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Religion, Sanātana Dharma, and Secularism: A Conceptual Dissonance

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ABSTRACT

This paper examines the conceptual relationship between the category of "religion," the framework of "secularism," and the scriptural understanding of "Sanātana Dharma. It argues that the modern idea of religion, is shaped mainly by the historical development of the Abrahamic traditions, which is not universal but a context-specific concept defined by doctrinal belief, institutional structure, and fixed exclusive identity. When this framework is applied to Sanātana Dharma, it results in a conceptual mismatch, since dharma represents a fundamentally different principle that integrates cosmic order, universal welfare, ethical life, social responsibility, and spiritual pursuit. Drawing on scriptural sources, philosophical analysis, and Indian Supreme Court judgments, the paper highlights what is recognised as "Hinduism or Sanātana Dharma" does conform to the Abrahamic notions of religion. but is better interpreted as an Indian civilizational value, traditions, right conduct, duties and responsibilities, Philosophical vision or a way of Indian life. It further examines the origin of the term "secularism" and its original meaning. The paper portrays the implications of the insertion of the term "secular" into the Preamble, where it is used to signify religious freedom and neutrality, qualities that are more comprehensively inherent in Sanātana Dharma. It also highlights the implications of various Articles of the Indian Constitution for Dharmic unity. Although ordinary thinkers often treat the concepts of religion and Sanātana Dharma as synonymous, they are not the same. Therefore, this paper examines this tension as a form of "conceptual dissonance."

Keywords: Sanātana Dharma; Religion; Secularism; Conceptual Dissonance; Constitution of India.

Introduction: The Real Character of the Vedic Gods

The concepts of "religion" and "secularism" occupy a central place in both academic discourse and constitutional practice, which are often articulated through categories that are assumed to be universal in scope. However, these categories are not conceptually neutral. They are outcomes of specific historical and theological developments, particularly within the Abrahamic traditions and the strife between Church and State. Their application to the Indian context, therefore, raises important questions regarding conceptual adequacy and interpretative accuracy. At the heart of this inquiry lies the question of how Sanātana Dharma commonly identified with what is termed "Hinduism" is to be understood within these imported frameworks. While modern discourse often treats it as one religion among others, such a classification may not fully capture its nature as articulated within its own textual and philosophical traditions. Unlike belief-centric and institutionally structured religions, Sanātana Dharma presents itself as a comprehensive framework encompassing metaphysics, ethics, social order, universal welfare and spiritual practice. The translation of dharma as "religion," particularly during the colonial period, has contributed to a narrowing of this broader conception. This conceptual tension is not merely academic. It has significant implications for the adherents of Sanātana Dharma and constitutional interpretation, especially in the application of secularism and the adjudication of religious freedom under the Indian Constitution. The judiciary has, at various points, acknowledged the difficulty of defining Hinduism within conventional parameters, describing it as a way of life or a cultural continuum. At the same time, constitutional provisions continue to operate on the assumption that religious communities can be identified, classified, and regulated within a uniform framework.

This paper examines this tension or paradox through a conceptual and analytical approach. It first traces the historical and theological foundations of the category of religion, highlighting its context-specific nature. It then explores the nature of Sanātana Dharma through scriptural and philosophical sources, demonstrating its divergence from the conventional model of religion. The analysis proceeds to consider judicial interpretations and the constitutional framework of secularism, identifying areas where conceptual misalignment becomes evident. This misalignment is described as a form of "conceptual dissonance," arising from the application of historically conditioned categories to a civilizational framework of a different order. The objective of this study is not to reject the categories of

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religion or secularism, but to critically examine their scope and applicability. By bringing into focus the conceptual distinctions between these frameworks, the paper seeks to contribute to a more insightful understanding of Sanātana Dharma and the necessary corrections in the Indian constitutional order.

Religion

The concept of "religion," as it is commonly understood today, is not a universal or culturally neutral category. It emerges from a specific theological and historical context, shaped primarily by the development of the Abrahamic traditions namely Judaism, Christianity, and Islām. These traditions have, over time, influenced the dominant framework through which religion is studied, defined, and institutionalised in modern discourse. Any attempt to apply this framework to non-Western traditions must therefore begin with a careful examination of its origins and underlying assumptions.

