One

A Yogi, a City, and a Secular State

By the time Sri Aurobindo passed from this world on December 5, 1950, he had become a world-renowned thinker as well as a source of inspiration for people who sought to explore and follow his "Integral Yoga." His major writings had been published in a variety of languages and were reviewed in such prestigious tomes as the *Times Literary Supplement*. When collected into his *Birth Centenary Library* in 1972, they constituted twenty-nine encyclopedic volumes. That he wrote the majority of his works in English enabled his readers to transcend the limits of regional languages, and the synthetic worldview he set forth appealed to those Westerners turning East for inspiration without the requirement that they enter the rigors of the study of traditional Eastern thought.

He left an international movement of devotees and inquirers who read his works, sought to apply his teachings to one degree or another, and organized centers and ashrams to delve into and practice his teachings. He established the authority of a second charismatic leader who would continue his direction. Known as "the Mother," she soon became the object of devotion and dedication by Eastern and Western devotees who reported seeing her in visions and dreams and who cherished memories of her physical presence when they had the opportunity to meet her.

It was the Mother who envisioned and established a "city" in Southeast India called "Auroville," which was to be a place where

people from all corners of the world could settle to practice the active, world-changing elements of Sri Aurobindo's Integral Yoga. The city received international attention not only from devotees but, because of the moral and financial support of the government of India and its states, also from the United Nations Educational, Scientific, and Cultural Organization and its members. Just as Sri Aurobindo was a world figure, Auroville was a world city.

It was not long, however, before the nation of India, which defines itself as a "secular" state, had become the guardian and major promoter of this city of yoga. Three acts of Parliament with extended debates from 1980 through 1988 established the government's authority over Auroville and its mission, and a decision by the Supreme Court in 1982 ensured the legality and permanence of that authority. During the debates, questions naturally arose regarding the promotion of what appeared to be a religious enterprise by a so-called "secular state." In the midst of these events, the meaningfulness of the claim that India is a "secular state" was tested on a practical level. Though there had been, and continues to be, much theoretical discussion of the meaning of "secular" for India, these events provide an opportunity to observe how the concept might work in practice and whether in practice the term *secular* is a meaningful category.

"Secular State" as a Meaningful Designation

In November 1976, during a state of emergency that had lasted since June 1975, the two houses of the parliament of India passed the 42nd Constitution Amendment Act, which came into effect on December 18, 1976.[1] Among its extensive provisions[2] was the addition of the word "secular" to the description of India in the Preamble of the Constitution that had been ratified without the term twenty-seven years earlier. India would henceforth be constitutionally designated a "secular state."[3] As Robert Baird has pointed out, throughout the parliamentary discussion of the Amendment, "no one opposed the inclusion of the term 'secular' or objected in any way to India being designated as a 'secular state.' No one argued that the inclusion of the term 'secular' suggested a new departure."[4] It was accepted by all parties involved that India already was, and was meant to be, something called a "secular state."

The nature of this "secular state" had been discussed by the scholars long before the addition of the term *secular* in 1976, in a

manner quite different from the discussions in the Constituent Assembly. In a 1958 dissertation, published in 1964 as *The Concept of the Secular State and India*, political scientist V.P. Luthera determined that, unlike the United States in particular and contrary to the intentions of the Parliament and Constituent Assembly, "India is not and cannot be a secular state."[5] He defined the term *secular* narrowly: "a secular state is one which is separated from, unconnected with and not devoted to religion."[6] He went on to add that in the context of the "*present* social circumstances" it is not even possible for India to be such a state. The continued use of the term *secular*, he concluded, creates confusion: "If a simpler term is to be used, it would perhaps be appropriate to describe it as a 'religiously impartial' or 'non-communal' (non-denominational) state."[7] To Luthera, these designations did not refer to a truly "secular state."

