

Article

Nepali Political Secularism as Majoritarian Secularism: A Critique to Bhargava

Enrico Beltrami 

Philosophy and Religious Studies, Notre Dame de Namur University, Belmont, CA 94002, USA;
ebeltrami@ndnu.edu

Abstract

In this article, I provide a tentative interpretation of Nepali political secularism. The entry point is an article written on the subject by the prominent political theorist Rajeev Bhargava. I summarize the findings of his article, and I introduce some changes to his framework, moving from his view as a political theorist of secularism to mine as a religious scholar. Finally, I offer my own interpretation. In brief, I see political secularism in Nepal as a majoritarian secularism, that is, a secularism that limits but preserves the monopoly of Hinduism and the other major religions as a cultural and religious forces in the country.

Keywords: Nepal; secularism; majoritarianism; theory; Bhargava

1. Introduction

Since the eighteenth century and for two centuries, Nepal was a Hindu kingdom.¹ The great Hindu king Prithvi Narayan Shaha of Gorkha and his successors ruled the country according to the common law based on local tradition, Hindu scriptures, and royal decree. Nepal was organized according to hierarchy, with Hinduism clearly above all other religions. The first time that the word ‘secular’ was introduced in the nation’s constitution was in 2007; however, it was only in 2015 that the status of the secular state was affirmed in its full extension. These days, however, a certain part of the population seems to regret the shift and hopes for a return to the past. The debate on the nature of the Nepali state—whether it should remain a republic or return to monarchy—intersects with the debate on secularism—whether Nepal should remain a secular state or revert to being a Hindu state. The discussion on secularism in Nepal remains ongoing and is likely to intensify further, driven both by the rise of Hindu nationalism in neighbouring India and by local attempts to import it into Nepal.

The discussion on secularism in Nepal remains ongoing, among other reasons, because of the way secularism was incorporated into the 2015 Constitution—through a process that involved limited public debate and decisions made largely behind closed doors.² The debate is primarily political. Yet, there has been only limited theoretical reflection on why secularism was adopted in Nepal, how it functions, and what its broader implications are. Even more scarce is the literature on the nature of Nepali secularism itself—on what kind of secularism it represents. This article seeks to address that gap. This article is an attempt to articulate an interpretation of political secularism in Nepal. It is massively, although not exclusively, based on a single article by Rajeev Bhargava, the celebrated Indian scholar of secularism (Bhargava 2015). His 2015 article, published in the anthology *Religion, Secularism, and Ethnicity in Contemporary Nepal*, stands as the most sophisticated



Academic Editor: Jack David Eller

Received: 15 May 2026

Revised: 17 June 2026

Accepted: 18 June 2026

Published: 1 July 2026

Copyright: © 2026 by the author.

Licensee MDPI, Basel, Switzerland.

This article is an open access article distributed under the terms and conditions of the [Creative Commons Attribution \(CC BY\)](https://creativecommons.org/licenses/by/4.0/) license.

theoretical study relevant to the subject, and provides most of the intellectual categories I employ here.³

Although I am happy to pay my debts to Bhargava, the readers should not expect a simple exercise of the application of an existing model, and this is for three reasons. First, Bhargava himself does not provide a model through which to interpret Nepali secularism; he prefers to offer material and leave the scholars to make use of it and build their own interpretation. Second, he does not offer an argument, but I do. Finally, Bhargava is interested in a sociological interpretation, and I am more inclined to elaborate a religious evaluation. Methodologically speaking, in fact, Bhargava is a theorist of secularism, and I am a religious scholar; he is a secularist, and I am a Roman Catholic theologian. There is no privileged position from which one looks at the whole system and sees it objectively: there is no game outside the game. Therefore, readers can better understand the nature of this article as a friendly interaction with Bhargava's work, an appropriation of some of his categories, and the modification or rejection of others while in pursuit of the main objective, which is to offer a tentative yet comprehensive religiously based explanation of Nepali secularism from a religious angle.

I argue that Nepali political secularism functions as majoritarian secularism—a model where secularism is defined from the standpoint of the majority community, shaping what counts as neutral in ways that reflect majority identity. I distinguish between majoritarian secularism and secular majoritarianism: the former concerns the model/type of political secularism, while the latter refers to the political system where the majoritarian model of secularism is enacted. Secular majoritarianism can be understood as the translation of the well-established concept of religious majoritarianism into the sphere of political theory.⁴ While religious majoritarianism is a political system where the dominant religious community holds decisive political power, secular majoritarianism can be defined as a political system where the state formally identifies as secular but the structures, policies, and practices of secularism are designed and implemented in ways that privilege the majority community. My focus is majoritarian secularism.

The article is divided into four sections. In the first, I define the terminology that underpins this study. In the second, I summarize the content of Bhargava's article. In the third section, I work on the material offered, making some changes and justifying those changes. Finally, I deliver a tentative interpretation of Nepali secularism from a religious perspective.

2. Terminology

This study focuses on political secularism. Political secularism is one dimension of secularism. Majoritarian secularism is, in turn, a configuration of political secularism. Secular majoritarianism designates a political order where secularism is implemented according to the majoritarian model.

Majoritarian Secularism: A model of secularism that is defined by the majority's understanding of what secularism should mean. In other words, the dominant religious group sets the terms of secularism itself—deciding how religion and politics should be separated, what counts as “neutral,” and what forms of minority religious expression are acceptable.

