



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL
ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of White Black Legal – The Law Journal. The Editorial Team of White Black Legal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of White Black Legal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

WHITE BLACK
LEGAL

EDITORIAL TEAM

Raju Narayana Swamy (IAS) Indian Administrative Service officer



Dr. Raju Narayana Swamy popularly known as Kerala's Anti-Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala. He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University. He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and

a professional diploma in Public Procurement from the World Bank.

Dr. R. K. Upadhyay

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB, LLM degrees from Banaras Hindu University & PHD from university of Kota. He has successfully completed UGC sponsored M.R.P for the work in the Ares of the various prisoners reforms in the state of the Rajasthan.



Senior Editor

Dr. Neha Mishra



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; PH.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St. Louis, 2015.

Ms. Sumiti Ahuja

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi,

Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing PH.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



Dr. Navtika Singh Nautiyal

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Inter-country adoption laws from Uttarakhand University, Dehradun' and LLM from Indian Law Institute, New Delhi.

Dr. Rinu Saraswat



Associate Professor at School of Law, Apex University, Jaipur, M.A, LL.M, PH.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, PH.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University. More than 25 Publications in renowned National and International Journals and has authored a Text book on CR.P.C and Juvenile Delinquency law.



Subhrajit Chanda



BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); PH.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

SECULARISM VS COMMUNALISM: AN ANALYSIS

AUTHORED BY - B. KONDALA RAO¹ & DR. CH. SUDHAKAR BABU²

Abstract

This study examines the complex and often contentious relationship between secularism and communalism within the socio-political landscape of contemporary India. While secularism is constitutionally enshrined as a guiding principle promoting religious neutrality, equal citizenship, and pluralism, communalism continues to manifest through identity-based mobilization, political polarization, and periodic social conflict. Drawing on historical trajectories, political theory, and recent socio-political developments, the paper analyses how secular ideals have been interpreted and implemented, and how communal narratives gain traction in public discourse. The research highlights the structural, political, and cultural factors that sustain communal divisions, as well as the challenges they pose to India's secular democratic framework. Ultimately, the study argues that strengthening secularism requires not only legal and institutional safeguards but also sustained efforts toward inclusive governance, civic education, and inter-community dialogue. The analysis contributes to ongoing debates on nation-building, democratic resilience, and the future of pluralism in India.

Keywords: Secularism, Communalism, Diversity, Pluralism, Communal Riots, Religious harmony.

INTRODUCTION

For many centuries religion has been a dominant force in all human societies embracing numerous aspects of man's life. World, both physical and human, was sought to be understood and explained in terms of religion was used to cover up all prevalent material injustices and social myths. For a long time, institutionalized religion operated as an instrument of suppression of people. It was with the path-breaking discoveries of sciences of physical phenomenon| the Newtonian physics, the rejection of geocentric view of the world in favour of heliocentric view, the discoveries of the mysterious celestial sphere by Galileo, Copernicus and Kepler the reformation and the renaissance that shattered the hegemony of obscurantism of

¹ Research Scholar, Department of Law and Legal Research, Acharya Nagarjuna University, Guntur.

² Dean Legal Studies, Department of Law and Legal Research, Acharya Nagarjuna University, Guntur.

middle ages Gradually a wall of separation between the Church and the State began to be built in the West The first foundation of secularism began to be laid with this separation Thus, secularism appeared to begin with as a rival to Christianity. In due course it was identified with a way of life and an interpretation of life that did not admit any communal bigotry By and by the secular attitudes became necessary for a modern rational society for as Max Weber has argued The attitudes of secularism began to be considered essential because the origins of economic rationalism depend not only on rational technology and rational law but also in general on the capacity and disposition which men had for certain kinds of practical rationality in the conduct of their lives.

Secularism has been a critically important development in the modern times. In India, secularism acquires added significance keeping in view the crucial fact that Indians have been deeply wedded to religious considerations in the past and are hardly devoid of such considerations even today. So much so, that India represents a multiplicity of socio-communal groups which, on occasions, bring the situation to an impasse, generating lots of anomie and tensions leading even to sporadic incidents of violence.

