

6. Secularism – Polity

Supreme Court cites Preamble to reject plea against Banu Mushtaq opening Dasara in Mysuru. The Supreme Court dismissed a plea against a Muslim author inaugurating the Mysuru Dasara, upholding constitutional secularism. The Court ruled that Dasara is a shared cultural-historical event, and inviting a person of any faith for ceremonial functions reinforces India's pluralism.

Supreme Court Upholds Secularism in Mysuru Dasara Inauguration

The Supreme Court of India recently dismissed a petition that challenged the invitation extended to Banu Mushtaq, a Muslim Booker Prize winner, to inaugurate the historic Mysuru Dasara festival. The ruling strongly reaffirms the constitutional principles of secularism and cultural pluralism.

The Core Issue and the Court's Ruling

The Event – A petition was filed in the Supreme Court opposing the decision to have Banu Mushtaq inaugurate the Dasara festival in Mysuru.

Petitioner's Claim – The petitioner's primary argument was that the inauguration involves a *pooja* (a Hindu ritual of worship), making it a religious activity. Therefore, they contended, it should be exclusively performed by a person of the Hindu faith.

Supreme Court's Verdict – The Court decisively rejected this plea. The dismissal was firmly grounded in the foundational ideals enshrined in the Preamble of the Indian Constitution, specifically secularism, liberty of thought, equality, and fraternity.

Constitutional and Legal Foundations of the Ruling

The Court's decision was based on a robust interpretation of India's constitutional framework.

1. The Preamble of the Indian Constitution

The Preamble acts as the moral and philosophical compass of the Constitution. The Court invoked its core tenets –

A Secular Republic – It declares India as a secular nation, mandating the equal treatment of all religions.

Liberty – It guarantees every citizen the liberty of thought, expression, belief, faith, and worship.

Equality – It aims to eliminate all forms of discrimination and ensure equality of status and opportunity.

Fraternity – It promotes a spirit of common brotherhood among all citizens to uphold national unity and integrity.

2. Article 25 (Freedom of Religion)

This article provides for the freedom of conscience and the right to freely profess, practice, and propagate religion. While the state can regulate religious activities in the interest of public order, morality, and health, it cannot discriminate against any individual based on their religion.

3. The Principle of State Neutrality

The Court reiterated that the state must maintain a neutral attitude towards all religions. Crucially, this neutrality does not imply inaction. The state can intervene to eliminate social practices that impede equality. The Court emphasized that Indian secularism means state neutrality and equal respect for all faiths, not a restriction on any particular faith.

Key Legal Principles Applied

The judgment skilfully distinguished between religious exclusivity and shared cultural heritage.

Secularism in Indian Context – The Court underscored that Indian secularism is not merely about tolerance but involves an active commitment to the equal treatment of all religions by the state.

Dasara as a Cultural-Historical Event – While acknowledging that the Dasara festival involves Hindu rituals, the Court highlighted that it is fundamentally a cultural and historical event with secular dimensions that belong to all citizens, irrespective of their faith.

State's Prerogative in Ceremonial Functions – The ruling affirms that the state can invite individuals of any faith to perform ceremonial functions without violating the principle of secularism. Such an action, in fact, strengthens the nation's secular fabric.

Distinction Between Religion and Culture

The Court made a clear distinction between the two components of the inauguration ceremony -

Aspect of Inauguration	Nature	Interpretation by the Court
Ribbon-cutting	Secular / Political	This is a purely formal, non-religious act that can be performed by any invited dignitary as part of their public role.
Pooja before the deity	Traditional / Cultural	While originating from a Hindu ritual, in this context, it is viewed as an integral part of a shared cultural heritage. The Court held that it is not legally exclusive to members of one religion.

Relevance and Implications

This judgment is significant for its application to both Indian culture and polity.

GS Paper 1 (Culture) - It reinforces the concept of cultural pluralism, demonstrating how national festivals can be inclusive celebrations of a shared, composite heritage rather than exclusive religious events.

GS Paper 2 (Polity) - The ruling serves as a powerful judicial precedent on the practical application of the Preamble's ideals, the scope of Article 25, and the nuanced meaning of state neutrality in a diverse, multi-religious society.

Source - <https://www.thehindu.com/news/national/sc-dismisses-petition-challenging-karnataka-government-invite-to-banu-mushtaq-to-participate-in-mysuru-dasara/article70069041.ece>

