AFTERWORD

NEPALESE SECULARISM IN COMPARATIVE PERSPECTIVE

Rajeev Bhargava

SECULARISM CONTINUES TO BE IN crisis in large parts of the world. It felt a seismic tremor with the establishment of the first modern theocracy in Iran by Khomeini. Soon other religious voices began to be heard and then to aggressively occupy the public domain. In Egypt people were exhorted to free themselves of the last vestiges of a colonial past and to establish a Muslim state. In 1989 an Islamic state was established in Sudan. In 1991 the Islamic Salvation Front won the election in Algeria. Islamic movements emerged in Tunisia, Ethiopia, Nigeria, Chad, Senegal, Turkey, and in Afghanistan. The states of Pakistan and Bangladesh increasingly acquired theocratic and Islamicist overtones.[1]

Movements that challenged the seemingly undisputed reign of secularism were not restricted to Muslim societies. Sinhalese Buddhist nationalism in Sri Lanka, Hindu nationalists in India, religious

[1] See Westerlund (1996), Kepel (1994), Ahmed (1987), Mohsin (1999).

ultra-orthodoxy in Israel, and Sikh nationalists who demanded a separate state partly on the ground that Sikhism does not recognize the separation of religion and state, all signalled a deep challenge to secularism (Juergensmeyer 1994).

Strong anti-Muslim and anti-Catholic movements of Protestants decrying secularism emerged in Kenya, Guatemala, and Philippines. Religiously grounded political movements arose in Poland and Protestant fundamentalism became a force in American politics. In Western Europe too, where religion is a personal response to divinity that is still largely private, rather than an organized system of practices, change has come both from migrant workers of former colonies and from intensified globalization. This has thrown together a privatized Christianity with Islam, Sikhism, and pre-Christian, South Asian religions that do not draw a boundary between the private and the public in the same way. These strange bedfellows have created a deep religious diversity the like of which has never before been known in the West (Turner 2001: 134). As the public spaces of western societies are claimed by these other religions, the weak but distinct public monopoly of single religions is beginning to be challenged by the very norms that govern these societies. This is evident in Germany and Britain, but was most dramatically highlighted by the headscarf issue in France. While the vengeful attacks of a few Muslim extremists trigger a profound alienation of ordinary Muslims everywhere in the world, paradoxically, Islamophobia in Europe has arisen with increasing public assertion of local Muslim residents. The suppressed religious past of these societies is now foregrounded, betraying institutional biases that lay undetected earlier and radically questioning claims concerning the robust secular character of European states.

Nepal is virtually single-handedly going against this anti-secular current. A strong movement for secularism has persisted for over two decades, resulting in the declaration, first in the 2007 interim Constitution and now in the 2015 Constitution, that Nepal is a secular republic. Nonetheless, some anxiety continues to persist on whether, as Gellner and Letizia note in their introduction, "Nepal became secular without adequate public discussion and debate on what it meant" (p. **). Arguably, Nepal has become minimally secular but beyond this there are so many different ways of being more thickly secular. The Nepali people will have to decide carefully, taking their

own context into account, what further direction secularism will take and which form of secularism they will gradually adopt. This has not been settled completely by pronouncements in the recently adopted constitution. The multiple meanings of secularism will continue to unravel as long as discussions and deliberations over it take place not merely around the round table among the power elites—in the highest courts and through democratic negotiations—and fail to engage a large body of citizenry over a long period of time. One can only hope that distilled from their experience and practice, and with the help of print, electronic, and new social media, a more democratic notion of secularism will emerge that is more suitable to the Nepali people. With the help of excellent ethnographic material provided by this volume, particularly the fieldwork by Letizia, I try to delineate the various conceptions of secularism that have entered Nepalese public discourse. I assess their value in the Nepalese context, place them within a broader comparative perspective, and offer my own view of which of these is best suited for Nepal.

I begin by noting what I mean by secularism in this afterword. One can distinguish at least three senses of the term. First, it is used as a shorthand for secular humanism and more particularly for a de-transcendentalized version of it, which Taylor (2007: 19–21) calls exclusive humanism. This secularism describes a general view of the world and the place of humans within it, but it need not have an explicit normative content. In contrast, secularism in the second sense specifies the ideals, even ultimate ideals, which give meaning and worth to life which its followers strive to realize. Elsewhere (Bhargava 1994), I have called this ethical secularism. Ethical secularism tells us how best to live in the only world and only life we have, this one, here and now, and that the goals of human flourishing are conceived independently of God, gods, or some other world. I distinguished this ethic from political secularism, the third sense of the term. Here secularism stands for a normative project that hopes to realize a certain kind of polity in which organized religious power or religious institutions are separated from organized political power or political institutions in order to realize specific ends. One idea behind this distinction was to argue that both those who believe in ethical secularism and those who believe in or practice various religions can come to agree on the constitutive principles that underlie political secularism. Political

secularism neither entails nor presupposes ethical secularism. To believe that in order to be a political secularist one has to be an ethical secularist is simply false. Throughout this paper, unless specified otherwise, by secularism I mean 'political secularism'.

A distinction is also necessary between political secularism and the process of secularization studied widely by sociological theorists. Secularization refers to a social process that gets underway and remains in motion largely but not wholly independent of intentional human action. Secularization was not launched as a programme of collective action. It has occurred, if, where and when it has, because of the unintended consequences of human action. Indeed, in Europe, it appears to have happened as a result of changes within religion, induced by religious people out of very religious motives. Secularism, on the other hand, is a collective normative project. It sets out a plan of desirable collective action. It is probable that the more successful its realization the more secularization there is, but to some extent secularization can occur even without secularism, perhaps despite its failure. I also implied that secularization has some negative relation with religions: the more one is present the less available the other will be and vice versa. Yet, a failure of secularization, and therefore the persistence of religion, does not obviate the need for political secularism. In fact, as I argued in an earlier paper, political secularism is frequently needed precisely in those societies where either people belonging to multiple religions or religious believers and philosophical secularists or all of them coexist or are engaged in prolonged conflicts. A society that is already fully secularized wouldn't *need* a secular state because it would, in some form, already have it. Political secularism, I argued, is needed precisely in those conditions where complete secularization is impossible, unavailable as an option, or undesirable.

What is political secularism? How can we go beyond a merely formulaic understanding, go behind its rhetorical separationist content, and reach its real meaning and value? To grasp its internal conceptual and normative structure, it is important first to contrast it with doctrines to which it is both related and opposed. Such anti-secular, religion-centric doctrines favour not separation but a union or alliance between religion and state. They advocate religion-centred states.

RELIGION-CENTRED AND SECULAR STATES

This begs the question: what are religion-centred states? To understand both religion-centred and secular states, a further set of distinctions need to be introduced.[2] States may be strongly connected to religion or disconnected from it. Such connection or disconnection may exist at three distinct levels: at (1) the level of ends, (2) at the level of institutions and personnel, and (3) at the level of public policy and, even more relevantly, the law. A state that has a strong connection at each of the three levels with a particular religion or church can be said to have a 'union' with a particular religious order. Such a state is theocratic. It is governed by divine laws directly administered by a priestly order claiming divine commission or by a king who claims divinity for himself. Historical examples of theocracies are ancient Israel, some Buddhist regimes of Japan and China, the Geneva of John Calvin and the Papal states. The Islamic republic of Iran as Khomeini aspired to run it is an obvious example. A theocratic state must be distinguished from a state that establishes religion. Here religion is granted official, legal recognition by the state and while both benefit from a formal alliance with one another, the sacerdotal order does not govern a state where religion is established.

