

**UNDERSTANDING OF POLITICAL SECULARISM IN A
COMPARATIVE PERSPECTIVE: FRANCE, USA,
TURKEY AND INDIA**

Shantanu Majumder*

Introduction

The cardinal objective of this article is to understand whether secularism has a universal meaning, follows a single template, or whether existing realities and historical trajectories can influence its meaning and the process of experiments. Notably, in this article the word ‘secularism’ has been used as ‘political secularism’ instead of ‘secular humanism’, a term which focuses on the role of religion in an individual’s life. Paul Kurtz identifies naturalism, non-theism, democracy, ethics, and planetary scope as the characteristics of secular humanism,¹ while ‘political secularism’ is meant to be a doctrine that guarantees freedom of religion and seeks separation of religion and politics, religion and state affairs in order to check religious tyranny and oppression. ‘Political secularism’ promotes freedoms and equalities for the religious and non-religious.² ‘Political secularism’ is also distinct from ‘philosophical secularism’, which opts for a godless system of the world. Indeed, political secularism is recognition of politics as an “autonomous sphere, one that’s not subject to ecclesiastical governance, to the governance of a church or religion or the church’s expression of that religion”.³

On the basis of the above mentioned concepts, the first section takes into account the events that have been contributing to the development of a notion of secularism in the sense of the erection of a wall between the state and religion

* Associate Professor, Department of Political Science, University of Dhaka

1 Paul Kurtz, *What Is Secular Humanism?*, Amherst: Prometheus Books, 2006

2 Rajeev Bhargava, “The Distinctiveness of Indian Secularism”, in T. N. Srinivasan (ed.) *The Future of Secularism*, New Delhi: Oxford University Press, 2007, pp. 20-24

3 Wilfred McClay, Speech on “Religion and Secularism: The American Experience”, Pew Forum’s Biannual conference on Religion, Politics and Public life, December 3, 2007 [<http://www.pewresearch.org/2007/12/03/religion-and-secularism-the-american-experience/> (visit October 15, 2013)]

in France and the USA. The discussion on France is important in order to understand the application of a model of secularism where the state adopts an apathetic (for some, antagonistic) attitude to religion, as opposed to the USA approach that highlights the state's accommodative roles towards religion.

The second section deals with the secularism of the Republican People's Party (RPP) (in Turkish: Cumhuriyet Halk Partisi) (CHP) in Turkey and the Indian National Congress in India. The RPP's experiment is significant in the sense that this party led the struggle for independence and initiated the secular agenda in Turkey.

As a result of the RPP's initiatives, Turkey is so far the only Muslim majority country which has been officially practicing one of the strictest versions of secularism since the first quarter of the 20th century. Despite a religious political party in power since the beginning of the twenty first century, the abovementioned version of secularism still officially exists. In any analysis on secularism in India, a specific discussion on the INC is essential due to the fact that this party led the independence movement and had dealt with the question of relationship between state and religion even before the independence of India and partition of the Indian subcontinent on the basis of religion in 1947. Both RPP and INC formed the first governments and followed a secular line after independence in two highly religion-centric areas in this world. Besides, the RPP and the INC are still active as a major political party in their respective countries. The third section briefly discusses the similarities and dissimilarities in the experiments with secularism in the above-mentioned case studies.

Section 1

Laïcité in France

French revolution and the triumph of state

France officially initiated the principles of secularism (known as *laïcité*) in 1905 through the enactment of a law by the Chamber of Deputies, i.e., the Lower House of the French parliament. However, evidence of *laïcité* can be traced back to the era of French revolution. For example, within a few months at the beginning of the revolution, the French National Assembly stated in the Declaration of the Rights of Man and the Citizen of August 26, 1789 (Article 10) that “no one shall be molested for his opinions, even religious, provided their manifestation does not disturb the public order established by law.” This declaration was incorporated in the preamble of the Constitution of

October 4, 1958.⁴ The new Republic which emerged out of revolution confiscated and auctioned land and assets of the Catholic Church. The state also demanded huge restructuring of the Church hierarchy and ordered the clergy to swear allegiance to the government. The first secular state of France was declared in 1795; the new Constitution declared that the state shall not recognize or subsidize any religion.⁵

State domination over religion continued through the Concordat of 1801. Though it re-established Roman Catholic Church in France, the Concordat of 1801, in a real sense, enhanced the grip of state over religion. For example, Roman Catholicism was recognized as the religion of the majority of French citizens. But Judaism, the Lutheran and Reformed Churches were also recognized by the state.⁶ Besides, Catholicism was not declared as the official religion of the state although the Concordat and the government agreed to pay salaries of the clergy on condition that they swore an oath of allegiance to the state. The Catholic Church had to give up its demand for lands confiscated at the time of the revolution. Besides, the state continued to exercise its right to nominate bishops. Article 8 of the Concordat pronounced that a prayer would be repeated in the Catholic Churches in France. The prayer read: *Domine, salvam fac Rempublicam* (God save the Republic); *Domine, salvos fac Consules* (God save the Consuls).⁷

State and religion since the third Republic

The conquest of secular ideology over religion was cemented in France during the early phase of the Third Republic (1870-1940). The 1905 law repudiated the Concordat. The law (*Loi du 9 décembre 1905 concernant la séparation des*

4 “Text with Constitutional”, *La Documentation Française*, The Directorate of Legal and Administrative Information (DILA), Head office of the France Prime Minister, 2004

(http://translate.googleusercontent.com/translate_c?hl=en&sl=fr&u=http://www.ladocumentationfrancaise.fr/dossiers/laicite/fondements-juridiques-laicite.shtml&prev=/search%3Fq%3DRepublique%2BFrancaise,%2Bla%25C3%25AFcit%25C3%25A9%26hl%3Den&rurl=translate.google.co.uk&usg=ALkJrhjPn0F6uFr8iKfBm7OXa28buoyeg), (visit June 14, 2013)

