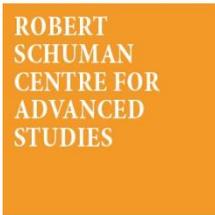




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State and Religious diversity: Can something be learnt  
from the Indian model of Secularism?

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## **Abstract**

Over the last three decades, secular states, virtually everywhere, have come under severe strain. It is hardly surprising then that Political secularism, the doctrine that defends them, has also been subjected to severe criticism. Some scholars have concluded that this critique is ethically and morally so profound and justified that it is time to abandon political secularism. This paper rejects this conclusion. It argues that the criticism of secularism looks infeasible only because critics have focused on mainstream conceptions developed in largely religiously homogenous societies. It claims that our focus must be shifted away from doctrines underpinning some western secular states towards the normative practices of a wide variety of states, including the best practices of non-western states such as India. Once we do this we will begin to see secularism differently, as a critical ethical and moral perspective not against religion but against religious homogenization and institutionalized (inter- and intra-religious) domination. This helps to throw different light on religion-related issues in society and might generate different perspectives on the kinds of policies to be forged.

## **Keywords**

Political secularism, inter- and intra-religious domination, Principled distance, critical respect, contextualism



## **Introduction\***

Over the last three decades, secular states, virtually everywhere, have come under severe strain. It is hardly surprising then that Political secularism, the doctrine that defends them, has also been subjected to severe criticism. Some scholars have concluded that this critique is ethically and morally so profound and justified that it is time to abandon political secularism. I reject this conclusion. I argue that the criticism of secularism looks infeasible only because critics have focused on mainstream conceptions developed in largely religiously homogenous societies. I claim that it is time we shifted focus away from doctrines underpinning some western secular states towards the normative practices of a wide variety of states, including the best practices of non-western states such as India. Once we do this we will begin to see secularism differently, as a critical ethical and moral perspective not against religion but against religious homogenization and institutionalized ( inter- and intra-religious) domination. Of all available alternatives, secularism remains our best bet to help us deal with ever deepening religious diversity and the problems endemic to it. Once these alternative conceptions implicit in the normative practices of states are dredged up, we shall see that we still do not possess a reasonable, morally and ethically sensitive alternative to secularism.

## **Religion- centered states**

I begin with the assumption that ethical reasoning must be both contextual and comparative. Given this, we must consider the merits and demerits of secular and non-secular states, exploring what ethical gains or losses might ensue in the movement from a secular state to one that grants more importance to religion or vice versa. What then is wrong if states abandon secularism and become more religion-centred? If we value freedom and equality and are sensitive to religion-related domination, then we must find theocratic states- those which have union with a particular religious order and are believed to be governed by divine laws directly administered by a priestly order claiming divine commission (The Catholic Encyclopedia of Religion, Volume 14, 13) and states with established religions –states not governed by the sacerdotal order but which privilege one or some religions- morally and ethically defective. Such states perpetuate inter-religious and intra-religious domination. They have historically recognized a particular version of the religion enunciated by a church as the official religion: compelled individuals to congregate for only one church; punished them for failing to profess a particular set of religious beliefs; levied taxes in support of one particular church; and made instruction of the favoured interpretation of the religion in educational institutions mandatory. (Levy, 1994) In such cases, not only was there inequality among religions (Christians and Jews) but also among the churches of the same religion. Societies with such states were either wracked by inter-religious or inter-denominational wars or persecuted minority religious groups.

States with substantive establishments have not changed with time. In our times, just consider Saudi Arabia (M Ruthven, 2002) Or consider Pakistan where the virtual establishment of the dominant Sunni sect has proved to be disastrous, even to Muslim minorities. For example, Ahmedi have been deemed as a non-Muslim minority and therefore convicted for calling themselves Muslims or using the word ‘mosque’ to designate their place of worship. (Malik 2002: 10; Bhargava 2004: 30). I have taken Saudi Arabia as illustrations. Surely the result would be the same if a Hindu state was

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\* This paper is drawn from:

- How Should Secular States Deal with Deep Religious Diversity? In *Governing Diversity, Rights & Democracy*, (eds.) Razmik Panossian, Bruce Berman and Anne Linscott, Montreal, Canada, 2007.
- How Should States Deal with Deep Religious Diversity: Can Anything Be Learnt from the Indian Model of Secularism? in *Rethinking Religion and World Affairs* (ed.) Timothy Samuel Shah, Alfred Stepan and Monica Duffy Toft , Oxford University Press, New York, 2012, PP 73-84.

established in India. This would be a threat to religious minorities but also to the plural and tolerant character of Hinduism itself and therefore to a large number of practising Hindus. The 'democratic' state of Israel suffers from the same problem. Once it was declared a Jewish state it cannot but exclude from its full scheme of rights and benefits its own Arab citizens, leave alone other Palestinians.

## **Secular states**

But are secular states really better? For a start, we should acknowledge that secular states and their underlying ideology, political secularism, appear to be under siege everywhere. They were severely jolted with the establishment of the first modern theocracy in 1979 in Iran. By the late 1980s, Islamic political movements had emerged in Egypt, Sudan, Algeria, Tunisia, Ethiopia, Nigeria, Chad, Senegal, Turkey, Afghanistan, Pakistan, and even in Bangladesh. (Westerlund 1996; Keppels 1994) Ahmed 1987; Mohsin 1999).

Movements challenging secular states were hardly restricted to Muslim societies. Protestant movements decrying secularism emerged in Kenya, Guatemala and the Philippines. Protestant fundamentalism became a force in American politics. Sinhalese Buddhist nationalists in Sri Lanka, Hindu nationalists in India, religious ultra-orthodoxy in Israel and Sikh nationalists in the state of Punjab in India, as well as among diasporic communities in Canada and Britain, began to question the separation of state and religion. (Jeurgensmeyer 1994). In short, western conceptions of political secularism do not appear to have travelled all that well in other societies. What is surprising is that such conceptions and the secular states they underpin are coming under strain even in Europe where they were only some time back believed to be firmly entrenched and secure.

Why so? It is true that substantive secularization of European societies has also brought in its wake extensive secularization of European states. Regardless of their religious affiliation, citizens have a large basket of civil and political rights unheard of in religion-centred states, past or present. But still, two problems remain. First, migration from former colonies and an intensified globalisation has thrown together on western public spaces pre-Christian faiths, Christianity and Islam (Turner 2001). The cumulative result is unprecedented religious diversity, the weakening of public monopoly of single religions, and the generation of mutual suspicion, distrust, hostility and conflict. This is evident in Germany and Britain but was dramatically highlighted by the headscarf issue in France and the murder of film-maker Theo Van Gogh in the Netherlands shortly after the release of his controversial film about Islamic culture. ( Bowen, 2006, Baruma, 2006, Freedman, 2004, Barker, 2004, Modood et al, 2006) Second, despite substantial secularization, the formal establishment of the dominant religion does little to bolster better inter-community relations or reduce religious discrimination in several European states. As it turns out the widespread belief of a secular European public sphere is a myth. The religious biases of European states have become increasingly visible with deepening religious diversity. European states have continued to privilege Christianity in one form or another. They have publicly funded religious schools, maintained real estates of churches and clerical salaries, facilitated the control by churches of cemeteries and trained the clergy. In short, there has been no impartiality within the domain of religion and despite formal equality, this continues to have far reaching impact on the rest of society. (Klausen, 2005) In the rest of the paper, I wish to focus on this crisis of secular states in Europe.

To repeat, the crisis of secular states in Europe is due in part because the secular humanist ethos endorsed by many citizens is not fully shared, particularly by those who have newly acquired citizenship. Any further secularization along secular humanist lines is not likely to resolve the crisis of European secular states. Secondly, because many of these states have formally or informally established religion anyway and establishment of a single religion, even of the weaker variety, is part not of the solution but the problem. What, in the face of this imbroglio, are European states to do?

Those reflecting on this crisis have at least four conceptions of secularism staring back at them. To get hold of these conceptions, it is best to examine the conceptual structure of secular states: The state must be separated from religion for some ends. The four conceptions flow from the different ways in which the metaphor of separation is unpacked, the levels at which separation is sought and the manner in which ends are conceived. The first of these conceptions is thoroughly amoral and unethical because it separates religion from the state precisely because of the ethical or moral restrictions that religions place on its ends (wealth, power). These amoral secular states are inconsistent with the self-organization and self-understanding of most European states, at least to the extent that they appear to have forsaken their imperial pretensions.