Because they do not unify religious institutions/church and state, but install only an alliance between them, states with an established religion or the church thereof are in some ways disconnected from it: a sufficient degree of institutional and role differentiation between the two exists. Each is to perform a role different from the other. The function of one is to maintain, say, peace and order in the profane/temporal world. The function of the other is to sustain the sacred order or secure *moksha* (liberation), *swarga* (heaven), salvation, or some other ultimate end that requires a certain form of self-cultivation/performance of rituals. Second, state functionaries and functionaries of religious institution/church (priests, the clergy) are largely different from one another. Thus, disconnection between religious institutions/church and state at level 2 can go sufficiently deep. Yet, there is a more significant sense in which the state and religious institutions/the church are connected to one another: they share a common end,

[2] For further details, see Bhargava (2006, 2013).

the protection of a way of life/a view of the world largely defined by religion. By virtue of a more primary connection of ends, the two share a special relationship with each other. The state grants *privileged* recognition to religion. Religion even partially defines the identity of the state. The state declares that the source of its fundamental law lies in religion. It derives partial legitimacy from religion. Thus both benefit from this mutual alliance.

At the level of law and public policy too, where there is an established religion, religious institutions/church and state work together. Such policies and laws flow from and are justified in terms of religion. The institutional *disconnection* of church and state—at the level of roles, functions, and powers—goes hand in hand with the first- and third-level *connection* of ends and policies/laws. Finally, we may note that a state may establish a single religion, grant it privileged recognition, and give it a monopoly over the entire domain of the sacred, or it may grant such recognition to many religions. Arguably, in a certain phase of his life, the emperor Akbar in India came closest to the latter position. So did the third century BCE emperor, Ashoka. Indeed, examples of multiple recognition/establishment of religions abound in South Asia. The fourteenth century Vijayanagar kingdom, which granted official recognition not only to Shaivites and Vaishnavites but even to Jains, is another such example.

Secular states are different from religion-centred states. To further understand this issue and distinguish different forms of secular states, allow me to unfold the structure of the secular state. For a start, we must recognize that a secular state is to be distinguished not only from a theocracy but also from a state where religion is established. A non-theocratic state is not automatically secular because it is entirely consistent for a state not to be run by a priestly order or by a divinely ordained king, but instead have a formal alliance with religion. Second, because it is also a feature of states with established churches, the mere institutional separation of the two is not and cannot be the distinguishing mark of secular states. This second-level disconnection should not be conflated with the separation embedded in secular states, because, though necessary, it is not a sufficient condition for their individuation.

A secular state goes beyond institutional and personnel separation, by refusing to establish religion or if religion is already established,

by disestablishing it. It withdraws privileges that established religion had previously taken for granted. Therefore, a secular state follows what can be called the principle of non-establishment. *This it can do only when its primary ends or goals are defined independently of religion*. Thus, a crucial requirement of a secular state is that it has no constitutive links with religion, that the ends of any religion should not be installed as the ends of the state. For example, it cannot be the constitutive objective of the state to ensure salvation, *nirvana*, or *moksha*. Nor can it be a requirement of the state that it increases the membership of any religious community. The conversion of one individual or a group from one religion to another cannot be the goal of the state. Official privileged status is not given to religion. This is largely what is meant when it is said that, in a secular state, a formal or legal union or alliance between state and religion is impermissible. No religious community in such a state can say that the state belongs exclusively to it. The identity of the state is defined independently of religion. Furthermore, the non-establishment of religion means that the state is separated not merely from one but from all religions; even all of them together cannot say that it belongs collectively to them and them alone.

To grasp this point at a more general theoretical level, let me distinguish three levels of disconnection to correspond with the already identified three levels of connection. A state may be disconnected from religion at the level of ends (first level), at the level of institutions (second level), and/or at the level of law and public policy (third level). A secular state is distinguished from theocracies and states with established religions by a primary, first-level disconnection. A secular state has free-standing ends, substantially, if not always completely, disconnected from the ends of religion or conceivable without a connection with them. At the second level, disconnection ensues so that there is no mandatory or presumed presence of religious personnel in the structures of state. No part of state power is automatically available to members of religious institutions. Finally, a secular state may be disconnected from religion even and also at the level of law and public policy.

How does this discussion shed light on the current history of Nepal? Until recently, Nepal's monarchy was connected to a certain form of Brahmanical Hinduism at each of three levels. The ends of

monarchy were intertwined with the structure and goal of upper-caste Hinduism. Thus, Hinduism had a special status and legitimated the monarchy. The king was consecrated with Brahmanical rituals. The founding narratives of Nepal, rather than invoking a collective identity, presented the king as the central figure in nation-building. Though some degree of separation was present between, on the one hand, state structures and, on the other, Hindu institutions and personnel, the King himself claimed divinity—at the very least he was a semi-divine figure placed between deities and humans—and claimed to speak in a divine voice (see Zotter, Chapter 8). Finally, till 1964, Nepal's legal system formally recognized the hierarchical caste system, exempting Brahmans from capital punishment. Thus, the Nepalese monarchical state had theocratic elements and strongly supported Brahmanical Hinduism.

The agenda for anti-monarchists was therefore clearly laid out. In order to dethrone the monarch, they had either to deny divinity to the king or to deny the very existence of a divine order. They had to remove the religious basis of monarchy, that is, disestablish Hinduism (Zotter Chapter 2 and 8). Likewise, they had to either delink kingship from public rituals or deny the significance of rituals altogether. Any religious festival or activity that had links with the monarchy had to be abolished or at least devalued (for example, Dasain, which in its current form is seen to be a nineteenth-century creation of the Nepalese elite). Nepalese secularism at the very least has meant a perspective against a religion-centred state, an ideological offensive against anything Hindu that was strongly connected to the monarchy. To this extent, secularism connoted something anti-religious, and in particular anti-Brahmanical Hinduism. From now on, the ideology or structure of the Nepalese state cannot be shaped by Brahmanical Hinduism. Indeed, no religion could dominate the non-secular public sphere. This is a minimal requirement of secular states and on this, the volume claims, there is a broad political consensus. Moreover, this feature it shares with all secularisms: to be against the domination of the religious over the secular (or the non-religious). So, while it may be true that Nepal adopted secularism without *adequate* public discussion (see Chapters 1 and 2), it is not correct to conclude from this that it was embraced without any understanding. Nepalese political agents understood that to get on the path of a freer, more

egalitarian, and more democratic society, they had to delink the state from Brahmanical Hinduism; the state simply had to be minimally secular. The Nepalese people have acted to bring it about and at least so far have managed to sustain it.

The question at hand now is not whether or not to have a secular state in Nepal, as some Nepali leaders and organizations frame the question, but what kind of secular state it should be. For there are many kinds of secular state and multiple forms of secularism. There are many conceptions of political secularism, depending on how the metaphor of separation is unpacked, which values separation is meant to promote, how these values are combined, and what weight is assigned to each of them. It is hardly surprising then that "secularism in Nepal appeared as a fluid and multivocal notion" (Letizia, p.). At least five models of secularism are abroad, and this list may not be exhaustive. Two of these—one originating in the United States of America that I call the idealized American or the mutual exclusion model, and the other developed in France, which I call the idealized French or the one-sided exclusion model—have been hitherto hegemonic in ideological discourse. A third has developed in large parts of western Europe. Two other models have developed in South Asia: one that might be called the communal harmony model and the other that I have called the model of principled distance, as embodied in the Indian Constitution. It is important to identify and discuss each of these because all these are at play in Nepalese public discourse, especially in periods of momentous transitions. Some of these are also embedded in the practice of its state and best fit the official Nepalese discourse. In this transitional period, when political agents and ordinary people are struggling to articulate a proper secularism for their own state, when every version is contested and therefore is insecure and fragile, we must try to get an adequate sense of each of these. We need to view them within a comparative framework to help us evaluate which of them is better suited to the long-term interests of the Nepali people.