Secularism is the spirit which informs the Constitution of India, But its incorporation in the Constitution was itself the culmination of a historical process. It is in the understanding of this historical process that the real key to the correct understanding of our present day secularism lies. Therefore, one must find out the foundations on which the whole edifice of secularism has been raised during the freedom movement. After all, secularism emerged as a part of our freedom movement before it found a place in the new Constitution of India.

In a multi-communal society like India, it is all the more important to trace the moorings of secularism and identify all its contours because it is this comprehension of the past that helps us in Understanding the present and the future shape of things. For a variety of historical reasons, the objective situation in India is such that secular society and secular state are indispensable for social harmony and social peace. It will be no exaggeration to say that whole social dynamics in India today hinges a great deal on how and to what extent various religions are reconciled, both at the level of the polity and at the level of society. In fact, any understanding of economy, polity or society in modern India is impossible unless one understands and analyses the genesis and growth of secularism.

Many scholars have attempted to study the genesis and growth of the concept of secularism in the West* In most of these studies, secularism is identified with a distinction between the divine and the human law* It has been understood as non-interference of the state in matters of religion and separation of religious and temporal aspects of life. In these studies the whole notion of secularism hinges on the distinction between the sacred and the temporal. In some of these studies, secularism is equated with the notion that religion is outside the jurisdiction of the civil government. In short, various studies dealing with secularism in the West highlight the need to separate the Church from the State. These studies are useful and relevant. But for our present purpose we must go beyond them because the concept of secularism as it has developed in India is substantially different from the western notion of the term Smith's study is quite comprehensive and undertakes a detailed assessment of the secular aspects of the Indian State. He concludes that India is a secular state. In his view the ideal is clearly embodied in the constitution and is being implemented in substantial measure. Obviously the author is rather optimistic.

Every individual in India possesses the liberty to practice their own religious faith while demonstrating acceptance and respect for the views of others. The Indian Constitution's Preamble, Fundamental Rights and Duties, and Directive Principles encompass several rights that safeguard the integrity and security of the nation for its residents. India's national identity is underscored by the principles of equality, freedom of religion, culture, and education, which emphasize unity and purity among its citizens. The constitution drafters incorporated multiple clauses to protect national cohesion in light of India's population variety in terms of religion, culture, and language. Enhancing secularism is an additional method to uphold the integrity and cohesion of the nation. The objective of establishing a "Secular" and "Welfare State" in India is to ensure equal protection for all religions by the government, without favoring any particular religion as the state religion. This approach aims to promote the well-being of all citizens and foster unity and brotherhood among the diverse population of India, which follows various faiths. The state's commitment to secularism was clearly stated in the 42nd Amendment Act of 1976, which introduced the term "secularism" into the preamble of the constitution. This constitution, unlike many others, does not specify a certain faith as the "official Church."³

³ Bhargava, Rajeev (1990) "The Right to Culture" reprinted in K.N. Panikkar (ed.) Communalism in India: History, Politics and Culture, Manohar 1995

The inclusion of Articles 25–29, which uphold individuals' freedom to openly profess, observe, and promote their religion, along with the state and its institutions' impartiality towards all religions, effectively translates the preamble's assurance of freedom of "belief, faith, and worship" into actuality. The terms "integration" and "national" combine to form the concept of "national integration." A nation, commonly referred to as a national, is a defined geographical area that possesses its own unique political and economic framework; integration refers to a feeling of unity or collective identity. Dorothy Simpson asserts that National Integration involves cultivating a mindset that motivates and encourages individuals to prioritize the well-being of the nation over narrow sectarian interests, and to prioritize devotion to the country over group loyalties. Pandit Jawaharlal Nehru expressed his desire for an emotional unification of the Indian people, aiming to unite them into a strong national unity while preserving their diverse characteristics. Political integration had already occurred.