An American political scientist, however, was responsible for another study, entitled *India as a Secular State*, which has been cited more often than Luthera's work, both in India and abroad. Donald E. Smith read the typescript of Luthera's study and disagreed with both of his conclusions, saying that Luthera's definition of a secular state is too narrow and that he takes "too static a view of Hindu religion. . . ."[8] Smith's definition of a "secular state" included Luthera's definition as only one of its three components. For Smith, a secular state is "a state which guarantees individual and corporate freedom of religion, deals with the individual as a citizen irrespective of his religion, is not constitutionally connected to a particular religion nor does it seek either to promote or interfere with religion."[9] Smith concedes that by his own definition a "*completely* secular state" does not exist and, thus, India does not fit Smith's model either. Yet he answers a "qualified 'Yes'" to the question of whether India has succeeded as a secular state. Smith understands India to be "secular" in some "incomplete" or qualified sense then. It is not *fully* secular. What could this partially secular state be? The ideal, Smith says, is "clearly embodied in the Constitution," and, given the difficulties India is struggling to overcome, "it is being implemented in substantial measure."[10] Therefore, he is willing to designate India a "secular state" *relative to* its own history and to the current difficulties it is experiencing in the process of nation building, while admitting that India does not fully live up to his definition. In his response in the 1964 preface, Luthera remained unconvinced that this was essentially different from his own conclusion.

"Secular" as "Indian"

As a historian of religions, Robert Baird's interest is in the actual use of the term *secular* by the members of the Constituent Assembly and in subsequent parliamentary debates and judicial decisions. In a number of articles, Baird concluded that from its earliest discussions in the Constituent Assembly, no definitions of the *secular state* was made explicit. "Secular state" and "secular" were used freely without anyone questioning their value or defining their meaning. Assembly members were aware of some contrast between India as "secular" and their neighbor of partition, which was formed as an explicitly "Islamic" state. No one questioned the assumption that India should be a "secular state," but debates over a variety of proposals involving religion included the use of the term *secular* as a justification for arguments on all sides of the issues.[11] It was a term without an agreed-upon content, and that fact, Baird finds, allowed an important commonality in its use: "the designation 'secular state' functioned in a way that enabled political leaders with a variety of ultimate concerns to share in nation building without sacrificing their deepest convictions."[12]

Because the term remained undefined and yet was affirmed by all, religious conflicts could be held in check while the members were in the process of forming a constitutional nation. "It supported a common goal (nationhood), while its multivalent nature permitted ambiguity, which enabled religious people to retain their particular meaning for it."[13] As long as there was no attempt to agree upon the meaning of the term *secular*, there could appear to be agreement, and the creation of a nation on that appearance could take place. Had the members of the Constituent Assembly attempted to debate the meaning of the term, disagreements might have frustrated or torpedoed their overriding common concern of nationhood.

In a recent study, Gerald Larson agrees with Baird when he argues, then, that the terms *secular* and *secularism* are used as rough synonyms for the terms *nationalist* and *nationalism*.[14] The ambiguous designation of the nation in such a way that began officially with the Constituent Assembly continues to be the common element of their use.

A recent collection of essays entitled *Secularism in India: Dilemmas and Challenges* brings together writers from a broad political and theoretical spectrum to clarify the "true" meaning of Indian secularism as opposed to other things the writers designate

"pseudo-secularism," or "Western," that is non-Indian, secularism, or even "Nehruism." The essays contain the common thread that identifies "secularism" with something that the writers think India is, or something that India is supposed to be. Being "secular" is clearly the true ideal for India, they write, though the content of that term, as it becomes more explicit, divides many of the writers considerably.

For example, in response to previous critics of "secularism," University of Delhi Professor of Law Upendra Baxi defines the "real" meaning of the Indian secular state by attempting to determine what it means for the "Indian people" as defined in the Constitution itself and by Indian courts. "Politicians, in their deep ambivalence towards judiciary, find it congenial to overlook all that courts have said and done, more so when it suits the here-and-now expedient interests."[15] Baxi's own concern is for "the Indian people's struggle" to win social justice, and he thus approves of judicial decisions that provide political and social guidance and reform of what he views as religious activities that offend "public morality." Therefore, he argues, the legislators and the judiciary have moved toward true secularism. To the critics, he warns, "in attacking 'secularism' theoretically and politically, in desymbolizing its potential, in calling for its total redefinition—rubbishing 'secularism,' in short—neither the future of human rights nor social justice in India is enhanced."[16]