Political secularism: Governs how state institutions and religion interact. Political secularism is often the most methodologically studied, and it has multiple types/subtypes. For example: Liberal secularism emphasizes individual freedom and neutrality of the state; Pluralist or multicultural secularism protects group identities, allowing public religious expression (e.g., Indian secularism in theory); Authoritarian secularism assumes state control or restriction of religion (e.g., Kemalist Turkey).

Religious Majoritarianism: a political order where the dominant religious community holds decisive political power, shaping laws, policies, and institutions in its own image, often at the expense of minority religious groups and the principles of religious freedom and equality.

Secular: In its religious sense (from *saeculum*), the secular referred to “time” or “the age”—the sphere of ordinary, everyday existence in contrast to sacred time dedicated to God. In modern political and social theory, the secular refers to spaces, institutions, and practices that are independent of ecclesiastical authority and religious influence.

Secularism: Broad concept denoting the differentiation of religious and non-religious spheres, and the role of religion in public life. It includes philosophical, political, social, and cultural dimensions.

Secularization: A transformation within religious life itself, when emphasis shifts from the otherworldly to the this-worldly. Alternatively, a historical and sociological process in which religion loses influence over public institutions, political authority, and cultural life, and where social practices, values, and knowledge become organized according to non-religious, rational, or scientific principles.

Secular Majoritarianism: A political arrangement in which the institutions and practices of secular governance are used to consolidate and reinforce the dominance of the religious majority. While religious majoritarianism asserts majority dominance openly in religious terms, secular majoritarianism cloaks that dominance in the language of secularism—maintaining formal neutrality while structuring laws, policies, and institutions in ways that privilege the majority faith.

Finally, ‘modernity’ stands for a modern way of thinking and being modern; ‘time’ is something more complex than *chronos* (chronological time).

3. Bhargava’s Nepali Secularism

According to Bhargava, there are at least three meanings of the term ‘secularism.’ The first meaning refers to a secular worldview, an epistemic knowledge regime that may be unreflexively held, as a modern *doxa*, or as an unthought. The second meaning describes secularism as a way of life. Bhargava labels it ‘ethical secularism’ and defines it as the way “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, of some other worlds.” (Bhargava 2015, p. 430). The third meaning refers to political secularism that is consciously held and explicitly elaborated into historicophilosophical and normative-ideological state projects, projects of modernity, and cultural programs. The principal character of political secularism, according to Bhargava, is the separation between “organized religious power or religious institutions,” on one side, and on the other, “organized political power or political institutions.” (ibid.). Political secularism, he points out, does not presuppose ethical secularism. For the rest of his essay, Bhargava refers to political secularism.

At this point, a distinction is rightly made between secularism and secularization. The latter stands for the unintended consequences of human actions. It refers to actual empirical-historical patterns of transformation and differentiation of ‘the religious’ and ‘the secular’ institutional spheres. On the contrary, secularism “is a collective normative project.” (Bhargava 2015, p. 431). In short: Secularism is a chosen option; secularization is an unintended outcome. The relationship between secularism and secularization is complex: the more a reality is secularized, the less a project of secularization is needed. The opposite is also true: the less a reality is secularized, the more a project of secularization is required. It is precisely in a society where religious people and secularists coexist that political secularism is crucial.

To understand political secularism, Bhargava argues, one needs to understand its opposite: religion-centered state. A state that has a strong connection with religion at the level of (1) ends, (2) institutions and personnel, and (3) public policy and law is a theocracy. A state that instead has a strong connection with religion at the levels of ends and policies but maintains its own institutions as autonomous from religion is a state with an established, official, legally recognized religion (or a set of religions). A secular state has no strong connection with religion at the level of ends and, preferably, at any level. The identity of the state is defined autonomously from religion. Therefore, in a secular state, the constitutive objective of the state has nothing to do with religion. “The conversion of one individual or group from one religion to another cannot be the goal of the state.” (Bhargava 2015, p. 434) Here Bhargava completes his introductory section on secularism.

Bhargava examines the case of Nepal. From being a Hindu monarchy, the country has become a secular state. Bhargava brands the process “disestablishing.” Nepal was a country with an established religion, Hinduism, and a clear alliance between throne and altar; it migrated to a secular country in which the throne–altar alliance is broken. He clarifies this point in crystal-clear terms: “They [the anti-monarchists] had to remove the religious basis of the monarchy, that is, disestablish Hinduism.” (Bhargava 2015, p. 435) Once the structure of the Nepalese state is no longer shaped by Brahmanical Hinduism, the dethroning of the monarchy becomes a feasible option. Moreover, the delinking of the state from Brahmanical Hinduism is propaedeutic for the establishment of a secular state. Moving from this historical reconstruction of the transition of Nepal from a Hindu monarchy to a secular state, Bhargava is now committed to providing a theoretical framework to Nepali secularism.

There are five models of secularism. The American and the French are the most popular. The former is based on the principle of mutual state-religion exclusion, the latter on the principle of one-sided exclusion, that is, religion cannot interfere with the structures of the state, although the structures can interfere with religion.⁵ The European model offers a moderate secularism in the sense that the state distances itself from religion. The degree of distance ranges from total separation to some degree of connection at the level of institutions and laws. For example, some countries continue to grant privileges to one or another Christian denomination (think of the Orthodox Church in Greece and the Anglican Church in England). In some cases, the state promotes laws to support a distinct Christian denomination. Two other models have been developed in South Asia: Bhargava calls the first “the communal harmony model” and the second “the model of principled distance,” as embodied in the Indian Constitution (Bhargava 2015, p. 436). Bhargava is the architect of the principled distance model of secularism.