The prosperity of a nation relies on its capacity to achieve national integration. India commemorates "National Integration Week," alternatively referred to as "Qaumi Ekta Saptah," from November 19 to November 25. November 19 is annually acknowledged as "National Integration Day". Secularism is a fundamental principle of Indian democracy that aims to foster tolerance and maintain the distinction between religious institutions and the government. The 1950 Indian Constitution, which ensured equal reverence for all religions, established the basis for a secular state. Articles 25 through 28 of the Constitution established a strong legal basis for a secular government by declaring that the state would not show preference towards any particular religion and by guaranteeing religious freedom. Communal wars have been prevalent throughout India's history, and the role of religious identity politics has been significant in shaping the country's sociopolitical environment. An eminent instance of intercommunal strife is the religiously driven partition of India into India and Pakistan in 1947. This division led to significant displacement and extensive loss of life, resulting in an estimated 10–15 million people being forced to leave their homes and a substantial number of deaths. Indian politics has been significantly shaped by the perspectives of the people over the course of history. The development of political parties with affiliations to specific religious organizations or those that employ religious rhetoric to secure support has been significant. According to data from the Election Commission of India, there is evidence to suggest that in certain areas, voting patterns based on religious or sectarian affiliations have a notable impact on election results.

Religious-based voter blocs have shown a propensity to cluster in particular areas, hence impacting the candidates' margins of victory (Election Commission of India, 2012).⁴

The constitution advocates for a society that is not influenced by religious views, but it is crucial to thoroughly analyze its implementation and the impact of communalism on political ideologies and voting trends India is an amicable country. Secularism advocates for the government to maintain neutrality towards religion. India does not have any officially recognized or government-supported religions, unlike Sri Lanka, where Buddhism is the prevailing religion. Pakistan officially recognizes Islam as its national religion. Religious sponsorship does not exist in India. The Indian Constitution encompasses the supreme legislation of the country. A contract delineates the obligations, entitlements, legal obligations, and power of an individual or organization. Part III of the Indian Constitution comprises a substantial part. Although often called natural rights, fundamental rights are typically known as human rights.⁵

These rights are inherent to the natural order and without them, human survival is unattainable. India, being a secular nation, does not have an officially recognized religion by the government. The ability of India to function as a secular state has primarily relied on the Supreme Court. The Indian constitution's most significant provision is the freedom of religion, ensuring the safeguarding of individuals' beliefs, creed, and places of worship. However, due to restrictions on individual freedom in India, the right to live without constraints is not absolute. This freedom encompasses public order, morals, health, and other rights explicitly mentioned in Part III of the Indian Constitution. It suggests that there are circumstances where individuals may have limitations on their ability to exercise their religious beliefs. The term secularism lacks a definitive meaning, leading to the emergence of inquiries such as "what is secularism?". What is the precise definition and extent of secularism as mentioned in the Constitution? What is the precise definition of secularism in the context of Indian politics and society? What form of compulsory secularism might India impose? What is the intended secular role of India's present democracy? Which secularism argument is valid or wrong in the contemporary context? Secularism is a highly debated and controversial topic worldwide. In addition to priests, legislators, and civil society groups, there is a significant number of individuals who are against

⁴ Narendra v. State of Gujarat AIR 1974 SC 2092, R. M. K. Singh v. State of Bihar AIR 1976 Pat. 198

⁵ RAM JETHMALANI & D. S. CHOPRA, CASES AND MATERIALS ON MEDIA LAW (Thomson Reuters, 1st ed. 2012).

the idea of a secular state. Academics also question the concept of secularism. Indian academics were among the earliest to express criticism towards secularism.¹ Secularism faces criticism globally, especially in India.⁶

II. THE BIRTH OF COMMUNALISM IN INDIA: A HISTORICAL ANALYSIS

Prior to India's independence, communalism Before the Indian National Movement ultimately led to the separation of India and the creation of Pakistan, the communal ideology underwent the three stages mentioned below as well as two phases (Liberal and Extremist). In ordinary speech, the terms commune and community should not be used synonymously because they refer to two different concepts. Yerankar argues that "community" and "communal" are two different concepts. The former is meant to communicate a feeling of unity, connections or emotions that both sides share, consent, and a common setting and culture. Acting in the latter manner shows a more robust sense of community. It denotes complete dedication to one's faith and all of its tenets because it is associated with a particular religious institution.