a) Judaism

The Judaic religion is based on a divine covenant between God and a chosen community (Genesis 12.1-3, 15.18, 17.7-8; Exodus 34.27-28) This covenant creates a binding relationship marked by obedience to divine commandments, ritual practices, and an exclusive common community identity (Exodus 20.1-17; Deuteronomy 5.6-21) It is also worth noting that Abraham, until the age of ninety-nine, was not part of what later came to be known as the Jewish religion (Genesis 17.1) ; it is only after the covenant that this identity takes shape. Circumcision is the sign of this covenant, between him and Yahweh (Judaic God) (Genesis 17.10-14). The religion is built on strict adherence to the Torah, following its commandments, rituals, and laws. Torah guides both belief and conduct of Jews. Religion, in this sense, is therefore not just personal belief, but a structured and exclusive way of relating to a divinely ordained order.

b) Christianity

Christianity develops the idea of religion further by focusing on Jesus Christ, redemption of sin and the teaching of salvation (Romans 3.23-24; John 3.16–17; Acts 4.12). Until the age of thirty, Jesus himself was not Christian (Luke 3.23), but after beginning his ministry, the path of faith in him became central. Christianity emphasizes belief in Christ as necessary for salvation, introducing strong doctrinal and soteriological rules. Religion in Christianity emphasises belief in Christ for salvation (John 14.6), and strict attention to the teachings of the Bible shapes worship, ethics, and community life. The early Church Fathers, especially Saint Augustine, and later thinkers such as Thomas Aquinas, understood religion as both a theological and moral system, integrating belief, worship, and ethical conduct into a path toward divine grace (Augustine, City of God IV.4, X.1; Aquinas II-II, q. 81, art. 2).

c) Islām

Islām is founded on submission to the will of Allah, the sole God in Islam (Qurān 2:131), guided by the Prophet Muhammad and Qurān. Until the age of forty, Muhammad himself was not a Muslim (Ṣaḥīḥ al-Bukhārī 1.3), but after receiving revelation, he became the last messenger of God. Religion in Islām is based on the Five Pillars and strict observance of the Qurān, which governs belief, worship, and conduct. The first pillar of Islām, the Shahada (faith) , declares, "There is no God but Allah, and Muhammad is the messenger of God (Surah al-Baqarah 2.255; Surah Al Imran 3.18) draws a clear line between belief and non-belief, while religious life is organised around Salah (prayer) (Qurān 2.43), Zakat (charity) (Qurān 2.110), Sawm (fasting) (Qurān 2.183-185), Hajj (pilgrimage) (Qurān 3.97), and other prescribed practices. Islām sees the true path as lying fully within its fold, showing religion as a clear, bounded system of belief and conduct.

Across these traditions, several common features emerge. Religion is typically characterised by belief in a single personal God, often conceived as male; adherence to revealed scriptures; the authority of a prophet or founding figure; organised institutional structures; and a tendency to regard its doctrines as exclusively true and others as false, fostering rivalry, or enmity toward non-believers (Deuteronomy 13.6-10; Mark 16.16; Surah al-Mumtahanah 60.4). Together, these features make religion a distinct belief-based system in which adherence to particular doctrines and practices determines individual and common identity. Application of this framework beyond its original context raises important conceptual concerns, since the prevailing idea of "religion" in India was itself largely shaped during the colonial period. European scholars such as Max Müller and Monier-Williams interpreted Indian traditions through categories derived from their own Judeo-Christian theological background (Müller 2, 24; Monier-Williams 1- 4). In this process, terms like dharma were translated as "religion," and the vast diversity of Indian philosophical and cultural practices was consolidated under the label "Hinduism." This was not merely a linguistic translation, but a conceptual reconfiguration more aptly a distortion that significantly shaped modern understandings of Indian traditions.

From the standpoint of analytical philosophy, such a translation may be understood as a category error. Gilbert Ryle describes a category error as the misapplication of concepts belonging to different logical types (Ryle 16–18). The identification of dharma with "religion" exemplifies this problem. While the latter is largely structured around theology, belief, and institutional authority, dharma operates within an entirely different conceptual framework, one that cannot be adequately

captured by the categories of Western religious thought. This suggests that the category of "religion," far from being universal, is historically contingent and conceptually specific. Its uncritical application to traditions such as Sanātana Dharma risks not only misrepresentation but also a deeper distortion of their philosophical foundations. This raises the question of whether Sanātana Dharma fits within this framework or requires a fundamentally different way of understanding.