Two other contributors to the volume who are "General Secretaries" of the conservative, right-wing religious movement called the Rashtriya Swayam Sevak Sangh ("National Assembly of Volunteers") criticize current "misunderstandings" of "secularism," such as that of Baxi, because, they say, such interpretations actually mean, "you support and justify the Muslim communalism, you are secular; you oppose it, you are communal, anti-secular, fundamentalist and whatnot."[17] One of them concludes: "It is high time that we disabuse our minds of the politicalised and perverted concept of secularism" and replace it with "Dharma Rajya" or "Ramarajya" which is not "anti-Hindu" and, we may conclude, a nonpoliticized and nonperverted "secularism."[18] The other, K.S. Sudarshan, argues as well that the problem is not true "secularism" but that, "Today in the Indian context the words 'Secular' and 'Secularism' have lost their original meaning and purpose."[19] True "secularism" is found in the traditional "Hindu" state. "Hindu state has always remained secular as far as its treatment to different religious sects is concerned." For all of these writers, the term *secular* is appropriate to

describe a goal of India, but they believe the term is misunderstood, consciously or unconsciously, by those who disagree with each writer's definition of the term.

In a similar manner, the term *religion* was left undefined by the Indian constitution, yet it is accepted by the constitutional model and contemporary discussion that there are two recognizable categories of activities, beliefs, and entities in reality. One is "religion" and the other is an opposing realm which is other than religious.[20] Again, as Baird has shown, the category "religion" and the category "secular" have become axiomatic "so that neither side of a litigation is able to deny the categories themselves." The very acceptance of the idea that reality is divided into two realms of existence, one "religious" and one "secular," he points out, is religious change, for the idea that there are two such realms "run[s] counter to much traditional religious thinking in India which sees life as homogeneous."[21]

Thus with both categories and the ability to distinguish them accepted as an integral part of the constitutional model of reality, it is up to the legislature and ultimately the courts of India to define both categories. Baird concluded that "subsequent legislative history" will produce whatever official definition the term *secular* will gain, and also traced the judgments of the Supreme Court in the attempt to define both.[22] Admitting in the beginning that there are difficulties in defining "religion," the Supreme Court of India also knew it must set itself to define it. The "secular," then, would be that which is not "religion." Baird traced the difficulties in the process of definition, noting that though the Court never clearly defines the terms, it continues to use the terms as agreed-upon categories to handle conflict between religious groups and the State.

Clearly, the assumption that there are two realms designated "religion" and "secular" is firmly established. These are taken for granted by the Constitution and the Supreme Court, not argued for nor definitively defined. It is clear that this assumption is accepted even by those who have argued that the State is interfering with religion. That traditional religious views of reality have not distinguished these categories but treated all life as one is also clear. From the perspective of this constitutional model of "religion," the traditional claim that there are not two categories of reality called the "religious" and the "secular" is merely a false one, an encroachment of "religion" on the "secular."

The Supreme Court of India has continued to accept the responsibility of determining what falls within these two cate-

gories, but with the earlier precedents, it no longer speaks of the determination as difficult, even if observers see inconsistencies in the means by which the judges arrive at their opinions. From its earliest case, the Court has noted that the Constitution allows the State to regulate and even administer economic, financial, and political activities carried on by religions. Therefore, when the State steps in to administer properties of a religion, that is clearly acceptable. The Court, in declaring an activity, institution, or idea as a "secular" matter, acts thereby as the authority that promotes religious change. If the "secular" is a new category, its progressive definition is an expansion of the power of the State to make what from a traditional view are religious pronouncements.

In its attempt to define "religion," the Court has introduced further categories, as Baird has shown.[23] The Court advanced "essentiality" as a category and said it was important to decide whether an activity was "essential to a religion." At first it stated that what was essential would be determined in terms of the religion itself, but when a religious institution explicitly claimed that how income from a temple should be spent was a religious matter, the Court refused that claim. The religious community's explicit statement of "essentiality" was not taken as a basis for accepting whether an activity was religious or essential to the religion. The Court declared it a "secular" activity that happens to be practiced by "religion."

Likewise, other claims made by religious individuals and communities have been rejected, and the realm of the "secular" has appeared to expand. The Supreme Court declared that the scale of expenses and the provision of proper materials for rituals are "secular" matters, that the actual determination of which priestly duties are "religious" is a "secular" task, and that the appointment of a priest is "secular." It appears to have had little trouble doing this without clear definitions of the categories, but in the process it has, from a traditional standpoint, expanded the realm of the "secular" at the expense of more traditional views. Historically, the Court by doing so has enforced religious change.