According to Seth, it represents social instability, disputes between communities, and opposing viewpoints held by the governed and the rulers about politics, the economy, and culture. It is an ideology that determines how the relationships between two groups, both within and outside of their own folds, progressively shift over time. According to Dixit, communalism is a political ideology that takes use of cultural and religious disparities in order to forward its own objectives. When a community deliberately formulates political demands based on religious and cultural differences, that community's consciousness becomes communalism.⁷

According to Sabrewal, the necessity for members of a multireligious society to notice and respond to the behavioral patterns of a certain group gave rise to the concept of communalism. This illustrates why it's crucial to understand the differences even though the term "multireligiosity" seems unique when used in a sociological context. Social tension and anxiety can arise between groups due to differences in language, manners, facial markings, rituals, and clothes. The religious endorsement of each given community controls these distinctions equally; giving each of its constituent groups a unique identity. Social and religious identities

⁶ M. Chandra v. M. Thangamathu AIR 2011 Mohamed Hanif Qureshi v. State of Bihar AIR 1958 SC 731

⁷ Bayly, S. "Vol. IV. 3: Caste, society and politics in India from the eighteenth century to the modern age." Cambridge University Press, Cambridge.1999:

are becoming more widely acknowledged and respected. An understanding of socioreligious identities facilitates the conceptual construction of useful social maps that divide the social world into friendly, neutral, hostile, and sacred categories. This is typically the result of propaganda as well as additional factors like prejudice, antagonism, and enmity toward one another. As a result, it is asserted that everything depends on the nature and dynamics of relationships between followers of different religious and cultural traditions. If they do not provoke religious sentiment or cast doubt on religious identities, then there is no problem. But when individuals start acting hostilely toward one another, whether on purpose or accidentally, society becomes unstable and wars break out. Kamath (2003) employs the concept of communal harmony within the context of a multiracial and multireligious society in an attempt to define communalism. When multiple groups live in harmony and cooperation together in one place, that place is known as communal harmony. However, ethnic or religious groups who try to force their way of life on others or that stand up for their exclusivity, group identity, or group interests—even at the price of national interest—are the ones who cause conflict within communities. We call this phenomenon communalism. This point of view holds that the main reason for communalism is the absence of mutual understanding and collaboration across religious communities.

India is a nation where a wide range of religious beliefs coexist, which frequently leads to hostility and violence. Those who use religion as justification for this kind of violence do not see religion as a moral code; rather, they see it as a tool that they may use to achieve their own political objectives. A strong sense of commitment to one's own community is generally associated with communism. It is interpreted as an excessive preoccupation on one's own faith in everyday Indian discourse. The majority of Indians believe that communalism, which usually leads to conflict and even violence, is primarily caused by religious differences between communities. In its milder forms, communalism is just the unfair treatment of a particular religious community in the workplace or in educational settings. When religion is used to highlight social inequities within communities and to demand concessions, it becomes a trigger for communalism in India. Communism is a "political trade in religion".⁸

The foundation of communal politics is this concept. Moreover, there is conjecture that violence within a community is influenced by its ideology. In other words, communalism

⁸ Rowe, William L. "Mobility in the Nineteenth Century Caste System." Structure and change in Indian society. Eds. M. Singer and B. S. Cohn. Chicago: Aldine, 1968: 202-206.

fosters hatred toward those who practice various religions, which in turn fosters violence. This phenomenon is the source of the distinction between a communal organization and a religious organization. There could be a multitude of reasons behind the rise and dispersal of communalism in India. Some scholars attribute this to the British Empire's economic stagnation. The economic slowdown may have had an impact on the goals and financial success of particular socioeconomic groups. Scholars claim that the so-called "Middle Class" used communalism as a weapon to safeguard their own existence at the expense of other social classes. Later, as more leaders of political parties and communities participated, the struggle around communalism in India intensified. The easiest way to comprehend this is to look at the roots of modern politics, which can be traced back to the division of Bengal in 1905 and the establishment of separate electorates by the Government of India Act of 1909.

Gandhiji and other communities vehemently objected to later attempts by the British authorities to appease them by utilizing the Communal Award of 1932. The British government took all of these measures in an effort to gain the support of Muslims and other minorities for its own political objectives. Since then, communalism has grown more strongly, dividing Indian society and causing social unrest.⁹

LIBERAL PHASE

The British gave Hindus preference over Muslims in sectors like employment and education after the 1857 revolt. Muslims were also falling behind Hindus in a number of areas, including government service and education, according to Islamic scholars. In the end, Aligarh College was founded by Muslim scholar Sir Syed Ahmed Khan to counteract Muslim prejudice against contemporary education. He also established a number of scientific organizations in the 1860s that included Muslims and Hindus. Syed Ahmed Khan opposed the Indian National Congress's national movement in the 1880s, which heralded the advent of communalism in India. He chose to adopt British principles and opposed the actions of the Indian National Congress since he thought it was a Hindu organization at odds with Muslim goals.

