The Otherization of Religious Minorities in India under the BJP Government: A Case Study of the Muslim Minority (2019-2021)

By

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Abstract

This research study analyzes the policies and strategies of Modi-led second term BJP government in India against minorities, particularly towards Indian Muslims. This study explores how state apparatus and constitutional tools have been used to further marginalize Muslims in India. In doing so, the study analyzes constitutional arrangements including the abrogation of Article 370 of the Indian Constitution; a revised National Register for Citizenship; Citizenship Amendment Act and judgement of the Indian Supreme Court on Babri Mosque controversy. Viewing these developments through the philosophy of '*Majoritarianism*', the study argues that the socio-political rhetoric of Hindu nationalism is based on the foundations of 'Majority versus Minority' that the BJP established in India after coming into power. This led the proponents of the Hindu nationalist agenda to divide the society into two distinct communities of 'own' and 'other', which ultimately resulted in further exclusion of minority communities, depriving them socio-politically and economically. Subsequently, minorities have been suffering from systematic '*Otherization*' for decades, which is directly proportionate to the rise of Hindu nationalism in India. This otherization, confined to social policing before and during the first term of the Modi-led BJP government, has taken shape of institutionalized marginalization since. The research elucidates the above-mentioned constitutional arrangements as instances of this institutionalized otherization. While Muslims are a primary target of systemic otherization, the research argues that the secular character of Indian constitution itself becomes questionable as India is on the way to become a majoritarian state. Space has been shrinking for independent institutions due to these majoritarian policies of the current Indian government. Media, civil society, and judiciary are unable to play an independent role to correct the course of the state. Political parties – including the Congress Party – have largely compromised their secular agenda and are following a Soft-Hindutva approach to appease the majority. The overall scenario is not in favor of the suppressed classes (low castes in India) and minorities. The research study argues that the phenomenon of majoritarianism and otherization in India has serious implications for regional peace and stability, if not countered in due course of time.

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Introduction

India, apparently the largest democracy in the world in terms of polling turn out, has a secular face as far as its constitution is concerned. But the nature of this secularism is different from that of the western states like the UK and France, where secularism implies separation of church from state affairs. On the contrary, Indian version of the state secularism refers to an equal recognition of all religions in the public sphere and state facilitation in it.[1] Instead of implying a strict western-style state-church separation, India's constitution institutes a "principled distance" between the state affairs and religion "whereby the state would embrace all of India's religious faiths without unduly favoring any one tradition".[2] Due to this essential nature of the Indian constitution, religious minorities in the country have so far enjoyed the state protection, at least constitutionally, before the rise of Hindu nationalist elements in the Indian politics. The emergence of this new factor in Indian politics and society is based on rejection of the secular ethos and inclusive nature of the Indian state, offering, in return, an exclusive Hindu *rashtra* (Hindu state) based on supremacy of the Hindu religion and its believers over other religious communities in the socio-political arena.

In this process, the Hindu nationalist forces were in need of some entity (ies), which could be portrayed as 'other, alien, foreigner and, therefore, a collective enemy'. This process of 'othering' particularly targeted local Muslims and Christians at social and political levels as they were portrayed as aliens to the Indian soil; remainders of the Arab, Central Asian and British invaders; responsible for suppression of 'indigenous' Hindu community for more than one thousand years; guilty of the country's 'vivisection' in 1947; and traitors having loyalties outside India.

An overview of evolution of the Indian politics since the country's independence in 1947 till date can better explain the process of otherization for these minorities in socio-political spheres. India remained under the uninterrupted rule of its founding party, the Indian National Congress, for more than two decades of its independence. A dichotomy can be spotted in Congress policies in that, on one hand, for example, Congress relied on notables and landowners to dominate politics for most of Jawaharlal Nehru's times. These notables kept a firm grip over

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[1] Christophe Jaffrelot, *Modi's India: Hindu Nationalism and the Rise of Ethnic Democracy*, (New Jersey: Princeton, 2019), 7.
[2] Milan Vaishnav, ed. *The BJP in Power: Indian Democracy and Religious Nationalism*, (Washington DC: Carnegie, 2019), Kindle edition, 1.

the party policy and did not allow Nehru to introduce his desired land reforms despite his socialist inclinations.[3] Indira Gandhi, who was even more eager for social reforms, had to give up this agenda in order to win support from the local notables for 1971 election. This was the offspring of Congress' all-time confusion considering its own identity between lower castes, socialists and mercantilists. This remained a key factor for the party's indecisiveness towards social reforms despite the fact that it was the creator of a secular constitution for the country. Another contradiction in Congress' policies and actions is related to its conduct towards religious minorities. It blatantly championed its position to be creator and protector of a secular constitution, giving equal status to the minorities. But in actual, violence against Muslim minority started in the early years of India's inception and state machinery under Congress' leadership remained passive in most of the cases. An example in this regard is that of the closure of Babri mosque after extremist groups placed idols in premises of the mosque.

RSS, on the other hand, was the most prominent group representing Hindu nationalist sentiments since 1925. It was essentially a socio-cultural organization with no political participation. But ban on the RSS in 1948 following M.K. Gandhi's assassination, allegedly by an RSS member, forced the RSS leaders to reconsider their political standing. The ban lasted more than a year after which RSS entered political scene, Bharatiya Jana Sangh (BJS).

The BJS could not win much political attention, mainly due to the Congress' elitist approach in the national politics. The conservative Hindu notables, despite having strong sentiments (against Nehruvian version of secular state) in the name of cow protection (Gao Rakhsa) and promotion of Hindi language, were still prominent in the Congress party. This did not leave much room for a new party like BJS to grab major attention towards its Hindu nationalist agenda.[4] It had to compromise its hardline position in order to get acceptance among the opposition parties, which resulted in the formation of a new political coalition of anti-Congress political groups, collectively known as Janata Party.[5] First ever victory of the RSS' political arm under this coalition gave Hindu nationalists much needed confidence that they could promote their agenda in political arena as well.

The Hindu nationalist trends gradually increased during the 1980s when Indian National Congress was facing challenges from multiple sides. In the social sphere, Sangh Parivar (the

[3] Christophe Jaffrelot, *India's Silent Revolution—the Rise of the Lower Castes in North India*, (New York: Columbia University Press, 2003), 239-84.
[4] Christophe Jaffrelot, *Modi's India*, 18.
[5] Christophe Jaffrelot, *Modi's India*, 18,19.

family of Hindu nationalist organizations) had been rallying for the 'Hindu rights', especially for the construction of Ram Temple replacing the historic Babri Mosque in Ayodhya. Bharatiya Janata Party, the new political outfit of the RSS, benefited from this agitation and jumped from two Lok Sabha seats in 1984 to 85 seats in 1989.

L. K. Advani's *Rath Yatra* (Chariot Procession) in 1990 further fueled the issue which created a clear distinction between those supporting secular ethos and those working for Hindu nationalist agenda in national politics. As a result, Congress faced a drawback in the political sphere, when the BJP managed to get 119 Lok Sabha seats in the elections of 1991. The demolition of Babri Mosque in 1992 further pushed secular forces to back foot. The vacuum created in social sphere was already filled by the pro-Hindutva forces; while in the political sphere, it was soon occupied by the same which became evident with results of the general election of 1996 in which the BJP got 20% of the casted votes and successfully managed to contain Congress to a position not being able to form government in center. Since then, the BJP has been one of the two prominent political parties of India, along with Congress. It led the coalition government from 1999 to 2004 and, after a ten-year break, returned to center in 2014 with more strength, power and majority.

Landslide victory of the BJP in 2014 general election is the starting point of a long-term mission which, in past, Hindu nationalists had to compromise due to their weak position in power corridors.[6] The consecutive victory in 2019 general election has given further courage to the BJP and the RSS that they can fulfil their agenda through state machinery without being questioned by the political opposition, military and judicial establishment and civil society.

Ideology of Hindutva is one of the key factors for religious conflicts in India, as pointed out by scholars, which proposes the suppression and otherization of other religious groups.[7] The rise of Hindutva has intimidated and ghettoized the minorities.[8] Minority religions are demonized in order to justify the communal violence committed against them over the years.

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[6] Raashid Wali Janjua and Dr. Khurram Abbas, *Hindutva: A Threat to Regional Stability*, (Islamabad: Islamabad Policy Research Institute, 2021), 26.
[7] Peggy Froerer, *Religious Divisions and Social Conflict: The Emergence of Hindu Nationalism in India*, (New Delhi: Social Science Press, 2007).
[8] Ram Puniyani, "Contemporary World Scenarioand the Language of Religion" in *Religion, Power and Violence: Expression of Power in Contemporary Times*, ed. Ram Puniyani, (New Delhi: Sage, 2005) 12-26

Much of the movement's criticism is reserved for India's biggest minority – the Muslims, which comprise over 13 per cent of the country's population.[9] Targeting Muslim minority of the country has been quite old practice in India especially after the rise of 'Hindu Nationalism' to the central prominence in later part of the 20th century. But it has been intensified after the BJP's entry into the power corridors. The first BJP government, starting in 1998, had been moderate in its anti-Muslim stance. This moderation was, on the one hand, because of A. B. Vajpayee's leadership, who was considered to be moderate a politician in his approach as compared to the others like Advani and Murli Manohar Joshi.[10] It had to give up its radical stance also because, despite having majority in the Lok Sabha in 1996 election, it was unable to form a government. Also, no political party was ready to cooperate with BJP due to its hardline agenda in the aftermath of Babri mosque demolition.[11]

9/11 and global anti-Muslim rhetoric in the name of countering Islamic fundamentalism helped Hindu nationalist forces to promote their own agenda under the garb of global war against terrorism. Taking advantage of the prevalent global trend of identifying Muslims with terrorists, they interpreted every attack supposedly by people belonging to the Muslim community, as an attack against a Hindu-nation state. Such a discourse, highlighting the need to protect the nation from Muslim enemies, also shaped the violent campaign against other religious minorities as the 'enemy within'.[12]

Babri Masjid and other such disputed structures kept the anti-minority rhetoric active, and by perpetuating such conflicts the BJP and its allies enlivened the religious nationalism in their electoral politics.[13] Attack on the Indian parliament two months after the September 11, 2001, provided the anti-Muslim forces sufficient justification to further intensify their drive to otherize Muslims. Gujarat pogroms in 2002, one of the worst massacres against Muslims in the history of India, was a key demonstration of Hindutva violence against Muslims after 9/11.