Propagating an Ambiguous "Indian Secularism"

Larson's study also has underscored an important set of assumptions that stand behind the use of the phrase "the *Indian* secular state" when the phrase is used in discussions of the nature

of that "secular state," especially as such a state relates to "religion" and the "religions." After noting that "secular" means "national," as pointed out earlier, he shows that the content of "secular" as "national" is for many a religious position he identifies as "Neo-Hindu." Larson goes on to argue that this "Neo-Hindu" position is, in fact, a "Gandhian-Nehruvian Indic civil religion."[24]

Though Gandhi envisioned a state that affirmed "religion" as he defined it and the "religions" as he understood them, Gandhi himself functioned not as a systematic and an effective theoretician but more as an activist symbol of this "Neo-Hindu" position, just as he became a symbol of Indian nationalism, "Indianism," and the Indian Independence movement. He was popular foremost as an activist, not a theorizer, nor was he the major proponent of the basic theory of the Indian secular state. Nehru soon diverged from him, and others affirmed Gandhi without accepting his basic premises or by reading their own ideas into Gandhi's thought and action. Nehru, for one, understood the significance of Gandhi's symbolic and activist role, as he chose from Gandhi what was useful while admitting he was bothered by Gandhi's religious emphasis. "But I was powerless to intervene, and I consoled myself with the thought that Gandhiji used the words because they were well known and understood by the masses. He had an amazing knack of reaching the heart of the people."[25]

There were, in fact, two important approaches to the "Civil Religion" Larson identifies as "Gandhian-Nehruvian," which operated side by side from the Constituent Assembly on. Each assumed a different definition of "secularism." The most visible and widely known thinker who defined and promoted the first definition of this "Neo-Hindu" position and identified it with the term *secular* was philosopher/statesman and second president of India Sarvepalli Radhakrishnan. His speeches and writings functioned as introductions to Indian philosophy and religious thought for many, both inside and outside of India, including many who called themselves "Hindus."

Radhakrishnan was well known for his defense of "Hinduism" or "Neo-Hinduism," more specifically as a "Neo-Advaita." He was inspired by the previous work and defense of India and "Hinduism" of Swami Vivekananda, the fiery preacher of the Ramakrishna Mission, and by the tradition of the eighth-century Indian thinker Shankara, the most renowned thinker of the Indian school of thought known as Advaita Vedanta. Radhakrishnan's version of

"Neo-Advaita" was most known for its "tolerance," an inclusivism that subordinated other positions to its own.[26] He also served as vice president of India from 1952 to 1962, and as India's second president from 1962 to 1967, succeeding Rajendra Prasad as president with India's first prime minister, Jawaharlal Nehru. Nehru had opposed Prasad's initial nomination, and their relationship remained uneasy. Nehru was concerned with Prasad's stand on a variety of issues and his activities as president, which Nehru felt were less than modern, scientific, and "secular." In 1956, Nehru supported a change of president and favored Radhakrishnan for the position, but it was not until 1962 that Radhakrishnan succeeded Prasad.

To Nehru, Radhakrishnan was an accomplished, world-renowned philosopher and writer, one who understood "Hinduism" and who would not compromise the "secular state" as Nehru understood it. Nor, he assumed, would Radhakrishnan interfere in politics. To Radhakrishnan, the office of the presidency was in public detached from the affairs of government and politics and, instead, symbolized the nation itself. Thus Radhakrishnan never joined the Congress Party nor even voted in an election. The ideal president he sought to portray publicly was that of an advisor, a "*rajaguru*" (the king's teacher) to Nehru and all of India, or, in even more traditional terms, he was to be a brahmin, not a kshatriya—a teacher, philosopher, scholar, and grand theorizer, not a politician, bureaucrat, or warrior.[27] Nehru apparently hoped that Radhakrishnan would embody a quiet, advisory aloofness, for in spite of Radhakrishnan's active life already he was known best as a philosopher and an academician more than a this-worldly politician.