### **Mainstream western secularisms: Part of the problem**

Indeed, the dominant self-understanding of western secularism is that it is a *universal* doctrine requiring the strict separation (exclusion) of church/religion and state for the sake of individualistically conceived moral or ethical values. This dominant self-understanding takes two forms, one inspired by an idealized version of the American model of separation and the other of the equally idealized French model. Can European states be reinvigorated by these two forms of western secularism? Can they then deal better with the new reality of the vibrant presence of multiple religions in public life and accompanying social tensions? In what follows I argue that available mainstream *conceptions* of western secularism are likely to meet neither the challenge of the vibrant public presence of religion nor of increasing religious diversity.

#### ***The idealized French Model***

Take first the idealized French conception. On this conception, the state must be separated from religion at the level of (a) ends, (b) institutions and personnel but at level (c), the state retains the power to interfere in religion. However, religion is divested of any power to intervene in matters of state. In short, separation means *one-sided exclusion*. The state may interfere in religion to hinder or suppress it or even to help religion but in all cases only to ensure its control over religion. Religion becomes an object of law and public policy but only on terms of the state. This conception arose in response to the excessive domination of the Church, encourages an active disrespect for religion and is concerned solely with preventing the religious order from dominating the secular. It hopes to deal with institutionalized religious domination by taming and marginalizing religion altogether. This may help states to deal with aspects of intra-religious domination - one that exists when some members of a religious community dominate members of their own religion. (eg anti-clericalism in France) However, it has few resources to properly address inter-religious domination, when members of one religious community discriminate against, marginalize or even oppress members of another religious community.

Why so? Because issues of radical individual freedom and citizenship equality arose in European societies *after* religious homogenization. The birth of confessional states was accompanied by massive expulsion of subject-communities whose faith differed from the religion of the ruler. Such states found some place for toleration in their moral space but as is well-known, toleration was consistent with deep inequalities and with humiliating, marginalized and virtually invisible existence. The liberal-democratization and the consequent secularization of many European states has helped citizens with non-Christian faiths acquire most formal rights. But such scheme of rights neither embodies a regime of inter-religious equality nor effectively prevents religion-based discrimination and exclusion. Indeed, it masks majoritarian, ethno-religious biases. This is evident in different kinds of difficulties faced by Muslims. For example, in Britain a third of all primary school children are educated by religious communities. Yet applications for state funding by Muslims were frequently turned down. Four years after they were accepted, there were only two Muslim schools compared to 2,000 run by Roman Catholics and 4,700 of the Church of England. (Veit Beider, 2007) Similar problems persist in other

European countries. (Modood, Triandafyllidou and Barrerro, 2006) This is also manifest in the failure of many western European States to deal with the issue of headscarves (France), demands by the Muslims to build mosques and therefore to properly practice their own faith (Germany, Italy) or to have proper burial grounds of their own. (Denmark) In recent times, as Islamophobia grips the imagination of several western societies (exemplified by the cartoon controversy in Denmark), it is very likely that their Muslim citizens will continue to face disadvantage only on account of membership in religious community. (Bowen, 2006; Freedman; 2004, Barker 2004)

Some sections in European societies, both from the Right and the Left are tempted to follow the French model largely because they have bought the view that 'Islam is a problem' and the only way to straighten the devil is to use the coercive power of the state. But this would be suicidal because it leaves formal and informal establishments of Christianity in these societies untouched. Besides, every attempt to further intervene in religions is likely to meet with resistance not only from Muslims but from non-Muslims too. Any reliance on this model is likely to exacerbate problems.