Bharatiya Janata Party's next term into power in 2014 was the first under Narendra Modi. During this 5-year term, there were many instances of targeting Muslims socially in the name of cow-protection, love jihad, etc. RSS and BJP workers made attempts to ghettoize Muslims,

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[9] Jyotirmaya Sharma, *Terrifying Vision: M.S. Golwalker, the RSS, and India*, (New Delhi: Penguin, 2007).
[10] Christophe Jaffrelot, *Modi's India*, 22.
[11] Christophe Jaffrelot, *Modi's India*, 22.
[12] Srinivas Lankala, "Mediated Nationalisms and 'Islamic Terror': The Articulation of Religious and Postcolonial Secular Nationalisms in India", *West Minster Papers in Communication and Culture* 3(2), (2006): 86-102.
[13] Roji Alex, *The Politics of Representation in Indian Media: Implications of the Portrayal of Hindus and Minority Groups.* (Westminster: University of Westminster Research, 2015), Kindle edition.

exclude and marginalize them socio-economically, put Muslim families in constant fear, and deprive them of their basic rights guaranteed by the country's constitution. Many Muslims were killed by mob vigilantes on the speculations that they had been carrying cow meat. Many others were killed on the blame that they tried to lure innocent Hindu girls to embrace Islam and marry Muslim men in the name of love jihad. Muslim venders in various cities were publicly warned not to enter Hindu majority areas to sell food items and if someone entered, he was beaten and his cart was snatched. This way the socio-economic boycott of an already marginalized community came into effect. All such incidents kept happening under an undeclared protection from state authorities and the law enforcing agencies. Police played the role of silent observer in many instances and those responsible for these incidents were not only protected by their political leadership but also promoted in party ranks. This further aggravated a sense of insecurity, fear and marginalization among the Muslim minority during first term of the prime minister Modi.

Second term of the Modi-led BJP government started in 2019. This research study argues that this term has so far proved even more disastrous for the Indian Muslim minority. After being socially targeted and economically marginalized, the community is now being systematically excluded from the socio-political spheres through constitutional arrangements. Direction of the instances shows that attempts are being made to deprive Muslims of their distinct identity. Amendment in the National Register for Citizenship-NRC was initiated, questioning the basic identity of Muslim community in Assam. In the meanwhile, the Indian government made another amendment in the constitution on August 5, 2019, to abrogate the article 370 of the Constitution, consequently changing the autonomous status of the Indian Occupied Jammu and Kashmir. Citizen Amendment Act-CAA was yet another attempt to deprive Indian Muslims of their basic identity and change the demographic realities of the country. Behind this development is the traditional paranoia of the Hindu nationalists that Muslims are systematically working to increase their population in the country and outnumber Hindu population in order to get hold of the country. In November 2019, Supreme Court of India gave judgement on the long-standing Babri Mosque demolition case. The apex court authorized the Hindu groups to build Ram Temple over the ruins of Babri Masjid.

Hindutva, the prevalent ideology behind these developments, is not a recent phenomenon, rather it has deep historical roots as far as in 1920s. Hindutva is defined as "inclusive of

everything Indic" in a manner that it sought to isolate people of other faiths.[14] As a cultural construct, it emphasizes common heroes, common mythology, common attire, common dietary habits, common acceptance of a social system based on caste and common agreement on threats to the community.[15] This ideology divides and treats Indians based on their beliefs. It considers only Hindus as the bona fide inhabitants of India[16] and gives some room to Buddhists, Sikhs, and Jains to call themselves Indians on the basis that India is the birthplace of their religious beliefs.[17] Thus, a notion of othering can be seen ingrained in the ideology for Christians and Muslims. The ideology treats both these faiths as alien to the Indian society.

Next pages attempt to examine how this dramatic tide of Hindu nationalism since 2014 turned into a state policy to marginalize Muslims, and how it has been affecting Muslim minority as direct victim since 2019; what are the incidents which have changed lives of Indian Muslims in one way or the other; and what implications will this wave have on this vulnerable minority in the long run.

Statement of the Problem

Indian polity has always been criticized due to its dual character. On the one hand, its constitution speaks about a secular outlook; but on the other, the minorities, particularly the Muslims have been marginalized and felt insecure since BJP came into power in 2014. Since the second Modi administration, there has been an institutionalized marginalization of Muslims at state level including amendment in NRC, CAA, Supreme Court's verdict on Babri Mosque and abrogation of Article 370 of the Indian Constitution leading to institutionalized 'Otherization'. There arises a major research puzzle that *'how and why various policies and initiatives of Modi-led BJP government has contributed towards the institutionalization of 'Otherization' against Muslims in India?* This research dissertation aims at examining the factors and the policies that Modi government adopted to treat Indian Muslims. It also elucidates the implications of Otherization on Indian Muslims as well as on the secular character of Indian constitution. It is argued that increase in anti-Muslim policies in India under second Modi government has been contradictory to the secular spirit of Indian Constitution on one hand and has left very little space for the Muslims on the other.

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[14]. Srijon Sinha, Islamophobia in India: An Extensive Study, (A Sociology Project, Shri Ram School, Moulsari), https://www.academia.edu/39215838/Islamophobia_in_India_An_Extensive_Study (Accessed June 14, 2022).

[15] Raashid Wali Janjua and Dr. Khurram Abbas, *Hindutva*, 8.

[16] Raashid Wali Janjua and Dr. Khurram Abbas, *Hindutva*, 4.

[17] Guenter Levy, Militant Hindu Nationalism: The Early Phase" (Research Project, University of Massachusetts, 1967), http://www.dtic.mil/dtic/tr/fulltext/u2/654932.pdf (accessed 14 June, 2022)

Objectives of the Study

- To understand the gradual rise of Hindu nationalism to the mainstream Indian politics.
- To examine the historical roots of the 'otherization' of certain religious minorities in India.
- To analyze the process of institutionalized otherization of Indian Muslims in the second term of the Modi-led BJP government.
- To elucidate the implications of otherization for the Muslim minority and the secular character of the Indian Constitution.

Research Questions

1. How did the Hindu nationalism evolve in mainstream Indian politics?
2. Why are the religious minorities in India 'institutionally otherized'?
3. How and why the Indian Muslims are institutionally 'otherized' under the second Modi-led government?
4. What are the implications of otherization-policy on Indian Muslims and secular character of the constitution?

Literature Review and the Research Gap

Since the inception of the Hindutva in power corridors, a number of researchers and scholars have made attempts to explain the rise of Hindutva, its influence in political as well as social spheres, and its impacts on various communities residing in the country. There are also vast studies regarding the role of various independent actors and factors in amplifying the Hindutva drive. Some of the research works cited during this research dissertation are as follows:

We or Our Nationhood Defined by M.S. Golwalker works as a foundational scripture for Hindu nationalists. The author was RSS' second *Sarsanghchalak* (chief) who played a key role in laying ideological foundations and determining direction of the group. The book attempts to redefine the basic philosophy of 'nationalism' in order to justify Hindu nationalism. In the first chapter, the author claims that Hindus 'are indigenous children of the soil, from times immemorial and are natural masters of the country'. This establishes the fact that non-Hindus (Muslims and Christians) can never be treated equal citizens of the country under a Hindu-dominated rule, the instances of which are abundantly available to experience in the present times.

Bharatiya Janata Party and the Indian Muslims by Muhammad Mujeeb Afzal is a 2014 publication of Oxford University Press' Pakistan arm. The book sees BJP and the Indian Muslims as two divergent parties, respectively representing Hindutva and Islam as well as the Urdu language. The book also digs out a traditional clash between Nehruvian state and the Hindu rashtra. This clash always kept in question the very nature of the Indian state and has gradually pushed back the secular forces to the corner while giving central position to the Hindu nationalist forces.

"The Politics of Representation in Media: Implications of the Portrayal of Hindus and Minority Groups" is a PhD thesis submitted by Roji Alex to the Faculty of Media, Arts and Design, the University of Westminster, UK. Paying special focus to the Christian community of India, the study explores how the issues concerning the community are portrayed in news televisions. In doing so, the research attempts to prove that the Hindi media is more effectively used by the Hindu nationalist forces for the promotion of their Hindutva agenda of otherizing Muslims and Christians. The thesis claims that news television's treatment of communal issues has helped the creation of a Hindutva public sphere. Along with content analysis, the thesis also contains some interview-based data of the audience. Published in 2015, the thesis misses the developments which have taken place in the Indian politics since 2014 to 2021. It is, however, an important work on the subject and provides a strong basis to further continue the research using a similar framework.[18]

Hindutva: Rising Extremism in India is a collection of research articles on the issue. The book discusses various dynamics of the rise of extremism in contemporary India and its impacts on the politics, society, economy and culture of the country as well as implications for India's foreign relations.[19] Iftikhar Gillani's "Understanding Indian Extremism and Internal Response to it" discusses how the extremist factions gained momentum in Indian society and politics with the dawn of 21st century and what responses political elite, media and civil society have presented in favor of or against the wave. The writer agrees that media and education have been the most important sectors in the eyes of RSS policy-makers since 1970s and they effectively used them to influence common minds in their own favor. Author is of the view that media is under the strict state-control since last 2014 and only those newspapers, channels and

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[18] Roji Alex, *Politics of Representation*, Page No.
[19] Khalid Rahman, (ed.), *Hindutva: Rising Extremism in India,* (Islamabad: IPS Press, 2020).

journalists are allowed to function which do not question the government policies against minorities and, in a larger context, against Pakistan.[20]