Both southern Asian models are built on a long tradition of premodern, precolonial experiences of religious tolerance (here Bhargava stresses the difference between the trust and mutual comfort that aligned the different faiths in South Asia and the existential treat that religious diversity represented in Europe). The first model, communal harmony, assumes that the state, as a separate entity from all religions, must ensure peace and trust among religious communities. Bhargava explains how in this model, secularism is used as an antidote to ‘communalism;’ the allegiance to one’s own religious community is in contrast to that of another community. The second model, principled distance, has a more ambitious agenda to not only guarantee peace among religions but emancipation against oppressive features of one’s own religion. Here Bhargava describes at length the eight key features of the model. After that, he describes the model and how it operates: “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 good, dignity, liberty, equality, and fraternity, in all their complicated individualistic and non-individualistic versions.” (Bhargava 2015, p. 454).

Then Bhargava addresses the impact of the “religionization of faith and forms of worships,” a well-known process that transformed a variegated conglomeration of races, castes, and creeds that inhabited a premodern unified country into a country of multiple religious communities, each defined by its own distinct doctrine and practice. (Bhargava 2015, p. 437). According to Bhargava, the link between soteriology (the other-worldly) and beliefs and practices of faith (this worldly) are exclusive in the West but not in South Asia. In his opinion, this explains why people in South Asia can belong to two religions or easily switch from one religion to another. This distinction between the level of communal aspects of religion and the level of soteriology elucidates the characteristic reality of South Asia in which people of different religions participate in the same communal and liturgical practices but maintain distinct soteriologies. Bhargava associates this flexibility with the “so-called polytheistic societies of which Nepal and India continue to be exemplars.” (Bhargava 2015, p. 438). He spends some time explaining the three main strategies of polytheistic societies in the classic antiquity: translation, hyphenation, and hierarchical assimilation. The first term refers to the nature and organization of a pantheon of gods; the second refers to the complementary role of two or more gods; the third refers to the hierarchy among gods. Here is the point Bhargava is trying to make: “For here there can be a free movement back and forth and indeed the simultaneous commitment to all . . . in such cultures, moreover, a person’s sense of self . . . is fluid, dynamic, composite, and hybrid. Identities are not believed to be fixed and well demarcated.” (Bhargava 2015, p. 439).

Modernization has changed all of it. First, each soteriology has become a well-defined doctrine. Second, the link between soteriology, worship, and social practices has tightened. The combined effect of these two processes is what Bhargava calls “religionization.” (Bhargava 2015, p. 440) Other, less significant consequences of modernization are the production of an upper-caste Hinduism and non-Brahman-led new religious movements, the demarginalization of minority groups, the secularization of worship, and in general the redefinition of ethnic and religious communities into visible, defined, and self-grounded religions. In brief, religionization implies “the idea of bounded, well-demarcated communities, and with it the idea that a person belongs either to one or the other religion.” (ibid.) On the front of the new religious movements, Bhargava states, flexible, fluid religiosity is encouraged.

Finally, Bhargava applied his five models of political secularization to Nepal. For different reasons, he believes that the western (American, French, and European) models do not suit Nepal. The model of communal harmony, however, has great resonance in Nepal: “Because it encourages equal respect among all religions,” he argues, “it undercuts inter-religious domination.” (Bhargava 2015, p. 451) However, Bhargava adds, this model must be able to fight interreligious domination (one religion dominates the others) but not intrareligious domination (domination within the same religion). Consequently, he suggests that the model of secularism that is better suited to Nepal is the principled distance. In his opinion, a number of features of this model are already present in the 2015 Constitution of Nepal: “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.” (Bhargava 2015, p. 454) Thus, the Constitution informs a reformist intent toward Hinduism, namely, the goal of a more egalitarian Hinduism; it recognizes premodern (ancient) ways of practice and worship; and it grants equal status to all kind of nondominant or minority religions. Bhargava also notes that the Constitution grants certain specific rights to Dalits and women and therefore allows the state to interfere in upper-caste Hinduism. The Constitution “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.” (Bhargava 2015, p. 455) The chapter ends with a plea to the model of principled distance and some final remarks on the destiny of secularism.

4. Some Comments

At the end of his essay, Bhargava advances a comment of general interest: “The goal of secularism 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 solidarities, forged when people are freed from religious sectarianism.” He adds: “Thus, religion defines the scope of secularism.” (Bhargava 2015, p. 458) In his view, secularism opposes religion when religion is oppressive, tyrannical, and inequalitarian; in this case, he claims, “The goal of secularism is to eliminate religion altogether.” (ibid.) When religion is not tyrannical or oppressive, then “the objective of secularism” is “the reform of religion but from a vantage point that is partly external and definitely non-partisan.” (ibid.) Thus, one has a synthetic understanding of Bhargava’s own view of political secularism: a force for good, a neutral force, an emancipating force. Religion as a political reality (in general terms) may be oppressive and tyrannical, but secularism is not. Religion needs to be reformed; secularism does not. I hope the asymmetric valuation of secularism and religion in Bhargava’s view of political secularism is clear.