Publicly, Radhakrishnan appeared to fill this role. Part of that advisory role to the State and the nation was to admonish Indian leaders and citizens about the true nature of "Hinduism" and Indian "secularism." By the time of India's independence, Radhakrishnan's writings on the former were already well known and well regarded by India's English speakers, including members of the Constituent Assembly.[28] One hears Radhakrishnan's words and ideas quoted, both with and without credit given to him, in the Constituent Assembly and later in the Parliament and the Supreme Court when issues involving "religion" and the definition of "Hinduism" arise.

Radhakrishnan himself was a member of the Constituent Assembly from its first session on December 9, 1946, until his resignation on August 24, 1947, to become India's ambassador to the Soviet Union. His speeches included his familiar words proclaim-

ing India's essential historical and cultural tolerance, its cultural and "spiritual" unity that embraced all religions, and, underneath it all, his "Neo-Hindu" (as "Neo-Advaita") understanding of reality and religion. Often these assumptions were there if only subtly: "Swarajya," he told one session, "is the development of that kind of tolerant attitude which sees in brother man the face Divine."[29] In the Assembly he referred to the ideal leader as one who affirms what he called "Raja Dharma," though he meant that leaders should act in a spirit of detachment.[30]

Here he first stood to teach what he understood to be the essentially Indian model of a "secular state." Later, as vice president and president, his speeches and writings provided regular opportunities to correct others regarding the "true" meaning of "the Indian secular state." The definition he proclaimed was also an integral part of, and, therefore, consistent with, his own religious position, which he at this point in life designated "the religion of the spirit."[31] "Secularism," as he defined it, does not mean the state is antireligion or indifferent to religion, but that it is only "nonsectarian." The secular state can promote religion (in the singular) but not one of the religions (in the plural), and that religion it promotes is Radhakrishnan's inclusivistic "religion of the spirit," which he believed is the essence of all religions. "Religion of the spirit," a position he earlier dubbed "Vedanta" and, then, "Hinduism,"[32] he believed, is not one of the sectarian religions but "religion" (the term used in the singular for the essential nature of all religions) itself. The state, therefore, can actually promote "religion" without promoting religions. For example, in 1955, while vice president, he wrote: "Secularism lays stress on the universality of spiritual values which may be attained by a variety of ways." He went on to define these values in Neo-Advaitin terms in the tradition of such earlier Neo-Advaitins as Swami Vivekananda and consistent with Radhakrishnan's own writings.[33] Consistently, then, out of his Neo-Advaitin assumptions about "religion," which included his belief that experience of the Absolute within is the essence of "religion," he, as president, could declare that the principles of "religion" are the basis for the Indian Constitution: "Today the Constitution proceeds on that principle, the principle saying that religion is to be regarded as experience of the Supreme."[34] His evangelistic spirit, which encouraged the transformation of other views into his own, also was clear when he spoke of correcting other religions so they would transform into this "religion of the spirit," his "Neo-Advaita." For example,

> We can so transform the religion to which we belong as to make it approximate to the religion of the spirit. I am persuaded that every religion has possibilities of such a transformation. We must look upon Hinduism or Christianity as part of an evolving revelation that might in time be taken over into the larger religion of the spirit.[35]

In his life as a teacher in and an administrator of a number of Indian universities, and as Chairman of the University Education Commission in 1948–49, which was to recommend improvements to higher education in India, Radhakrishnan expressed his conviction that universities should be the institutions that promote this "religion of the spirit."[36]

This, then, is the theory for the promotion of a "secular state," with the definition of the term *secular* based upon the "Neo-Hindu" or "Neo-Advaitin" perspective of Radhakrishnan. By this definition, the "secular state" would mean a state that will promote, and even enforce, through its institutions, a "Neo-Advaita." It would be a state that would attempt to promote a "Neo-Advaitin" understanding not only of the variety of religions but other non-Neo-Advaitin positions (officially religious "denominations") that other self-identified "Hindu" believers have thought of as essential "religion" and often called "Hindu" as well.