"*Islamophobia in India: Stocking Bigotry*" authored by Paula Thampson, Rhonda Itaoui and Dr. Hatem Bazian contextualizes Islamophobia sentiment in India. The book analyzes how social and cultural tools like films are being used to institutionalize hatred against Muslims. Authors also deal with the way Indian media is being controlled through stick and carrot. While discussing beef attacks, lynching and cow vigilantism, various case studies have been given to develop better understanding of the problem.[21]

Khuram Iqbal is the author of *"The Rise of Hindutva, Saffron Terrorism and South Asian Regional Security"*. The author is of the view that extremism and use of force has resided in Hindutva ideology since its inception. The author agrees that the main target of the extremist wave are Muslims, Christians and those Hindus which do not agree with the RSS extremist ideas and practices. He is worried that in spite of enormous implications for Pakistan, the state of scholarship and journalistic focus on Hindutva and saffron threat is dismal in Pakistan. According to the author, the violations of human rights against minorities in India and Indian occupied Kashmir may prove a golden chance for the terrorist organizations like ISIS and Al Qaeda to exploit the problem to justify their terrorist activities in India and South Asia.[22]

"Rise of The Political Right in India: Hindutva-Development Mix, Modi Myth, and Dualities" by Nitasha Kaul discusses the role of propaganda made by the BJP about Modi being an ambassador of economic development on the basis of his apparent performance in Gujarat. Kaul is of the view that while Gujarat riots tarnished Modi's global persona, it proved a blessing in disguise for him in his constituency of hardline Hindu right-wing which started praising him as a strong champion of Hindus. According to the author, the Modi regime has not only affected Muslim minority but also proved disastrous for other classes like liberal media, labor rights activists, universities, vulnerable communities, environmentalists etc. Increase in Modi's

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[20] Iftikhar Gillani, "Understanding Indian Extremism and Internal Response to it", in *Hindutva: Rising Extremism in India*, ed. Khalid Rahman, (Islamabad: IPS Press, 2020) 73-87.

[21] Paula Thompson, Rhonda Itaoui, and Dr. Hatem Bazian, *Islamophobia in India: Stocking Bigotry* (California: Islamophobia Studies Center California, 2019).

[22] Khuram Iqbal, "The Rise of Hindutva, Saffron Terrorism and South Asian Regional Security," *Journal of Strategic Studies and Analysis* 5(1), (2019): 43-63.

popularity despite accelerated scale of violence indicates the alarming phenomenon that Indian society and state has totally gone in hands of the extremist forces.[23]

Innocent Until Proven Muslim is a 2021 publication authored by Maha Hilal. Although its subject is the Islamophobia, 9/11, War on Terror and the consequent issues facing the American Muslims, opening part of the book provides an insightful foundation on how certain discourses come into existence and how narratives take shape in certain circumstances. Using the treatment of American Muslims after 9/11 and the US administration's narrative to single out Muslims as the personification of evil, the discussion provides a framework through which the treatment of Indian minorities and role of media in making a certain narrative can easily be understood.[24]

Majoritarian State: How Hindu Nationalism is Changing India is a collection of articles edited by Angana P. Chatterji, Thomas B. Hansen and Christophe Jaffrelot. Containing twenty-one chapters under eight parts, the book covers various theoretical as well as practical dimensions of the rise of Hindutva to the national scene in India and its implications for different communities and sections of socio-political life. First part of the book is more pertinent to our research study as it deals with majoritarian nationalism as the foundation stone for Hindutva in India. It also attempts to answer the question of how the democratic process can be so flawed to give way to the forces which are in essence the biggest challenge to the ethos of liberal democracy.

The BJP in Power: Indian Democracy & Religious Nationalism is the outcome of an official research project initiated by the Carnegie Endowment for International Peace. Edited by Milan Vaishnav, the book covers a plenty of areas including India's future with Hindu nationalism; different phases of BJP's gradual rise to power; the party's electoral politics and how it managed to win in unmatched victory in 2014 elections; the fate of secularism in India; the way Hindu nationalism has been shaping up economic policies of India since 2014; and Indian grand strategy with BJP dominating the power corridors. A comprehensive analysis of the first term of BJP government under Narendra Modi, the book can be a key resource to build on and expand the inquiry to the party's second term in government under him.

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[23] Nitasha Kaul, "Rise of The Political Right in India: Hindutva-Development Mix, Modi Myth, and Dualities," *Journal of Labor and Society* 20(4), (2017): 523-48.
[24] Maha Hilal, *Innocent Until Proven Muslim.* (UK: Broadleaf Books, 2021).

Violent Conjunctures in Democratic India: The Case of Hindu Nationalism by Amrita Basu is a 2015 publication by the Cambridge University Press. The book offers a philosophical analysis of the instances and motivations behind the violence and prejudice committed by Hindu nationalists against minorities in modern-day India. Amrita Basu inquires why there are notable variations in the frequency and intensity of violence throughout Indian states, as well as within states, over time. The BJP has wavered between radicalism and moderation. Conjunctural factors, such as the dynamics between the party, the social movement, state governments, and opposition states, parties, and movements, have shaped Hindu nationalist violence. This study places a lot of emphasis on how social movements can spark violence against minorities. It demands a deeper comprehension of social movements and an enhanced awareness of their connection to political parties.

Modi's India: Hindu Nationalism and the Rise of Ethnic Democracy is the most recent book authored by Christophe Jaffrelot. Containing ten chapters under three parts, the book takes the debate of illiberal democracy in India to the next level. It gives us satisfactory background knowledge of the rise of Hindutva in India, factors which contributed to the rise of Modi from local politics of Gujarat to the national scene, problems and challenges which the Indian democracy is confronting, and the consequent exploitation of socio-religious minorities, etc.

The Saffron Wave: Democracy and Hindu Nationalism in Modern India by Thomas Blom Hansen is a collection of essays on various theoretical and philosophical dimensions of the rise of Hindu nationalism in modern times. First published in 1999, the book takes into account various structural aspects which gave birth to and promoted Hindu nationalism in the Indian state and society. The book also considers the implications of this Saffron Wave for Indian governance, democratic character and socio-political harmony. This academic work is significant for it attempts to explore how Hindu nationalist politics has collided with modern trends like globalization and how it legitimized communalism in a constitutionally secular state like India.

The Indian Northeast: India's Shift from Colonised to Coloniser is a research paper written by Leoni Connah in the backdrop of new legislation in India regarding citizenship. Published in December 2020 issue of *Global Change, Peace & Security*, the article examines discriminatory approach of the BJP under Narendra Modi particularly towards the Indian Muslims, projected as 'foreigners'. Although the introduction of Citizenship Amendment Act (CAA) and National Register of Citizens (NRC) is indeed the fulfilment of a promise which the BJP had been

making in its manifestos, the article examines how the two have been used as a tool to rid India of its Muslim 'foreigners'. The author argues that while racism, discrimination and dehumanization should have been considered an horror of the past in today's modern world, Modi's India is giving these attributes a centre stage through its legislation. The article explores its consequences and the future of Indian northeastern region in such a scenario.

Political Representation of a Minority: Muslim Representation in Contemporary India is another article authored by Adnan Farooqui. Published in second issue of the 19th volume of the *India Review*, the article addresses the topic of political representation of Indian Muslims in the legislative sphere, in opposition to the Hindu Nationalist BJP's political ascent. By concentrating just on the last two parliamentary elections, it aims to draw conclusions while providing an overview of general trends and patterns in Muslim representation. The study contends that although Muslims have continued to be underrepresented in Congress since Independence, this era is unique due to the BJP's ascent on a distinctly majoritarian political and social agenda. This is an attempt to highlight structural changes in Indian politics and the implications for Indian Muslims. The questions it aims to address are; to what extent do these changes represent a departure from the Muslims' previous experiences.; and what ramifications might that have?

Understanding Modi and Minorities: the BJP-led NDA Government in India and Religious Minorities by Heewon Kim got published in October, 2017, issue of India Review. The article examines the methods used to analyze the policies of the BJP-led NDA government regarding religious minorities. Interestingly, the author is unique in that it contends that rather than representing a drastic change, these policies have more in common with earlier regimes than not.

Constitutional Erosion and the Challenge to Secular Democracy in India is a book chapter contributed by Manoj Mate to Oxford University Press' 2018 publication *Constitutional Democracy in Crisis?*. This chapter examines the threats to India's secular constitutional democracy posed by the country's continuous trend toward more religiosity in politics and government. The Constituent Assembly of India firmly established a specific interpretation of secularism during the formulation of the country's Constitution, guided by the imperative to impede and avert religious and communal discord and aggression. The essay explores the growth of the Hindu-right Bharatiya Janata Party (BJP) and its electoral successes in the 1990s and early 2000s. It also it describes how the recent use of religion and religious rhetoric in

elections, as well as the symbolic legislation passed by the parliament upon the behest of the current BJP government and other measures meant to incite religious tensions endanger fundamental constitutional values and, over time, jeopardize the stability and integrity of India's democracy.

Hindutva by Raashid Wali Janjua is an introductory booklet on the rise of Hindu nationalism in India with a particular focus on what this rise means for Pakistan and the South Asian region at larger. It is just a small information piece with little analysis of the situation of Indian minorities and systematic otherization of Muslim community.

Some of these research works present a comprehensive introduction to the inception and rise of Hindutva in pre- and post-independence India. Some others discuss the political struggle of Hindu nationalism in late 20th century and what its rise brought to the Indian society and politics. Few works also analyze the first term of Modi-led BJP government, with a focus on social, political and cultural changes which India face from 2014 onwards. But we do not find any detailed research work on how the Indian minorities have been facing a systematic marginalization in second term of Modi-led government through constitutional amendments, institutional arrangements and judicial activism. This research work attempts to fill the said gap while focusing on first three years of the said regime, i.e. from 2019 to 2021.

Core Argument

The institutionalization of BJP's anti-Muslim rhetoric in second term of the Modi-led government has left little space for Indian Muslims, marginalizing them in socio-economic and political spheres that can have implications for India's secular political ethos.