An exploration of Nepalese secularisms can best be carried out if we know more about the complex, variegated religious life of Nepal. In this connection this volume provides rich and valuable ethnographic data. All contemporary societies continue to get modernized and are increasingly subjected to processes of globalization. Nepal

is no exception. As society changes, so do its religious experiences and practices. These changes have been taking place steadily at least since the 1950s. There is first what might be called the religionization of faiths and forms of worship, by which I mean the adoption by a society of the idea of modern (largely western) religion. In their introduction, Gellner and Letizia tell us that this notion was introduced in Nepal between 1952 and 1954. It was only then that Nepalese society gradually came to be seen as composed of multiple religious communities, each defined by its own distinctive doctrine and practice emanating from it. I want to spend some time on this religious transformation (the move from early, pre-modern faiths to modern religion) because it has some bearing on our subsequent discussion of political secularism. To make my point, I rely less on ethnographic material and instead deploy some insights from two thinkers, Richard Gombrich and Jan Assmann.

Religion in South Asia refers (*a*) to an ethic of self-realization (a soteriology), a meaning-endowing perspective specifying an ultimate goal which gives individual life its point and direction. Equally, it refers (*b*) to embedded beliefs and practices which structure the social life and normative expectations of individuals, particularly in their relations to one another. Rituals, rites of passage, rules of hygiene, and traditional norms can also be subsumed under this conception of religion. Richard Gombrich (1988: 25–6) distinguishes this 'religion' from soteriology, calling it communal religion.

This distinction helps us to see more clearly two features of South Asian religion and society. First, it shows how it is possible in Asia for many individuals to belong to two religions, for they can be attached to one of the many soteriologies (choose between [a], [b], [c], and so on, from Religion 1) and adhere to a stable set of communal practices (follow the caste system, for example) (Religion 2). In many other parts of the world, soteriology, social relations, and rituals are all tightly interrelated to form one religious system. A specific soteriology is enmeshed with a specific pattern of social relations and rituals. In South Asia, this has traditionally not been the case. The connection between soteriology and communal practice and ritual is much looser. Thus, not only can one participate in both Religions 1 and 2, but once anchored in Religion 2, also move quite easily from one soteriology to another or have allegiance to several of these simultaneously. Indeed,

flexibility along Religion 1 may be accompanied by great rigidity in Religion 2. For example, a person may abandon a radically this-worldly Vedic soteriology to lead an ascetic Jain life but all the while continue to be a Vaish (trader), enmeshed in hierarchical caste relations. People could continue to follow the same set of practices they participated in before attachment to a newly embraced soteriology.

Hinduism has over time spawned many soteriologies, but, with minor regional variations, has tended to keep a stable set of communal practices. These communal religious elements have sometimes been so entrenched that even conversion to other religions, those which claim to perform both soteriological and communal functions, has not unsettled their dual or multiple attachments. Thus, many Muslims and Christians for long participated in 'communal' aspects of Hinduism, despite a change in their soteriology. Many Buddhists celebrate in gods-related rituals but claim that this has nothing to do with and therefore is not inconsistent with their religion (soteriology). Gods, for them, have much to do with their this-worldly concerns but have no bearing on their pursuit of Nirvana. This also allows a ruler to respect all 'faiths'. Since one may without contradiction follow the soteriological beliefs of one religion and the communal practices of another, one must respect both and so must the ruler who himself may follow one or many 'Religions 1'.

This flexibility is enabled by features associated with so-called polytheistic societies of which Nepal and India continue to be exemplars. Pre-religion faiths in South Asia displayed characteristic features associated with polytheistic societies, discussed illuminatingly by Jan Assmann (2008, 2010). The implicit or explicit theology of a religion must allow for the translation of gods. In virtually all cultures of classical antiquity, each god performed a function based on his cosmic competence. Thus, there are gods of love, war, knowledge, and craftsmanship. Likewise, each god embodied an entity of potentially cosmic significance. Hence, there are gods of fire, rain, earth, time, sun, moon, sea, or primal gods who create, destroy, preserve, and so on. The god of love in one culture could then also acquire the name of the god of love from another culture. This way differences continue to be viewed as irreducible and yet translatable. One might even call this feature of translatability, a theology of recognition. The gods of each culture are recognized within the background of a common semantic universe.

Eventually, this theological mode of coping with diversity can be enlarged to include soteriologies that do not depend on gods. One can deploy the more general term 'ethic of self-realization' that includes both god-dependent and god-free ethics pertaining to humans and even non-human selves. Each of these ethics can be treated as a way of being or relating to the ultimate, in whichever way the latter is defined or understood. Certainly, this inclusive monotheism or perhaps globalism of ethics permits easy movement across religions. If the different names refer to the same god or the same god has different cultural backgrounds, then why create too much fuss about leaving one and embracing another? Indeed, why not embrace both?

A second feature, widely prevalent in ancient Egypt, involves the collocation of two or three gods leading to hyphenated cosmic deities such as Amun-Re. The two, Re and Amun, Assmann (2008) tells us, do not merge. They retain their individuality, quite like the mode of translation. But here each becomes a crucial aspect of the other. Thus Re becomes the cosmic aspect of Amun and Amun becomes the local and cultic aspect of Re. Each aspect complements the other, without subsumption or domination. Such collocation is also found in South Asia.

Finally, a strategy even more common in all ancient cultures involves ontological subordination of one god to another god. Thus one god becomes the supreme deity of which all other gods are manifestations, as Ram and Krishna become avatars of Vishnu. Or we might have a pantheon of equal gods with very diverse primal functions and others are but his manifestations or relations.

Each of these strategies permits more or less free movement across different cultures and religions. Freedom of conversion would not be the appropriate term here. Conversion implies one's permanent departure from the worship of one god to the exclusive worship of another. But this goes against the very point of these strategies of translation, hyphenation, and hierarchical assimilation. For here there can be a free movement back and forth and indeed the simultaneous commitment to all. This is true both when unity is explicitly claimed (inclusive monotheism) or when it is merely implied as in polytheism. In such cultures, moreover, a person's sense of self (what we moderns call identity) is fluid, dynamic, composite, and hybrid. Identities are not believed to be fixed and well demarcated.

Now I believe that modernization has brought about three changes in South Asia religious life. First, each soteriology has now acquired a distinct intellectual doctrine. The relationship between soteriology, rituals, and social relations has also become much tighter. As they develop their own pattern of rituals and ceremonies and, in theory, their own prescribed norms of social relations, each soteriology has become a separate religious order. A diffuse, indistinct, inchoate religious sensibility has now begun to be replaced by a mindset propelled by the idea of well-defined, clearly demarcated groups in competition, even rivalry with one another for the allegiance of individuals in search for ultimate meaning, freedom, or salvation. Second, a tighter connection between Religion 1 and Religion 2—indeed, the obliteration of the distinction between the two—the coming together under one umbrella of a particular soteriology, a specific set of rituals, and a rigid adherence to caste practices, has produced a new modern religion, Brahmanical or upper-caste Hinduism, as one option among other modern religions, with an internal contestation between the orthodox who wish it to remain closed and hierarchical and the reformists who wish it to be more open and egalitarian. In short, with the gradual breakdown of the hegemony of caste-based Religion 2, caste-based soteriology has itself become one of the many religions in South Asia.

To recapitulate, modernization and religionization have introduced into South Asian, and lately into Nepalese, culture, the idea of bounded, well-demarcated communities, and with it the idea that a person belongs either to one or the other religion and therefore has a fixed, well-differentiated identity; that we can therefore count the number of heads belonging to each Religion. This process is further consolidated by what is termed 'ethnicity-building', a socio-political process that has been in motion for the last two decades or so. Thus, Nepal has now begun to resemble its South Asian neighbours, notably India. It is a land of multiple 'Religions': Brahmanical Hinduism, Tamangs observing Lhochhar, Kiranti, Islam, Christianity, Buddhism, and so forth.