### *The idealized American model*

Can these European states turn to the American model? The idealized American self-understanding interprets separation to mean *mutual exclusion*. Neither the state nor religion is meant to interfere in the domain of one another. This mutual exclusion is believed necessary to resolve conflicts between different Christian denominations, to grant some measure of equality between them but most crucially to provide individuals the freedom to set up and maintain their own religious associations. Mutual exclusion is believed necessary for religious liberty and for the more general liberties of individuals. This strict, or 'perfect separation' as Madison termed it, must take place at each of the three distinct levels- of (a) ends, (b) institutions and personnel and (c) law and public policy. Level (a) and (b) make the state non-theocratic and disestablish religion. Level (c) ensures that the state has neither a positive relationship with religion, for example there should be no policy of granting aid, even non-preferentially, to religious institutions nor a negative relationship with it; it is not within the scope of state activity to interfere in religious matters even when some of the values (such as equality) professed by the state are violated within the religious domain. The Congress simply has no power to legislate on any matter pertaining to religion. (Levy, 1994, Hamburger, 2002) ) This non-interference is justified on the ground that religion is a privileged, private (non-state) matter, and if something is amiss within this private domain, it can be mended only by those who have a right to do so within that sphere. This, according to proponents of this view, is what religious freedom means. Thus, the freedom that justifies mutual exclusion is negative liberty and is closely enmeshed with the privatisation of religion. In my view, this model of secularism encourages the state to have passive respect for religion. Idealized American secularism has some resources to fight inter-religious domination (for instance, it necessitates the disestablishment of the dominant religion) but not to wage a struggle against other aspects of the same or against intra-religious dominations. Because the state is unable to facilitate freedoms or equality within religions, it forces people to exit from their religion rather than to press for intra-religious equality.

It is now increasingly clear that both forms of western secularism have persistent difficulties coping with community-oriented religions such as Roman Catholicism, Islam, some forms of Hinduism and Sikhism that demand greater public presence and even official recognition for themselves — particularly when they begin to cohabit the same society. Moreover, they were not designed for societies with deep religious diversity. Both these versions developed in the context of a single-religion society and to solve the problems of one religion, namely Christianity. Both understand separation as exclusion and make individualistically conceived values — individual liberty or equality between individuals or both — as the ground for separation. Because of their diversity-resistant character and individualistic character, both these forms of western secularism have become part of the problem.

### ***Indian Model of Secularism***

Are we caught then between ideologies that legitimate religious domination of the secular and forms of secularisms that are unable to prevent forms of intra-religious or inter-religious domination? I believe it is possible to get out of this impasse because although theoretically less developed, there exists another model of secularism, one not generated exclusively in the west, which meets the needs of deeply religiously diverse societies and also complies with principles of freedom and equality: the sub-continental or Indian model found loosely in the best moments of inter-communal practice in India; and in the country's constitution appropriately interpreted. In India, the existence of deep religious diversity has ensured a conceptual response not only to problems within religions but also between religions. Without taking it as a blue print, the west must examine the Indian conception and possibly learn from it.

Several features of the Indian model are striking and relevant to wider discussion.

First, multiple religions are not extras, added on as an afterthought but present at its starting-point, as part of its foundation. Indian secularism is inextricably tied to deep religious diversity. Second, it has a commitment to multiple values - liberty or/and equality, not conceived narrowly as pertaining to individuals but interpreted broadly to cover the relative autonomy of religious communities and equality of status in society, as well as other more basic values such as, peace and toleration between communities.. It has a place not only for rights of individuals to profess their religious beliefs but for the right of religious communities to establish and maintain educational institutions crucial for the survival and sustenance of their distinctive religious traditions.

The acceptance of community-specific rights brings us to the third feature of Indian secularism. Because it was born in a deeply multi-religious society, it is concerned as much with inter-religious domination as it is with intra-religious domination. Unlike the two western conceptions which provided benefits to minorities only incidentally, (Jews benefited in some European countries such as France not because their special needs and demands were taken care of but rather because of a change in the general climate of the society), in India, even community-specific political rights (political reservations for religious minorities) were almost granted and were withheld in the last instance only for contextual reasons. In fact, it is arguable that a conceptual space is still available for them within the Indian constitution.