5 Ahmet T. Kuru, *Secularism and State Policies Toward Religion: The United States, France, and Turkey*, Cambridge: Cambridge University Press, 2009, pp. 30-34, 139-140 & 242-246

6 “Concordat of 1801”, *The Columbia Encyclopaedia* (sixth edition), New York: Columbia University Press, 2008

7 “Napoleon's concordat (1801): text”, *Concordat Watch*, Translated by Muriel Fraser from the French original. (http://www.concordatwatch.eu/showkb.php?org_id=867&kb_header_id=826&kb_id=1496), (visit June 27, 2013)

Églises et de l'État) asserted that the Republic did not recognize, employ, or subsidize any religion. The law also abolished religious practice-related expenses from budget of the state (Article 2), and ordered the transfer of moveable or immoveable property and other public facilities for worship to legally formed associations within one year time after the adoption of the law (Article 4).⁸ Besides allowing an individual to follow or not to follow a religion, the 1905 law in France criminalized interference with religious freedom (Article 33).⁹ The spirit of the 1905 law on the separation of Church and State was reflected in the France's Constitutions of 1946 and 1958. The preamble of the 1946 Constitution guaranteed "free, public and secular education at all levels." The first article of the 1958 Constitution declared France as a secular, democratic and social Republic and ensured the equality of all citizens before the law irrespective of origin, race or religion.¹⁰

France's commitment to a stricter version of secularism again came into forefront in the first half of the current decade. On 11 December 2003, a Commission,¹¹ formed by the government to evaluate the application of the *laïcité* principle, recommended banning of wearing conspicuous religious signs or clothing in public schools. The list of prohibited items included headscarves of Muslim girls, large Christian crosses, yarmulkes of Jewish boys and turbans for Sikh boys. The commission however, recommended allowing wearing discreet symbols of faith, for example, Fatima's hands, Star of David or small crosses.¹²

8 *The Legifrance* – public service broadcasting law by the Internet, Secretariat General of Government (SGG), France [English Version], 2009

http://translate.googleusercontent.com/translate_c?hl=en&sl=fr&u=http://www.legifrance.gouv.fr/affichTexte.do%3FcidTexte%3DLEGITEXT000006070169%26dateTexte%3D20081012&prev=/search%3Fq%3DRepublique%2BFrancaise,%2Bla%25C3%25AFcit%25C3%25A9%26hl%3Den&rurl=translate.google.com&twu=1&usg=ALkJrhgeZNFnQCcFkvY4e5dlbknmLcwmKQ, (visit April 25, 2013)

9 Robert O'brien, *The Report of the Committee of Reflection on the Application of the Principle of Secularity in the Republic*, New York: William S. Hein & Co., INC, 2005, pp, X1-XIV

(<http://www.wshein.com/media/catalog/3/331650.pdf>), (visit March 20, 2010)

10 "100th Anniversary of Secularism in France", The Pew Forum on Religion and Public Life, Washington, DC, December 09, 2005 (<http://www.pewforum.org/2005/12/09/100th-anniversary-of-secularism-in-france/>), (visit October 18, 2013)

11 The Commission, known as Stasi Commission, was set up to examine the principles of Laïcité. Named after the Chair Bernard Stasi, Ombudsman of the French Republic from 1998-2004.

12 Murat, Akan, "Laïcité and multiculturalism: the Stasi Report in context", *The British Journal of Sociology*, Vol. 60, Issue 2, 2009, pp. 237-256

French legislators promulgated a law (Law 2004-228) on 17 March 2004 in line with the Commission report. On 10 February 2004, the lower house (National Assembly) adopted the law by a majority of 494 to 36 votes and the Upper House (Senate) by a majority of 276 to 20 votes, and it took effect when the new school year started in September 2004.¹³

Separation of Church and State in the USA

Constitution erected a wall

The United States Constitution, constitutional developments, and the initiatives of several founding fathers can be seen as another set of examples of secularism within the public realm. The United States declared its independence in July 1776. The US Constitution was adopted in September 1787 and ratified in June 1788. It is true that there was no direct mention of the separation of State and Church, or freedom of religion in the Constitution. But, notably, the US Constitution begins in the name of people instead of mentioning God or any other similar authority. The Preamble of the Constitution¹⁴ declares that, “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.” Again, Article VI, Section III of the Constitution¹⁵ pronounced the principles of separation of Church and State by prohibiting religious tests for holding public office. It says, “The Senators and Representatives ..., and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.”

13 Alex Lefebvre, “France: National Assembly bans Muslim headscarves in schools”, *World Socialist Website*, February 18, 2004 (<http://www.wsws.org/articles/2004/feb2004/scar-f18.shtml>), (visit October 16, 2013)

14 “Constitution of the United States” & “Bill of Rights”, *The National Archives*, The National Archives and Records Administration (NARA) is the official record keeper in the USA. (http://www.archives.gov/exhibits/charters/constitution_transcript.html), (visit August 27, 2013)(http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html), (visit August 27, 2013)

15 *Ibid*

Separation of the state and religion in the US can also be noticed in the historic Bill of Rights. The Bill of Rights consists of the first ten amendments of the Constitution and was introduced to the Congress in 1789 and came into effect in December 1791. First Amendment of the Constitution¹⁶ states, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”.