Finally, along with the transformation of overlapping soteriologies into several separate religious orders, the flexibility of Religion 1 is also reproduced in South Asia. Guru-based religious orders frequently retain the flexibility and fluidity of early examples of Religion 1. These new religions are viewed as a matter of individual belief and

choice (Toffin, Chapter 4). This is particularly true of non-Brahman-led new religious movements that valourize individuality and personal freedom, are egalitarian and guru-centred, and focus on mental and physical health and this-worldly happiness for all. In doing this, these movements reproduce the fluidity and flexibility of popular Hinduism. Gellner and Letizia note that "to an outsider to Nepal it is in fact astonishing, not that some traditions have faded away, but that so much is maintained, and so enthusiastically" (p. 21, Chapter 1). But, of course, what appears to be maintained is in fact reproduction in a different form.

Other changes are also noteworthy. Marginalized communities (such as the Tamangs) that once lived far away from the gaze of dominant communities and the state, known for fleeing and hiding from the state, are now becoming confident, joining the mainstream, and de-privatizing their religion (Holmberg, Chapter 9). New religious festivals such as Lhochhar are invented by politicized ethnic associations. Their religio-cultural identity is now giving them a basis for making claims against the state, for making political demands for greater visibility and recognition. In this they join modernized religious communities that wish to end the social dominance of Hinduism (Letizia, Chapter 2). Indeed, some religions which once saw themselves as indistinguishable from Hinduism now wish to free themselves from that oppressive subsumption and redefine themselves as a separate religion (for example, the Kirantis, as described by Gaenszle in Chapter 11). Key to their understanding is that a new multicultural Nepal can come about only when the primacy of Hinduism is ended (Letizia, Chapter 2). All religions must enter as equals in the public space and differences among them should become visible on the streets. All this is testimony to the continuing importance of religion in Nepal, to the way in which the self is still strongly crafted by religion.

Yet another major change can be seen in the very nature of public rituals. In the past, rituals were local, kin-based, and enmeshed in relations of social hierarchy. Today, rituals are still out there, in the wider public domain, a valid means of coping with this world, but they tend to move beyond the family and local *jatis* and are even adapting to the new egalitarian ethos. Rituals have not disappeared but their nature is fast changing. Besides, rituals involving public

bloodletting are being strongly challenged (Michaels, Adhikari and Gellner, Chapters 6 and 7). Rituals are also being secularized. In the past, the authority and transcendence of ritual was established by its supposedly unchanging form; now, people contest and discuss the best and right way to perform specific rituals. Indeed, some wish to exit rituals altogether (Campbell, Chapter 12). Rituals today are a matter of discussion, contestation, and choice.

In sum, there is both the formation of rigidly demarcated religious communities and the reproduction of flexible, fluid religiosity encouraged by new religious movements; religion continues to be a matter of community practice, but is also viewed as something in the domain of individual belief and choice. There is a continuing adherence to religious practice and ritual, but also an urge to critically examine and reform them. Upper-caste Hinduism is challenged, but a diffuse framework associated with early South Asian 'Hindu' religion and ancient 'polytheistic' practices still retains a general attraction.

Given this new religious and somewhat secularized landscape in Nepal, which direction must a minimally secular state (about which there appears to be some kind of a fragile consensus) take? What kind of secularism is most suited to Nepal? I will consider five idealized or ideal-type models in turn: the French, the American, the Western European, the ancient South Asian, and the modern Indian.[3]

The first, very well-known, conception of secularism views separation as one-sided exclusion. It holds that while religious institutions (the Church) must be excluded from the state at each of the three levels distinguished above, and that therefore there must be 'freedom of the state from religion', the state cannot exclude itself from religion, that it must retain power to interfere in religious institutions, at least at level 3. State intervention may be required in order to hinder and suppress but occasionally even to help religion, but in all cases this must be done only to ensure its control over religion. The state has

[3] I call them idealized because they are theoretical, not empirical entities. They are ideal types. Thus real laws and policies in America or France do not always correspond to the idealized versions mentioned here. Even idealized versions are contested in the countries where they originated. It is even possible that a model is born in a particular country or region and disappears from there very quickly.

the right to draw up laws and public policies to intervene in religious matters. This is what, elsewhere I have called, the idealized French conception of secularism, a model that inspired Ataturk in Turkey as well as many communist regimes, including Maoist China (Bhargava 2015). Recall that in France the Catholic Church was an intrinsic part of the pre-revolutionary regime—the Catholic establishment offered strong support to the monarchy—and continued to play a powerful role in the anti-Republican coalition of the Third Republic. In this long struggle between religious elites bent upon preserving the establishment of Catholicism and secular Republicans who found the Church to be both politically meddlesome and socially oppressive, and who therefore increasingly became profoundly anti-clerical, the anti-establishment advocates of *laïcité* finally emerged victorious (Kuru 2009).

It is not surprising then that this French model, which arose in response to the excessive domination of the church, encourages an active disrespect for religion and is concerned solely with preventing the religious order from dominating the secular. It hopes to deal with institutionalized religious domination by taming and marginalizing religion, by removing organized religion or what the French call *cultes*, from public space more generally and in particular from the official public space of the state. In short, in this conception, organized religion must be privatized. It may exist but only as an individual's belief. Citizens may enter the public/political domain but only if they leave behind their religious identity or communal belonging. They must enter as 'abstract citizens'. Rights (including the right to choose one's religion) accrue to them directly as individual citizens unmediated by membership in any community. Thus the principal value underlying separation is our common identity as citizens (and therefore a common, undifferentiated public culture presupposed by it) and a form of equality that springs from such uniformity.

Nepalese secularism shares with the French model a deep opposition to anything in Hinduism that legitimated the monarchy and the caste system. Before they tasted power, Maoist secularists may certainly have wanted to encourage, in the spirit of French *laïcité*, an active disrespect for religion more generally. During the civil war, some regions even witnessed the de-publicization of religion (see Chapters 3 and 11 by Zharkevich and Steinmann). Secularism in those

places and times may have come to be associated with the privatization of religion. But perhaps the closest Nepal came to the French model was when in 2008 the then Finance Minister, Baburam Bhattarai, announced (or was believed to have announced), on grounds of secularism, a cut in government funding for the celebration of Indra Jatra festival. However, his interpretation of secularism as the withdrawal of state funding for religious festivals was simply unacceptable to the Newar community, which paralyzed the festival and the city of Kathmandu for days in a huge protest against their own submissive leaders and this attack on Newar traditions (Chapter 1).

Nepal has witnessed neither a decline in religious practice and belief, nor a corresponding increase in exclusive humanism. (Although Zharkevich's wonderfully evocative story of the gods having exited the world and escaped into the mountains—Nepal's own version of the death of God—comes close to some form of atheistic secularism: Chapter 3). Overall, then, it would be fair to say that Nepal has accepted that religion is here to stay. French secularism may have had its moments in Nepal and a few Maoist advocates may have been enamoured of it, but not for too long. Even they do not condemn religion but only its manipulation by reactionaries who wish to use it as a tool of oppression. Secularism for them is a way to free Nepalese society from deep-rooted feudalism based on Hinduism. The French model tends to go beyond opposition to religious domination to hostility to religion per se. Nepalese secularism, on the other hand, is not anti-religious but pits itself against institutionalized religious domination. When Zotter says therefore that the public accommodation of rituals "contradicts one widely accepted interpretation of secularism" (p. 27, Chapter 8), one can easily surmise which unnamed model she must have in mind.