Sanātana Dharma

Having examined the historical and conceptual contours of "religion," it becomes necessary to consider whether Sanātana Dharma can meaningfully be understood within this framework. Such an inquiry cannot proceed through translation-based assumptions; rather, it requires an indigenous understanding of dharma as articulated in the Indian intellectual tradition. The word Sanātana signifies that which is everlasting, not bound by time, and unchanging in its essence. Dharma occupies a central and foundational place in Indian civilisation. It permeates scriptural thought, philosophical reflection, social organisation, and everyday life. Yet, it remains one of the most misunderstood and misinterpreted concepts, particularly when rendered into English as "religion." This equivalence is not merely a matter of linguistic approximation; it reflects a deeper conceptual distortion, as it attempts to confine a comprehensive and all-embracing principle within a narrower, more rigid category of religion. The term dharma (धर्म), derived from the root dhṛ "to sustain" or "to uphold" it refers to that which maintains and supports the order of the cosmos, society, and individual life. When combined, the term Sanātana Dharma literally means "the eternal law" or "the timeless order of righteousness. This foundational idea is consistently affirmed across the Sanātana scriptural corpus, beginning with the Vedas. The Vedic vision situates dharma within the larger framework of ṛta (cosmic order) and satya (truth). The Ṛigveda declares:

> ऋतं च सत्यं चाभीद्धात् तपसोऽध्यजायत ।
> ततो रात्र्यजायत ततः समुद्रो अर्णवः ॥ Ṛigveda 10.190.1
> [From the primordial reality emerged ṛta (cosmic order) and satya (truth), forming the foundation of existence.]

This indicates that the universe itself is structured upon an intrinsic order. Dharma, in this sense, is not a human imposition but an expression of this underlying reality. It precedes institutional forms and transcends doctrinal boundaries.

The Upaniṣads deepen this understanding by internalising dharma as a principle of ethical and spiritual life. The Taittirīya Upaniṣad instructs:

> सत्यं वद । धर्मं चर । स्वाध्यायान्मा प्रमदः ॥ Taittirīya Upaniṣad 1.11.2
> [Speak the truth. Practice dharma. Do not neglect self-study.]

Here, dharma is presented not as belief, but as practical discipline grounded in truth, self-effort, and responsibility. The Bṛhadāraṇyaka Upaniṣad further identifies dharma with truth itself:

> यो वै स धर्मः सत्यं वै तत् । Bṛhadāraṇyaka Upaniṣad 1.4.14
> [That which is dharma is indeed truth.]

This formulation reveals that dharma is not external observance, but the moral expression of reality itself. It is both ontological and ethical, uniting being and conduct. Itihāsas make the ethical ideas of dharma practical, showing how they guide individual conduct and society. Rāmāyaṇa presents dharma as the foundation of prosperity, harmony, and well-being:

> धर्मात् अर्थः प्रभवति धर्मात् प्रभवते सुखम् ।
> धर्मेण लभते सर्वं धर्मसारमिदं जगत् ॥ Rāmāyaṇa 3.9.30.
> [From dharma arises prosperity; from dharma arises happiness; by dharma all is attained and the world rests upon dharma. Here, dharma is not merely a moral ideal but the sustaining principle of both personal life and societal stability. It underlies righteous conduct (rājadharma, svadharma) and ensures the orderly functioning of the world.]

Mahābhārata further deepens this understanding by defining dharma in functional and universal terms:

> धारणाद्धर्ममित्याहुर्धर्मो धारयति प्रजाः ।
> यः स्याद्धारणसंयुक्तः स धर्म इति निश्चयः ॥ Mahābhārata 8.49.50.
> [Dharma is so called because it upholds and sustains all beings.]

This formulation emphasises dharma as that which preserves and supports life in all its dimensions. The text also expands its scope through principles such as non-injury (ahiṃsā) and truth (satya), indicating that dharma is not confined to social duty alone, but extends to universal ethical responsibility. The Bhagavad Gītā synthesises these insights by presenting dharma as a dynamic and universal principle governing action and cosmic balance:

> यदा यदा हि धर्मस्य ग्लानिर्भवति भारत ।
> अभ्युत्थानमधर्मस्य तदात्मानं सृजाम्यहम् ॥ Bhagavad Gītā 4.7
> [Whenever there is a decline of dharma and rise of adharma, I manifest Myself.]