Arguments of the founding fathers

The writings of more than one founding fathers profoundly contributed to the expansion of pro-secular ideals in the US. Charles Bogle¹⁷ identifies several writings of Thomas Jefferson¹⁸ and James Madison¹⁹ in this connection. For example, a decade before the adoption of the constitution, in a draft of a proposed *Bill for Religious Freedom in Virginia* in 1777, Jefferson argued that “our civil rights have no dependence on our religious opinions, any more than our opinion in physics and geometry”.²⁰ In 1781, criticizing the Virginia common law, which barred non-Christian or non-believers from holding office or employment in ecclesiastical, civil or military departments, Jefferson said, “The legitimate powers of the government extend to such acts only as are injurious to others. But it does me no injury for my neighbour to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg”.²¹ The 1777 Bill formed the basis of Virginia 1786 Act for Establishing Religious Freedom, which is considered as “the template for the secularist provisions of the federal Constitution”.²² In defence of continuation of separation, Jefferson

16 *Ibid*

17 Charles, Bogle, “Secularism and the American Constitution”, *World Socialist Website*, July 18, 2005 (<http://www.wsws.org/articles/2005/jul2005/secu-j18.shtml>), (visit September 10, 2013)

18 Thomas Jefferson (1743-1826) was the third President (1801-1809) and main author of the Declaration of Independence (1776) of the USA.

19 James Madison (1751-1836) was the Fourth President and one of the founding fathers of the USA.

20 Quoted in Peterson Merrill (ed.), *The Portable Thomas Jefferson*, Harmondsworth: Penguin publishers, 1977 p. 252

21 “Query XVII: The different religions received into that State?” *Notes on the State of Virginia*. From The Writings of Thomas Jefferson: Vol. 2, Electronic Text Centre, University of Virginia Library, 2008

(<http://web.archive.org/web/20080706082743/http://etext.lib.virginia.edu/etcbin/toccer-new2?id=JefBv021.sgm&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=17&division=div2>), (visit October 18, 2013)

22 Susan Jacoby, *Freethinkers: A History of American Secularism*, New York: Henry Holt & Co, 2004, pp.19-29

in a letter to Alexander von Humboldt on December 6, 1813, reiterated a fact that “history, ... furnishes no example of a priest-ridden people maintaining a free civil government.”²³

Madison, similar to Jefferson, also supported the view that the state should not stand in favour of any religion or church. In 1785, years before the adoption of the Constitution, he argued that religion and government should be free from each other. Madison was also aware of the risk of the supremacy of one religion over the others derived from state patronage. In his *Memorial and Remonstrance against Religious Assessment*²⁴, Madison asked, “Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christianity, in exclusion of all other Sects?” It is widely believed that Madison’s *Memorial* played a significant role in developing an understanding between the opposite views, such as the freethinkers and nonconformist Protestant sects, regarding government’s non-interference with religion.

Finally, due to the alliance of the aforementioned groups, the Virginia 1786 Act for Establishing Religious Freedom passed in the General Assembly of Virginia. The essence of US secularism can be found in the 1786 Act. It states that “no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no way diminish, enlarge, or affect their civil capacities.” Susan Jacoby²⁵, mentioned that in the Constitutional Convention in 1787 John Adams²⁶ and George Washington²⁷ “fully shared Jefferson’s views on the

23 Source: American History: *From Revolution to Reconstruction and Beyond* website, EK Groningen: University of Groningen. (<http://www.let.rug.nl/usa/presidents/thomas-jefferson/letters-of-thomas-jefferson/jefl224.php>) (visit October 17, 2013)

24 “A Chronology of US Historical Documents”, *The University of Oklahoma College of Law* website (<http://www.law.ou.edu/ushistory/remon.shtml>), (visit September 27, 2013)

25 Susan Jacoby, *Op. cit.*

26 John Adams (1735-1826) was the second President (1797-1801) and one of the founding fathers of the US

27 George Washington (1731-1799) was the first President (1789-1797) and Commander in chief of the American Revolutionary war from 1775-1783

separation and religious and civil affairs” and “the “omission of God was not a major source of controversy at the constitutional Convention.” The secular nature of the United States government in the early years after independence was evident not only at the domestic level but also can be seen in sphere of international relations. For example, it was mentioned in Article 11 of *The Treaty of Tripoli*²⁸ that “As the Government of the United States of America is not, in any sense, founded on the Christian religion, as it has in itself no character of enmity against the laws, religion, or tranquillity, of Mussulmen, and as the said States never entered into any war or act of hostility against any Mahometan [Mohammedan] nation, it is declared by the parties that no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two countries”.

Section 2

Laik and the RPP in Turkey

The Kemalist experiment

Turkey’s experience to a great extent contradicts the generalization about the scope of secularism (an ideology) or/and secularization (a social process) in the Muslim majority states. According to Ernest Gellner²⁹, “no secularization has taken place in the world of Islam” and Bernard Lewis³⁰ (2002) points out an absence of instruction about distinguishing “between God and Caesar and between the different duties owed to each of the two” as a reason behind truancy of secularist movement in the “Islamic world”. However, despite several setbacks, Turkey has been constitutionally exercising one of the most radical versions of secularism in this world for last eight decades and the Republican People’s Party (RPP) has been leading the secular movement since its beginning.

28 *The Treaty of Tripoli* was an attempt to save the US vessels in the Mediterranean Sea and Atlantic Ocean from the attack of the pirates authorized by the city state of Tripoli. The treaty was signed at Tripoli on November 4, 1796; ratified in the U.S. Senate on June 7, 1797. President John Adams signed the treaty on June 10, 1797. Source: Boston, Robert "Joel Barlow And The Treaty With Tripoli," *Church & State Magazine*, June, 1997 (http://www.stephenjaygould.org/ctrl/archive/boston_tripoli.html), (visit September 29, 2013)

29 Ernest Gellner, *Conditions of Liberty: Civil Society and its Rival*. London: Hamish Hamilton Ltd, 1994

30 Bernard Lewis, *What Went Wrong? Western Impact and Middle Eastern Response*, New York: Oxford University Press, 2002, p.103