A second model less hostile and more friendly to religion is available in several western European states. Have people in Nepal tried to follow this model? Is it more suited to Nepal than the idealized French model? Let us probe this further. To begin with, there are several reasons why European states might be judged to be secular: (*a*) the historical pattern of hostility to the Church and church-based religions on the ground that they were politically meddlesome and socially oppressive, a pattern that appeared militantly and robustly in the unchurching struggles in France, is also to be found to a

significant degree in most West European countries. As a result, the social and political power of churches has been largely restricted. Second (*b*), there has over time been a decline not only in church belonging but also in belief in Christianity. If there is one place where secular humanism or what Charles Taylor calls exclusive humanism is strong, even naively taken for granted as the only ontological and epistemological game in town, it is surely Western Europe. Both (*a*) and (*b*) have had an impact on Europe's constitutional regimes. A fair degree of disconnection exists at level 2. More importantly, the ends of state are delinked from religion to a significant degree (level 1 disconnection) and so the same basket of formal rights (to different kinds of liberty, forms of equality, and so on) are offered to all individuals regardless of their church affiliation and regardless of whether they are or are not religious. In the dominant political discourse, the self-definition of these states is that they are not religious (Christian) but (purely) liberal-democratic.

However, at the same time it is equally true that at both levels 1 and 2, some connection exists between state and religion. Several states continue to grant monopolistic privileges to one or the other branch of Christianity. Examples include the Presbyterian church in Scotland, the Lutheran church in all Nordic countries (except Sweden where it was recently disestablished), the Orthodox Church in Greece, and the Anglican Church in England, where twenty four Bishops sit in the House of Lords with full voting rights and where the monarch is also the Head of the Church. Moreover, at level 3, at the level of law and public policy, state intervention exists in the form of support either for the dominant church or for all Christian churches.

Most European states remain connected to religion (the dominant religion or church) at all three levels. The connection at levels 1 and 2 means that they still have some form of establishment, perhaps elements of quasi-theocracy. At level 3, there is neither mutual nor one-sided exclusion of religion, but positive entanglement with it. None of this entails that such states are confessional or have strong establishment. Rather, such state-religion connections combined with a significant degree of disconnection mean that these states are at best modestly secular by the standards set by the idealized American or the French model. Indeed, Tariq Modood has called the secularism

underpinning these states 'moderate secularism' (2015: 183–4).[4] He has argued that this secularism is compatible with a more than symbolic but weak establishment of religion. The moderateness comes largely from the rejection of exclusion and the adoption of some distance instead. The secularity comes largely from the ends from which states have distanced themselves and which are largely defined independently of religion.

The Nepalese case does not seem to fully fit this model for two reasons. First, religion, as Gellner and Letizia point out (p. 16, Chapter 1), continues to be a "crucial modality of crafting the self". Despite secularization and hints here and there even of the presence of secular humanism, religion is far too strong in Nepalese society to have anything resembling the cultural background of Europe. Second, the democratic and republican hostility to upper-caste Hinduism, for which social hierarchy was central and which legitimated the monarchy, has ensured that upper-caste Hinduism (one of the many modern religions and distinct from its pre-religion avatar) is not granted monopolistic recognition by the state. This is not to say that undercurrents in favour of this moderate secularism do not exist in Nepal. I am not here thinking of the Hindu right wing that would wish to have a more religion-centred, non-monarchical state and certainly not those who see the birth of a secular state as the direct cause of communal tensions, but rather of those progressive Hindus who wish to reform Hinduism, even give full citizenship rights to all individuals, regardless of their religious affiliation, but who also wish to maintain the dominant status of Hinduism (as described in Chapter 2). I tend to agree with Letizia's conclusion (pp. 38–9, Chapter 2) that upper-caste Hindu suspicion and negative appraisal of secularism, reflected in judgements such as that the "the secular state will unleash the 'dangerous potential' of minority religions", really point to "the changed nature of the relationship between Hinduism and minority religions, which has shifted from the paradigm of distant control under a tolerant hegemony, to the one of competition and negotiation among equals."

A third model Nepal could turn to is what I have called the idealized American model. Unlike France, and in keeping with the

[4] See also Bhargava (2014).

Nepalese ethos, it is respectful of religion, acknowledging its importance and allowing it to be fully present in the public domain. Yet it also excludes religion from the affairs of the state. At least one highly influential political self-understanding in the United States interprets separation to mean mutual exclusion. According to this idealized model, neither state nor church is meant to interfere in the domain of the other. Each is meant to have its own area of jurisdiction. Thus, to use Thomas Jefferson's famous description "a wall of separation" must be erected between church and state (Levy 1994). This strict or "perfect separation", as James Madison termed it (Levy 1994: 124), must take place at each of the three distinct levels of ends, institutions and personnel, and law and public policy. The first two levels make the state non-theocratic and disestablish religion. The third level ensures that the state has neither a positive nor a negative relationship with religion. On the positive side, for example, there should be no policy of granting aid, even non-preferentially, to religious institutions. On the negative side, it is not within the scope of state activity to interfere in religious matters even when some of the values professed by the state, such as equality, are violated within the religious domain. This non-interference is justified on the grounds that religion is a privileged, private (that is, non-state) matter, and if something is amiss within this private domain, it can be mended only by those who have a right to do so within this sphere. This view, according to its proponents, is what religious freedom means. Thus the freedom that justifies mutual exclusion is negative liberty and is closely enmeshed with the privatization of religion. (Of course, as already mentioned, privatization in this context means not exclusion of religion from the public domain but rather its exclusion from the official domain of the state.)

What is the background for the emergence of the mutual exclusion model and how much does it resemble Nepal? To begin with, the experience of persecution in their original homes by early immigrants, mainly Puritans, meant a greater potential understanding of the general value of religious liberty when they arrived in the new continent. This meant some degree of acceptance that Protestant churches of different hues would proliferate and coexist in different parts of America. To this extent, a limited form of religious diversity was simply a fact. Second, since these newly formed churches were

not associated with the *ancien régime*, there was no active hostility to them. On the contrary, they were voluntarily created and therefore expressions of religious freedom, not religious oppression. None of this ruled out a strong motivation within members of one church not only to view their own church as more valuable and true, but also to seek its establishment. Indeed, different parts of the country saw the establishment of one of the many churches in the land.

This monopolistic privileging of one church over another and the relegation of others to a secondary status continued to be a source of latent or manifest conflict between different churches. Thus mutual exclusion of church and state, at least at the federal level, was deemed necessary to resolve conflicts between different Protestant denominations, to grant some measure of equality between them, and—most crucially—to provide individuals the freedom to set up new religious associations. Religious liberty is deeply valued and so the state must not negatively intervene (interfere) in religion or in religious choices and must accept denominational pluralism. At the same time potential denominational conflict, at least at the federal level, also compelled the (federal) state to withdraw substantial support to religion. So, in this model, that combines disestablishment of religion with passive respect for and non-interference in dominant religion, only the disestablishment part would be acceptable to the common people of Nepal. Hierarchies within Hinduism and modern repugnance to some of its ritual sacrifices demand some negative interference, the introduction of laws and policies that ban, regulate, and control some aspects of religion and in particular of Hinduism. Since American secularism does not allow for such intervention, it will not find a proper home in Nepal. To be sure, some persons from non-dominant religions who might suspect a layer of Hindu bias in any state intervention may well interpret separation to mean mutual exclusion and wish to have it in Nepal, but the tradition of state support for religion is so strong that it is unlikely that the American wall-of-separation type of secularism would have many takers.

The most potent reason why none of the above-mentioned models is likely to be acceptable to more than a handful of powerful people in Nepal has not yet been mentioned. It is that they all emerged in predominantly single-religion societies and are broadly insensitive to issues of inter-religious domination in multi-religious societies. This

is what differentiates them from the 'secular' ideals which developed in South Asia.