In this context, dharma is not restricted to any one community or fixed code; it represents the sustaining order that must be restored whenever it is disrupted. It is both eternal in principle and adaptable in application. The Dharmaśāstras articulate dharma in terms of universal ethical principles. The Manusmṛti declares:

> धृतिः क्षमा दमोऽस्तेयं शौचमिन्द्रियनिग्रहः ।
> धीर्विद्या सत्यमक्रोधो दशकं धर्मलक्षणम् ॥ Manu Smṛti 6.92.
>
> [Patience, forgiveness, self-control, non-stealing, purity, restraint of the senses, wisdom, knowledge, truth, and absence of anger are the ten characteristics of dharma.]

These are not markers of sectarian identity, but principles of human conduct applicable across contexts. They demonstrate that dharma functions as an ethical framework rather than a doctrinal system.

From the Vedas to the Dharmaśāstras, dharma emerges as a comprehensive principle operating at multiple levels: cosmic, ethical, social, and personal. It is not confined to belief, nor dependent on institutional structures. It does not derive its authority from a single founder, scripture, or dogma. Sanātana Dharma, therefore, is best understood as a civilizational framework grounded in the principle of dharma. It integrates metaphysics, ethics, social order, and spiritual pursuit into a coherent whole. Guided by an eclectic vision, universal values, and the ideal of universal welfare, it accommodates plurality without fragmentation and continuity without rigidity. In this light, the attempt to subsume Sanātana Dharma within the category of "religion" appears conceptually inadequate and faulty. Such a classification risks obscuring its fundamental nature as an all-encompassing order that governs not merely faith, but existence itself. A more adequate understanding must therefore engage with dharma on its own terms, rather than through alien conceptual categories.

Judicial Understanding of Sanātana Dharma

The philosophical distinction between dharma and "religion," as outlined above, has not remained confined to theoretical discourse. It has found significant, though nuanced, recognition within Indian constitutional jurisprudence. While the Constitution employs the category of "religion" as a legal framework, the higher judiciary has, on multiple occasions, acknowledged the difficulty of situating "Hindutva" or "Hinduism" within the conventional parameters of religion.

A seminal articulation of this position appears in Sastri Yagnapurushadji v. Muldas Bhudardas Vaishya (1966). Speaking through Justice P. B. Gajendragadkar, the Supreme Court observed:

> Unlike other religions in the world, the Hindu religion does not claim any one prophet; it does not worship any one God; it does not subscribe to any one dogma; it does not believe in any one philosophic concept; it does not follow any one set of religious rites or performances. In fact, it does not satisfy the traditional features of a religion or creed. It is a way of life and nothing more" (Sastri Yagnapurushadji).

This observation is of considerable significance. It recognises that what is termed "Hinduism" does not conform to the structural features typically associated with religion namely, a fixed creed, a single founder, or a uniform theological framework. Instead, it reflects a civilizational continuum rooted in dharma, accommodating a wide spectrum of philosophical positions, ranging from theistic to non-theistic traditions. The Court has also drawn upon *Bal Gangadhar Tilak's* formulation that Hinduism recognises the plurality of paths to spiritual realisation, affirming that the means of salvation are diverse and that the objects of worship are many. This recognition of multiplicity resonates closely with the foundational conception of dharma as a unifying yet accommodating principle.

This understanding was further reinforced in Rani Bhagwan Kaur v. J. C. Bose et al. (1904), in which the Court characterised Hinduism as "marvellously catholic and elastic" (Rani Bhagwan Kaur) characterised by tolerance, inclusiveness, and a remarkable degree of internal diversity. Such judicial formulations underline the absence of doctrinal rigidity and the presence of a pluralistic ethos within the tradition.

In Manohar Joshi v. Nitin Bhaurao Patil (1996), the Supreme Court observed that references to "Hindutva" or "Hinduism" may be understood in a broader cultural and civilizational sense rather than in a narrowly religious one (Manohar Joshi). This distinction is particularly important, as it situates Hindu identity within a broader framework of cultural ethos, ethical values, and social practices, rather than within the confines of a doctrinal system.

Further constitutional cases provide additional context. In S. R. Bommai v. Union of India (1994), the Supreme Court affirmed secularism as a basic feature of the Constitution, requiring the State to maintain principled distance from all religions (S. R. Bommai). However, such a principle presupposes the existence of clearly defined religious entities, an assumption that sits uneasily with the fluid and non-dogmatic character of Sanātana Dharma.

Similarly, in Ismail Faruqui v. Union of India (1994), the Supreme Court observed that terms such as "Hindu" and "Hindutva" may, in certain contexts, carry meanings extending beyond religion into the cultural and

civilizational domain (Ismail Faruqui). More recent judicial observations have continued in a similar vein.