These inclusivist "Neo-Advaitin" assumptions, however, are to be found not only behind the position of those who would promote this "secular state" in the manner Radhakrishnan recommends. The understanding of "Hinduism" as "tolerant" in this inclusivistic manner is also behind the more conservative understandings of the nature of a "truly Indian secular state" by such groups as the right-wing Rashtriya Swayam Sevak Sangh (RSS). The RSS leader K.S. Sudarshan describes "true secularism" as practiced in "the Hindu state" as a concept based upon "Hinduism's" inclusiveness: "Equal respect was given for all religions (sarva mata sam-abhava) because they were the different aspects of the same reality."[37] He can openly speak of the "Indian secular state" as a "Hindu state" without understanding why there are objections. While those outside of this understanding believe this inclusivistic language sounds particularly "Hindu" rather than the essence of their own religious positions, and even that it threatens their positions, RSS leader H.V. Seshadri can speak of "Dharma Rajya," "the true Hindu secularism" the RSS promotes, in inclusivistic terms that are quite similar in theory and definition to the words of Radhakr-

ishnan. "It encompassed at once a strictly non-sectarian approach and yet inclusive of the highest moral and spiritual purpose of man as elaborated by the enlightened souls all over the world." Seshadri finds this in line with the thought of the same great cultural heros of modern India that Radhakrishnan would cite: Swami Vivekananda, Sri Aurobindo, Bipin Chandra Pal, and Lokmanya Tilak.[38] In words similar to Vivekananda and Radhakrishnan, Sudarshan goes beyond this to make the generalized claim that this understanding is historically the definition of Indian "secularism" that the people of the country accepted: ". . . all [religions] coexisted catering to the different temperaments, tastes and needs of the people. *'Ekam sat viprah bahudha vadanti'* (Truth is one, the learned describe it in different ways) was the guiding principle. It was ingrained in the psyche of the people of this country that all paths lead to the same ultimate reality."[39] Even the coalition of parties called the Janata (People's) Party proposed in response to the 42nd Constitution Amendment Bill a similar definition of "secular," which they suggested should actually be added to the Constitution: "Equal respect to all religions."[40]

Thus the concept of "inclusivism" behind this "Neo-Hindu/Neo-Advaitin" definition of "secular" as nonsectarian has led to what those outside of this position believe is actually the threat, sometimes subtle and sometimes not, of the destruction of their own positions. It has been argued that this is inherent in inclusivism in one degree or another, because inclusivism of this "Neo-advaitin" sort

> does not consider the viewpoint of the believer as objector as significant. Though the believer may say otherwise, it eliminates the viewpoint . . . as a significant other. This is quite unlike the person who considers the alternative viewpoint of another seriously, believes that that other does understand his or her own position though it may be wrong, and then agrees to tolerate that person in a civil and humane manner. Radhakrishnan's position does not consider that other a significant viewpoint and does not consider that the other understands his or her position accurately. In fact it destroys the sense that there can be a significant other. The other is dissolved into the inclusivistic viewpoint, understood only in terms of the inclusivist's view. As a result of not viewing other viewpoints as significant others, such an inclusivistic view is never challenged by the other, for there is no other to

> challenge it. It cannot in itself understand why there is even the claim of a challenge by what are only apparently other positions. It considers none wrong because there are ultimately no other options.[41]

The key is that this position, if held consistently, insulates one from objections and objectors. Objectors are looked upon as "not understanding" or, as Kaylor puts it, this inclusivism "often seems to be that of a superior who tolerates the weakness of an inferior: truth is one, and those who have realised it can look benignly upon those whose inferior ideas and practices show that they still have ways to go."[42]

> Radhakrishnan's position, if held consistently, admits no serious confrontation, no other to consider, no challenge to cause one to analyze one's own position. It allows only for a sense that others plainly do not understand not only Radhakrishnan's position, but their own position, or that of religion in general. As such there is no real and essential pluralism for Radhakrishnan; plurality is unreal at the essential level and unimportant where it seems real.[43]

Though there are other factors that result in the difference between the application of the "secular state" as interpreted through the "inclusivism" of Radhakrishnan by the "Neo-Hindu right" and by other "Neo-Hindus," they all may claim the same inclusivism in theory. To identify the "secular state" as a "truly Hindu state" can, therefore, be an application of what appears to "non-Neo-Hindus" as a religious imperialism that flows from an inclusivism that affirms that "The sun never (really) sets on such an (religious) Empire."