SOUTH ASIAN SECULARISMS

Perhaps the best way to begin articulating specifically South Asian forms of secularism is by sketching two broad and contrasting pictures of the socio-religious world. In the first, a persistent, deep, and pervasive anxiety exists about the other, both the other outside one's religion and the other within. The 'other' is viewed and felt as an existential threat. So doctrinal differences are experienced not as mere intellectual disagreements but are cast in a way that undermines basic trust in one another. The other cannot be lived with but simply has to be expelled or exterminated. This results in major wars and a consequent religious homogenization. Though admittedly skewed, this picture approximates what happened in Europe in the sixteenth and seventeenth centuries. One might then add that this constitutes the hidden background condition of European ideas of toleration and even its political secularism.

Consider now an entirely different situation. Here different faiths, modes of worship, philosophical outlooks, and ways of practising exist customarily. Deep diversity is accepted as part of the natural landscape—Syrian Christians, Zoroastrian, Jews, Muslims, and all varieties of faiths subsumed under the label 'Hinduism'. Arab traders, Turk and Afghan, who came initially as conquerors but settled down—not to speak of a variety of South Asian faiths—all are at home. To feel and be secure is a basic psychosocial condition. All groups exhibit basic collective self-confidence, possible only when there is trust between communities. In short, the presence of the other is never questioned. There is no deep anxiety; instead a basic level of comfort exists. The other does not present an existential threat. This is not to say that there are no deep intellectual disagreements and conflicts, some of which even lead to violent skirmishes, but these do not issue in major wars or religious persecution. There is no collective physical assault on the other on a major scale. This approximates the socio-religious world of the Indian subcontinent, at least till the advent of colonial modernity, and constitutes the background condition of civility and coexistence, perhaps even a different form of 'toleration' in India, as

has often been claimed. Indeed, it is not entirely mistaken to claim that it was not until the advent of colonial modernity and the formation of Hindus and Muslims as national communities that this background condition was unsettled.

Religious coexistence could now no longer be taken for granted, doubts about coexistence forced themselves upon the public arena, and religious coexistence became a problematic issue to be spoken about and publically articulated. An explicit invocation and defence of the idea became necessary that all religions must be at peace with one another, that there should be trust, a basic level of comfort among them and if undermined, mutual confidence must be restored. This was put sometimes normatively and sometimes merely affirmed. The term used by Gandhi for this was "communal harmony" (Gandhi 1963). Soon after Independence, this idea found articulation in public discourse as secularism; strictly speaking, political secularism. The state must show *sarvadharmasambhāv*: it must be equally well disposed to all paths, god, or gods, all religions, even all philosophical conceptions of the ultimate good. But this should not be confused with what is called multiple establishment, where the state has formal ties with all religions, endorses all of them, and helps all of them, and where it allows each to flourish in the direction in which it found them, to let them grow with all their excrescences, as for example, in the Millet system of the Ottoman Empire or under British imperial rule. Rather, the task of the state as an entity separate from all religions was to ensure trust between religious communities, to restore basic confidence if and when it was undermined. This happens under conditions when there is a threat of inter-religious domination, when a majority religion threatens to marginalize minority religions. So here secularism is pitted against what in India is pejoratively called communalism—a sensibility or ideology where a community's identity, its core beliefs, practices, and interests are constitutively opposed to the identity and interests of another community.

To generalize even more, secularism came to be used for a certain comportment of the state, whereby it must distance itself from all religious and philosophical conceptions in order to perform its primary function, that is, to promote a certain quality of sociability, to foster a certain quality of relations among religious communities, perhaps even inter-religious equality under conditions of deep religious diversity.

This model, inspired by ancient South Asian conceptions, has great resonance in Nepal. Because it encourages equal respect among all religions, it undercuts inter-religious domination. It goes beyond disestablishment by valuing the presence of multiple religions in the public domain. It is entirely consistent not only with equal respect but with non-preferential state support for all religions. The contributions to the present volume do not show any evidence in Nepal of prolonged communal conflict, but its seeds lie in the very idea of modern religion. It is useful for a nation-state to have in its repertoire ideological resources that control potential communal conflict and foster communal harmony. On the other hand, a secularism that focuses on peace and harmony among communities may neglect asymmetries of power between religious communities in other domains and will certainly gloss over various aspects of intra-religious domination. If so, this model is only partially suited to Nepal.

Is there a conception of secularism that is better equipped to face all the religion-related challenges faced by Nepal? I believe there is, embodied in the practices and statements of social and political actors in Nepal, and found in the Indian Constitution (and, as we shall see, in another form also in the latest Constitution of Nepal). The Principled Distance model is more ambitious than all others, because it tries to combine the aim of fostering better quality of social relations (the Communal Harmony model inspired by the ancient traditions of South Asia) with an emancipatory agenda, not only to respect all religions and philosophies, but to protect individuals from the oppressive features of their own religions or religious communities—or, to put it differently, simultaneously to confront and fight both inter-religious and intra-religious domination.

Eight key features of this Principled Distance model are worth mentioning.[5] First, multiple religions are not optional extras added on as an afterthought, but are present and accepted as part of the social landscape. Second, this form of secularism has a commitment to multiple values, namely liberty, equality, and fraternity—not conceived narrowly as pertaining only to individuals, but interpreted broadly to cover also the relative autonomy of religious communities

[5] For detailed discussion, see Bhargava (2006, 2012).

and, in limited and specific domains, their equal status in society. It has a place not only for the right of individuals to profess their religious beliefs, but also for the right of religious communities to, for example, establish and maintain educational institutions crucial for the survival and sustenance of their distinctive religious traditions.

Third, because it was born in a deeply multi-religious society, it is concerned as much with inter-religious domination as it is with intra-religious domination. The two Western conceptions of secularism have provided benefits to minority religious groups only incidentally: Jews benefited in some European countries, such as France, not because their special needs and demands were met via public recognition, but because of a more general restructuring of society guided by an individual-based emancipatory agenda. By contrast, in this conception some community-specific socio-cultural rights are seen as necessary and granted. (Common citizenship rights are not seen as incompatible with community-specific rights in limited domains such as education.)

A fourth important point is that this model does not erect a wall of separation between religion and state. There are boundaries, of course, but they are porous. This situation allows the state to intervene in religions in order to help or hinder them without the impulse to control or destroy them. This intervention can include granting aid to educational institutions of religious communities on a non-preferential basis and interfering in socio-religious institutions that deny equal dignity and status to members of their own religion or to those of others—for example, the ban on untouchability and the obligation to allow everyone, irrespective of their caste, to enter Hindu temples, as well as, potentially, other actions to correct gender inequalities. In short, Indian secularism interprets separation to mean not strict exclusion or strict neutrality but what I call *principled distance*, a model which is poles apart from one-sided exclusion or mutual exclusion. The policy of principled distance entails a flexible approach on the question of inclusion/exclusion of religion and the engagement/disengagement of the state, which at the third level of law and policy depends on the context, nature, or current state of relevant religions. This engagement must be governed by principles undergirding a secular state, that is, principles that flow from a commitment to the values mentioned above. This means that religion may intervene in

the affairs of the state if such intervention promotes freedom, equality, or any other value integral to secularism. For example, citizens may support a coercive law of the state grounded purely in a religious rationale if this law is compatible with freedom or equality. Equally, the state may engage with religion or disengage from it, engage positively or negatively, but it does so depending entirely on whether or not these values are promoted or undermined.