In proceedings relating to a public interest litigation filed by Ashwini Upadhyay in 2023, the Supreme Court reiterated that Hinduism is often understood not merely as a religion in the narrow sense, but as a broader way of life. During the hearing, Justice K. M. Joseph reportedly observed that "Hinduism is not a religion but a way of life" and that "there is no bigotry in Hinduism" ("Supreme Court Observations"). Such statements, though context-specific, indicate the persistence of a judicial approach that recognises the inadequacy of conventional religious categories in capturing its full scope. Taken together, these judicial pronouncements reveal a consistent interpretative pattern. While operating within a constitutional framework that necessitates the use of the category "religion," the courts have repeatedly recognised that what is termed "Hinduism" does not fit neatly within this category. Instead, it is variously described as a way of life, a cultural ethos, or a civilizational continuum, formulations that closely align with the conceptual understanding of Sanātana Dharma articulated in the preceding sections.

This dual approach of acknowledging the uniqueness of Sanātana Dharma while simultaneously classifying it under "religion" for legal purposes points to an underlying conceptual tension. The judiciary, constrained by constitutional terminology, has sought to accommodate a tradition that exceeds the boundaries of the very category used to define it. This tension assumes particular importance when viewed in relation to the doctrine of secularism. If the legal framework is built upon a certain understanding of religion, and if Sanātana Dharma does not conform to that understanding, then the application of secularism to it raises deeper conceptual questions. It is to this issue that the discussion must now turn.

Secularism

Before examining the operation of secularism in the Indian context, it is necessary to consider its historical and conceptual foundations. The term "secular" derives from the Latin *saeculum*, referring to the temporal or worldly sphere as distinguished from the sacred ("Secular"). In medieval Europe, the distinction was used to differentiate ecclesiastical authority from worldly affairs, particularly in the context of Church organisation. Over time, this distinction evolved into a broader political doctrine.

Modern secularism emerged in Europe through a prolonged historical process shaped by tensions between ecclesiastical and political authority (Gorski 138–67). It developed as a principle intended to limit the authority of religious institutions over political power, thereby ensuring the autonomy of the State. Enlightenment thought further strengthened this trajectory by emphasising reason, individual liberty, and the need to restrain theological authority in public life. In its classical formulation, therefore, secularism rests on the idea of separation between religion and political authority, coupled with the neutrality of the State in matters of religion. This model, however, presupposes certain structural features: the existence of organised, doctrine-based religions; identifiable institutional authorities; and a historical tension between religious and political domains. These assumptions reflect the specific conditions of European history and are not universally applicable across all national and civilizational contexts. When this framework is applied to India, conceptual difficulties arise. As noted earlier, what is broadly termed "Hinduism," corresponding more closely to Sanātana Dharma, does not exhibit the structural characteristics that classical secularism presumes. It lacks a centralised ecclesiastical authority, a uniform doctrinal system, and clearly demarcated boundaries of membership. Rather, it functions as a civilizational framework encompassing ethical life, social organisation, and spiritual pursuit. The colonial encounter further complicated this situation by recasting dharma as "religion," thereby narrowing its conceptual scope within administrative and legal discourse.

Articles of the Indian Constitution

The Constitution of India guarantees freedom of religion under *Article 25*, while also permitting the State to regulate secular aspects associated with religious practice. *Articles 26 to 28* further delineate rights relating to religious institutions, taxation, and education. These provisions collectively establish a framework of State neutrality and principled distance. Significantly, the word "secular" itself was inserted into the Preamble only through the Forty-Second Amendment in 1976, even though the constitutional scheme already embodied secular principles. However, applying secularism in this framework assumes that all traditions can be classified as separate "religions." This creates a problem in the case of Sanātana Dharma, which is not limited to a fixed set of beliefs or institutions. Legally treating it as a religion for constitutional purposes creates a gap between its real nature and its juridical representation. In the Indian context, secularism is often expressed through the phrase "*Sarva-Dharma-Sambhāva*", commonly understood as equal respect for all religions. While this formulation seeks to promote harmony, it rests upon an implicit equivalence between dharma and "religion." Such an equivalence is conceptually problematic. A more precise expression would be "*Sarva-Pantha-Sambhāva*", indicating equal regard for diverse religious paths (panthas), without conflating them with the broader and more foundational notion of dharma. This distinction is not merely semantic. When a framework designed for belief-based, organised

religions is applied to a tradition that operates as an open and integrative civilizational system, conceptual strain becomes inevitable. The State's engagement with religion, whether through regulation, reform, or neutrality assumes clearly defined boundaries that are not always present in the case of Sanātana Dharma.