The definition represented by Radhakrishnan is one of the positions and one of the definitions of the "secular" that is promoted as a "Civil Religion," to use the phrase Larson brings to the discussion from studies of American Civil Religion. There is, however, a second definition of "secular" that also is promoted as true "secularism," that of Nehru, which includes an agnosticism regarding the category "religion." Larson calls this second definition "a kind of 'demythologization'" of the Neo-Hindu vision of Gandhi, and, thus, of the position for which Radhakrishnan was responsible.[44] This Nehruvian position has existed among members of the government and the judiciary alongside the "Neo-Advaitin" posi-

tion, which the Nehruvian definition in some ways ignored as being nonthreatening to its own definition of "secular." It is this second definition that the more conservative groups have criticized as "pseudosecularism," "non-Indian secularism" and "Nehruism," though they may have included representatives of the first in their criticism.

Much has been said about Nehru's definition of the Indian "secular state" and its treatment of "religion."[45] Nehru was troubled by what he called the "religious element" injected into political discussion by Indian leaders: "Their history and sociology and economics appeared to me all wrong, and the religious twist that was given to everything prevented all clear thinking."[46] Since he supported Gandhi as one who could mobilize the masses with his message, he said he had to stifle any criticism of their disagreements. Yet his writings show that what he frequently had to remain silent about was his criticism of Gandhi's injection of "religion" into what Nehru believed were "secular" matters. For example, Gandhi's use of fasting, Nehru asserted, is "sheer revivalism, and clear thinking had not a ghost of a chance against it."[47] In Nehru's eyes, "religion" was acceptable if it did not interfere with India, but it should be rejected as a basis for achieving national unity, or for nation-building.[48] The attempt to relate religion and the state, he wrote, is an outmoded idea, which "was given up by the world some centuries ago and has no place in the mind of the modern man."[49] And, as Baird has pointed out, Nehru's conception of the "secular state" was based upon Nehru's affirmation and valuing of the "rational and scientific," the "Indian," and the "modern." "When a debate over his position actually arises, it is not an appeal to a sacred tradition, but these values which are offered to clinch the validity of his approach."[50]

These two approaches have existed side by side, as illustrated by the service of the First Prime Minister and the Second President of India together. The one, however, had no need to justify the present by the past in "religious" terms, for it considers "religion" irrelevant to a modern nation–state, while the other sought to use what it defines as the "essential" and truly "Hindu" elements of the past in the present. To cite one example, unlike Nehru, who had no desire to affirm or rehabilitate the caste system, calling "the caste system and much that goes with it . . . wholly incompatible, reactionary, restrictive, and barriers to progress. . . ,"[51] Radhakrishnan defended its theoretical basis and proclaimed it as a universally applicable solution to modern societal problems.[52]

For Nehru, the two positions could exist together in their ambiguity because Radhakrishnan's position as Nehru understood it was theoretical and did not actively interfere with the goals of Nehru's vision of "secularism." Likewise, Radhakrishnan could accept Nehru's position in the inclusivistic manner in which he accepted all positions that "apparently" disagreed. After all, Radhakrishnan had done this throughout his historical interpretations of Indian philosophy. All of it, even the most extreme anti-Advaitin positions, he wrote, "tended toward monism."[53] Radhakrishnan, at least publicly, spoke and wrote of Nehru as he had of Rabindranath Tagore, Gandhi, and other cultural heros. Nehru was essentially, if not explicitly, a follower of "the religion of the spirit."[54] He saw no significant other viewpoint represented by Nehru on these matters.

Finally, the two positions could exist as if they were the same because many did not see, or would not consider looking for, a difference between the two. As cultural heros referenced by later leaders, particularly members of the Congress Party, which dominated national politics for decades, nationhood and party loyalty would not incline one to ferret out differences at all, particularly in their use of the politically important term *secular*. The two perspectives continued as part of the ambiguity of the term *secular* on the Indian scene.

The courts, and the Supreme Court in particular, however, were required to reduce, if not eliminate, the ambiguity for the very practical reason that they were confronted with cases to decide. The judges took on the challenge, and in the process promoted a definition of "secularism" that came closest to that of Nehru while using the "Neo-Advaitin" theories and definition of "Hinduism" from Radhakrishnan to justify and promote their positions. In Marc Galanter's terms, the Court delivered "reformist decisions" while using "religious justifications" to enhance the effect of the decisions.[55] It promulgated religious reforms particularly, but not exclusively, regarding "Hindu usage." These reforms conformed to the "Hinduism" that is the "Neo-Advaitin" interpretation of "Hinduism" defined by Radhakrishnan. His definition of what was essential to "Hinduism" provided religious justification in matters called "Hindu," if not also a "Neo-Advaitin" inclusivistic view of other religions.

