counter the malicious propaganda of those with vested interest, especially since there is no credible or believable evidence on the record casting any shadow on their loyalty.

147.5. Hindu nationalist draw on Indian history to point out that the Muslim kings destroyed many Hindu temples. Most of the Muslim emperors with passage of time were *Hinduised*, and to cast a typical Muslim in the same mould as the Mughal emperors in India would be a travesty of history. Hindu extremist groups seem bent upon rewriting and reconstructing Indian history. A number of Hindus see the past Muslim rulers in a different perspective. The Muslim domination ceased to be a foreign rule. It is not that Hindus suddenly become more aware of the alleged misdeeds of Muslims rulers in the past, and certainly not because new historical facts have just been discovered. It is the political activists who are trying to recreate an imaginary historical account, mixing fact with fantasy. The idea behind seems to be that retributive justice can be sought now for the past mistakes of the Mughal kings. As observed by Amartya Sen, this is not only ethically grotesque, but historically preposterous.

147.6. Amartya Sen wrote, *the heritage of contemporary India combines Islamic influence with the Hindu and other traditions easily be seen in literature etc. the impact of Islamist Sufi thought is readily recognizable in contemporary Hindu literature such as Kabir*. No communal line can be drawn within Indian literature setting Muslims and Hindus on separate sides. Exploiting people's archaic belief in

order to generate a religious frenzy to be used for political purposes is another weapon used for acquiring political power.

- 147.7. The effect of communal fascism in Mumbai and the attack on the disputed structure at Ayodhya shows how the force or militant obscurantism can be exploited as political weapon. The low level of elementary education certainly contributes to this. The failure of the Indian governments to expand mass education has done much to make these groups vulnerable to militant obscurantism, which vulnerability has also been thoroughly exploited by the extremist Hindu political leaders though illiteracy is not the sole cause of Nationalist Hindu politics generally. In recruiting candidates in the Ayodhya movement widespread illiteracy had been exploited by skilful political leaders.
- 147.8. The Indian Constitution prohibits the establishment of a theocratic state. It also prohibits the state from being identified with a particular religion. Secularism is an attempt to rid society of casteism and communalism. The need is for a secular state which is not hostile to religion, while at the same time being neutral in matters of religion.
- 147.9. The conflict between culture-based politics and the secular state, religious and ethnic nationalism came on the national scene, with this thought and philosophy cloaked as cultural nationalism. Multiple philosophical meanings were given to this *cultural nationalism*: nationalism, secularism by the preachers, *Sadhus* and *Sants*, philosophers, thinkers and the political leaders etc., according to the expediency and need of the time as suited them. Communal identities continued to exist and bigotries remained untouched

and resisted the liberal trend. The leaders of the communities attracted the attention of the political elements that looked upon them as guarantors of the community's vote bank.

147.10. The majority was presented the fear of the minority overtaking the majority, while the minorities' insecurities were stoked by the guardians of the nation. The new scramble to use *Hinduism* politically resulted in a realignment of castes, seriously jeopardizing the constitutional ideals of secularism.

147.11. The beginning of this decline was signalled by the eagerness with which political parties jumped into the temple construction movement. The common man was now the victim of politics ending.

147.12. There cannot be two opinions that self seekers in politics and religion still ally with each other in their quest to acquire power and wealth. Every power seekers hoped that the revival of religion in public consciousness, contrary to secularism, would act as the road for successes for political power. This process has unfortunately taken root firmly and is now a growing tree.

147.13. One has to pay price for sustaining independence, unity, freedom of individual, and freedom of religion in democracy like ours. Secularism is essential for it and has to be sustained even at the cost of opposing the will of majority, to sustain the unity of society. Minorities cannot be treated as second-class citizens and security has to be provided to them by the majority despite the advantages and disadvantages of secularism; a workable formula has to be devised to ensure secularism. Efficacy of fundamental rights has to be protected since these are the only protection available to the weaker



section of society or minority. It has to be ensured that minority will be allowed to prevail to a limit so as not to trample all over the majority will. It is thus vitally important to strike a balance. Rights articulated on the premise of religion etc. cannot be permitted to act as clogs in the working of democracy or secularism. Dr Zakir Husseini famously said, "*Secularism is when you do not remember one's religion or caste*". Similarly Dr. Abdul Kalam Azad the former president of India observed "*even the religious susceptibilities of the persons of different religious persuasions or creeds are anti secularism.*"