Fourth, it does not erect a wall of separation between state and religion. There are boundaries, of course, but they are porous. This allows the state to intervene in religions, to help or hinder them without the impulse to control or destroy them. This involves multiple roles: granting aid to educational institutions of religious communities on a non-preferential basis; or interfering in socio-religious institutions that deny equal dignity and status to members of their own religion or to those of others (for example, the ban on untouchability and the obligation to allow everyone, irrespective of their caste, to enter Hindu temples, and potentially to correct gender inequalities), on the basis of a more sensible understanding of equal concern and respect for all individuals and groups. In short, it interprets separation to mean not strict exclusion or strict neutrality but rather what I call principled distance, poles apart from one-sided exclusion, mutual exclusion and strict neutrality or equidistance.

Fifth, it is not entirely averse to the public character of religions. Although the state is not identified with a particular religion or with religion more generally (there is no establishment of religion), there is official and therefore public recognition granted to religious communities.

Sixth, this model shows that we do not have to choose between active hostility or passive indifference, or between disrespectful hostility or respectful indifference towards religion. We can combine the two: have the necessary hostility as long as there is also active respect: the state may intervene to inhibit some practices, so long as it shows respect for other practices of the religious community and it does so by publicly lending support to them. (Bhargava, 2009)

Seventh, by not fixing its commitment from the start exclusively to individual or community values or marking rigid boundaries between the public and private, India's constitutional secularism allows decisions on these matters to be taken either within the open dynamics of democratic politics or by contextual reasoning in the courts.

Finally, this commitment to multiple values and principled distance means that the state tries to balance different, ambiguous but equally important values. This makes its secular ideal more like a contextual, ethically sensitive, politically negotiated arrangement (which it really is), rather than a scientific doctrine conjured by ideologues and merely implemented by political agents.

A somewhat forced, formulaic articulation of Indian secularism goes something like this. The state must keep a principled distance from all public or private, individual-oriented or community-oriented religious institutions for the sake of the equally significant (and sometimes conflicting) values of peace, this-worldly goods, dignity, liberty and equality (in all its complicated individualistic or non-individualistic versions). Indian secularism then is an ethically sensitive negotiated settlement between diverse groups and divergent values. This model thus embodies what I call contextual secularism.

Allow me to elaborate on two features mentioned above. First, principled distance and second, contextual secularism.

### ***Principled Distance***

As seen above, for mainstream western secularism, separation means mutual or one-sided exclusion. The idea of principled distance unpacks the metaphor of separation differently. It accepts a disconnection between state and religion at the level of ends and institutions but does not make a fetish of it at the third level of policy and law. (this distinguishes it from all other models of secularism, moral and amoral that disconnect state and religion at this third level) How else can it be in a society where religion frames some of its deepest interests? Recall that political secularism is an ethic whose concerns relating to religion are similar to theories that oppose unjust restrictions on freedom, morally indefensible inequalities, inter-communal domination and exploitation. Yet a secularism based on principled distance is not committed to the mainstream Enlightenment idea of religion. It accepts that humans have an interest in relating to something beyond themselves including God and that this manifests itself as individual belief and feeling as well as social practice in the public domain. It also accepts that religion is a cumulative tradition as well as a source of people's identities. (W.C.Smith 1991) But it insists that even if turned out that God exists and that one religion is true and others false, then this does not give the 'true' doctrine or religion the right to force it down the throats of others who do not believe it. Nor does it give a ground for discrimination in the equal distribution of liberties and other valuable resources.

Similarly, a secularism based on principle distance accepts that religion may not have special public significance antecedently written into and defining the very character of the state or the nation but it does not follow from this that it has no public significance at all. Sometimes, on some versions of it, the wall of separation thesis assumes precisely that. As long as religion is publicly significant, a democratic state simply has to take it into account. Indeed, institutions of religion may influence individuals as long as they do so through the same process, by access to the same resources as anyone and without undue advantage or unduly exploiting the fears and vulnerabilities that frequently accompany people in their experience of the religious.