The RPP was formed during the Turkey's war of independence in 1923 and emerged as the ruling party after 1924. In an immense attempt to operationalise the project of modernity, in the 1920s and 1930s, the RPP government under the leadership of the founding father of the nation, Mustafa Kamal Atatürk (1881-1938) introduced all encompassing changes in favour of secularism in Turkey's state and society. The Republic introduced a secular system of law and education, shattered the influence and power of the *ulemas* (learned men of Islam) within the state administration, brought orthodox Islam under state control, banned the *sufi* (Muslim mystic) order and prohibited religious speech, propaganda and organizations with political intention. The regime also abolished *shari'a* (Islamic law), banned polygamy, and enacted a new civil code that allowed equal rights and equal opportunities for women in education and employment.³¹

When the Republic was formed in 1924, the article that described Turkey as an Islamic state was removed from the Constitution. The Roman alphabet was introduced in place of Arabic. Certain religious activities, including *Adhan* (the call to prayer) were moved to the Turkish language.³² The RPP regime removed the line 'the Religion of the State is Islam' from the Constitution in 1928. The second article of the Constitution in 1937 clearly identified Turkey as a secular state. Since February 1937, the principle of secularism has been a non-amendable part of the Turkey Constitution.

In the end of the 20th century, Turkey defined secularism, once more, in a distinctive way. The current Constitution of Turkey ratified on 7 November 1982 declared Turkey as a secular and democratic republic (Article 2). Article 24 of the Constitution allows religious belief and conviction and participation in religious services. It also states that no one shall be compelled to worship, participating religious ceremonies and rites, reveal religious beliefs and convictions, or be accused of religious beliefs or convictions. 1982 Constitution also declares that education and instruction in religion and ethics shall be conducted under state control and supervision.³³ In the first week of March in

31 Ali Carkoglu and Barry Rubin (ed.), *Religion and Politics in Turkey*, London: Routledge, 2006; Umut Azak, *Islam and Secularism in Turkey: Kemalism, religion and the Nation State*, London: I.B. TAURIS, 2010, pp.9-14

32 Alev Cinar, *Modernity, Islam and Secularism in Turkey*, Minnesota: University of Minnesota Press, 2005, pp.14-18

33 *The Constitution of the Turkish Republic*, November 07, 1982. Website of Turkish Constitutional Law (<http://www.anayasa.gen.tr/1982Constitution-EYasar.htm>), (visit October 10, 2013)

1989, the Turkish constitutional Court opined, “Islam, unlike Christianity, had public claims. And in order to control such a religion and confine religion to individual spirituality, “a strict secularism” was essential. In mid-January, 1997, the Turkish constitutional Court maintained that secularism is not restricted only to the separation of the state and religion. According to the court, secularism means the separation of religion and worldly affairs which means separation of social life, education, family, economy, law, manners, dress codes, etc from religion.³⁴

The experience of Turkey’s secularism can be seen from two perspectives. First, it can be branded as a success story. On the other hand, it is also possible to argue that increasing popularity of the pro-religious forces and repeated defeats of the RPP or secular forces in broader sense in the elections since 2002, regardless of complete constitutional and judicial safeguards for secularism, indicates a gradual unpopularity of the secular ideal in the country.

From the mid-sixteenth century the *Sultan* of Ottoman Empire (1299-1922 AD) claimed to be the ceremonial *Caliph* (leader) of all Muslims in the world. Certain reforms took place in the Ottoman Empire in the early and late nineteenth century. For example, a system called *Din-uldevlet* allowed both Islam and the state as sources of legislation. *Orf* or *Kanunname*, derived from the will of the ruler, worked as a source of law by the side of Islamic law. *Hatt-I Serif* of Gulhane guaranteed life, honour and property of the subjects of the empire regardless of their religion. *Tanzimat* emphasized equality for the Muslims and non-Muslims in the fields of public service, taxation and military service.³⁵ However, pro-secular laws in the Ottoman Empire were justified on the grounds that they were “necessary for the well-being of the Islamic community”³⁶, which indicates an unambiguous supremacy of the spiritual over the temporal. From this point of view, a deliberate attempt to create a secular Turkey was started only after the establishment of Republic of Turkey in late October 1923. And all the successes as well as shortcomings in this venture can

34 Kuru, Ahmet T., “Misperceptions on secularism in Turkey: Secular individual and society”, *Daily Today’s Zaman*, Turkey, July 17, 2008 (<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=147703>), (Visit September 10, 2013)

35 Azak, Umut, *Islam and Secularism in Turkey: Kemalism, Religion and the Nation State*, London: I.B. TAURIS, 2010, pp.9-14

36 Halil, Inalcik, “The Nature of Traditional Society: Turkey” in Robert E. Ward and Dankwart A. Rustow (ed.), *Political Modernization in Japan and Turkey*, New Jersey: Princeton University Press, 1964, pp.42-63. Quoted in Azak Umit, *Ibid*, p. 3

been measured against the historical reality that the RPP under the headship of Kemal Ataturk commenced and worked to propagate the ideal in a state that was the leader of the Muslim *Ummah* for centuries, and where religion was the prime factor in state affairs and individuals' lives.

Failure or a success story?

However, there are downsides in the experiments of secularism in Turkey. There are scepticisms and criticisms about the way Kemalist³⁷ secularism attempted to deal with religion in Turkey from the beginning.³⁸ The victories of Justice and Development Party (JDP) (Turkish: *Adalet ve Kalkınma Partisi*, or *AKP*) in the 2002, 2007 and 2011 general elections strengthened criticisms against constitutional court-supported and military-backed top-down elitist secularism in Turkey. There is also evidence that revulsion against Darwinism, and admiration for theories like “intellectual design”³⁹ are also on the rise. For example, in 2008, the then Education Minister Huseyin Celik, an admirer of “intellectual design”, branded Darwinism as a “weapon of the materialists and infidels”.⁴⁰ Again, there is also information available that shows pro-religious forces are active among the lower strata of the Turkish society with an intention to strengthen political support by providing instant economic benefit and