Theoretical Framework

"*Majoritarianism*" is a political philosophy which asserts that a linguistic, cultural, religious or ethnic majority of a certain population has the right to a certain degree of supremacy in the society, therefore it is entitled to make decisions about the society.[25] It entails that "pre-existing ethnic, racial or religious majorities have a natural right to dominate a certain political entity".[26]

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[25] Adam Przeworski, Jose Maria Maravall, *Democracy and the Rule of Law* (UK: Cambridge University Press, 2003) p. 223
[26] Thomas B. Hansen, "Democracy Against the Law: Reflections on India's Illiberal Democracy," in *Majoritarian State: How Hindu Nationalism is Changing India*, ed. Angana P. Chatterji, et al. (New York: Oxford University Press, 2019), 29.

As a simple idea, majoritarianism asserts that the numerical majority of a population should have the final say in determining the outcome of a decision.[27]

According to Christophe Jaffrelot, majoritarian groups follow ethnic democracy, which is the product of an ethnic nationalism…… based on rejection of the minorities, generally perceived as threats to the survival and integrity of ethnic nation.[28] Such a democracy mostly faces by the existence of a threat (real or perceived) to the ethnic nation, which mobilizes the majority in order to preserve the ethnic nation.[29] A language of deprivations and anger is used with a passion of claiming to represent hitherto voiceless majorities.[30]

Even excessive and cruel violence against minority groups is purified and shown as just and moral because collective good of the majority community was harmed in the first place.[31] Majority public opinion contributes to legitimizing these practices.[32]

In a majoritarian state with ethnic democracy, a two-tiered citizenship is found, with the majority group enjoying more rights than the minority group(s).[33] Leaders, politicians and workers with a majoritarian agenda are authoritarian, since they claim to embody the people and as people can only be one/singular, there is no room for pluralism.[34] As a result, they have a tendency to disqualify their opponents as 'anti-national', 'disloyal' and even 'traitors'.

Ashutosh Varshney, a political scientist, sees India's politico-constitutional history in terms of a quest for dominance between the three competing themes. The territorial notion among these three emphasizes that the land between Indus river to the west, the Himalaya to the north, and the seas to the south and east comprises India as a "sacred geography". The second notion sees India in cultural terms being defined by the values like tolerance, pluralism and syncretism. The third conception implies religion as the defining factor in India being originally the homeland of Hindu community. Proponents of this final viewpoint introduce India as

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[27] Encyclopedia Britanica, https://www.britannica.com/topic/majoritarianism, accessed 17 April, 2022.

[28] Christophe Jaffrelot, "A De Facto Ethnic Democracy? Obliterating and Targeting the Other, Hindu Vigilantes and the Ethno-State," in *Majoritarian State: How Hindu Nationalism is Changing India*, ed. Angana P. Chatterji, et al. (New York: Oxford University Press, 2019), 42.

[29] Smooha, S., 'The model of ethnic democracy: Israel as a Jewish and democratic state', *Nations and Nationalism*, 8, 4 (2002), p. 479.

[30] Hansen, "Democracy Against the Law", 20.

[31] Hansen, "Democracy Against the Law", 33.

[32] Jaffrelot, "A De Facto Ethnic Democracy", 42.

[33] Jaffrelot, "A De Facto Ethnic Democracy", 42.

[34] Chandavarkar, R, *Imperial Power and Popular Politics: Class, Resistance and the State in India*, 1850–1950, Cambridge: Cambridge University Press, 1998.

fundamentally belonging to the Hindu majority.[35] Hindutva nationalists, therefore, believe and agitate on the notion that India is fundamentally by, for, and of the majority Hindu community.[36]

This theory suits our research study as the issue being studied is also related to majority-minority (im)balance of the Indian society in various spheres. The Hindu nationalist forces, from day one, have strong belief that being a Hindu-majority country, Indian society and the state should be run according to Hindu ethos, as a Hindu rashtra. In such a majoritarian state, Hindu majority has the primacy and supremacy in social and political sphere, whereas the non-Hindu religious minorities, especially those having roots or connections 'outside India' are told not to claim any equal status or rights. In 2014 general election, for example, only a handful of Muslim candidates were given tickets of the BJP who ultimately lost and for the first time in the history of India, the ruling party had no Muslim member in its parliamentary group. BJP is very systematically and without any pressure, focusing on its primary goal of 'defending' the interests of Hindus first and foremost, mostly at cost of the rights of 'Otherized' minorities.

The otherization of Muslims in India, according to this study, stems from the very notion of majoritarianism. According to surveys, Hindus are less comfortable to have Muslims in their neighborhood… which is the consequence of a mistrust and imbalance between majority-minority groups, on the basis of Hindu-nationalist propaganda.[37]

Research Methodology

International Relations, being essentially a social science discipline, draws methodological inspirations and traditions from a number of social science disciplines including political science, law, economics, history and sociology, etc. As a result, researchers and scholars in IR use a diverse array of research methodologies in their research studies. Along with this diversity comes the responsibility to have maximum knowledge of the range of research methodologies in IR and to remain careful in aptly choosing the most suitable research methodology.

Majoritarianism, the theory applied in this research study, is a socio-political theory which requires qualitative and analytical data as evidence. To prove our theoretical assumptions, the comparison between the old democratic practices in India and the recent evolution in

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[35] Varshney, Ashutosh. "Contested meanings: India's national identity, Hindu nationalism, and the politics of anxiety." *Daedalus* 122 (1993): 227-261.
[36] Vaishnav, *The BJP in Power*, 7.
[37] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State: How Hindu Nationalism is Changing India*, ed. Angana P. Chatterji, et al. (New York: Oxford University Press, 2019), 8.

democracy; between constitutional ethos and the actual practices; and between difference in treatment of religious minorities especially Muslims in old and recent contexts was required. This comparison led our research to examine the level of systematic otherization, which Muslims in India have been facing; its process, especially at state level and what can be the implications for the victims, and for the country at large.

Therefore, it is a qualitative and analytical research study. It mainly relies on secondary data sources, including books, research journals, policy documents, official and unofficial reports and articles. India's certain policy arrangements and judicial verdicts have been studied with an aim to examine their short term and long term implications for Indian Muslims and the Indian society at large.

Significance of the Study

End of Cold War during last decades of the 20th century has changed the dynamics of socio-political relations. Process of globalization in social, political and cultural spheres has further intensified the communal interaction in almost every society. Samuel P. Huntington even predicted the possibility of a clash between civilizations at some stage in near future. Barry Buzan considers the communal intolerance, socio-cultural fault lines of various society a threat for the societal security in many regions.

With dawn of 21st century, world had soon to face a new monster of terrorism with 9/11. The consequent war against terrorism, under the US leadership, gave birth to a world scenario in which societies are prone to cultural and communal tensions. India, which claimed to be the largest secular democracy of the world at least constitutionally, has come under the rule of a hardcore Hindu nationalist regime.

With this development, Indian minorities, particularly the Muslims, are endangered with collective exclusion from social and political spheres. This issue can become a potential threat to the security and stability of not only India itself, but the South Asia at large. The state-sponsored otherization, alienation and questioning (the loyalty) of Indian Muslims can give way to an identity crisis which may in turn throw them to take violent means in order to get recognized in the society.

This may ultimately cause disturbance for whole of the South Asian region as the neighboring Muslim states like Pakistan and Bangladesh cannot turn their backs on such events. Therefore,

it is very important to study changing realities of the Indian society and politics, treatment of certain groups as result of the changing discourses and its implications.

Delimitation

This research study has following delimitations:

India is home to a number of religious and ethnic minorities. But for the sake of brevity and transparency, this study only takes Muslims, the largest religious minority, as a case study.

The research study focuses only a time period of 2019 to 2021 to justify its research objectives and research questions. There are two key reasons behind the selection of this time span. First, 2019 onwards is the second term of Modi-led BJP government in India. While the first term of the same government contained a number of incidents of private/individual/public mobilization against Muslim community, in which state was not directly involved; its second term has been full of state-sponsored/state-led/policy-level arrangements against Muslims, examples of which have briefly been mentioned in the previous pages. Second, most of the research studies have so far focused the treatment of Muslims in first term of this government and second term has not yet drawn much academic attention.

Organizational Structure

This study has following chapters along with an additional introductory chapter.

The first chapter, 'Hindu Nationalism and the Indian Politics: An Overview' presents an overview of the evolution of Hindu nationalism to the mainstream Indian politics. In doing so, the chapter briefly mentions the circumstances which led to the formation of the RSS. It also gives an overview of the pre-independence and post-independence strategies of Hindu nationalism, its encounter with the real time politics, and how it reacted to the question of India's constitutional identity after freedom. The chapter discusses how the BJP with its Hindutva ideology emerged to mainstream Indian politics, squeezing the secular nature of Indian constitution and threatening the secular political ethos of India.

The second chapter, 'The Concept of Otherization in India under Hindu Nationalism' analyzes the forms of otherization of certain religious minorities in India. For the sake of clarity, the chapter first describes the constitutional guarantees which are engrained in the Indian Constitution for minorities. The attitude of Hindu nationalist forces towards these Constitutional guarantees has also been briefly explored before going deep into the nature and

various forms of otherization which the country's minorities have been facing at the hands of Hindu nationalist forces for decades. This leads the research to understand the gradual intensification of hatred towards these minorities, which reached its boiling point during the first term of Modi-led government, i.e. the BJP 2.0.

The third chapter, 'Otherization of Muslims in the Second Term of Modi-led Government' examines the policies that Modi government adopted to institutionally otherized the Indian Muslim minority since 2019 at state level. This chapter elucidates the BJP government's policies, constitutional amendments made by a parliament where Hindu nationalist parties have decisive majority, and institutional arrangements at state level towards Muslims creating an inconvenient and insecure environment to their existence in India.