But what precisely is principled distance? The policy of principled distance entails a flexible approach on the question of inclusion/exclusion of religion and the engagement/disengagement of the state, which at the third level of law and policy depends on the context, nature or current state of relevant religions. (Bhargava 1998; Bhargava 2006(a); Bhargava 2006 (b)) This engagement must be governed by principles undergirding a secular state, i.e. principles that flow from a commitment to the values mentioned above. This means that religion may intervene in the affairs of the state if such

intervention promotes freedom, equality or any other value integral to secularism. For example, citizens may support a coercive law of the state grounded purely in a religious rationale if this law is compatible with freedom or equality. Equally, the state may engage with religion or disengage from it, engage positively or negatively but it does so depending entirely on whether or not these values are promoted or undermined. A state that intervenes or refrains from interference on this basis keeps a principled distance from all religions. This is one constitutive idea of principled distance. This idea is different from strict neutrality, i.e. the state may help or hinder all religions to an equal degree and in the same manner, that if it intervenes in one religion, it must also do so in others. Rather, it rests upon a distinction explicitly drawn by the American philosopher, Ronald Dworkin between equal treatment and treating everyone as an equal. (Dworkin 1978) The principle of equal treatment, in the relevant political sense, requires that the state treat all its citizens equally in the relevant respect, for example in the distribution of a resource of opportunity. On the other hand, the principle of treating people as equals entails that every person or group is treated with equal concern and respect. This second principle may sometimes require equal treatment, say equal distribution of resources but it may also occasionally dictate unequal treatment. Treating people or groups as equals is entirely consistent with differential treatment. This idea is the second ingredient in what I have called principled distance. I said that principled distance allows for differential treatment. What kind of treatment do I have in mind? First, religious groups have sought exemptions from practices in which states intervene by a promulgating a law to be applied neutrally to the rest of society. This demand for non-interference is made on the ground either that the law requires them to do things not permitted by their religion or prevents them from doing acts mandated by it. For example, Sikhs demand exemptions from mandatory helmet laws and from police dress codes to accommodate religiously required turbans. Elsewhere, Jews seek exemptions from Air force regulations to accommodate their yarmulkes. Muslims women and girls demand that the state not interfere in their religiously required chador. Jews and Muslims seek exemption from Sunday closing laws on the ground that this is not required by their religion. Principled distance allows then that a practice that is banned or regulated in one culture may be permitted in the minority culture because of the distinctive status and meaning it has for its members. For many republican or liberal theories this is a problem because of their simple, some what absolutist morality that gives overwhelming importance to one value, particularly to equal treatment or equal liberty. Religious groups may demand that the state refrain from interference in their practices but they may equally demand that the state interfere in such a way as to give them special assistance so that these groups are also able to secure what other groups are able to routinely get by virtue of their social dominance in the political community. It may grant authority to religious officials to perform legally binding marriages, to have their own rules or methods of obtaining a divorce, its rules about relations between ex-husband and ex-wife, its way of defining a will or its laws about post mortem allocation of property, arbitration of civil disputes, and even its method of establishment of property rights. Principled distance allows the possibility of such policies on the grounds that it might be unfair to hold people accountable to an unfair law.

However, principled distance is not just a recipe for differential treatment in the form of special exemptions. It may even require state intervention in some religions more than in others, considering the historical and social condition of all relevant religions. For the promotion of a particular value constitutive of secularism, some religion, relative to other religions, may require more interference from the state. For example, suppose that the value to be advanced is social equality. This requires in part undermining caste hierarchies. If this is the aim of the state, then it may be required of the state that it interferes in caste-ridden Hinduism much more than say Islam or Christianity. However, if a diversity-driven religious liberty is the value to be advanced by the state, then it may have to intervene in Christianity and Islam more than in Hinduism. If this is so, the state can neither strictly exclude considerations emanating from religion nor keep strict neutrality with respect to religion. It cannot antecedently decide that it will always refrain from interfering in religions or that it will interfere in each equally. Indeed, it may not relate to every religion in society in exactly the same way or intervene in each religion to the same degree or in the same manner. To want to do so would be plainly absurd.