37 Kemalist ideology or Kemalism, also known as "Six Arrows" (Turkish: *Altı Ok*). These six arrows are republicanism, statism, populism, secularism, nationalism and reformism. Kemalism developed by the Turkish National Movement and its leader, Mustafa Kemal Ataturk. Kemalism urges for a secular national state on the basis of the principles of enlightenment, rationalism and positivism. Source: (1) “Kemalism”, *Oxford Islamic Studies online* (<http://www.oxfordislamicstudies.com/article/opr/t236/e0440>), (visit 23 February 2010); (2) Webster, Donald Everett, *The Turkey of Ataturk; Social Process in the Turkish Reformation*. New York: AMS Press, 1973

38 Sami Zubaida, “The Survival of Kemalism”, *The Journal of Studies on Eastern Mediterranean and Turkey and Iran* (CEMOTI), No 21, January-June 1996

39 According to the Intellectual Design theorists ‘certain biological features appear to be “irreducibly complex” and thus incapable of evolving incrementally by natural selection, they must have been created by the intervention of an intelligent designer’. Leading scientists consider this theory as “neither sound science nor good theology”. Source: “Intelligent Design is Non-sense, say scientists” and “The Concept of ‘Intellectual Design’, International Society for Science and Religion, 2008 (<http://www.secularism.org.uk/92192.html>) and (<http://www.issr.org.uk/issr-statements/the-concept-of-intelligent-design/>) (visit October 15, 2013)

40 Source: Steinvorth, Daniel, “A Muslim Creationism Debate: Taking on Darwin in Turkey”, *Spiegel Online*, September 23, 2008. (<http://www.spiegel.de/international/world/a-muslim-creationism-debate-taking-on-darwin-in-turkey-a-579913.html>), (visit September 24, 2013)

portraying themselves as the emancipators of the poor.⁴¹ All these realities suggest a rethink about the top-down approach of the RPP-led secularism project in Turkey.

In spite of the above-mentioned non-secular realities, it can also be argued that the RPP's eight decades long project of hard-line secularism has had a secularizing impact on the psyche of the Turks. They seem to prefer a moderate version of secularism in general. For example, a 2008 survey revealed huge acceptance of religion in personal life but strong opposition to the role of religion in public affairs. This can be described as an unambiguous indication of a triumph for secularism in public arena. In March 2008, the independent polling company Veritas conducted a survey of 4,500 adults in 33 cities in Turkey on secularism and religion related issues for the *Star Daily*.⁴² Less than 5 percent respondents say they cannot accept women without head-cover. On the contrary, a little more than 5 percent of the hard-line secularists are intolerant toward women covering their heads. Nearly 87 percent of the RPP voters have no strong stance against headscarves. These views of the officially hard-line seculars plainly show an inclination for a soft version of secular ideals. Among the participants, 92 percent define themselves as believers and nearly 44 percent say all the daily prayers, whereas slightly more than 7 percent are atheist.

However, for nearly 44 percent of respondents, religion is a highly personal matter, between "man and god". Although, a pro-religious party, i.e., the JDP, was in power, less than 8 percent preferred a political system based on religion. The Veritas poll shows that most people in Turkey consider secularism as something more than a legal principle and accept it as a life style, and a majority of the respondents support separation of religion and state, and the state's equidistance from all faiths.

The profound impact of secularism in Turkey can also be measured from the other side. In Turkey, government affairs and politics revolve to a huge extent around the idea of secularism. Even the pro-religious politicians and political

41 "Turkey's AKP targets poor in regional vote", *World Bulletin*, Turkey [(http://www.worldbulletin.net/news_detail.php?id=39025), (visit September 20, 2013)]

42 Source: "Religious Tolerance Prevails in Turkey, Poll Shows", *Today's Zaman*, March 14, 2008 (http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=136373), (visit October 09, 2013)

parties have to speak in favour of secularism openly though they differ on the definition and jurisdiction of secularism. For example, Recep Tayyip Erdogan, the Prime Minister and leader of the pro-religious ruling party AKP, has to agree that secularism is one of the guarantors of democracy and peace.⁴³

Secularism and the Indian National Congress (INC)

Roots of Indian Secularism

There are differences of opinion amongst the scholars about the roots of Indian secularism. It is argued that European secularism emerged as a result of struggle against church and for that reason carried an atheistic trend and implied indifference toward religions. By contrast, secularism was conceived in multi-religious India, where religion has always been the area of prime attention, as a philosophy which teaches equal respect for all religions.⁴⁴ In this line of explanation, taking into account the impact of Indian intellectual history and intellectual pluralism, Amartya Sen thinks that Indian secularism emphasises “neutrality” to the religions instead of “prohibition” of religious associations in state activities.⁴⁵ But there are opposite views. For example, according to Elst Koenraad, Indian secularism was “borrowed from Europe”. Though considering secularism as something “borrowed” from the West, he defines the ideal as neutrality of the government in religious affairs and also holds the view that secularism does not promote one belief system.⁴⁶

It has also been claimed that secularism “has not been the product of a process of actual secularization of life” in India, but “developed as a response to the actual historic need of Indian society like the other ideas of democracy, socialism and the like”. In the same vein, M.T. Anasari argues that religion in the orient, unlike the West, is so powerful that it “often hinders the process of

43 Source: “Two Definitions of Secularism”, *Turks.US: Daily World EU News*, November 12, 2004 (<http://www.turks.us/article.php?story=20041112065644363&mode=print>), (visit October 11, 2013)

44 Asghar Ali Engineer, “Secularism and its Problems in India”, *Secular Perspective*, December 01-15, 2007

45 Amartya Sen, *The Argumentative Indian: Writings on Indian History, Culture and Identity*, London & New York: Penguin Books, 2005, pp. 16-21 & 294-296

46 Elst Koenraad, “Secularism as it is”, *Ayodha and After: Issues Before Hindu Society*, Chapter 10, New Delhi: Voice of India, 1991

social change”.⁴⁷ Ansari’s remark resonates with Shabnum Tejani’s observation⁴⁸ on the Constituent Assembly debates (1946-1950) in India in which the INC as the main political party played the most significant role. According to Tejani, debate in the assembly before and after independence established a meaning of secularism in India that emerged from the issue of political safeguards for the religious minorities in the form of reservations of quotas in the legislative branch, and adequate and fair representation of the minorities in the public services.