Eventually, prominent Muslims like Aga Khan and Nawab Moshin-ul-Mulk established the All India Muslim League to bring Muslim interests together. One of its key objectives was to keep the intelligentsia from joining the Congress. Simultaneously, Hindu communalism was

⁹ O'Malley, Lewis Sydney Steward. Indian caste customs. Delhi: Vikas Publishing House, 1974: 171

emerging. It was clear from the way Hindu leaders distorted the linguistic issue to fit a communal narrative and spread images of repressive Muslim control. They said that Muslims owned Urdu and Hindus owned Hindi. Furthermore, in the 1890s, anti-cow propaganda was launched, with a primary target being Muslims. Eventually, organizations like the All India Hindu Mahasabha (first session, 1915), the Punjab Hindu Sabha (1909), and others were founded. Part of the reason for the growth of communalist views was the Arya Samaj, Hindu Shuddhi Movement, Wahabi Movement, Muslim Tanzeem and Tabligh movements, and other revivalist groups. During this period, Madan Mohan Malaviya, Lala Lajpat Rai, M.A. Jinnah, Syed Ahmed Khan, and other notable individuals were communalized. The communalist division was exacerbated by the partition of Bengal, the Communal Award (1932), the Morley-Minto reforms (1909–Separate electorates), and other British administrative measures.¹⁰

EXTREMIST PHASE

Severe Phase After 1937, intense communalism based on terror, irrationality, and psychosis developed in India. The interests of Muslims and Hindus were thought to be fundamentally at clash at this point. Following the adoption of communalism by urban lower middle class groups, extreme and violent community politics emerged as the central theme of mass movements. Moreover, colonial rulers discovered that communalism was their only potent political tool for their divide and conquer tactic.

M.A. Jinnah counseled Muslims at the time to band together, get organized, and take all necessary steps to safeguard their community. In the end, he argued that the only way to fight back would be to create Pakistan, a Muslim-only state, as Muslims would be oppressed by the Hindu-dominated Congress after the British left India. Hindu communalism expanded quite quickly as well. The first groups to advocate radical communalism were the Hindu Mahasabha and the Rashtriya Swayamsevak Sangh (RSS). They pushed for the acceptance of Hinduism as a religion and the adoption of Hindu language and culture by non-Hindu communities in India. Additionally, they supported the division of Muslims and Hindus into two separate political and social groups with opposing ideologies.

¹⁰ Bailey, Frederick George. *Caste and the economic frontier: A village in highland Orissa*. Manchester University Press, 1957: 27.

III. THE RISE OF COMMUNALISM IN INDIA

Communalism is an ideology that fundamentally shapes the political dynamics of a community. Communalism posits that religious groupings harbor distinct objectives pertaining to both the political and economic domains. Personal wants are frequently superseded by the prioritization of community demands. Communalism refers to a strong and intense emotional attachment to one's local community. Within the framework of Indian popular discourse, it is widely perceived as an undesirable commitment to one's own religious convictions. However, when individuals begin to emphasize the demands of one group above another, it is associated with a negative connotation. It has been employed as a political tool to disseminate prejudiced material with the intention of inciting friction, animosity, and strife among communities on the basis of their ethnic and religious affiliations.¹¹

As a result, the region is presently marked by hostility and instances of assault. Ancient India fostered harmonious coexistence among individuals of diverse religious affiliations. While religion plays a significant role in people's lives, there was no shared agreement in terms of politics or ideology. In the late nineteenth century, communalism arose alongside nationalism, posing a substantial obstacle to the cohesion of the Indian populace and the national cause. It is inaccurate to claim that communalism is a vestige of the middle Ages.