The fourth chapter, 'Otherization of the Muslim Minority and Secular Character of India' discusses the otherization of Muslim minority in relation with a changing secular character of India. It deals with the question of how secular character of a country can allow the state to bring forth majoritarian agenda aimed at suppressing certain minorities. In doing so, the chapter also sheds light on diverging views on the question of India's constitutional identity on the dawn of freedom; the success of Nehruvian view to base the constitution on secular ethos, and then gradual decline of secular ethos in India, which ultimately led to the rise of Hindu nationalism to throne.

The final chapter, 'Hindu Majoritarianism and Its Implications: An Analysis' briefly analyzes the implications of Hindu majoritarianism for different circles and domains. First, it attempts to explain how majoritarian practices can corrupt a democratic system. It then explores the situation of India's political governance system amid rising wave of Hindu majoritarianism. In doing so, it digs out how the political parties, and independent institutions like judiciary, media and civil society have been confronting Hindu majoritarianism. Subsequently, the implications of majoritarian phenomenon for Indian minorities have also been explored. The chapter ends with implications of this phenomenon for India's foreign policy for South Asia and beyond.

Chapter One: Hindu Nationalism and the Indian Politics: An Overview

Introduction

One of the objectives of this research study is to understand the gradual rise of Hindu nationalism to the mainstream Indian politics. This is crucial because without having a sufficient overview of the history and process of evolution of this factor in the political scenario of a secular state like India, the current socio-political environment and its larger impacts cannot be analyzed. The discussion which follows will have a brief account of the rise of Hindu nationalist movement in the formation of RSS; its initial stance regarding political activism; its viewpoint on the independence movement and happenings at the time of partition. The chapter will then shortly describe the circumstances which compelled the Hindu nationalist movement to enter into political arena, and the way it had to compromise its hardcore agenda in order to win political space. This compromise enabled the Hindu nationalists to form an alliance with other political parties which ultimately resulted in their first exposure to the central government in 1978. Yet, this alliance could not last very long due to its internal contradictions.

The Hindu nationalism entered a new phase of political struggle with the formation of current ruling party, the Bharatiya Janata Party—BJP. The chapter takes a brief look at the journey of this political evolution in the last two decades of twentieth century. It touches the core issues like Ayodhia movement and the consequent demolition of the Babri mosque, which proved linchpin for the gradual success of Hindu nationalist version of the Indian politics. At the same time, it explains how shortcomings on part of the so-called secular forces of the country contributed to the rise of religious nationalism. Finally, it is argued that roots of the current strong foothold of the Hindu nationalist can be traced in the local, regional as well as global happenings taking place since the dawn of 21st century.

1.1.   Formation of the RSS

History of Hindu nationalism does not start with formation of the Rashtariya Swayamsevak Sangh—RSS in 1925. Even in the early 19th century, Hindu Mahasabha was there to work for the Hindu religious cause.[38] But the way the RSS impacted socio-cultural as well as political landscape of India particularly after 1947 makes its formation a landmark event to start our study with. Another reason to start studying the evolution of Hindu nationalism in political sphere with the formation of RSS is that the BJP, the current epicenter of Hindu nationalist

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[38] Raashid Wali Janjua and Dr. Khurram Abbas, *Hindutva*, 2.

politics, has direct links with the RSS and their mutual relationship does not need to be established further. According to Jaffrelot, the Hindu nationalism was [re]structured in 20th century in order to pose a solid opposition to Islam.[39] This was based on ethnic definition of nationalism, as the political philosophy of majoritarianism puts it.

Created in 1925, RSS successfully attempted to institutionalize the Hindu identity.[40] This institutionalization could not be materialized without attaching a political objective to this project. Therefore, the dream for a Hindu rashtra (state) was coined in order to attract common Hindus, especially youths while fueling a sense of fear and insecurity among them, based on majority-minority conflict. Its sole aim, therefore, remains the formation of a Hindu state.[41]

Dr. K. B. Hedgewar, the founding Sarsanghachalak of the RSS, was active office-bearer of the two organizations simultaneously for the first few years.[42] Mujeeb Afzal views the formation of the RSS as a reaction to the Khilafat Movement by the Indian Muslims whom Hindus took as a 'threatening other' organizing itself.[43] There was a sense of insecurity among the Hindu leaders not only for the Khilafat Movement, but also due to a perception of femininity attached to the Hinduism in general.

In an attempt to wipe out this perception, the promotion of egalitarian and martial values in Hindus became a prime objective of the RSS formation, so that no foreign power like Muslims or British could enslave them in future.[44] Hedgewar, inspired by the Greek system of gymnastics, established RSS shakhas (branches) all over India, and emphasized much on drill, games, sports, and physical exercises along with the spiritual training there.[45]Many studies suggest that initially, the RSS had wider agenda than mere political agitation. It parted ways with the Hindu Mahasabha in 1932 because it did not want to indulge in the political agitation. Nature and details of the RSS ideology are well-described through written works of M. S. Golwalker, the chief architect of the RSS ideology.[46] Giving supremacy to the nation over state, the RSS apparently worked as a socio-cultural group dedicated to the Hindu nation-building.[47]

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[39] Christophe Jaffrelot, *Modi's India*, 25.
[40] M. Mujeeb Afzal, *Bharatiya Janata Party and the Indian Muslims*, (Karachi: Oxford University Press, 2017), 56.
[41] Farhat Parveen, "The Rashtriya Swayamsevak Sangh (RSS)." In *The Rise of Hindutva Fundamentalism*, edited by Prof. Khalid Mahmud, 472-500. (Islamabad: Institute of Regional Studies, 2003), 472.
[42] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 485.
[43] Afzal, *Bhartiya Janata Party*, 53.
[44] Afzal, *Bhartiya Janata Party*, 57.
[45] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 474.
[46] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 475.
[47] Afzal, *Bhartiya Janata Party*, 59.

1.2.   Hindu Nationalism During Independence Movement

As discussed earlier, the formation of the RSS was a reaction to the Khilafat Movement by the Indian Muslims, which Mohandas Karamchand Gandhi also supported. Hindu nationalists were not in favor of Gandhi's support for the movement and considered it an appeasement to the Muslims by Congress. Congress presented the view of Indian [instead of Hindu] nationalism, also taking in the Muslims in its definition of Indian.[48] On the other hand, Gandhi's principle of nonviolence was in direct conflict with Hedgewar's dream of Hindu nation-building through physical upbringing and masculinity.[49] Hedgewar was a staunch supporter of independence from the British empire and had also faced imprisonment for this cause back in 1921. However, he didn't view the Congress version of Independence movement in larger interest of the Hindu nation and, therefore, we do not see the RSS very much optimistic about a divided India, as agreed by the Congress party and Muslim League.

The seven years from 1940 till 1947 were full of agitation and unrest for India as the independence movement was on its rise. Interestingly, this is the most prosperous time for the RSS. Instead of strengthening the voice for independence from British rule, the organization focused on its horizontal spread across the country. It multiplied its branches, which reached the number of six hundred thousand in 1947.[50] The group also found new members and well-wishers in every field of life. Had the RSS been actively engaged in independence movement, it could not have focused so much on its internal growth.

As mentioned above, the Hindu nationalism did not favor the partition of India in two countries. Its followers, therefore, did not celebrate the dawn of independence very enthusiastically. RSS chief Golwalker's famous quote, "if partition is a settled fact, we are here to unsettle it"[51], was a clear indication of the course which Hindu nationalist politics was going to take in years and decades to come. This indicated its hateful dream to reunite India as a Hindu *rashtra*, where Muslim and Christian minorities had to be treated as 'other'.

There is an interesting dichotomy in the Hindu nationalist narratives before and after partition. Before partition, they would ridicule any efforts for Hindu-Muslim unity while reinforcing the need for an undivided India. However, in a divided India after the independence, they started

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[48] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 473.
[49] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 473.
[50] Christophe Jaffrelot, *Modi's India*, 15.
[51] Satya Deva, *Background to a controversy*, Seminar, New Delhi, January 1980, p. 28.

disenfranchising integration efforts of the Indian state and tried to promote their hateful agenda of looking the society through the lens of Hindu and non-Hindu.

1.3. Politics of Hindu Nationalism after Independence

Although the Hindu nationalist forces were not part of the independence movement due to their reservations on the partition plan, they allegedly took active part in the incidents of mass killing, looting and agitation against the minorities migrating to the newly-born Pakistan. Due to this role, they got special attention of the Hindu nationalist elements present in the Congress party like Sardar Patel.[52] However, after Gandhi's assassination, Sardar Patel could not protect the RSS from wrath of prime minister Nehru and his government. Gandhi's assassination rendered the Hindu nationalist ideology and its workers unpopular in the eyes of the Indian state and masses.

Gandhi's murderer Nathoram Godse was allegedly an RSS member and during his trial, he explained that he was outraged by the weak stance Gandhi had taken towards the Muslims.[53] This set the stage for secular forces of the country to ban all ethnic groups and also arrested around 20,000 members of the RSS while outlawing the group.[54] At a time when even Sardar Patel was not in a position to give any relief to the RSS, M.S. Golwalker, then RSS chief, gauged the extent of group's political isolation and decided to establish a political outfit, although keeping it independent of strict organizational bondage of the RSS.[55] Another factor for RSS entry into politics was that the Hindu nationalist elements which were part of the Congress party were not happy with its secular agenda and Nehru's campaign for an inclusive constitution of the country. They were keen to forge a united group against the Congress party and its secular posture.[56] Ill treatment of the RSS after Gandhi's assassination provided a strong justification for this move and hence, a new party Bharatiya Janata Sangh came into existence on October 21, 1951.

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[52] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 479.
[53] Christophe Jaffrelot, "Opposing Gandhi: Hindu Nationalism and Political Violence," in Violence/Non-Violence: Some Hindu Perspectives, ed. Denis Vidal, Gilles Tarabout, and Eric Meyer (Delhi: Manohar, 2003), 299–324.
[54] Christophe Jaffrelot, *Modi's India*, 18.
[55] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 479.
[56] Afzal, *Bhartiya Janata Party*, 62.