All it must ensure is that the relationship between the state and religions is guided by non-sectarian motives consistent with some values and principles. A state interfering in one religion more than in others does not automatically depart from secularism. Indian secularism rejects the assumption that 'one size fits all'

### ***Contextual Secularism***

Contextual secularism is contextual not only because it captures the idea that the precise form and content of secularism will vary from one to another context and from place to place but also that it embodies a certain model of contextual moral reasoning. (Taylor 1994: 16-43; see also the argument in Parekh, 2000; and Carens, 2000). This it does because of its character as a multi-value doctrine and by virtue of its commitment to principled distance. To accept that secularism is a multi-value doctrine is to acknowledge that its constitutive values do not always sit easily with one another. On the contrary, they are frequently in conflict. Some degree of internal discord and therefore a fair amount of instability is an integral part of contextual secularism. For this reason, it forever requires fresh interpretations, contextual judgments and attempts at reconciliation and compromise. (Bhargava 2009; Bhargava 2010) This contextual secularism recognizes that the conflict between individual rights and group rights or between claims of equality and liberty or between claims of liberty and the satisfaction of basic needs cannot always be adjudicated by a recourse to some general and abstract principle. Rather they can only be settled case by case and may require a fine balancing of competing claims. The eventual outcome may not be wholly satisfactory to either but still be reasonably satisfactory to both. Multi-value doctrines such as secularism encourage accommodation – not the giving up of one value for the sake of another but rather their reconciliation and possible harmonization i.e. to make each work without changing the basic content of apparently incompatible concepts and values.

This endeavour to make concepts, viewpoints and values work simultaneously does not amount to a morally objectionable compromise. This is so because nothing of importance is being given up for the sake of a less significant thing, one without value or even with negative value. Rather, what is pursued is a mutually agreed middle way that combines elements from two or more equally valuable entities. The roots of such attempts at reconciliation and accommodation lie in a lack of dogmatism, in a willingness to experiment, to think at different levels and in separate spheres and in a readiness to take decisions on a provisional basis. It captures a way of thinking characterized by the following dictum: 'why look at things in terms of this or that, why not try to have both this and that.' (Austin 1996) In this way of thinking, it is recognized that though we may currently be unable to secure the best of both values and therefore be forced to settle for a watered-down version of each, we must continue to have an abiding commitment to search for a transcendence of this second best condition. It is frequently argued against Indian secularism that it is contradictory because it tries to bring together individual and community rights, and that articles in the Indian Constitution that have a bearing on the secular nature of the Indian state are deeply conflictual and at best ambiguous. (Tambiah, 1998) This is to mis-recognise a virtue as a vice. In my view, this attempt to bring together seemingly incompatible values is a great strength of Indian secularism.

Discerning students of western secularism may now begin to find something familiar in this ideal. But then, Indian secularism has not dropped fully formed from the sky. It is not entirely *sui generis*. It shares a history with the west. In part, it has learnt from and built on it. Indian secularism may be seen to be a route to retrieving the rich history of western secularism - forgotten, under emphasised, or frequently obscured by the formula of strict separation. If so, western societies can find reflected in it not only a compressed version of their own history but also a vision of their future. ( Bhargava, 2006(b)) Yet to not distinguish it from mainstream conceptions is mistaken. Commentators such as Donald Smith, Ashis Nandy, T.N. Madan and Partha Chatterjee frequently fail to distinguish it from western conceptions (Smith. 1963; Nandy, Madan, Chatterjee in Bhargava 1998. Also see Galanter, 1998)

## **Two Objections**

Two objections might arise on reading this. First, it might be said: look at the state of the subcontinent! Look at India! How deeply divided it remains! What about the violence against Muslims in Gujarat and against Christians in Orissa? How can success be claimed for the Indian version of secularism? I do not wish to underestimate the force of this objection. The secular ideal in India is in periodic crisis and is deeply contested. Besides, at the best of times, it generates as many problems as it solves.