Analyses of judicial decisions, particularly at the level of the Supreme Court, indicate the counterplay of these two definitions with the favor going in some notable cases to Nehru's agnosticism toward "religion." Baird's analysis of the influential Supreme Court Chief Justice (1963–1965) and Chairman of the Law Commission

(1971–1978) P.B. Gajendragadkar, who "strides across Indian jurisprudence in the sixties,"[56] lays bare an example of an influential nation builder who accepted an ideal notion of what "religion" that is guaranteed freedom by the Constitution means and, through judicial decision and opinion, sought to enforce a reconception of the religions in light of this ideal and to propagate that reconception to the masses. His ultimate purpose was to further the "secular" goals of the Indian nation.[57] The task of "secularism," he said, "is to separate the secular from the essentially religious," so the state can govern the truly "secular."[58] Therefore, "religion as it is practiced by ignorant men" or "as preached by [an] ignorant and bigoted priestly caste belonging to different religions" is not acceptable.[59] Instead, accepting the definition of an essential, "tolerant" "Hinduism" proclaimed by Radhakrishnan as true, the chief justice asserted that "Hindus" should adjust their current religion to one of tolerance. The relevant legacy of "Hindu" thought, he wrote, and "the cornerstone of secularism" is "the spirit of tolerance, born out of a firm conviction that all religions are entitled to freedom and each one of them has an element of truth, while none has the monopoly on truth. . . ."[60] Yet, like Nehru, Gajendragadkar has no desire to identify "secularism" with any religious position, even a reconceived one: "Indeed, the state as such has no religion."[61] The function of reconstructing religion is not to provide a definition of "secularism," which would be undergirded by "religion," for "secular matters are out of bounds for religions of all kinds."[62] Instead, "religion" needs to be reshaped to end all religious interference in the state and, thus, to enable India to proceed unhindered in the building of a "modern" society with the accompanying social, political, and other "secular" reforms. In the creation of a "secular India," "religion" will have to take its proper place. "Religion will, in this process, have to renounce its claim to intervene in the material life of the community and will have to confine itself to its legitimate sphere of facing the eternal riddle of the universe."[63]

A similar case, though with yet more commitment to "socialist, reformist" jurisprudence, was another influential Supreme Court judge, Justice V.R. Krishna Iyer, who also had been a member of the Law Commission, a judge of the Kerala High Court, and a minister in the Communist government in the state of Kerala (1957–1959). He sought a more active program of socialist reform with a definition of "secularism" thoroughly that of Nehru. "We need more activist judges accepting the humanist ideology of the Constitution," he pleaded.[64]

Thus the debate over the nature of the "true Indian secular state" on the level of the national leaders who engaged in the debate as more than an academic discussion continued in ambiguity. In practice it illustrates how the concerns, ultimate or penultimate, of various parties work against each other in the midst of building a "sovereign socialist democratic republic." While the definitions of "religion" and "secular" are still unresolved, much less even made explicit by the various parties in the disputes, the intentions and goals of the numerous parties involved in various issues vie for a hearing and search for words and power to attain their goals.

One such case follows. In the midst of the discussion of "secular" and "religious" by writers and theoreticians, what happens in the actual debates and discussions to navigate through the problems created by the distinction between "religion" and the "secular" while promoting perceived interests of the nation, groups, and individuals? What are the various interests of the parties involved in such disputes, and how are these categories used to promote the various interests of the parties? The case of the disposition of the township of Auroville provides one example. Founded by the inspiration of two gurus and culture heros, the government of India is now committed to promote (could we say propagate?) the goals for which it was founded in some form, and the Parliament, the courts, and even an international organization, the United Nations Educational, Scientific and Cultural Organization (UNESCO), were involved in what appears to be government interest in promoting the teachings of an Indian guru and his followers. This is a study of the competing interests of groups involved, the necessary decisions that the organs of the state made, and the ambiguity of the discussion in terms of the meaning of the categories: the "religious," the "spiritual," and the "secular."