Thus, while secularism remains an essential constitutional principle for maintaining balance and harmony in a plural society, its application in the Indian context reveals certain inherent tensions. These tensions arise not from the principle of secularism itself, but from the attempt to apply a historically specific category to a tradition that does not fully conform to its underlying assumptions. It is this emerging dissonance between inherited conceptual frameworks and indigenous civilizational realities that calls for closer examination.

The Conceptual Dissonance

The analysis of religion, Sanātana dharma, and secularism highlights a key issue: the difficulty of applying concepts rooted in one civilizational context to another. The "conceptual dissonance" discussed here refers to the tension created when Western categories such as "religion" and "secularism" are used to interpret Sanātana Dharma, which does not share the same theological, doctrinal, or institutional structure. As a result, a conceptual misalignment becomes inevitable. This misalignment may be understood, in philosophical terms, as a category error. As noted earlier in the discussion, a category error occurs when a phenomenon belonging to one logical type is interpreted through the criteria of another. The identification of Sanātana Dharma with "religion," in the conventional sense, exemplifies such an error. The consequences of this misclassification are not merely theoretical. Once Sanātana Dharma is subsumed under the category of religion, it becomes subject to frameworks such as secularism that are designed to operate upon that very category. The principle of State neutrality, for instance, presupposes the existence of distinct and comparable religious entities. However, when one of these entities does not conform to the underlying assumptions of the category, the application of such principles becomes conceptually strained. This strain is evident in the dual approach observed within Indian constitutional practice. On the one hand, as judicial pronouncements indicate, what is termed "Hinduism" is recognised as a way of life, a cultural ethos, and a civilizational continuum extending beyond religion. On the other hand, for purposes of legal classification and governance, it is treated as a religion among others. The coexistence of these positions reflects an attempt to reconcile conceptual frameworks that are not entirely commensurable. Moreover, the Indian adaptation of secularism, while broader and more accommodative than its Western counterpart, continues to rely upon the category of religion as its foundational unit. The principle of equal respect or principled distance operates among entities assumed to be similar in structure. Yet, when Sanātana Dharma is included within this framework, the absence of a central authority, uniform doctrine, or fixed boundaries complicates the very basis on which such equality is conceived.

It is important to emphasise that identifying this conceptual dissonance does not entail a rejection of secularism as a constitutional value. Secularism remains essential for maintaining harmony, protecting diversity, and ensuring fairness among religious communities. The issue, rather, lies in the adequacy of the conceptual tools employed in its application. When categories are extended beyond their appropriate scope without sufficient adaptation, they risk obscuring the realities they seek to regulate. Thus, the dissonance identified here is not merely a theoretical inconsistency, but a structural tension embedded within the interaction between constitutional categories and civilizational realities. It reveals the limits of imported frameworks when applied to contexts for which they were not originally designed. This underlying tension assumes practical significance in areas such as the regulation of religious institutions and the interpretation of constitutional rights. It is to these institutional and legal manifestations of conceptual dissonance that the discussion must now turn.

Institutional and Constitutional Implications

The conceptual dissonance identified above does not remain confined to the level of theory; it finds concrete expression in the institutional and constitutional practices of the Indian State. When Sanātana Dharma is brought within the legal category of "religion," it becomes subject to a framework that presupposes structures and characteristics it does not fully possess. This results in a series of tensions in the interpretation and application of constitutional provisions relating to religious freedom and institutional autonomy.

A significant manifestation of this tension is visible in the domain of temple administration. In several parts of India, Hindu temples are governed under statutory frameworks commonly referred to as Religious Endowments or Hindu Religious and Charitable Endowments (HRCE) laws. These laws authorise the State to exercise varying degrees of control over temple administration, including the management of finances, appointment of trustees, and oversight of institutional functioning.

By contrast, institutions associated with other religious traditions such as mosques, churches, gurdwaras, and monasteries are, in general, administered through community-based bodies, often with comparatively limited direct State intervention. This differential regulatory pattern raises an important constitutional question: how does the principle of secularism, understood as State neutrality or principled

distance, operate in practice when the extent of State involvement varies across traditions?

The issue here is not merely one of administrative variation, but of underlying conceptual classification. The regulatory framework treats temples as "religious institutions" analogous to those found in other traditions. Yet, within the framework of Sanātana Dharma, temples are not simply congregational spaces organised around a uniform doctrine or central authority; they are embedded within a broader network of ritual, cultural, and community life. Their functioning cannot always be neatly separated into "religious" and "secular" components without affecting the integrity of the institution itself.