R. A. Jahagirdar states that despite modest debate on the term secularism prior to independence, it was accepted that “India will not discriminate against any religion and will allow freedom of religion to the followers of different religions.”⁴⁹ According to S. Radhakrishnan, the second President of India selected by the INC, “When India is said to be a secular state, it does not mean we reject the reality of an unseen spirit of the relevance of religion to life or that we exalt irreligion.” At the same time, he mentioned that no one religion should be accorded special privileges in national life or international relations, and no person should “suffer any form of disability or discrimination” because of religious belief.⁵⁰

All these observations indicate strong presence of religion in Indian society. It can be argued that unlike the State versus Church tussle in the West, the omnipresence of religion, and the tension and antagonism between the two main religious communities, .i.e., the Hindu and the Muslim, since the early 20th century contributed to an enormous extent to the formulation of the idea of Indian secularism.

Critique of the INC’s secularism

There are allegations from both the pro-seculars and the anti-seculars regarding the INC’s experiment with secularism, the oldest, the largest and the main

47 M. T. Ansari (ed.), *Secularism, Islam and Modernity: selected essays of Alam Khundmiri*, New Delhi: Sage Publication, 2001, pp.233

48 Shabnum, Tejani, *Indian Secularism: A Social and Intellectual History 1890-1950*, Ranikhet: Permanent Black, 2007, p.235

49 R.A. Jahagirdar, “Secularism in Indian: The Inconclusive Debate”, *International Humanist and Ethical Union*, Amsterdam, May 11, 2003 ([http://www. ihcu. org/node/298](http://www.ihcu.org/node/298)), (visit August 13, 2013)

50 S. Radhakrishnan, *Indian Philosophy*, Vol.1, 5th edition, New Delhi: Oxford University Press, 1999, pp.232-234

liberal political party in India. For the pro-seculars, the INC's secularism is a sham and it miserably failed to uphold the cornerstones of the ideal and prevent religious bloodshed in the country. For example, when commenting on the 2002 religious riots in Gujarat province, Ashis Nandy, a noted liberal intellectual in India, expressed his views by saying that, "the Gujarat carnage of 2002 should make us openly admit what we all secretly know but cannot publicly acknowledge that our theory and practice of containing religious and ethnic strife, mainly powered by the ideology of secularism, has not helped us much".⁵¹ On the other hand, the anti-seculars, most notably, Hindutava nationalists, accused the INC of playing vote bank politics using the name of secularism. For example, in March 2009, anti-secular Bharatiya Janata Party (BJP) leader and former chair person of the *Rajya Sabha* (upper house of the Indian parliament) Najma Heptullah accused the INC of keeping the religious minorities "captive" and creating "a fear psychosis amongst minorities in the name of secularism" since independence.⁵² In April 2010, Nitin Gadkari, the president of the BJP, went further. He branded the INC's secularism as an effort to appease the minorities and the terrorists.⁵³

The INC's experiment

Whatever is the bonafide of the allegations from the pro-secular and anti-secular forces in recent decades, and the much blamed failure in accommodating the Muslim elites that could prevent the partition of India, there is evidence that the INC has undertaken, at least officially, several pro-secular initiatives since its inception in the late 19th century. For example, in the early years, at least three Presidents of the party came from religious minority communities. That indicates an awareness of the importance of religious harmony in a predominantly Hindu India. The INC was established in 1885. Dadabhai Naoroji (1825-1917), a Parsi and Badruddin Tyabji (1844-1906), a Muslim were the second and third Presidents of the INC, respectively. Naoroji was the President in 1886, 1893 and 1906. Tyabji became the President in 1887.

51 Ashis Nandy, "Unclaimed baggage", *The Little Magazine*, Vol. 3, Issue 2, 2004

52 "Congress Secularism? Keeping Minorities Captive: Najma", *Outlook India*, New Delhi, March 17, 2009

53 "BJP Supremo Accuses Congress", *The North East Today*, April 05, 2010 (http://thenortheasttoday.in/index.php?option=com_content&view=article&id=1348:bjp-supremo-accuses-congress&catid=51:news-archive&Itemid=74&month=3&year=2010), (visit July 29, 2013)

Rahimtulla M Sayani (1847-1902), a Muslim, became the INC President in 1896.⁵⁴ Supporting the *Khilafat* Movement in 1920, the INC extended its solidarity with the cause of the Muslims in a bid for religious harmony. The *Khilafat* Movement was launched by the Indian Muslims against the victor's plan of dismemberment of the Turkish *Khilafat* in the aftermath of the World War 1. The INC and the *Khilafatists* jointly initiated a non-cooperation movement against the British colonial rulers in India.

Understanding of Gandhi and Nehru

To understand the INC's and Indian secularism, examining the views of Mohandas Karamchand Gandhi (1869-1948) and Jawaharlal Nehru (1889-1964)⁵⁵ is most essential. Here Gandhi and Nehru are important for two reasons. Firstly, they were the two most prominent leaders of the INC and stalwarts of the Indian independence movement. Notably, they elaborated their ideas on secularism, which were reflected in the Indian Constitution later, long before the organized academic efforts and judicial interpretations were made on this issue. Secondly, it is evident from the writings and speeches of Gandhi and Nehru that they had basic differences in the way they looked at the issue of religion in private and public life. Gandhi was a religious person whereas Nehru was an atheist in his personal life, and did not hesitate to speak against religion. But importantly, despite being an atheist, Nehru replicates Gandhi's thought about secularism to a great extent, which is important in realizing the fundamentals of secularism in India.