‘Secular’ is an English word that derives from the Latin word *saeculum*. It means in time, or temporality, the flux of time, or eventually timespan, the temporal structure of the world, the temporal character of things and people. The secular, to borrow a sentence from Raimon (Raimundo) Panikkar, is “a coefficient of reality that cannot be eliminated.” (Panikkar 1982, p. 60) In a certain sense, all religions recognize the temporal dimension of the one Reality. Modern secular, as articulated by Bhargava and other scholars, differs from the older religious meaning of the secular. In premodern contexts, the secular was understood temporally: it referred to secular time, the portion of life devoted to ordinary, worldly activities, in contrast to sacred time, which was dedicated to the divine. Modernity transformed this temporal distinction into a spatial one. The secular no longer signifies time apart from the sacred, but rather a social and political space—a domain conceived as free from religion, or one in which religion is regulated and contained. Thus, the secular is not a modern invention, but modernity fundamentally altered its meaning.

The same holds true for secularization. Whenever, within a religious tradition, the center of gravity shifts from the otherworldly to the this-worldly, secularization takes place. As an internal dynamic of religion itself, secularization consists of taking time and temporality of existence seriously, not as a means for an end, namely, to reach holiness or nirvana. Time is not ephemeral or an obstacle on the part to realization. It is the place where people can realize their humanity in full. Think of monasticism in the West and *sannyasa* in the East: one has to renounce everything worldly to reach the otherworldly: holiness, the awakening. This is where secularization comes in: secularization in religion stands for a rediscovery of the secular dimension of life, not as an ancillary complement to the spiritual dimension but as a crucial component of religious life per se. The shift does not mean that the priest is more important than the monk or the Brahmini than the sannyasi; it rather means that even the monk and the sannyasi must consider this world, this existence, as an end in itself. Before I continue, however, I must disentangle the identification of the secular with the profane.

The word secular is often confused with another word, ‘profane.’ The profane is that which is not sacred; it is what is outside the temple. The sacred–profane distinction is a priestly distinction: the sacred is the realm of the priest; the profane is the realm of the non-

priest, the layman (woman). The secular has little to do with that distinction. The secular stands in coordination with eternity and, by extension, the nontemporal, the supratemporal. Thus, the one Reality is composed of supratemporal and temporal dimensions. The evaluation of the secular and eventually the impetus for secularization depend on the particular valuation of eternity within the one Reality. If eternity (the atemporal, the supratemporal, the spiritual, the Absolute) is the only one dimension that matters, the permanent over the ephemeral, time is devalued, and the secular has a negative connotation. If, instead, eternity is only one dimension within the multidimensional one Reality, the so-called monopoly of the spiritual over religious is broken, and time is revaluated. As a consequence, the secular assumes a positive connotation.

To put it differently, I do not want to deny the importance of secularization as a major phenomenon of this age. There is a clear shift toward the idea that the realization is in time, within the temporal structure of the world, not in the other world: peace, justice, and transformation of the world instead of contemplation, spirituality, and mysticism. The shift reflects the increasing importance accorded to time and the temporal in this age. Yet secularization does not inevitably entail a strict division between the secular and religion; rather, it can signify a shift in emphasis, a reinterpretation, or a reorganization of their relationship. Secularization need not refer exclusively to empirical-historical patterns of differentiation and separation between the religious and the secular spheres, as scholars like Bhargava often suggest. It can also describe patterns of transformation and coexistence, in which the religious—understood in terms of eternity—and the secular—understood in terms of time—interact within religion itself. There are several ways to name this unity in distinction between eternity and time, or the one Reality I mentioned above. Panikkar calls it *tempiternity* (Panikkar 1973, p. 44).

As mentioned, for Bhargava, there are three meanings of the term ‘secularism’: a worldview, an ethics, and a political enterprise. I remain consistent with my promise to work with Bhargava’s intellectual framework, although modified. Therefore, I work with the three meanings; however, it should be evident at this point that the way religion operates is not necessarily how Bhargava envisions it. Put more carefully, religion has its own dynamic in relation to the secular and to secularization; it is not a passive or inert entity that can simply be reshaped at will by secular forces. In the case of the three meanings of secularism, religion itself does not experience or enact them separately. From the perspective of religion, these meanings may indeed be distinguished, but they are not strictly separated; instead, they coexist and interact within a unified horizon. One religion that in a certain age recognizes the priority of contemplation will orient not only its doctrine but its practice too toward the Absolute. This does not involve only a simple worldview but also the conduct and the mode of operation in the public sphere. The same is true in the opposite case, in which one religion considers the secular the realm of the real, previously monopolized by the search of the Absolute. Not only will the worldview be secularized, but a secularized practice will be established that engages this world, good or evil but ultimately final. And this includes the political, namely the public, social, and communal sphere of religious action.