But it should not be forgotten that a secular state was set up in India *despite* the massacre and displacement of millions of people on ethno-religious grounds and it has survived in a continuing context in which ethnic nationalism remains dominant throughout the world. Moreover, it was set up to deal with the tensions continuously generated by deep religious diversity not to offer ‘a final solution’ by expulsion or liquidation of all but the dominant religious group. Yet, regardless of what they did in the past, is it not a fair expectation that European and North American states will not allow any attempt at ‘ethnic cleansing’ on their soil today? Surely, practitioners of Indian secularism can learn from the institutional mechanism set up by European states to prevent inter-group violence. I agree. Some facets of the institutional basis of Indian secularism can be strengthened by the example of western states. To consolidate its minimally decent character, India can still learn from contemporary West. Yet, as different religious cultures claim their place in societies across the world, it may be India’s development of secularism that offers the most peaceful, freedom-sensitive and democratic way forward. In any case, this account must not be read as an apologia for the Indian state but as a reasonable and sympathetic articulation of a conception which the Indian state frequently fails to realize. My discussion is meant to focus on the comparative value of this conception and its potential for future and not on how in fact it has fared in India. And why should the fate of ideal conceptions with trans-cultural potential be decided purely on the basis of what happens to them in their place of origin?

Second, it might be objected that I do not focus on the best practices of western states and emphasize the more vocal articulations of western secular conceptions. But that precisely is my point. The dominant conception of western secularism is derived from an idealized self-understanding of two of its versions rather than from the best practices of western states, including the practices of US and France. It is my view that this doctrinal conception (a) obstructs an understanding of alternative conceptions worked out on the ground by morally-sensitive political agents, (b) by influencing politicians and citizens alike, it frequently distorts the practice of many western and non-western states. And (c) it masks the many ways in which inter or intra-religious domination persists in many western societies. Moreover, it is this conception which has traveled to all parts of the world and is a continuing source of misunderstanding of the value of secular states. My objective is to displace these conceptions or at least put them in their place.

## **Conclusion**

I hope to have demonstrated that there are at least two broad conceptions of secularisms, one mainstream western (the American and the French) and the other which provides an alternative to it and embodied in the Indian model. Of these, the Indian conception has better ethical and moral potential to deal with deep religious diversity. I do not wish to suggest that this alternative model is found only in India. The Indian case is meant to show that such an alternative exists. It is not meant to resurrect a dichotomy between the West and the East. As I have mentioned, I am quite certain that this alternative version is embedded in the best practices of many states, including those Western states that are deeply enamored by mainstream conceptions of political secularism. My objective in this essay is to draw attention to the frequent inability of ethical and political theorists to see the normative potential in the secular practices of these different states because they are obsessed with the normativity of mainstream conceptions. Western states need to improve the understanding of their own secular practices just as western secularism needs a better theoretical self-understanding. Rather

than get stuck on models they developed at a particular time in their history, they would do well to more carefully examine the normative potential in their own political practices or to learn from the original Indian variant.

### ***Possible Implications***

- The State cannot avoid having or endorsing a policy towards religion or religious organizations. Religion plays an important part in the lives of many people and religious institutions function in this world like other purely secular institutions. So, separation cannot mean the exclusion of religion from the domain of the State.
- Separation of Church and State should also not be interpreted as absolute or strict neutrality. No State can possibly help or hinder all religions in the same manner and to the same degree.
- The State may interfere with religion and refrain from such interference depending entirely on which of these promotes the values of freedom and equality or undermines inter-religious and intra-religious dominations.
- Values of freedom and equality must be interpreted both as rights of individuals, and wherever required, as rights of communities. Community rights are particularly important if religious groups are vulnerable or, because of their small number, have relatively little power to influence the process of decision making.
- Secularism must be neither servile nor hostile to religion. It must manifest an attitude of neither blind deference nor indifference but of critical respect towards all religions.
- Secularism which professes principled distance and is sensitive to multiple values cannot avoid making contextual judgements. Contextual judgements allow for ethically sensitive balancing and compromise.
- Those who think that they are emancipated from religion or believe that their own religion is emancipated, but not that of others, should accept with humility that none of its achievements are irreversible. They should also not fail to remember the history of oppressions within their own respective religions as well as the repressive policies of many secular States. As more and more societies become multi religious, a sense of vulnerability of ones' own religions, indeed of one's own world view will be crucial for a peaceful and just world order.

If secularism is to survive as a trans-cultural normative perspective, it must be de-Christianised, de-Westernised, de-privatised and de-individualized. In saying so, I do not mean that it must wholly sever its links with Christianity or the West but its ties with them must be loosened. It should be able to accommodate other civilizations and community based rights. Only with this form of secularism and a State nourished by it, can deep religious diversity be managed.

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