Religion held significant importance in individuals' lives and frequently resulted in conflicts, although, before to the 1870s, community politics and ideology were infrequent. Some people believe that the various religious population in India has had a key role in the development of communalism in the country. This statement is contradictory. Erroneously presuming that communalism will necessarily arise in a multi-religious community is inaccurate. It is imperative to distinguish between religion, which refers to an individual's personal system of beliefs, and communalism, which is a socio-political ideology that revolves around religion. Religion has no influence on either communalism or its objective. Religion exerts a profound influence on communalism, to the extent that it facilitates the emergence of politics from nonreligious domains. Communalism can be defined as the strategic exploitation of religious beliefs for the purpose of achieving political advantages. The distinguishing feature of Indian social strata, as opposed to other contemporary occurrences, was their specific reaction to British colonization.

¹¹ Agarwal, Pratibha Fiscal Federalism in India: Impact of Union Transfers on State Finances, New Century Publications, 2012.

STAGES OF COMMUNALISM

India's Struggle for Independence, authored by Bipan Chandra, outlines the three fundamental components, or phases, of communal ideology, with each one succeeding the previous. Bipan Chandra argues that the social and religious reform movement played a crucial role in the development of communalism in the latter half of the 19th century. The concept suggests that those who have the same religious beliefs tend to have similar objectives in other aspects of life, including politics, society, culture, and economics.

These religious sects are regarded as the bedrock of Indian society. Liberal Communalism is based on the belief that the interests and goals of one group's members differ from those of other groups. "Liberal communalism" denotes the subsequent phase. The liberal communalist, while advocating for democratic, liberal, and nationalist values, principally focused on and supported communal politics.¹²

Extreme Communism, also known as the third stage of communalism, is characterized by the belief that the goals of different communities are antagonistic, hostile, and incompatible with one other. Communalism serves as the fundamental foundation for communal politics. The ultimate phase of communalism is distinguished by the emergence of intense communalism. The fundamental tenet of this theory posits that individuals often demonstrate aggressive behavior, such as employing hostile language, participating in hostile activities, or exhibiting other behaviors suggestive of animosity and conflict, towards their political opponents as a result of experiencing dread and loathing. Presently, both Muslim and Hindu communalists have disseminated the notion that Muslims and Hindus are separate entities with a persistent and unalterable hostility towards one other.

REASONS FOR THE GROWTH OF COMMUNALISM IN INDIA

It is important to recognize that disputes between Muslims and Hindus existed before the Middle Ages and were not the fundamental basis of communalism. Despite their diverse identities, Hindus and Muslims were connected by their common cultural history. The conflict did not merely originate from conflicting religious ideologies. These differences became apparent only during the colonial period, especially after the 1857 rebellion, when specific transformations were noted that ultimately resulted in the rise and spread of communalism in

¹² Ashtagi, C.D.S. (2013) Dynamics of Indian Politics and Government, AK Publication, Delhi.

modern-day India. The main elements that contribute to the widespread and spread of communalism in modern-day India can be summarized as follows: 1. The British Divide and Rule tactic The British authorities employed communalism as a means to impede and undermine the growing national movement and the process of Indian people's integration into a cohesive nation. The colonial authorities classified it as a matter concerning the safeguarding of minority interests. The continued dominance of the British Empire was ascribed to the division between Muslims and Hindus. They rendered and transported services that were more advantageous to one society than another. The recognition and implementation of community requests, such as the creation of distinct voting systems, played a role in enhancing the political sway and authority of communal factions. Although the colonial rulers displayed tolerance towards communal leaders and organizations, they had no intention of suppressing the disturbances.¹³

Assessment of the Appeal of Local Political Parties and Groups The rapid growth of religious institutions founded by the Muslim and Hindu populations in 19th century India played a significant role in the development of communalism, as their goals started to differ more and more. The subsequent organizations engaged in municipal politics. It is imperative to recognize that, despite their seemingly divergent goals, their actions and agenda were actually diametrically opposed. Conflicts often arose due to issues such as cow slaughter, the Urdu-Hindi conflict, the coincidence of Muharram and Dussehra in the same month, arguments over parades, and similar problems. The opposing community was vilified by exploiting and magnifying minor complaints. Political parties and groups strategically leverage communal divisions during election seasons to manipulate emotions within the community and garner public support. They contend that political divisions predicated on community affiliations are more prone to garner votes. Political ambitions often serve as the main catalyst for communal unrest. These occurrences are meticulously orchestrated and occasionally preceded by very identical scenarios that incite popular sentiment towards religion. This would initiate a sequence of events that would ultimately lead to the partition of India. The dominant understanding of Indian history The development of Indian history, particularly in the ancient and medieval periods, was shaped by an erroneous but widely accepted viewpoint. In the early 19th century, the British historian James Mill had a significant role in classifying the ancient Indian historical period as the Hindu period and the medieval period as the Muslim period.