I have reached the subject of political secularism. According to Bhargava, political secularism is a tool to modernize religions according to the principles of modernity. It is not by chance that he uses words like freedom, equality, and solidarity. They are the words that informed the French Revolution and come to us through the project of modernity. They are universal values, or so illuminists, rationalists, secularists believe. I have two comments to make. My first observation is that modernity should not be treated as a unique or unprecedented phenomenon. Sure, it implies a modernization of religion from the outside. However, religion has its own ways of modernizing itself. Modernization, not in the sense

of entering the modern era, but rather of getting up to date, is an intrinsic feature of religion. No religion survives the corrosions of time and the vicissitudes of the ages if it does not pass the meaning on and in a sense leaves them behind. This is, after all, what religious tradition is all about: to constantly transmit the germs of truth to the next generation. But any transmission implies a new shift of meaning. To put it more precisely, religion does not require modernity in order to undergo modernization. Throughout history, religion has been “modernized” multiple times, adapting its structures, expressions, and practices to new historical and cultural contexts. In this sense, what we call modernity is simply one instance—albeit a significant one—of a broader and recurring process of religious adaptation and renewal.

The second observation is that words like freedom, equality, and solidarity can be provincialized, be considered local, valid even, in some places but not in others (Chakrabarty 2000). Enlightenment secularization must discover its own parochialism. Or to be more direct, the same intellectual forces that call into question the universal claim of Hindu revelation must call into question the same claim of western rationality. I believe, to paraphrase a line from one of Kurt Hübner’s books, that we need to free ourselves from the epochal misconception that faith has something to say to contemporary men and women only if it does not contradict their humanistic idea of reason, enlightenment, and freedom.⁶

Before I proceed, I summarize the results of my investigation so far. Underlying Bhargava’s view of Nepali secularism are several assumptions: that secularism is always a force for good, while religion is not; that the concepts of secular, secularism, and secularization acquire meaning only within modernity; that when religions are active, they must be governed and eventually restrained; and that when they are passive, they are inert forces that can be managed at will. Finally, Bhargava assumes that religion is incapable of reforming itself and must therefore be reformed externally by secular forces. It should be clear that these assumptions are not neutral descriptions but normative claims that privilege secularism while undervaluing the inner dynamism of religion. My alternative perspective is that religion possesses not only its own understanding of terms like secular and secularization, but also its own capacity for renewal and modernization, repeatedly demonstrated across history. Far from being a passive or inert entity, religion actively reshapes itself in response to changing contexts, preserving continuity while generating new forms of meaning.

5. Nepali Secularism

The 2015 Constitution of Nepal declares Nepal as a secular state. The relevant portion of article 4(1) reads: “Nepal is an independent, indivisible, sovereign, secular, inclusive democratic, socialism-oriented federal democratic republican state.” In political theory, sovereignty denotes the supreme authority within a defined territory. It affirms that a state or governing body possesses the full right and power to govern itself without external interference. In this light, the Constitution not only affirms the secular character of the state but also establishes secularism as a foundational principle to guide governance.

I return here to the five models of political secularism outlined in Bhargava’s essay. These include: the separationist model, in which religion and state are kept strictly apart (e.g., the U.S. First Amendment ideal); the accommodationist model, where the state engages with and supports multiple religions equally without granting privilege to any single one (e.g., India’s constitutional framework, at least formally); the neutralist model, in which the state seeks impartiality by relegating religion primarily to the private sphere (akin to Rawlsian liberalism); and so on. My argument is that none of Bhargava’s five models adequately captures the specific case of Nepal. The Nepali experience of secularism neither fits the separationist nor the accommodationist pattern, nor does it align comfortably with

neutrality or with other Western-derived models. Instead, it reveals a distinct trajectory shaped by the majoritarian orientation of its politics: a form of secularism defined and interpreted through the lens of the majority community.

I focus my attention on Article 26 of the Constitution of Nepal (incidentally, I signal that Bhargava does not mention this article in his essay). The article covers the right to freedom of religion, and it reads:

- (1) Every person who has faith in religion shall have the freedom to profess, practice and protect his or her religion in accordance with his or her conviction.
- (2) Every religious denomination shall have the right to operate and protect its religious sites and religious *Guthi* (trusts). Provided that nothing shall be deemed to prevent the regulation, by making law, of the operation and protection of religious sites and religious trusts and management of trust properties and land.
- (3) No person shall, in the exercise of the right conferred by this Article, do, or cause to be done, any act which may be contrary to public health, decency and morality or breach of public peace, or convert another person from one religion to another or any act or conduct that may jeopardize other's religion and such act shall be punishable by law.

In summary, the article protects freedom of religion, guarantees religious places and trusts, and forbids conversion. The article is a further elaboration of the 2007 Interim Constitution. Article 23 on the right to religion reads:

- (1) Every person shall have the right to profess, practise and preserve his or her own religion as handed down to him or her from ancient times paying due regard to social and cultural traditions.

Provided that no person shall be entitled to convert another person from one religion to another, and no person shall act or behave in a manner which may infringe upon the religion of others.

- (2) Every religious denomination shall have the right to maintain its independent existence, and for this purpose to manage and protect its religious places and religious trusts, in accordance with law.

In the passage from the 2007 Interim Constitution to the 2015 Constitution, the anticonversion subarticle has been extended and qualified. Building on Article 26, Nepal passed a strict Criminal Code Bill that penalizes religious conversion with up to five years in prison.⁷ In a country that is massively Hindu, the norm is clearly directed toward minority religions. In other words, the norm is there to maintain the *status quo*: the existence of the minority religions cannot be threatened, and the position of Hinduism as a majority religion cannot be eroded.⁸ To understand the logic behind the article, one must read the work of the constitutional law professor Bipin Adhikari, who in one of his many books raises his voice against the Christian missionaries who, in his opinion, have taken advantage of the ignorance and poverty of marginalized communities, especially during and after the instability created by the Maoist insurgency.