In March 1931, in the Karachi session of the INC national conference, Gandhi and Nehru argued in favour of the religious neutrality of the state. In November 1933, Gandhi, a profoundly religious person, supported a bill related to untouchability and expressed his view that there were many situations when state needs to interfere with religion.⁵⁶ Gandhi elaborated his pro-secular ideas less than one year before independence. In September 1946, in response to a query on the role of religion in independent India, he said, "if I were a dictator, religion and the state would be separate. I swear by my religion. I will die for it.

54 Source: Indian National Congress Website (<http://www.congress.org.in/past-president.php>), (visit May 18, 2013)

55 Mohandas Karamchand Gandhi: the founding father of India and INC President; Jawaharlal Nehru: the first Prime Minister of India and INC President.

56 Anil Nauriya, "Gandhi on Secular Law and State", *The Hindu*, India, October 22, 2003

But it is my personal affair. The State has nothing to do with it.” He also opined that the state should look after the individual’s secular welfare, not his religion.⁵⁷ On 17 August 1946, two days after independence, Gandhi wrote that the state should undoubtedly be secular. He also spoke disapprovingly about state funded denominational education. On 22 August 1947, Gandhi reiterated his points identifying religion as a “personal matter”, and emphasizing the responsibility of the government and the public for the creation of a secular state that would build “a new India that would be the glory of the world.” Gandhi’s views were reflected in the resolutions of the All India Congress Committee (AICC) on 15 November 1947. The aim of the INC was described as building a “democratic secular state where all citizens enjoy full supports.”⁵⁸

Along with Gandhi, to comprehend the INC’s secularism, it is imperative to deal with Nehru’s thought. Nehru, who became the first Prime Minister of India, was the key person to deal with issues like the relationship between the state and religion, safeguards for and the rights of the minorities in the new-born state. As mentioned earlier, Nehru had a basic disagreement with Gandhi regarding the issue of religion. Nehru was opposed to organized religion or religious scriptures or religious rituals. He wrote that “organized religion, whatever its past may have been, today is very largely an empty form devoid of real content.”⁵⁹ Nehru also stated that “the spectacle of what is called religion, or at any rate organized religion, in India and elsewhere, has filled me with horror and I have frequently condemned it and wished to make a clean sweep of it. Almost always it seemed to stand for blind belief and reaction, dogma and bigotry, superstition, exploitation and the preservation of vested interests.”⁶⁰

However, Nehru’s personal disbelief in religion did not encourage him to take a stand against the highly strong attachment of the Indian people to religion. Nehru rather was impelled to state, “a secular state does not, of course, mean that the people should give up their religion. A secular state means a state in which the state protects all religions, but does not favour one at the expense of

57 *Harizan, English Weekly (1933-1956), founded by Gandhi, September 22, 1946* (<http://www.mkgandhi-sarvodaya.org/sfgandhi/seventeenth.htm>), (visit September 11, 2013)

58 Source: Anil Nauriya, *Op. cit.*, 2003

59 Jawaharlal Nehru, "Religion, Man and Society," *An Autobiography*, New Delhi: Allied Publishers, 1962, pp.374-80

60 Jawaharlal Nehru, *An Autobiography*, New York: John Day, 1941

others and does not itself adopt any religion as the state religion”.⁶¹ This statement shows that Nehru was inclined to accept the immense importance and sway of religion over the hearts and minds of the people in the Indian subcontinent. Nehru continued to record his disbelief in religion even in his Last Will and Testament. He wrote: “I wish to declare with all earnestness that I do not want any religious ceremonies performed for me after my death. I do not believe in such ceremonies, and to submit to them, even as a matter of form would be hypocrisy and an attempt to delude ourselves and others.”⁶²

This evidence again makes it apparent that Nehru did not mix up his personal belief and his role as a politician and statesman in developing the definition of Indian secularism. Along with a very lacklustre view of the role of religion in human life, it seems that the tragic drama, in which he was one of the prime actors, of the partition of the sub-continent in 1947 on the basis of differences and conflicts between the political elites of the religious majority (Hindu) and minority (Muslim) made Nehru acutely aware of the risk of giving official importance to a religion in a multi-religious society like India. In a nutshell, Nehruvian secularism has four dimensions - the separation of religion from political, economic, social, cultural sides of life; treating religion strictly as a personal matter; freedom of religions and religious tolerance; providing equal opportunities and no discriminations on religious grounds.⁶³

The word “secular” was inserted in the Indian Constitution in August 1976 through the 42nd amendment. However, several Articles, such as, 22, 25-28 and 30 highlight secular ideals since its enactment in November 1949. The fundamental Rights section of the Indian Constitution maintains that the State shall not discriminate against any citizen on religious grounds and no citizen shall be subject to any disability, liability, restriction or condition on the grounds of religion. The Right to Freedom of Religion in the Constitution allows the citizen to profess, practice and propagate religion; to establish and maintain institutions for religious purposes; and to manage his/her own affairs in matters of religion. But these rights are not unconditional. These are subject to public order, morality and health. According to Ramesh Thakur, the chapter on the fundamental rights in the Indian Constitution provides “a constitutional

61 Source: *The Statesman*, Kolkata, July 07, 1951

62 “Pandit Jawarharlal Nehru (1889-1964)”, *British Humanist Association*, 2013 (<http://www.humanism.org.uk/humanism/humanist-tradition/20century/Nehru>), (visit June 17, 2013)

63 Bipin Chandra, *Ideology and Politics in Modern India*, New Delhi: Har Anand Publications, 1994, pp.29-30

guarantee to minority groups that their sensitivities could not be overridden in a majoritarian democracy”.⁶⁴

It seems that the intellectuals and the religious minorities warmly accepted Nehru’s secularism. Those who had a profound faith in religion were also attracted to his concept of secularism.⁶⁵ Despite all the marked differences in defining secularism in the Indian context, one can easily trace the influence of Nehru upon the mainstream academics and intellectuals who work on secularism and its rationale in India.