## 148. The Sangh Parivar and secularism

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- 148.1. Religious nationalism commands loyalty to religion. It is preferred over the nation. Religions are filled with martial metaphors. Martyrdom, violence and *sacrifice* are prominent in it. Religions usually carry sanctions for them. The public's respect for political institutions has been deflated and consequently religious revolutions have succeeded. Religious states are being established. Religious states are usually authoritarian and have a propensity of being dictatorial as they feel that their religion alone is right.
- 148.2. RSS is a highly structured organization, virtually like an army. The BJP is its political wing and it consists of committed men of extraordinary ability with loyalty to its organizations, outweighing constitutional institutional loyalties. This fact has been emphatically denied by the leadership of the BJP as well as that of the RSS. However on the basis of preponderance of the evidence, its prognosis and in totality of circumstances, no other conclusion is possible.
- 148.3. BJP and Shiv Sena, the political parties joined the movement for construction of temple. Religion was used as a strategic tool to infiltrate into the governance of the state. Vituperative tirade against the Muslim community invoking centuries old history broadened the cleavage between Hindus and Muslims. Constitutional secularism was challenged by attributing motives to the state that it was dabbling in pseudo secularism, using it as an instrument of appeasing the minorities. The issue of Ayodhya was converted into a political issue as a means for acquiring power. Religious matters were hyped

up as a part of the political campaign. They were not discouraged during the election campaigns; rather they were encouraged and carefully managed. Resultantly the people with religious faith started demanding that the political nominees promise concrete results in the religious field once elected as legislators.

148.4. In such a situation it became impossible to gain the required support for secularism from legislators, let alone hope for its implementation. The battle for political power and not ideology under the thin veneer of secularism became the motivating factor. The recluse or the Sadhus and Sants come to the belief that nothing matters beyond political desirable results however achieved. Politicians had not turned Sants, but Sants turned politicians. The use of religion during electioneering or for electoral purposes diluted the concept of secularism and casteless society. Religion became intertwined with politics and started demanded political power as well. It made the legislative power deceptive and it becomes difficult to resist the bias in favour of a particular religion in the name of secularism, leaving the appearance of secularism intact. Role of caste and religion in the present day election scenario was admitted even by LK Advani and VP Singh.

148.5. The entire might of the state authority, political executive, administration, Sants, persuasiveness of the religious authorities and the religious sentiments were used to build a political movement in the name of a religious moment of, and for a particular community with the motive to acquire political power. Attempts were made for balancing *constitutional secularism* and the *conceptual secularism* of the organizers mixed with vote catching devices by exploiting

communalism and religion as the sole object. Articulation of any nature, be it philosophical, religious or historical was directed to acquire political power irrespective of the consequences to the integrity of the country or social fibre or the casteless society envisaged by constitution.

148.6. On the failure of the earlier leaders to provide a casteless society, with the passage of time, in the game to acquire political power, the leaders' appeal to caste and religion etc. became a key determinant of political identity. In the process Hindutva, though described by the leaders differently, but understood by a common man as a religion, became a credible political movement.

148.7. The police and the administration were politicized on the basis of proximity to those in power. Declarations by political parties for constitutional secularism were rendered *non est* or nugatory in view of their *inter se* diagonally opposed political and power interests. They laid stress on measures with the objective of favouring one section of society or the other. Their appeals to them were of utmost simplicity devoid of conviction.

148.8. Hatred and fear constituted the whole gamut of politics. Creed, envy, religions and the security of people had been always the main plank of politics with deception and hypocrisy having crept in our constitutional concept of secularism.

148.9. People began to live in their own sheltered communities. Political middlemen emerged as interlocutors for religious communities. They picked up religious emotional issues to tighten their control over the communities.

They exploited issues and the people's religious sentiments for their vested interests.