1.4.   Hindu Nationalism & Secular India (1951-1977)

The new political experiment by the Hindu nationalist forces was initially tested at provincial level, only to gradually rise to the national politics later.[57] It was not easy for the RSS and allied Hindu nationalist forces to create political space for themselves with the baggage of Gandhi's assassination, especially at a time when Congress party was effectively dominating socio-political arena with its inclusive, secular agenda under the leadership of Jawaharlal Nehru. BJS could only exploit the Hindu sentiment through its exclusive agenda like protecting Hindu identity through Gao Rikhsha (cow protection) or the Hindi language. But, interestingly, the local leaders of Congress party itself were already seeking public support by promoting Hindu agenda.[58] Nationalists among the Congress party did not let the BJS champion Hindu nationalist agenda.[59] At the same time, Nehru was well-determined to safeguard the secular identity of the country while keeping BJS at the periphery as a communal party. These two factors contributed to the initial failure of the BJS in gathering considerable public attention.

India's war with China in 1962, and with Pakistan in 1965 provided the most needed ground to the Hindu nationalist forces to use the nationalist sentiment for their political gains. In the meantime, the secular ethos of the country faced a major blow in 1964 after the death of Nehru, after which leaders of the Congress party started using Hindu symbols for their political benefits. This decreased the sense of illegitimacy attached to the communal credentials of the BJS. [60] Using this relief, the BJS leadership tried to make political outreach and spread its mass support base across the country.

However, the BJS got another blow in the early 1970s when scheduled castes and peasantry rose up as a political force to challenge the status-quo. On the other side, Indira Gandhi's populist rhetoric in the name of *Gharibi Hatao* (eradicate poverty) was attracting people more than communal or ideological chants of Hindu nationalism. The ruthless treatment of the opposition parties by Indira Gandhi during 1975 emergency put more than 11,000 political workers behind bars. Estimates show that around 60% of these political prisoners were the RSS-affiliates.[61] This taught the Hindu nationalist forces a new lesson that they were not strong enough to confront the government on their own and after all they were compelled to

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[57] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 482.
[58] Afzal, *Bhartiya Janata Party*, 63.
[59] Christophe Jaffrelot, *Modi's India*, 18.
[60] Afzal, *Bhartiya Janata Party*, 63, 64.
[61] L. K. Advani, Influence of the RSS, *Illustrated Weekly of India*, Bombay, October 7-13, 1979, p. 8.

compromise their agenda in order to sit with the other political forces of the country. This lesson guided the BJS to form a political alliance with other opposition parties in order to contest the general election of 1977.[62]

1.5. First Exposure of the Hindu Nationalist Politics to the Indian Public Office

Since the late 1960s, BJS had been in quest to get acceptance among the other political parties with different backgrounds like secular, socialists, peasant parties, or those born out of the split among the Congress party. In this attempt, it even resolved to conceal certain ideological aspects inherited from the RSS.[63] These efforts were not very much successful until the imposition of emergency by Indira Gandhi in 1975, which compelled all the opposition parties to join hands against Congress. The outcome of this handshake emerged in form of a new alliance, *Janata Party*.

The Janata Party's first test was in the general election of 1977. Before the election, RSS rejected Indira Gandhi's offer to get the ban lifted and all prisoners freed if the group withdrew its support from the Janata Party. The RSS workers fully supported JP to the victory.[64] This victory was called the finest hour of the RSS by the group's media.[65] This was the first exposure of Hindu nationalist groups to the central government of the country and it led the RSS to run its own agenda under the garb of the Janata Party. During this brief period of about two years, the RSS not only got preferential treatment from the government to get special social welfare and educational funds, but also started working on re-writing textbooks to align the curriculum with Hindu nationalist narrative.[66] Moreover, the Hindu nationalist members of the government also tried for legislation on the pattern of Hindutva. They presented a bill to ban cow-slaughter; and another bill to curb religious conversions.[67]

The fulfilment of Hindu nationalist agenda while using the coalition platform caused unrest among the other allies. The RSS affiliates like Vajpayee and Advani were questioned for their membership of RSS while at the same time being members of the JP cabinet.[68] As they

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[62] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 482.
[63] Christophe Jaffrelot, *Modi's India*, 18.
[64] K. R. Malkani, *The RSS Story*, New Delhi, 1980, p. 10.
[65] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 483.
[66] P. N. Mehta, India, the Crowded Decade, New Delhi, 1980, p. 352.
[67] Christophe Jaffrelot, *Modi's India*, 19.
[68] Farhat, "The Rashtriya Swayamsevak Sangh (RSS)," 483.

preferred to remain RSS members, they were sidelined from the official chores in 1979 and later they had to formally quit the government.

It seems another setback to the Hindu nationalist politics. The brief term in public office, however, gave the Hindu nationalists a much-needed confidence that they had the ability to run their nationalist drive through this path as well. First exposure to the political office changed their political pattern altogether and in the following two decades, we see a much more aggressive and exclusive form of Hindu nationalist politics.

1.6. Political Rise of the Hindu Nationalism and the formation of BJP (1980s)

After withdrawing its support from the Janata Party, the political evolution of Hindu nationalism embarked on a new journey with creation of the Bharatiya Janata Party, i.e. BJP on 5 April, 1980. The newly-established party was led by A. B. Vajpayee and L. K. Advani, the former cabinet members of JP government. Learning lessons from the BJS and JP experiments, a clear distinction line was drawn between the RSS and BJP that led to a moderate posture of the BJP.[69] As a political party, the BJP's socio-economic program was focused on the demands like i) decentralization of the state and economy; ii) projection of Gandhian socialism; and iii) rejection of Nehurvian secularism.[70] It instead introduced the term 'positive secularism' claiming that it would protect the diversity without appeasing minorities for political gains.[71] It effectively appealed the youth, urban and educated classes of the Indian society getting, in return, higher degree of support from the age group between 18 to 35.[72]

1980s was a decade full of polarization and socio-political unrest in India due to several factors. Strength of the secular forces, including the Congress party, was gradually declining, on one hand; while the Operation Blue Star in June 1984 further fueled the religious and political polarization. The circumstances turned favorable for the RSS and its affiliates to selling its ideology during this decade.[73] It effectively used this opportunity and Vishwa Hindu Parishad, the cultural outfit of the RSS, was tasked to campaign for 'Hindu Awakening' in 1984. The group reactivated its agitation to demand the construction of Ram temple in place of Babri mosque in Ayodhia, UP.[74] Later on, BJP realized the significance of this campaign to promote

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[69] Christophe Jaffrelot, *Modi's India*, 20.
[70] Afzal, *Bhartiya Janata Party*, 67.
[71] Afzal, *Bhartiya Janata Party*, 67.
[72] Afzal, *Bhartiya Janata Party*, 73.
[73] Afzal, *Bhartiya Janata Party*, 66.
[74] Christophe Jaffrelot, *Modi's India*, 20.

majoritarian agenda. It formally joined the campaign in 1989 and successfully exploited this demand to grab 85 seats in 1989 general election, jumping from 2 seats in 1984.[75] BJP joined the government under V. P. Singh.

BJP had realized the importance of communal agitation for its political growth. Therefore, in 1990, Advani translated Ayodhia campaign into a Rath Yatra (chariot procession) with the same demand. It gave way to communal riots in several cities and a majority-minority tension all across the country. Advani's imprisonment before reaching his final destination in Ayodhia cause a split of BJP from the central government, resulting in early election in 1991. Rath Yatra was a successful bid for BJP in political terms as it managed to jump to 119 seats in Lok Sabha (lower house) from 85 in 1989. While those who had managed to reach Ayodhia during the event were cracked down by the police, causing around a dozen deaths. This bloodshed further fueled the agitation finally resulting in the demolition of the Babri mosque by Hindu nationalists on 6 December, 1992.[76] Although BJP named it as an instance of spontaneous activism and denied its involvement in the destruction, at party or state government levels. But the reports of the inquiry commission show that UP's state government, headed by the BJP was involved in orchestrating the destruction.[77] Chief Minister Kalyan Singh personally traveled to Ayodhia and promised Hindu visitors to build a Ram temple in mosque's place.[78]

The next general election was held in 1996, in which BJP added 41 more seats to its figure of 120 in pervious election. However, because no party had a clear majority, BJP faced difficulty to form a powerful government. It was due to the fact that no political party was willing to join BJP to the power corridors particularly because of its role in Ayodhia controversy.[79] Political crisis lasted till 1998 which forced the BJP to adopt a "forced moderation" in order to take in regional parties which did not want to give up their Muslim vote bank. By doing this, BJP had to compromise, at least for the time being, its three main agenda point i.e. construction of Ram temple at the ruins of Babri; abrogation of Article 370 of the Constitution permitting special status to the Indian-Occupied-Kashmir; and introducing a uniform civil code instead of the Muslim Personal Law.[80] This compromise was reflected in the election campaign of 1999 general elections in which BJP did not even adopt its manifesto. It instead run its campaign

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[75] Christophe Jaffrelot, *Modi's India*, 20.
[76] Christophe Jaffrelot, *Modi's India*, 20.
[77] Christophe Jaffrelot, *Modi's India*, 21.
[78] Basu, Amrita (2015). *Violent Conjunctures in Democratic India*. Cambridge University Press. ISBN 978-1-107-08963-1.
[79] Christophe Jaffrelot, *Modi's India*, 22.
[80] Christophe Jaffrelot, *Modi's India*, 22.

using the manifesto of National Democratic Alliance-NDA, which had no mention of these agenda items.

1.7. Hindu Nationalist Politics in India in the 21ˢᵗ Century

BJP successfully managed to complete its first term in the government from 1999 to 2004. The central role in this achievement was of the moderation policy which Vajpayee and Advani were following to keep the ruling alliance intact. Despite resistance from the RSS and BJP cadres, Advani was committed to keep this alliance alive, even at the cost of hardcore Hindu nationalist agenda.[81] During the same period, however, communal riots in BJP-governed state of Gujarat had to set the future course of Hindu nationalist politics in India. When Narendra Modi took charge of BJP in Gujarat, it was not in good condition and had lost around 2000 municipalities. Modi targeted the next state election and 500 days after losing municipal elections, BJP got a landslide victory in state election in the year 2003.