The influence of Gandhian and Nehruvian secularism is also evident in the interpretations of the Indian judiciary. In 1962, the Indian Supreme Court described religious tolerance as the “characteristic feature of Indian civilisation from the start history.” The Court also stated that religious tolerance, which the founding fathers considered as the basis of the Constitution, serves to emphasise the secular nature of the Indian democracy.⁶⁶ In 1975, the Court defined secularism as “a system of utilitarian ethics” that seeks to “promote the greatest human happiness or welfare, quite independent of what may be called either religious or the occult”.⁶⁷ In 1994, the Supreme Court identified “principles of accommodation and tolerance” as the basis of secularism. The Court ruled that religion and temporal activities cannot be mixed, and strictly prohibited the encroachment of religion into secular activities.⁶⁸

Section 3

Evaluation

The experiences of secularism in France, the USA, Turkey and India indicate that political secularism allows freedom to practice religion. These case studies also show that political secularism does not advocate atheism or agnosticism as

64 Ramesh Thakur, 1993, “Ayodhya and the Politics of India’s Secularism: A Double-Standards Discourse”, *Asian Survey*. Vol. XXXIII, No.7, July 1993, p. 647

65 Asghar Ali Engineer, *Op. cit.*

66 Justice Ayyangar, J., *Sardar Taheruddin Syedna Saheb v. State of Bombay Case* [AIR, 1962. (S.C.) 853, 871] Source: Summet Malik and Vikramjit Banerjee, “Changing Perceptions of Secularism”, *Constitutional Law*, Supreme Court CasesTM,7SCC(Jour)3,1998, Eastern Book Company website (<http://www.ebc-india.com/lawyer/articles/9807a1.htm>), (visit October 19, 2013)

67 Verdict of Ziauddin Burhanuddin Bokhari vs Brijmohan Ramdass Mehra Case, AIR 1975 SC 1788, p. 1800. Source: Menon P.B., “Meaning of Secularism”, *The Hindu*, India, 30 January 2001

68 Justice Ahmadi, J., *S. R. Bommai v. Union of India Case* [AIR 1994 SC 1918:(1994)3 SCC1], Source: Summet Malik, 1998, *Op.cit.*

something required for state affairs. At the same time, secularism does not allow the interference of religion in state affairs. And for this reason, it suggests to erect a wall between the state and religion. It also acts as an official safeguard to the religious minorities and sects, and checks domination of one religion over others. Secularism also opposes any official status of a religion in a state. The cases examined in this article also indicate that the meaning of secularism can vary from country to country.

For example, the nature of secularism in the USA and India is considerably different from France and Turkey. The founding fathers in the USA and India considered secularism as the state's neutrality toward religion and equal treatment to all citizens irrespective of religious persuasions. Secularism in these two countries does not ignore or disregard the presence of religion in individuals' lives and their emotional attachment to their religious faith. State recognition of Lutheran and Reformed Churches along with Catholic Churches at the time of the Concordat in France, and abolition of *shari'a* (Islamic law) system in Turkey after independence can also be seen as the state's effort to reach a neutral position towards religions and citizens of different faiths.

In contrast to the above experience, the confiscation of Church property in France after the revolution or the banning of wearing conspicuous religious signs in recent time, or in Turkey, in the era of Kamal Ataturk, decision to forbid religious speeches and the change in the language of *Adhan* (call for prayer) from Arabic to Turkish are examples of practice of 'prohibitory' approach of a state toward the course of religion. As opposed to these, secularism in the USA or in India emphasises on the state's neutrality to religion. Indian secularism allows equal treatment to all the religions in their attempt to flourish, something which is absent in case of France or Turkey.

The above examples signify that in spite of similarities in its basic premise, i.e., separation of state and religion, political secularism or experiments with secularism at the state level vary from country to country, and over time. It is also a fact that, as Rajeev Bhargava argued, each conception of secularism may interpret separation in a way which is to some extent different from other conception, and can place different weight on the same values related to separation of state and religion.⁶⁹ It is thus possible to speak of an indigenous version of secularism because things change over time.

⁶⁹ Rajeev Bhargava, *Op. cit.*

Finally, in discussing secularism, it is also important to recognize that official experiments with this ideal have their ups and downs. The history of official acceptance of the national motto, “In God We Trust”, in the United States can be mentioned here as an example. There is no mention of the word God in the text of the US Constitution or Bill of Rights. But, the demand for the recognition of God in the US government system increased during the civil war (1861-1865). Under pressure for the “recognition of the Almighty God” and to relieve the nation “from the ignominy of heathenism” from the religious quarters, the government admitted that “no nation can be strong except in the strength of God, or safe except in His defence.” From this understanding, the Congress passed an Act in April 1864 that allowed “In God We Trust” to appear on the two-cent coin. The motto was placed on all gold and silver coins through another Act in March 1865. Nearly a century later, a law was passed by the 84th Congress in July 1956 declaring “In God We Trust” as the national motto of the United States. Acceptance of “In God We Trust” replaced the *de facto* secular national motto, *E Pluribus Unum* (Out of many, one) that was approved by the Congress as the Great Seal of United States in 1782.⁷⁰ Again, the coming of the Hindu nationalist Bharatiya Janata Party (BJP) to power in India in 1998, and in Turkey of the Justice and Development Party (JDP) in 2002 highlights the decline of secularism in these two countries that started their journey by accepting secularism as an undeniable necessity for a modern polity.

70 “History of In God We Trust”, *United States Department of the Treasury*, 2009 (<http://www.ustreas.gov/education/fact-sheets/currency/in-god-we-trust.shtml>), (visit October 05, 2009)