Thus, the business of proselytization has grown tremendously, thousands of churches have been erected, and indigenous Hindus, Buddhists and Kirants have been converted, leading to a consistent loss of Nepal's age-old social and cultural heritage, the identity of the common people and historical legacies (Adhikari 2020, p. 229).

The major point of Adhikari's protest is concentrated in the last line: "consistent loss of Nepal's age-old social and cultural heritage, the identity of the common people and historical legacies." What are those ancient social and cultural heritage and historical legacies? And why are they so important?

The 2015 Constitution provides the answer to this question, establishing an asymmetrical relationship among religions in which some receive greater protection and recognition than others. The article 4, in fact, reads:

Nepal is an independent, indivisible, sovereign, secular, inclusive, democratic, socialism-oriented, federal democratic republican State.

Explanation: For the purposes of this Article, “secular” means religious, cultural freedoms, including protection of religion and culture handed down from time immemorial.

While the Constitution formally guarantees freedom of religion, it also defines secularism (*dharma nirapekṣa*) as the protection of ancient religious practices (*sanātan dekhi cali āyeko dharma saṃskṛti ko saṃrakṣaṇ*) alongside religious freedom (*dhārmik saṃskṛti ko svatantratā*). In practice, this means that constitutional protection is applied unevenly: some religious traditions receive stronger safeguards, while others face limitations or exclusion. As a result, religious freedom is unequal. Minority or marginalized groups—particularly those not tied to specific ethnic traditions, such as Dalits, Muslims, and Christians—often encounter restrictions on conversion, worship, or public religious expression. Although this imbalance has not led to open social conflict and has allowed pluralism to persist, it nonetheless places these communities at the margins of the legal and cultural order.

Bhargava is correct to emphasize the emancipatory role of secularism in Nepal. Among the features of the 2015 Constitution, the constitutional provisions related to inclusivity, citizenship, fundamental rights, directive principles, separation of powers, judiciary, judicial review, among others, are tailored in such a way that the right to inclusion and participation in state affairs is expressly guaranteed for identified groups, including Madheshis, Dalits, and women.⁹ Actually, Bhargava is correct on several other issues, for example, that the Constitution allows the state to interfere in upper-caste Hinduism. But he is wrong on one specific, monumental issue: “The 2015 Constitution takes privilege away from dominant Hinduism.” (Bhargava 2015, p. 455). Bhargava builds this statement on a distinct interpretation of Article 4. Here is his interpretation:

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’ point to pre-religion ways of practice and worship that are less distinguishable from culture and shape all modern religions existing in Nepal today.¹⁰

The crucial hermeneutical key is his translation of the phrase “religion and culture handed down from time immemorial” in the Constitution with “pre-religion ways of practice and worship that . . . shape all modern religions existing in Nepal today.” Bhargava is basically saying that secularism in Nepal protects the religiocultural matrix that has shaped all modern religions of the country. In India, Hinduism is often seen as a civilizational matrix in which several religions have taken shape. I think this is the idea he has in mind. I rather believe that the phrase stands for the Hindu roots on Nepal. More precisely, it points to the cluster of religions—Hinduism, Buddhism, and indigenous traditions—that represent not only the country’s religious heritage but also its majoritarian core.

To put it differently, Bhargava believes that secularism in Nepal morphs tradition into modernity; I rather think that it keeps tradition and modernity in conjunction. The subarticle needs to be taken literally: the secular Nepal protects both religious freedom and the religious foundations of Nepalese culture. What does this mean? It means that every citizen has the freedom to profess and practice his/her own religion as handed down to him/her from ancient times. In Nepal, the religion that has been practiced since ancient times is not some kind of prereligious, premodern amniotic fluid that protects and nurses the growth of modern religions; it is rather an ancient, cultural form of Hinduism, Buddhism, indigenous traditions. The subarticle simply recognizes the legacy of the majoritarian traditions and their cultural character. Nepal is largely a cultural byproduct of

majoritarian religions; therefore, secularism in Nepal is a majoritarian secularism.¹¹ This means that the state is not a theocracy and therefore keeps its separation from religion. No one is discriminated against on the grounds of religion, and religious belonging is not required to hold any office. Every religion has the right to maintain its autonomous existence and manage and protect its religious places and trusts. However, the state recognizes that most of the cultural practices of Nepal descend from Hinduism and certain other religions.¹²

The state protects both intrareligious and interreligious freedom while safeguarding the monopolistic privileges of majoritarian religions. At the core of the majoritarian secularism of Nepal, in fact, is not the protection and encouragement of diversity and pluralism but rather national unity. The unification process that was conducted and successfully completed in the eighteenth century harmoniously merged the ethical elements of Hinduism and the modernization efforts of the Gorkhalis and offered the opportunity to participate in governance to a host of subcultures. The preservation of pluralism, the heritage of Hinduism, and national unity were the three pillars of the Hindu monarchy. The post-monarchial Nepal has worked on these pillars, giving the state autonomy from Hinduism, importing western political models, and maintaining the duty to protect pluralism, but, more importantly, guaranteeing a sense of peaceful, harmonical coexistence. And it is this peaceful coexistence to which Article 24(3) refers when it mentions the “breach of public peace.” Conversion is a breach, that is, a threat of national unity.¹³ Another way to put it is that the majoritarian religions are seen by the fathers of the Constitution as a resource of national unity: it is a force of unification not only because they are the dominant religions in the country, but also because they have demonstrated historically to be tolerant toward other religions and subcultures.