Gujarat model of the BJP requires deep analysis to understand how the Hindu nationalist politics got revival and managed to traverse the road toward power corridors in a way that it could fulfil its Hindutva agenda without any hiccup. Briefly, governance in Gujarat was a blend of Hindu nationalism and populism.[82] Godhra incident on 27 February, 2002, and the following pogrom in Ahmedabad and adjacent towns and cities created an opportunity for the BJP to win next state assembly elections by igniting polarization on the basis of communal identity.[83] These pogroms partially caused defeat to the BJP in general elections of 2004, as complained by Vajpayee.[84] In the long run, however, RSS and BJP found Modi, a new face to promote hardcore Hindu nationalist agenda without being tied to the political allies.

Gujarat, under its chief minister Modi, proved a laboratory for the Hindu nationalist politics where combination of Hindu communal politics and industrial development worked very well during 2001 to 2014. At the same time, attacks on World Trade Centre on September 11, 2001, and a wave of Islamophobia across the world proved a blessing in disguise for the Hindu nationalist forces. This is because until that point, global policymakers and academics at large did not subscribe to the idea of Islamism as a major threat despite the efforts of Sangh Parivar

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[81] Christophe Jaffrelot, *Modi's India*, 23.
[82] Christophe Jaffrelot, *Modi's India*, 34.
[83] Christophe Jaffrelot, *Modi's India*, 42, 43.
[84] Christophe Jaffrelot, *Modi's India*, 41.

to portray as such.[85] But the scenario after Septem 11 helped the RSS a lot to promote their 'Love Jihad' and 'Forced Conversions' rhetoric internally as well as outside India.

1.8.   BJP 2.0

BJP 2.0 here refers to the second BJP-led government from 2014 to 2019, which was its first under prime minister Modi. Allegations of corruption had badly damaged the Congress party government headed by Manmohan Singh. On the other side, BJP continued its march forward while portraying Modi as *Hindu Hariday Samrat[86]* (Emperor of Hindu Hearts). During this time span, BJP gradually got rid of the baggage of forced moderation it was bearing since 1996, and made a shift towards a traditional RSS image having muscular, pro-Hindu brand of nationalism.[87] Its achievement, in this period, was to construct a pan-Hindu vote in an electorate which was already fragmented across caste and religious lines.[88]

In its first term under PM Modi, the BJP deferred immediate action on RSS agenda points and allowed space for Hindu forces at a social level instead. Therefore, the BJP 2.0 can be considered a renaissance period for BJP after remaining unpopular for most of the 2000s.[89] Modi's own charisma and popularity, institutional support at every level, and a fragmented political opposition led the BJP to another landslide victory in 2019. It was a decisive moment for the long withstanding Hindu nationalist agenda of the RSS and its affiliates which paved the way for an institutionalized otherization of Indian religious minorities to be briefly discussed in the chapters to follow.

Conclusion

Gradual rise of the Hindu nationalist politics in India is full of ups and downs, supported by a number of political and non-political experiments and several challenges from inside and outside. Hindu nationalism was a socio-cultural movement in its essence, with no or little lineage to the mainstream political activism. It had its own viewpoint on political developments going on the Indian stage before partition. The circumstances which it faced forced the movement to take part in day-to-day political chores. The political parties attached to Hindu nationalism made several attempts to be accepted on political arena, and for this, they had to

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[85] Christophe Jaffrelot, *Modi's India*, 34.
[86] Christophe Jaffrelot, *Modi's India*, 38.
[87] Milan Vaishnav, ed. *The BJP in Power: Indian Democracy & Religious Nationalism*, Washington DC: Carnegie, 2019. Kindle Edition, 1.
[88] Vaishnav, *BJP in Power*, 2.
[89] Vaishnav, *BJP in Power*, 6.

make compromises on their agenda. There are several factors which contributed to the decisive revival of BJP as a Hindu nationalist party in 21st century. Among them are a strategy to blend Hindu nationalism with development model of Gujarat; fragile secular forces of the country; fragmented opposition from the main opposition parties; and a personal persona of Modi which helped BJP and RSS to attach a rhetoric of 'nation's savior' with him. During its first term, the Modi government focused on strengthening its roots without taking drastic measures towards the Hindutva agenda points. The state machinery, however, protected the social drive of otherization by Hindu nationalist forces in the name of cow protection, beef lynching, love jihad, etc. The landslide victory of BJP in 2019 general elections has given the Hindu nationalist government much courage and confidence to institutionalize the phenomenon of otherization of minorities with state machinery fully backing it.

Chapter Two: The Concept of Otherization in India under Hindu Nationalism

Introduction

After discussing the socio-political evolution of Hindutva ideology and its forces, this chapter aims at discussing the implications of this evolution for religious minorities living in India. As briefly discussed in the previous chapter, a core component of Hindutva is denial of equal status, rights and opportunities to the religious minorities like Muslims and Christians. Its ideologues claimed a status for the Hindu majority of the country which would give them the ultimate supremacy over the rest of the communities. Therefore, the emergence and rise of Hindutva is, in principle, based on opposing views which support certain privileges to religious minorities, and ultimately otherizing or marginalizing them. In the following pages, concept and nature of otherization is discussed.

This chapter is mainly divided in two sections. The first one enlists clauses of the Indian Constitution which deal with minorities. It also briefly discusses the criticism which the Constitution invites from the Hindu nationalist forces for its secular nature. The second section draws on the nature and instances of otherization, which minorities face at the hands of Hindutva forces in theoretical as well as practical terms.

2.1.   Constitution of the Republic of India and Religious Minorities

In order to have a clear understanding of how the religious minorities are being targeted in India, we need first to understand what they are entitled to in the constitutional framework of India. The Indian Constitution adopts secularism as its main facet, although the Indian version of secularism is different from that of the European or American models, as noted in the introduction. Debates of the Indian Constituent Assembly indicate that there was a difference of opinion about what ideological direction the new Constitution should take. There were several proposals to insert the term 'Secular' to the draft on the one hand, and to begin the preamble with the words 'In the name of God', on the other. None of the two succeeded.[90] The term 'secular' got its place in the preamble through the Forty-second Amendment in 1976.[91]

The preamble vows, on behalf of *The People of India*, to secure social, economic, and political justice for all the citizens of India. It also guarantees liberty of thought, expression, belief, faith

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[90] *Constituent Assembly Debates*, V. 10 (Lok Sabha Secretariat 1986) 447, 17 October 1949.
[91] Sujit Choudhry, Madhav Khosla and Pratap B. Mehta, eds, *The Oxford Handbook of the Indian Constitution*. Oxford: OUP, 2016. Kindle Edition p. 1292.

and worship.[92] Apart from the general guarantees given in the preamble, Part 3 of the Constitution explicitly deals with the human rights for citizens of India, including minorities. This part includes nine articles which define basic rights of religious minorities provided by the Indian Constitution. Article 15 guarantees that the State shall not discriminate against any citizens on grounds of religion, among others.[93] Similarly, no citizen, on grounds of religion, can be held ineligible for, or discriminated against in respect of, any government employment or office.[94] The Constitution, under Art. 17, also abolishes the long-standing tradition of untouchability which was once a major symbol of marginalization of certain communities.[95] Going further, the Constitution secures the equal right of all citizens to freedom of conscience, and to freely profess, practice and propagate the religion of their choice.[96] In the subsequent Article, all religious communities and sections have been entitled to establish and maintain institutions for religious and charitable purposes; to manage their own religious affairs; and other rights related to religious properties.[97] The Constitution also ensures that the educational institutions wholly maintained out of State funds do not get any religious instructions. An exception is of those institutions which are run by the State funds but have been established under any such endowment or trust which require religious instructions to be imparted there.[98] Article 29 and 30 of the Indian Constitution entitle minorities living in India to conserve their language, script or culture and to establish and administer their own educational institutions. Article 30 also bounds the State to refrain from any legislation regarding educational properties which could restrict or abrogate the rights of religious or lingual minorities. State is also bound not to discriminate against any minority in granting aid to educational institutions.[99]

2.1.1. Constitution and the Hindutva Forces

As could be seen above, the Indian Constitution is the most basic document ensuring equal rights and opportunities for minorities along with other citizens. Secular nature of this document has not been, however, a point of appreciation for all classes alike. In the early decades of a separate India, secularism and democracy played a two-fold role in the society; on the one hand, it meant protection of social privileges of the Hindu middle class; and on the

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[92]. Government of India, *The Constitution of India*, 2022, Preamble, p. 32.
[93]. *The Constitution of India*, 2022, Art. 15, p. 6.
[94]. *The Constitution of India*, 2022, Art. 16(2), p. 8.
[95]. *The Constitution of India*, 2022, Art. 17, p. 9.
[96]. *The Constitution of India*, 2022, Art. 25, p. 14.
[97] *The Constitution of India*, 2022, Art. 26, p. 14,15.
[98]. *The Constitution of India*, 2022, Art. 28, p. 15.
[99] *The Constitution of India*, 2022, Art. 30, p. 15,16.

other, it also offered a kind of paternalist guardianship to the minorities and backward classes.[100] Its later role gradually gave way to a fear among the high classes that their interests and status are being encroached by minorities and OBCs under the umbrella of secularism. This fear was strengthened by the fact that in 1980s, minority groups got vocal and mobile for their rights.[101] As a response to such mobilization emerged the majoritarian call for "Hindu Rights" which not only called for protection of social and cultural spheres of Hindu majority from being encroached by the minorities, but also started bashing secularism as "pseudo secularism" which was there to "pamper minorities".[102]

They used the term of "pseudo secularism" for any policy or measure that did not benefit Hindus as a majority. The consequent mobilization of Hindutva forces, whether it is for replacing Babri Mosque with Ram Temple, or demanding ban on religious conversions to Islam and Christianity, should be seen through the prism of majoritarian paranoia of a cultural encroachment by the minority groups.