¹³ Beloff, M., *The Federal Solution in its Application to Europe, Asia and Africa*, Political Studies, 1953, p. 114.

Historians from both Britain and India soon embraced and implemented this technique. This also led to a schism among historians, culminating in the formation of two separate factions: Certain historians, who have a sectarian bias and self-identify as Hindus, claim that Indian civilization and culture thrived under Hindu authority, but experienced a lasting decline under Muslim government. Historians who lauded the cultural achievements of Muslim rulers and characterized their reign as the "golden age of Islamic accomplishment" in West Asia were swayed by Muslim communalism.

IV. CONCLUSION

Secularism versus communalism presents a pivotal dichotomy in India's socio-political landscape, encapsulating a complex interplay of ideologies, historical narratives, and contemporary realities. This critical study underscores the enduring struggle between these forces, highlighting their profound implications for national unity and social harmony.

Secularism, as enshrined in India's Constitution, embodies the vision of a pluralistic society where all religions coexist harmoniously under a neutral state, ensuring equal rights and opportunities for all citizens irrespective of their faith. It stands as a bulwark against communalism, which seeks to exploit religious identity for political gain, often leading to polarization, discord, and violence. India's journey with secularism has been a dynamic one, marked by both successes and challenges in upholding its principles amidst diverse religious, cultural, and socio-economic landscapes.

Communalism, on the other hand, represents a regressive force that undermines the fabric of secular democracy, promoting exclusivist agendas that threaten social cohesion and undermine democratic values. Instances of communal violence and discrimination underscore the urgent need for vigilant safeguarding of secular principles and fostering inter-religious dialogue and understanding.

In conclusion, the study reaffirms that the future of India's pluralistic society hinges upon its commitment to secularism. It calls for concerted efforts to combat communalism through education, inclusive governance, and promoting a culture of mutual respect and understanding. By nurturing secular ideals, India can aspire towards a future where diversity is celebrated as a strength rather than a source of division, thereby realizing the full potential of its democratic promise.

REFERENCES

- Baxi U., Directive Principles and Sociology of Indian Law: A Reply to Dr. Jagat Narain, Journal of the Indian Law Institute, 1969.
- Baxi Upendra, Little Done Vast-Undone: Some reflections on Reading Granville Austin's Indian Constitution, Journal of Indian Law Institute, Vol. IX, 1967.
- Bhatia Gautam, Directive Principles of State Policy: Theory and Practice, Oxford Handbook for the Indian Constitution, Oxford University Press, 2015.
- Bhattacharji A.M., Right to Property after Forty Second Amendment, All India Reporter, 1980.
- Chari Balaram, Nature and Functions of the Welfare State, Supreme Court Journal, 1989.
- Chetana K., A Better Deal for Women by 2000 AD, Social and Economic Dimensions of Women's Development, 1992.
- Chowdhury J.A., Claiming a 'Fundamental Right to Basic Necessities of Life': Problems and Prospects of Adjudication in Bangladesh, The Indian Journal of Constitutional Law, 2011.
- Diwan Paras, Directive Principles and Fundamental Rights towards the Constitutionally Proclaimed Goal of Justice, Panjab University Law Review, Vol. XXXII, 1980.
- Diwan Paras and Kumar Virendra, Directive Principles Jurisprudence, Seema Publication, Vol. II, 1982.
- Bayly Susan, Caste, Society and Politics in India from the Eighteenth Century to the Modern Age, Cambridge University Press, Cambridge, 1999.
- Bhagwan Vishnoo and Bhushan Vidya, (eds.), World Constitutions: A Comparative Study, Sterling Publishers Private Limited, New Delhi, 2009.
- Bhatia Sukhcharan K., Jurisprudence of Amending Process under Indian Constitution, Deep & Deep Publications, New Delhi, 1989.
- Bhatia Udit, (ed.), The Indian Constituent Assembly: Deliberations on Democracy, Routledge Taylor & Francis Group, New York, 2018.