6. Conclusions

In his essay, Bhargava shows a light preference for the model of principled distance, but he does not designate any single model as the definitive one for Nepal. Rather, he acknowledges that, over time, the Nepali people themselves will determine their own institutional design. In this article, I showed that the Nepali people have already found their own institutional design: it is majoritarian secularism. Secularism is a recognition of the given religious roots of Nepali culture and a plea to protect such roots. It is based on the balancing power of tradition and the coexistence of tradition and modernity. Tradition anchors the country to the past, the “ancient times,” and modernity opens it to a more just and free society, but slowly, by degrees. Secularism is a social device that governs, on one hand, the traditional, religious, and cultural life of Nepal, and on the other hand, a longing for modernization.

Funding: This research received no external funding.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: No new data were created or analyzed in this study.

Acknowledgments: I thank historian Pratyoush Onta for sharing his important 2009 *Repubblica* article, otherwise inaccessible. I also thanks Father Silas Krishna Bogati, apostolic administrator of the Vicariate Apostolic of Nepal, for offering me an invaluable window into the lived experience of Christianity in Nepal.

Conflicts of Interest: The author declares no conflict of interest.

Notes

- ¹ Nepal was declared Hindu only in 1962. However, as Pratyoush Onta notes, in the previous centuries “the Hinduness of the Kingdom was manifested by the fact that the monarch was a Hindu, and the nationally influential bureaucracy was dominated by Nepali speaking male high caste Hindus.” Source: (Onta 2009).
- ² Secularism was included into the 2015 Constitution as backroom compromise among the three dominant parties—the Nepali Congress, CPN-UML, and the Maoists.
- ³ A word on the secondary literature is in order. This article draws its theoretical framework primarily, though not exclusively, from the work of Rajeev Bhargava, and the reasons for this choice merit brief explanation. The existing scholarship on Nepalese secularism is substantial, and I address it fully in a forthcoming book on majoritarian secularism in Nepal. That literature, however, tends to fall into two broad categories: political analyses that read secularism as a continuation of constitutional and ethnic bargaining, and anthropological accounts that reconstruct it from the bottom up, through the study of local religious cultures and communal identities. Among the political literature, see for example (Gautam 2075; Sen 2015). Examples of anthropological studies are (Gellner and Letizia 2019, 2021). Both categories are illuminating, but neither engages secularism as a theoretical problem in its own right, and none of the scholars working in this space specialize in secularism theory as such. Bhargava is a different case. He is not merely a scholar of secularism who has turned his attention to Nepal; he is among the most significant theorists of secularism writing today, and his contribution therefore carries a theoretical authority of a different order. Other essays in the volume containing Bhargava’s piece that touch on secularism recognize this authority and largely take his conceptual framework as their point of departure, filling it with content drawn from anthropological research (I think of the introduction written by David Gellner and Chiara Letizia and the contribution of Chiara Letizia). I should add that, while making no claim to Bhargava’s stature, I too approach this subject as a specialist in secularism theory, having published on secularism in contemporary India and in medieval Europe, and now on Nepalese secularism. (Gellner and Letizia 2016, pp. 12–15; Letizia 2016, pp. 58, 68).
- ⁴ In Asia, scholars such as Angana P. Chatterji, Thomas Blom Hansen, Christophe Jaffrelot, Husain Haqqani and Farahnaz Ispahani have been studying the phenomenon of religious majoritarianism. This term refers to political and social systems where a majority religion seeks to dominate public life, often leading to the marginalization of minority faiths. Their research examines how these dynamics manifest in various Asian contexts, analyzing the implications for social cohesion, national identity, and interfaith relations. See (Chatterji et al. 2019; Haqqani 2023).
- ⁵ According to Bhargava, the French model has inspired many communist regimes, including Maoist China, and Ataturk’s Turkey. See (Bhargava 2015, p. 443).
- ⁶ The original reads: we need to free ourselves “from the epochal misconception that it [faith] has nothing more to say to contemporary man [sic!] because it contradicts his humanistic idea of reason, enlightenment, and freedom.” See: (Hübner 2003, p. 148).
- ⁷ The criminal code sets five years’ imprisonment and a fine as the punishment for converting, or encouraging the conversion of, another person via coercion or inducement (which officials commonly refer to as forced conversion) or for engaging in any act, including the propagating of religion, that undermines the religion, faith, or belief of any caste or ethnic group. The criminal code also imposes punishments of up to two years’ imprisonment and a fine for “harming the religious sentiment” of any caste, ethnic community, or class, either in speech or in writing. The code is vague but not vague enough for not condemning only forced or inducted conversion but also conversion tout court. On 11 December 2022, the Kaski District Court acquitted four Christians of proselytization, including two South Korean Catholic nuns, who had been arrested in 2021 and released on bail after two months. The two nuns were providing, as Catholic nuns, dental services to the hill people. Although the two nuns won the case, the government attorney that prosecuted the case appealed to the High Court, and the case is still in discussion. Their visas were not extended, however, and the two nuns left the country. As a matter of fact, all five of the South Korean Catholic nuns of the community left the country. The point is that the line that separates an act that undermines the religion, faith, or belief of someone or eventually harms his/her religious sentiment from an act that does not is left to interpretation. The vagueness as well as extension of the activities that can fall under the category of proselytization place some religious minorities at an extreme level of vulnerability.
- ⁸ The U.S. government estimates the total population at 30.7 million (midyear 2022). According to the 2011 census, which is the most recent, Hindus constitute 81.3 percent of the population, Buddhists 9 percent, Muslims (the vast majority of whom are Sunni) 4.4 percent, and Christians (of whom a large majority are Protestant and a minority Roman Catholic) 1.4 percent. Source: (United States Department of State, Office of International Religious Freedom 2023).
- ⁹ The Madhese are the plain people, who are different from the Pahade, the hill people.
- ¹⁰ Bhargava (2015, pp. 454–55). Bhargava adopts the unofficial translation that was widely circulated following the promulgation of the 2015 Constitution, which reads: “For the purpose of this article, ‘secular’ means protection of religion and culture being practiced since ancient times and religious freedom.” Therefore, in his interpretation, ‘ancient’ stands for “handed down from time immemorial.”
- ¹¹ I borrow the expression from (Adhikari 1997, p. 48).