Principled distance is different from strict neutrality, that is, the state may help or hinder all religions to an equal degree and in the same manner, but it does not follow that if it intervenes in one religion, it must also do so in others. Rather, the state's action rests upon a distinction explicitly drawn by the American philosopher, Ronald Dworkin (1978: 125) between equal treatment and treating everyone as an equal. The principle of equal treatment, in the relevant political sense, requires that the state treat all its citizens equally in the relevant respect, for example, in the distribution of a resource or opportunity. On the other hand, the principle of treating people as equals entails that every person or group is treated with equal concern and respect. This second principle may sometimes require equal treatment, say, the equal distribution of resources, but it may also occasionally dictate unequal treatment. Treating people or groups as equals is entirely consistent with differential treatment.

A fifth feature of this model is this: it not entirely averse to the public character of religions. Although the state is not identified with a particular religion or with religion more generally (disconnection at level 1), official and, therefore, public recognition is granted to religious communities (at level 3).

Sixth, this model shows that in responding to religion, we do not have to choose between active hostility and passive indifference or between disrespectful hostility and respectful indifference. We can combine the two, permitting the necessary hostility as long as there is also active respect. The state may intervene to inhibit some practices as long as it shows respect for other practices of the religious community and does so by publicly lending support to them. This is a complex dialectical attitude to religion that I have called critical respect. So, on the one hand, the state protects all religions, makes them feel equally at home, especially vulnerable religious communities, by granting them community-specific rights. For instance, the

right to establish and maintain their own educational institutions and the provision of subsidies to schools run by religious communities. But the state may also hit hard at religion-based oppression, exclusion, and discrimination. For example, the Indian Constitution is committed to actively abolishing the hierarchical caste order. It has banned untouchability and forcibly opened all Hindu temples to ex-untouchables, should they wish to enter them.

Seventh, by not fixing its commitment from the start exclusively to individual or community values and by not marking rigid boundaries between the public and the private, India's constitutional secularism allows decisions on these matters (all matters pertaining to religion at level 3) to be made either by contextual reasoning in the courts and sometimes even within the open dynamics of democratic politics. Finally, the commitment to multiple values and principled distance means that the state tries to balance different, ambiguous, but equally important values. This makes its secular ideal more like a contextual, ethically sensitive, politically negotiated arrangement—which is what it really is—rather than a scientific doctrine conjured by ideologues and merely implemented by political agents.

A somewhat formulaic articulation of the model (or conception) of Indian secularism presented above goes something like this. The state must keep a principled distance from all public or private and individual-oriented or community-oriented religious institutions for the sake of the equally significant—and sometimes conflicting—values of peace, worldly goods, dignity, liberty, equality, and fraternity, in all their complicated individualistic and non-individualistic versions.

A number of features of this model appear to be present in the new Nepal Constitution of 2015. Nepalese society is ready to dismantle upper-caste domination, but it is neither willing to abandon ancient sub-continental religiosities nor is it hostile to treating all forms of Hindu, semi-Hindu, or non-Hindu groups with equal respect. Article 4, which declares among other things that Nepal is a secular republic, adds "For the purpose of this article, 'secular' means protection of religion and culture being practised since ancient times and religious and cultural freedom". If this article is read with all other articles of the Constitution, it dispels the notion that this smuggles in at least a weak establishment of Brahmanical Hinduism. Rather, the use of the word 'ancient' points to pre-religion ways of practice and worship that

are less distinguishable from culture and shape all modern religions existing in Nepal today.

Indeed, as the 2015 Constitution takes privilege away from dominant Hinduism, it appears poised to usher in a more egalitarian Hinduism as well as to grant equal status to all kinds of non-dominant or minority religions. It accepts multiple religions and fosters good relations between them (this even finds mention in the Directive Principles of State Policy in Article 51 (c1) and it hopes therefore to fight inter-religious as well as intra-religious domination. Article 18 (1), (2), and (3) gives citizens a right against discrimination on grounds of religion; Article 29 forbids exploitation on the basis of religion. According to Article 24, Dalits have a right against untouchability and discrimination, a special set of rights, according to Article 40, and by virtue of Article 42, the right to employment in government jobs. Article 38 says that women cannot be oppressed on the basis of religion or socio-cultural tradition.

By granting Dalits and women certain specific rights, the constitution interferes in upper-caste Hinduism and possibly in other patriarchal religions. But it aims not to abolish religion but where necessary to reform it, thereby upholding both the value of critical respect and principled distance. It aims not to banish religion from public life but to help achieve equal recognition for all, while not being averse to the public character of religions. In this it is bound to ensure community-based religio-cultural rights for all groups, including non-dominant groups, so that they too are able to secure what the dominant religious group routinely procures.

The constitution demonstrates sensitivity to minority rights in Article 18, which allows for special legal provisions that empower Muslims and other minorities, and Article 31 (5) which says that "Every Nepali community living in Nepal shall have the right to acquire education in its mother tongue up to the secondary level, and the right to open and run schools and educational institutions as provided for by law." This is reinforced by Article 32: "Each community living in Nepal shall have the right to preserve and promote its language, script, culture, cultural civilization and heritage." Article 42 gives Muslims and minority groups a right to employment in "state structures".

Of course, there is some danger built into community rights. They tend to fix identities and to polarize communities, sometimes even

leading them into what I have elsewhere called the majority-minority syndrome, a social disease that tears society apart by swallowing all shared spaces and leaving behind isolated, sparring fragmented groups. But the counter-tendency that strengthens more individualized, personalized religiosity belonging to groups with fluid and porous boundaries is present too. The new religious movements in Nepal have their own flaws but they also give hope that they will always provide a counterpoint to the rigidity of bounded communities. The dialectical interplay between groups and individuals generates both rooted individuals and fluid, porous communities.

It would only strengthen Nepalese secularism if it pondered over the implications of following principled distance. How does a secular state that follows a policy of principled distance behave with religious communities and individuals? It will help to keep some examples in mind. First, non-dominant religious groups have often sought exemption from laws designed to apply neutrally across society. This demand for non-interference is made on the grounds either that the law requires them to do things not permitted by their religion or that it prevents them from doing things mandated by their religion. For example, Sikhs demand exemptions from mandatory helmet laws and from police dress codes to accommodate religiously required turbans. Muslim women and girls demand that the state not interfere in the religious requirement that they wear the chador. Rightly or wrongly, religiously grounded personal laws are sometimes sought to be exempted. Elsewhere, Jews, and Muslims seek exemptions from Sunday closing laws on the grounds that such closing is not required by their religion. Principled distance allows a practice that is banned or regulated in the majority culture to be permitted in the minority culture because of the distinctive status and meaning it has for the minority culture's members. Such situations are bound to emerge in Nepal, if not already present. Religious groups may demand that the state refrain from interference in their practices, but they may equally demand that the state interfere in such a way as to give them special assistance so that they are able to secure what other groups are routinely able to acquire by virtue of their social dominance in the political community. (Muslims in Nepal have already expressed this.) The state may grant authority to religious officials to perform legally binding marriages or to have their own rules for or methods of

obtaining a divorce. Principled distance allows the possibility of such policies on the grounds that holding people accountable to a law to which they have not consented might be unfair.

Principled distance is not just a recipe for differential treatment in the form of special exemptions. It may even require state intervention and, moreover, it may require more intervention in some religions than in others, considering the historical and social condition of all relevant religions. To take first examples of positive engagement, some holidays of all majority and minority religions are granted national status. When this happened in Nepal, it was widely appreciated as a great achievement of secularism. Often demands are made that subsidies be provided to schools run by all religious communities. In India, minority religions are granted a constitutional right to establish and maintain their educational institutions. Limited funding is available to Muslims for Hajj. But state engagement can also take a negative interventionist form. For the promotion of a particular value constitutive of secularism, some religion, relative to other religions, may require more interference from the state. For example, suppose that the value to be advanced is social equality. This requires in part undermining caste and gender hierarchies. Thus in India there is a constitutional ban on untouchability, Hindu temples were thrown open to all, particularly to former untouchables should they choose to enter them. Child marriage was banned among Hindus and a right to divorce was introduced. Likewise, constitutionally it is possible to undertake gender-based reforms in Muslim personal law. Societies, such as Nepal and India, where critical respect for all religions is expected, where religion needs support but institutionalized religious domination is to be undermined, simply have to practise principled distance.