148.10. Secularism faced the unpleasant aspect of the religious leadership during the temple construction movement with political power seekers in control of political scenarios. The key negotiators with the government aimed at a new deal for the nation's Hindu votes. As the later events disclosed, the Hindu leadership did establish its might, to be reckoned with through this movement contrary to the concept of secularism.

148.11. The communal feeling in the majority community was provoked by an extensive and sustained campaign of rumour mongering that a particular community was not loyal to the country; further deepening the fears of the majority community by alleging that the minority was increasing while that of the Hindus was decreasing. It used to be preached especially amongst gullible rural, urban and self proclaimed intellectuals, philosophers who commanded some influence within their geographical territories, that the Hindu is Hindu by birth while others acquire their religion either by baptism or by becoming Muslims. A section of such a group proclaimed that there cannot be good administration if there is the rule of people with different religious faith and beliefs, that is, Hindus and Muslim etc.

## 149. The need for a concerted effort for change

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- 149.1. Politics tries to capture religion through whatever means and howsoever desirable they may be, not caring for maintaining independence particularly in a secular state. Neither logic, nor objectivity, nor intellectual honesty counts in the achieving of correct political result.
- 149.2. Secularism needs stronger race relations legislation and the establishment of an agency to monitor secularism, and forewarn against cast-oriented political parties. It needs continuous political struggle for social, economic and secular justice. Ways to eradicate the prevailing regionalist, religious or casteist or clannish approach have to be found honestly and without hypocrisy. Secularism should become a way of life. The political leadership has to display an unusually high commitment to race relations with the role of the community.
- 149.3. Castes and religions with all their disadvantages are not only a fact of Indian life, but is thus around the world. A religion and caste based approach exists today in the administration, political executive, administration, judiciary and most of all, in the institution of the police. Action is therefore needed before this becomes an endemic and ineradicable disease threatening the very survival of society.
- 149.4. Justice Black of the US Supreme Court, observed “relations between secular and non-secular forces were becoming tenuous and over bearing. The

leadership of the respective classes began to stress on pride and vanity. It is quite essential to uphold the federal government and the state to the highest standards of protection of individual rights and liberties in the nation's history". The observation holds good in the context of Indian history, culture and the need of the constitution to sustain the integrity and unity of the country.

149.5. At the cost of repetition it may be observed that enduring freedom is pretence for manipulating Indian affairs. Political and religious overlords attempted to rewrite the national statistics, citing the protection of Hindus or Hindu as a religion as their sole fiefdom. Political parties supported by religious parties may have secured majority in particular state legislatures but in terms of percentage, the people who have voted them in, have never exceeded more than 25% of the national population; which does not lend any support to the contention of the organizers of the temple construction movement that it was the demand of the nation as such.

149.6. The demand cannot be put on the same pedestal as that occupied by the *War of Independence* which was the demand of the entire nation and all the people irrespective of caste, creed or religion. Equating the War of Independence with the temple movement is not only stretching history to impossible limits, but is also patently ridiculous. The whole temple movement was contrary to the philosophy of tolerance. It is paradoxical that the party making the demand for construction of temple and supporting the movement for the same, was at the same time the government in power refusing the demand for

ensuring protection of the disputed structure, without the demolition of which, the temple could not be constructed at the disputed site.

149.7. The state instead of providing security, actively participated in the religious demand of a particular community, thereby putting constitutional secularism to jeopardy.

149.8. The President of India imposed President's Rule and dissolved the legislative assemblies of the states governed by BJP in the context of their support to the temple construction at Ayodhya by observing, "*the president was satisfied that the faith of these BJP governments in the concept of secularism was suspect in view of the acts and conduct of the party controlling these governments – governments have already acted contrary to one of the basic features of constitution*".

149.9. The Supreme Court while upholding the act of the President in SR Bommai's case held that, "*thus they breached the basic feature of the constitution namely secularism.*"

149.10. Murli Manohar Joshi admitted that although the issue had the propensity to divide the country; still the religious issue had been put up in a political format. The political scenario of the nation kept up the campaign of temple construction. It would not be allowed to be forgotten as one could not afford to let loose or relinquish their hold over the Hindu minded religious section of society or their stronghold of Hindus' votes. The issue would be kept alive, ready to go to streets directly as and when they liked or through their allies and protégées. The fear of the minority's numbers increasing over those



of the majority, and the security of the life of the minority is being consistently voiced by small-time local and pedestrian “leaders”.