- ¹² Buddhism enjoys a special role in Nepal, although being a minority religion. Hindu and Buddhist believers sometimes share values and practices, and eventually integrate the two religiosities.
- ¹³ Some like sociologist Sudhindra Sharma argue that the constitutional ban on religious conversion is purportedly there to protect Hinduism from Christianity. Mentioned in (Onta 2009).

References

- Adhikari, Bipin. 1997. Nation Building, Sub-Cultures and Constitutionalism: Nepal's Case. *Journal of Behavioral and Social Sciences* 1997: 37–54.
- Adhikari, Bipin. 2020. *Salient Features of the Constitution of Nepal, 2015*. Kathmandu: Nepal Consulting Lawyers Incorporated.
- Bhargava, Rajeev. 2015. Afterword: Nepalese Secularism in Comparative Perspective. In *Religion, Secularism, and Ethnicity in Contemporary Nepal*. Edited by David N. Gellner, Sondra L. Hausner and Chiara Letizia. Oxford: Oxford University Press, pp. 428–60.
- Chakrabarty, Dipesh. 2000. *Provincializing Europe: Postcolonial Thought and Historical Difference*. Princeton: Princeton University Press.
- Chatterji, Angana P., Thomas Blom Hansen, and Christophe Jaffrelot, eds. 2019. *Majoritarian State: How Hindu Nationalism is Changing India*. New Delhi: HarperCollins India.
- Gautam, Bhaskar. 2075. Dharma Nirapekshetaka Nau Prashna [trans. Secularism in Nepal: Nine Questions]. *Nepal*, Pus 29, pp. 34–36.
- Gellner, David N., and Chiara Letizia. 2016. Introduction. In *Religion, Secularism, and Ethnicity in Contemporary Nepal*. Edited by David N. Gellner, Sondra L. Hausner and Chiara Letizia. Oxford: Oxford University Press, pp. 1–32.
- Gellner, David N., and Chiara Letizia. 2019. Hinduism in the Secular Republic of Nepal. In *The Oxford History of Hinduism: Modern Hinduism*. Edited by Torkel Brekke. Delhi: Oxford University Press, pp. 275–304.
- Gellner, David N., and Chiara Letizia. 2021. Religion and Secularism in Contemporary Nepal. In *Routledge Handbook of South Asian Religions*. Edited by Knut A. Jacobsen. Abingdon: Routledge, pp. 335–54.
- Haqqani, Husain. 2023. Religious Majoritarianism in a Diverse Region. In *Politics of Hate: Religious Majoritarianism in South Asia*. Edited by Farahnaz Ispahani. Gurugram: HarperCollins India, pp. 1–23.
- Hübner, Kurt. 2003. *Das Christentum im Wettstreit der Weltreligionen*. Tübingen: Mohr Siebeck.
- Letizia, Chiara. 2016. Ideas of Secularism in Contemporary Nepal. In *Religion, Secularism, and Ethnicity in Contemporary Nepal*. Edited by David N. Gellner, Sondra L. Hausner and Chiara Letizia. Oxford: Oxford University Press, pp. 35–76.
- Onta, Pratyoush. 2009. Secularism's Future in an Ex-Hindu Kingdom. *Republica*. Available online: <https://myrepublica.nagariknetwork.com/news/secularisms-future> (accessed on 22 August 2009).
- Panikkar, Raimundo. 1973. *Worship and Secular Man*. London: Darton, Longman and Todd.
- Panikkar, Raimundo. 1982. *Blessed Simplicity: A Monk as Universal Archetype*. New York: Seabury Press.
- Sen, Pawan Kumar. 2015. Should Nepal be a Hindu State or a Secular State? *Himalaya* 35: 11.
- United States Department of State, Office of International Religious Freedom. 2023. *2022 Report on International Religious Freedom: Nepal*. Washington, DC: United States Department of State.

Disclaimer/Publisher's Note: The statements, opinions and data contained in all publications are solely those of the individual author(s) and contributor(s) and not of MDPI and/or the editor(s). MDPI and/or the editor(s) disclaim responsibility for any injury to people or property resulting from any ideas, methods, instructions or products referred to in the content.