Charles Taylor has reminded us that as ideas are taken for granted, their purpose begins to recede into the background.[6] Over time, their underlying point is even forgotten. Now, something like this appears to have happened also to secularism. As it began to work well, its beneficiaries took it for granted, stopped showing interest in foregrounding its purpose, and eventually lost sight of it. This forgetting was not troublesome or threatening as long as there existed no serious

[6] I owe an understanding of this issue to my reading of Taylor (1984).

challenge to secularism. But when a searching, discomforting scrutiny of it commenced, this forgetfulness became a nerve-wracking handicap. Taylor suggests that in order to retrieve its value-content, we need to provide a historical account because at some remote point in the past, say at the time of its birth, the idea had to prove its worth to its potential beneficiaries. To make place for itself in a climate of fierce competition, it had to marshal all forms of argumentative resources. It could not have survived without being explicit about its normative structure. In short, it could not be in the state of inarticulacy in which it currently happens to be. I believe Nepalese ethnography, as indeed the recent history of India, does the same job as a historical account would do for European societies. Because Nepalese secularism is evolving right now and is trying to achieve articulacy of its own value and point, it provides an uncluttered, crystal-clear picture of what political secularism is all about.

The Nepalese case enables us to see that the animating principle of a broadly understood secular perspective is that it is driven by an opposition to religious hegemony, religious tyranny, and religious and religion-based exclusions. The goal of secularism, defined most generally, is to ensure that the social and political order is free from institutionalized religious domination so that there is religious freedom, freedom to exit from religion, inter-religious equality, equality between believers and non-believers, and solidarity, forged when people are freed from religious sectarianism. Thus, religion defines the scope of secularism. The very point of secularism is lost either when religion disappears or if it purges itself from its oppressive, tyrannical, inegalitarian, or exclusionary features. If religion is exhaustively defined in terms of these oppressive features, then the goal of secularism is to eliminate religion altogether. Since religion is a far more complex and ambivalent entity and is not necessarily tyrannical or oppressive, we might see the objective of secularism as the reform of religion but from a vantage point that is partly external and definitely non-partisan. Secularism is not intrinsically opposed to religion and may even be seen as advocating critical respect towards it. Moreover, it invites reciprocal critical respect towards non-religious perspectives.

Nepal's secularism raises other issues for theorists of secularism that may not have been engaged thus far. It draws attention to the relation of rituals and the secular state (Zotter, Chapter 8), how secularism must

deal with animal sacrifice, with ritual sacrifice more generally, with violence and bloodletting in religious contexts (Michaels in Chapter 6 and Adhikari/Gellner in Chapter 7), with unconventional forms of religiosity (Toffin, Chapter 4), with multiple gods and goddesses and spirit possession (Ghimire, Chapter 5)—matters that barely get a hearing in the conventional literature on secularism. A deeper probe into these issues is bound to transform current theories of secularism.

My last point: I have discussed Nepalese secularism in the light of different available models of secularism. It was never meant to follow from what I have said above that Nepal should strictly follow any of these models, even the Indian model of secularism, or that they should have the same set of institutional structures. This is neither likely nor desirable. No two societies can have a uniform set of institutions to prevent religious-based exclusion or to promote religion-related inclusion. All I have tried to establish is that they need to be broadly secular. I take it for granted that over time Nepal will work out an institutional design suited to its own socio-cultural context, that it will be secular in its own distinctive way.

REFERENCES

Ahmed, I. 1987. *The Concept of an Islamic State: An Analysis of the Ideological Controversy in Pakistan*. London: Frances Pinter.

Assmann, J. 2008. *Of Gods and Gods: Egypt, Israel, and the Rise of Monotheism*. Madison: University of Wisconsin Press.

———. 2010. *The Price of Monotheism*. Stanford: Stanford University Press.

Bhargava, R. 1994. 'Giving Secularism its Due', *Economic and Political Weekly* 29(28): 1784–91; republished 1998 in R. Bhargava (ed.) *Secularism and its Critics*, Delhi: Oxford University Press, pp. 486–511.

———, 2006. 'Political Secularism' in A. Phillips, J. Dryzek, and B. Honnig (eds), *The Oxford Handbook of Political Theory*. Oxford: Oxford University Press.

———. 2008. 'The Distinctiveness of Indian Secularism' in T.N. Srinivasan (ed.), *The Future of Secularism*, pp. 20–53. New Delhi: Oxford University Press.

———. 2012. 'How Should States Deal with Deep Religious Diversity: Can Anything Be Learnt from the Indian Model of Secularism?' in T.S. Shah, A. Stepan, and M. Duffy Toft (eds), *Rethinking Religion and World Affairs*, pp. 73–84. New York: Oxford University Press.

———. 2013. 'Multiple Secularisms and Multiple Secular States' in A. Berg-Sørensen (ed.), *Contesting Secularism*, pp. 17–42. Farnham: Ashgate.

———. 2014. 'Beyond Moderate Secularism' in P. Losonczi and W. Van Herck (eds), *Secularism, Religion, and Politics: India and Europe*, pp. 57–63. Delhi: Routledge.

———. 2015. 'Are European States Secular Enough?' in J. Cohen and C. Leborde (eds), in *Religion, Secularism, and Constitutional Democracy*, pp. 157–81. New York: Columbia University Press.

Dworkin, R. 1978. 'Liberalism' in S. Hampshire (ed.), *Public and Private Morality*. Cambridge: Cambridge University Press.

Gandhi, M.K. 1963. *The Way to Communal Harmony*. Ahmedabad: Navajivan Publishing House.

Gombrich, R.F. 1988. *Theravada Buddhism: A Social History from Ancient Benares to Modern Colombo*. London: Routledge and Kegan Paul.

Juergensmeyer, M. 1994. *The New Cold War? Religious Nationalism Confronts the Secular State*. Berkeley: University of California Press.

Kepel, G. 1994. *The Revenge of God: The Resurgence of Islam, Christianity, and Judaism in the Modern World*. Pennsylvania: Pennsylvania State University Press.

Kuru, A. 2009. *Secularism and State Policies Towards Religion: The United States, France, and Turkey*. Cambridge: Cambridge University Press.

Levy, L. 1994. *The Establishment Clause: Religion and the First Amendment*. Chapel Hill: University of North Carolina Press.

Modood, T. 2015. 'State-Religion Connections and Multicultural Citizenship' in J. Cohen and C. Leborde (eds), *Religion, Secularism, and Constitutional Democracy*, pp. 182–202. New York: Columbia University Press.

Mohsin, A. 1999. 'National Security and the Minorities: The Bangladesh case' in D.L. Sheth and G. Mahajan (ed.), *Minority Identities and the Nation-State*. New Delhi: Oxford University Press.

Taylor, C. 1984. 'Philosophy and its History' in R. Rorty, J.B. Schneewind, and Q. Skinner (eds), *Philosophy in History*, pp. 17–30. Cambridge: Cambridge University Press.

———. 2007. *A Secular Age*. Cambridge, MA: The Belknap Press of Harvard University Press.

Turner, B.S. 2001. 'Cosmopolitan Virtue: On Religion in a Global Age', *European Journal of Social Theory* 4(2): 131–52.

Westerlund, D. 1996. *Questioning the Secular State*. London: Hurst & Company.