



Mains Practice Question

Q. The concept of secularism in India is flawed as it seeks to negate the importance of our cultural and religious heritage. Critically examine **(250 words)**

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Approach

- Begin by defining secularism in the Indian context
- Provide a critical examination of its Impact on cultural and religious heritage.
- Conclude Suitably.

Introduction

Secularism is the principle of separating religion from state affairs to ensure government neutrality towards all religions. It aims to prevent religious institutions from influencing governmental decisions and public policies, thereby protecting individual rights and freedoms.

The Indian Constitution adopted the principle of secularism in 1976 through the 42nd Amendment, which added the word "secular" to the Preamble.

Body

Characteristics of Indian Secularism :

- **Equal Treatment For All:** Indian secularism is enshrined in the Constitution, which guarantees equality and non-discrimination on the grounds of religion. constitutional provisions include:
 - **Article 15:** Prohibits discrimination by the State on grounds of religion.
 - **Articles 25-28:** Ensure freedom of religion, allowing individuals to practice, profess, and propagate their faith.
- **Neutral State:** Indian secularism advocates for a neutral state that does not endorse any religion or interfere in religious matters. The state is not affiliated with any particular religion and aims to provide equal support to all religious communities.
- **Positive Secularism:** Unlike negative secularism, which simply avoids endorsing any religion, positive secularism involves proactive engagement with religious and cultural communities. It recognizes the importance of religious and cultural practices in individuals' lives and ensures that state policies and actions respect and accommodate these practices.
 - The Indian government recognizes and celebrates various religious festivals from different communities, such as Diwali, Eid, Christmas, and Gurburab, by declaring them as public holidays.

Criticisms of Secularism in India :

- **Marginalization of Religious Practices:** Secularism's emphasis on neutrality often leads to the exclusion of religious symbols and practices from public spaces and state institutions.
 - Critics argue that this exclusion can be seen as a disregard for the cultural significance of

these symbols, which are integral to the identities of various communities.

- **Cultural Erosion:** By focusing on secular neutrality, there is concern that certain religious practices and festivals may become less visible and celebrated in public life, leading to a gradual erosion of cultural traditions.
- **Conflict with Personal Laws:** Secularism sometimes clashes with traditional religious practices, particularly in the context of personal laws governing marriage, divorce, and inheritance.
 - Some argue that the Uniform Civil Code (UCC) may infringe upon the religious rights of various communities by imposing a single set of laws that may not respect their distinct traditions and practices.
- **Uneven Application:** Critics argue that selective application of secular policies can lead to perceptions of bias or favoritism, exacerbating cultural and religious tensions.
 - The Citizenship Amendment Act (CAA) ,2019 along with the National Register of Citizens (NRC) process in Assam, has sparked debates about the implications for secularism in India.
- **Legal and Social Conflicts:** Judicial decisions and state policies related to secularism can sometimes spark controversy and conflict between different religious groups. These conflicts can affect social harmony and complicate the preservation of cultural heritage.

Conclusion

In the landmark judgment of **S.R. Bommai v. Union of India**, the Supreme Court declared that secularism is the **basic structure of the Constitution**. While secularism in India aims to ensure equality and prevent discrimination, its impact on cultural and religious practices can be contentious. By fostering dialogue and ensuring equitable implementation, policymakers can work towards a balance that upholds the principles of secularism while also preserving and celebrating the country's diverse heritage.

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