149.11. Society needs a radical transformation and it is the cultural, religious and educational institutions which must do so. The UP government however did nothing to discourage political mobilisation on the basis of religion, for political ends.

149.12. The temple construction movement was an attempt in the name of free exercise of religion and an attempt to reopen the old wounds for political rewards. Leaders of the moment surreptitiously encouraged the rise in temper, banking on the people’s hopes and faith. It was covertly and overtly supported by the authorities and resulted in the participation of political and religious groups to acquire power, name and fame. The combination of social aspirations with religious expression established a distorted meaning of Hinduism and Hindu as religion. Unfortunately in Indian politics, there are some people for whom electoral advantage has taken precedence over the need for constitutional secularism.

149.13. No one should be allowed to reorganize religion for political ends as was done in the case in hand. There is no doubt that constitutional philosophies always have political results but it is understood that they should not have political intentions.

149.14. The leaders of the movement failed to honour their promise of a symbolic *Karseva* because of the lack of centralized control of the organizers or even the control of the Sadhus and Sants. They were unable to control the hot or

ill-tempered leadership despite all claims of discipline and capacity to sacrifice. The stench of lust for power was in the air without any control and desperate efforts to come into power through castes or religion etc. were obvious.

149.15. The image of the organizers and leaders projected was that of fanatic Hindus preaching the lesson of Hindutva or Hindu as a puritan country and attributing the tragedy of the partition of the country to Muslims as a community.

149.16. A tolerant society or population is not automatically secular. The religious difference between Hindus and Muslims cannot be disassociated from the diversities within Hindus and between regions of India. In the Indian atmosphere of multicultural, multi religious, multi linguistic and multi regional society etc., the state, in order to wield moral authority, has to wash its hands off sectarian conflict. A partisan state is an open invitation to civil war.

149.17. Amartya Sen observed that, of the BJP members of the Indian parliament elected in the last polls, more than 90% came from just eight states and Union Territories in the northern and western India. Of these, more than 40 per cent were from one state—Uttar Pradesh alone.

## 150. What can be done to defend to secularism?

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- 150.1. The threat of communal fascism can be countered only through determined opposition by the public as well as by the government. The political parties have to stop appeasing organizations fostering intolerance and instead need to confront the ideology of such groups or organizations, including for instance, the Shiv Sena and other members of the Sangh Parivar.
- 150.2. One must distinguish the particular features of militant obscurantism from communal fascism and from the general threat of Hindu nationalism. Obscurantism, religious fanaticism and communalism generally thrive on poverty and educational backwardness and where development is poor, school education is most limited, local leaders are hungry for the rags to riches story. It provides for easy recruitment of passionate masses of destructive volunteers in the name of religion. Political exploitation depends not only upon the availability of exploitable masses but also on actual policies of sectarian political leaders dealing with them.
- 150.3. I am of the considered view that the Sangh Parivar, especially its political wings, are concentrating for becoming powerful sectarian power groups. It can be noticed that in the states in which organized challenges to the political domination of the high castes has been prominent, there were fewer cases of communal violence. It is important to distinguish between the small band of hardcore believers and the larger group of recruits to Hindu nationalism. This second larger group is attracted to sectarian Hindu view of Hindu

nationalism by use of a systematic and a distorted reading of Indian history and culture.

150.4. Present Hindu politics bases its manipulative reliance not only on ignorance but also ignores nationalism with the nationalist traditions of India. Hindu militants choose explicitly or implicitly of idolaters, fanatics, belligerent devotees and religious marauders.

150.5. The need of the hour is statesmen who can rise to the goal of secularism and of a casteless society in preference to electoral advantages. A constitutional struggle against the bigotry of religion and caste is facing the nation. Leaders have to rise above their political affiliations to discourage the mischievous theories being floated. Leaders have to come forward to fight this monster of intolerance and political opportunism. We need to protect the constitutional secularism without adding *ifs* and *buts* or giving it different meanings as per the convenience of various religions.