From a constitutional perspective, Articles 25 and 26 guarantees both the freedom of religion and the right of religious denominations to manage their own affairs in matters of religion. At the same time, the Constitution permits the State to regulate secular activities associated with religious practice. Judicial interpretation has often relied on this distinction to uphold forms of State intervention, particularly in relation to temple administration. However, in practice, the boundary between what is "religious" and what is "secular" within such institutions is not always clear. In traditions where ritual, administration, and community life are deeply intertwined, regulatory intervention in one sphere may have implications for the other. This complicates the application of constitutional principles that assume a clearer structural separation. Beyond institutional regulation, the broader framework of constitutional rights also reveals certain asymmetries in application. Articles 25 to 30 collectively guarantee religious freedom, institutional autonomy, and cultural rights. While these provisions are formally neutral, their operation often depends upon the classification of communities into distinct religious groups with identifiable boundaries and institutional structures. This model aligns more readily with traditions that are organised around defined doctrines and community identities.

In the case of Sanātana Dharma, which functions as a diffuse and internally diverse civilizational framework, such classification can have unintended consequences. Practices, institutions, and communities that are part of a broader dhārmic continuum are often treated as discrete religious entities for legal purposes. In some instances, this has led certain groups to seek separate religious recognition. For example, the Arya Samaj, a reformist Hindu movement founded by Dayananda Saraswati in the late nineteenth century, has at times sought recognition as a minority religion because of its emphasis on monotheism, rejection of idol worship, and advocacy of social reform. Invoking Article 30, its followers approached the Delhi High Court seeking minority status, though the Division Bench rejected the claim (Jagmohan).

Similarly, the Ramakrishna Mission, associated with the Neo-Vedanta movement, petitioned the Calcutta High Court in 1980 seeking recognition of Ramakrishnaism as a distinct non-Hindu religion in order to avoid State control under laws governing Hindu religious institutions (Swarup 3).

Likewise, Lingayatism, a Shaivite tradition associated with the teachings of Basaveshwara, has also witnessed demands for separate religious recognition. In 2000, the Akhila Bharatha Veerashaiva Mahasabha initiated a campaign seeking recognition of "Veerashaivas or Lingayats" as a distinct religion on the grounds of their monotheistic orientation and distinctive religious practices ("Veerashaivas' Campaign").

Thus, the institutional and constitutional implications discussed here are best understood as manifestations of a deeper conceptual misalignment. The attempt to regulate a civilizational framework through categories designed for structurally different forms of religious organisation gives rise to interpretative and practical challenges. These challenges do not undermine the importance of constitutional principles such as secularism and religious freedom; instead, they highlight the need to apply these principles with greater conceptual sensitivity. This brings us to a final analytical question: whether Sanātana Dharma, in its own conceptual framework, embodies principles that may be compared with or distinguished from secularism as understood in modern constitutional discourse.

Is Sanātana Dharma Inherently Secular?

The question whether Sanātana Dharma may be regarded as inherently secular requires careful conceptual clarification. The answer depends fundamentally on the meaning attributed to the term "secular." If secularism is understood in its classical Western sense as the separation of religion from the State, or the confinement of religion to the private sphere then Sanātana Dharma cannot be described as secular. The dhārmic framework does not recognise such a rigid division; rather, it envisages an integrated order in which ethical, social, and spiritual dimensions of life are interrelated and mutually sustaining.

If secularism is understood more broadly as pluralism, non-exclusivity, and the peaceful coexistence of diverse paths, Sanātana Dharma may be seen as embodying similar principles. This pluralism is not merely an external accommodation but arises from its own metaphysical and philosophical foundations. The Vedic and Upaniṣadic vision affirms an underlying unity of reality while allowing for multiplicity in its expression. This orientation enables the coexistence of diverse approaches to truth without insisting upon uniformity. This philosophical inclusiveness is reflected in its tradition. Sanātana Dharma does not prescribe a single path to

spiritual realisation; rather, it recognises multiple mārgas (paths) through which individuals may pursue their goals in accordance with their dispositions. The absence of a centralised ecclesiastical authority, combined with the lack of doctrinal exclusivity, has historically allowed a wide range of beliefs and practices to coexist within its fold.

At the civilizational level, this openness has often been reflected in the accommodation and coexistence of diverse communities and traditions. Historical evidence indicates that the Indian subcontinent provided refuge and space for the flourishing of various groups, including Jews, Zoroastrians, Syrian Christians, Tibetans, and other displaced communities. While historical processes are complex and cannot be reduced to a single narrative, the dhārmic framework has generally encouraged forms of interaction that transcend rigid boundaries of belief and identity. This orientation is rooted in foundational ideals such as Vasudhaiva Kuṭumbakam ("the world is one family"), Lokasaṃgraha ("the welfare and cohesion of the world"), and Niṣkāma Karma ("selfless action"). The aspiration expressed in the prayer Lokāḥ Samastāḥ Sukhino Bhavantu ("May all beings be happy") further reflects a commitment to universal welfare that extends beyond sectarian or communal boundaries. Such principles have contributed to a civilizational ethos that values coexistence, accommodation, and the recognition of multiple paths to truth.

Thus, any identification of Sanātana Dharma as "secular" requires careful qualification. It embodies an intrinsic pluralism that parallels certain aspects of secularism, particularly the acceptance of diversity and the absence of doctrinal exclusivity. However, it neither emerged from the same historical circumstances nor operates through the same conceptual framework. Sanātana Dharma is therefore neither secular in the Western sense nor opposed to secularism as a constitutional value. Rather, it represents a distinct civilizational paradigm that can coexist with secularism without being reducible to it. Recognising this distinction is essential for a more accurate understanding of the relationship between indigenous traditions and modern constitutional frameworks.

Conclusion

This study has sought to examine the conceptual relationship between the category of "religion," the framework of secularism, and the civilizational reality of Sanātana Dharma. The analysis demonstrates that these categories emerge from distinct historical and philosophical contexts, and their uncritical alignment gives rise to a persistent conceptual error. While this framework has proven effective within its original context, it does not possess universal applicability. Its extension to traditions that do not share these structural characteristics introduces the risk of conceptual distortion.

Sanātana Dharma, as shown through scriptural, philosophical, and historical sources, operates on a fundamentally different plane. It is not organised around a single doctrine, founder, or exclusive theological system. Rather, it represents a comprehensive civilizational framework grounded in the principle of dharma, a principle that integrates cosmic order, universal welfare, ethical life, social responsibility, and spiritual pursuit. Its internal diversity and openness are not incidental features, but intrinsic to its conceptual foundation. This distinction has not gone entirely unrecognised within Indian constitutional practice. Judicial pronouncements have repeatedly acknowledged the difficulty of fitting what is termed "Hinduism" into the conventional definition of religion, describing it instead as a way of life, a cultural ethos, or a civilizational continuum. At the same time, the constitutional framework continues to employ the category of religion as a necessary basis for the articulation of rights and the operation of secularism. It is within this context that the notion of conceptual dissonance becomes significant. The application of categories such as religion and secularism, both historically conditioned and conceptually specific to a tradition like Sanātana Dharma results in a structural misalignment. This misalignment manifests not only at the level of theory, but also in institutional and legal practices, including the regulation of religious institutions and the interpretation of constitutional rights.

The conceptual issues examined in this study also have implications for the unity of the broader dhārmic traditions. When communities that share common philosophical roots and civilizational values are viewed exclusively through the lens of separate religious identities, their deeper interconnectedness may become less visible. Recognising Sanātana Dharma as a civilizational framework does not negate the distinct identities of Hindu, Buddhist, Jain, or Sikh traditions; rather, it provides a basis for understanding their shared heritage. Such recognition may contribute to preserving civilizational continuity while respecting constitutional commitments to diversity, equality, and religious freedom.

Sanātana Dharma, in this light, cannot be fully understood within the framework of religion, nor can it be straightforwardly equated with secularism. It represents a distinct civilizational paradigm, one that embodies an intrinsic pluralism while maintaining an integrated vision of life. Recognising this distinctiveness does not undermine the constitutional order; rather, it enriches it by enabling a more meaningful and context-sensitive engagement with India's intellectual and cultural traditions. A meaningful resolution of the tensions identified in this study lies not in abandoning existing frameworks, but in refining them. This requires moving beyond inherited categories toward a intellectual understanding one that acknowledges the specificity of different traditions while remaining

committed to the principles of justice, equality, and coexistence. Only through such an approach can the relationship among religion, Sanātana Dharma, the broader dhārmic traditions, and secularism be understood in a manner that is both conceptually sound and constitutionally coherent.

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