The educated Hindu middle class, which is traditionally considered to be the backbone of Hindu democracy also blamed secularism for prioritizing minority agenda while compromising majority rights. The same class later became the flag-bearer of Hindu nationalism when it started seeking recognition around a majoritarian rhetoric of cultural pride, order, and national strength.

In its early period, the BJP made attempts to align its political struggle with secular ethos defined by the Constitution. It, therefore, attracted a large number of Muslim personalities and candidates for state and general elections. This caused a dissatisfaction among the RSS and its extremist outfits like VHP.[103] As a result of this dissatisfaction, the BJP also bandwagonned with the Sangh Parivar in its explicitly rigid agenda. It joined the VHP in Rath Yatra, and also started using terminologies like "pseudo secularism", "pampering minorities", "appeasement of Muslims", and foreign infiltration" to generate anti-minority rhetoric in order to portray the Congress, its main rival, as compromising rights of the Hindu majority for political gains.[104]

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[100] Thomas Blom Hansen, *The Saffron Wave: Democracy and Hindu Nationalism in India*, (New Jersey: Princeton University Press, 1999), Page 8.
[101] Hansen, *The Saffron Wave*, Page 157.
[102] Hansen, *The Saffron Wave*, Page 8.
[103] Jaffrelot, Christophe. *Les nationalistes hindous*. (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1993).
[104] Hansen, *The Saffron Wave*, Page 160.

The point to note here is that the Hindu nationalist discourse does not altogether reject secularism, nor it denies the Constitution for being secular. Rather it claims that Hinduism in itself is so secular that it can be the only system to run a composite society like India.[105] It is, therefore, the meaning of secularism which is a point of difference between the secular forces and Hindutva nationalist. Additionally, the political narrative of Hindu nationalists is based on the argument that Indian National Congress has always used the garb of secularism in order to appease religious minorities for its own political gains, and this strategy of the Congress has ultimately added to the vulnerabilities of Hindu majority. This narrative can be traced in the first speech of Narendra Modi after being nominated as candidate for the office of prime minister in 2014. He blamed secular political forces for breaking "society into bits and pieces under the umbrella of secularism for the sake of vote bank politics".[106] This majoritarian narrative indirectly targets the secular ethos of the Constitution and poses threats to the protections and rights which the Constitution offers to the non-Hindu citizens of India. The next chapter discusses how this antagonism of Hindu nationalism towards secular face of India was translated into Constitutional arrangements targeting minorities in the second term of Modi government.

2.2.   Nature of Otherization

Although the BJP emerged triumphant in the general elections of 2014, it still lacked the sufficient majority required to reshape the Constitution as per desires of the Hindutva nationalist forces.[107] Therefore, in its first term, the Modi government did not make any considerable move to institutionalize the process of otherization of the country's minority communities. Nor did it formally curtail liberal freedoms and secular nature of the Constitution.[108] It, instead, allowed space for the Hindu nationalist forces at a social level to keep checks on minorities and anti-Hindutva secular forces.[109] In this process, state institutions and law-enforcing agencies, including the judiciary and police, were there to protect the social drive against minorities.

Historically, we find two general patterns of otherizing minorities; the first one being ideological, while the other one being more practical. Questioning origins and loyalties of

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[105] M. Mujeeb Afzal, "Factors Contributing to Extremism in India", in *Hindutva: Rising Extremism in India*, ed. Khalid Rahman, (Islamabad: IPS Press, 2020) 39-51.

[106] Hansen, *The Saffron Wave*, Page 9.

[107] Heewon Kim, "Understanding Modi and minorities: The BJP-led NDA government in India and religious minorities," *India Review*, 16:4, (2017): 357-376.

[108] Hansen, "Democracy Against the Law", 19.

[109] Vaishnav, *The BJP in Power*, 2.

minority groups, as well as the project of rewriting the Indian history in order to "purify it from influence of Mughal and British colonization" come under the former pattern. While the more practical steps, which include a social war on minorities in the name of, for example, love jihad, Ghar Wapsi, and cow protection can be listed under the later pattern. Additionally, the gradual under-representation of Muslims through depriving them of their due share in the national parliament and state assemblies can be considered another example of such otherization. Both of the above mentioned patterns have roots in history and have remained a point of contention from time to time in the socio-political arena. The following section briefly discusses the manifestation of these aspects in the first term of Modi government from 2014 to 2019.

2.2.1. Questioning Origins and Loyalties

Doubting the origin and loyalty of local minorities, especially Muslims and Christians, is very central to the Hindu nationalist discourse. One of the key points of RSS ideologue, MS Golwalker's address to around 2500 RSS volunteers on 8 December 1947 was that Muslims must quit India. He also blamed Gandhi and Congress of appeasing Muslims.[110]

This narrative is reflected in general statements and electoral speeches of the Hindu nationalist leadership. As claimed by a hardcore Hindu leader Pravin Togadia, "the whole world was once inhabited by Hindus. [Now] our target is to make India a Hindu Rashtra by 2021. Muslims and Christians do not have any right to stay here."[111]

Such narratives have largely affected the popular opinion regarding minorities. Majority of the public legitimizes violent practices against Muslims, considering them "disloyal to the state and hence placed under security and political control".[112]

2.2.2. Political (Under-) representation

The trend of marginalizing the 'other' has also impacted the representation of minorities in political arena. There is a visible pattern of gradual decline of minority representation in parliament and state assemblies. The percentage of Muslim MPs in Lok Sabha has declined

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[110] Cited in Christophe Jaffrelot, "A Defacto Ethnic Democracy: Obliterating and Targeting the Other, Hindu Vigilantes and the Ethno-State," in *Majoritarian State: How Hindu Nationalism is Changing India*, ed. Angana P. Chatterji, et al. (New York: Oxford University Press, 2019), 55.

[111] Piyush Srivastava, "'We will Free India of Muslims and Christians by 2021: DJS Leader Vows to Continue Ghar Wapsi Plans and Restore Hindu Glory,'" Dailymail, December 19, 2014; Milind Ghatwai, "Want to Protect Hindus Today and 1,000 Years from Now: Pravin Togadia," The Indian Express, December 22, 2014. https://www.dailymail.co.uk/indiahome/indianews/article-2879597/We-free-India-Muslims-Christians-2021-DJS-leader-vows-continue-ghar-wapsi-plans-restore-Hindu-glory.html

[112] Smooha, S., 'The model of ethnic democracy: Israel as a Jewish and democratic state', Nations and Nationalism, 8, 4 (2002), p. 489.

from 9% in 1980 to 4.9% in 2019. This is despite the fact the share of Muslims in the overall population of India has increased from 11.4% in 1981 to 14.2% according to the census of 2011.[113]

BJP no longer considers Muslim candidates for its tickets to contest election at any level. For 2009 general elections, BJP had only four Muslim candidates, out of which only one got elected. In 2014 elections, the party fielded seven Muslim candidates but none got elected. It was for the first time since independence that the ruling party had no Muslim parliamentarian in its pool.[114]

This strategy has brought the Indian National Congress, otherwise the flagbearer of secularism, to a defensive mode. Congress also prefers lesser number of Muslims to represent it in electoral politics.[115] This is noteworthy here that a high-level committee appointed to find out the reasons for Congress' worst defeat in 2014 general elections blamed the pro-minority tag attached to the party responsible for this defeat.[116]

2.2.3. Drive of Social Exclusion in the BJP 2.0

Marginalization of members from minority communities has got the institutional umbrella since 2014. This is the new phase of RSS vigilantism in which it no longer fears the state action against itself and enjoys state protection while carrying out vigilant activities. A better resourced, more organized Sangh Parivar, with government authorities at its disposal, launches social campaigns in the name of ghar wapsi, cow protection and curtailing love jihad, mostly in states where election were scheduled.[117] BJP's success lies in its capacity to instigate violence against minorities and then reap the fruit in terms of electoral benefits.[118] Such campaigns helped BJP a lot to form government in states like Haryana, Maharashtra and Jharkhand.[119]

Hindu nationalists with a majoritarian agenda adopt a two-fold strategy in carrying out this socio-cultural policing. On one hand, they attack ethnic and religious groups who deviate from the majority culture in their customs and rituals. While on the other, they go after members of

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[113] Adnan Farooqui, "Political representation of a minority: Muslim representation in contemporary India", *India Review*, 19:2 (2020): 153-175.

[114] Christophe Jaffrelot, "A Defacto Ethnic Democracy", 48.

[115] Christophe Jaffrelot, "A Defacto Ethnic Democracy", 48.

[116] Iftikhar Gillani, "Understanding Indian Extremism", 73-87.

[117] Kim, "Understading Modi and Minorities", 14.

[118] Hansen, Thomas Blom, Wages of Violence. Naming and Identity in postcolonial Bombay, Princeton: Princeton University Press, 2001

[119] Kim, "Understading Modi and Minorities", 14.

their own community on the pretense that they are betraying the tradition of the majority. In both cases, they use physical and symbolic coercion.[120] They claim to defend Hindu culture and community against other groups who oppose the RSS agenda.[121]

Cow vigilantism is among the most pressing issues in this campaign of social exclusion of minorities. Election promises to increase cow slaughter penalty to a life-time imprisonment was an example of this.[122] The BJP government has also passed the "Prevention of Cruelty to Animals (Regulations of Livestock Markets) Rules, 2017", which bans the sale and purchase of cattle including cows and buffaloes for slaughter.[123] It not only prevents Muslims from eating beef, but also affects those engaged in the $10 billion leather and meat production, leather goods, and processing of dead animals.[124] The step may further encourage cow vigilantes who have unleashed a reign of terror against beef traders and consumers.

At public level, mob violence has systematically been accepted as a legitimate means of exercising political power over minorities and opponents of majoritarian states.[125]

Another systematic campaign to socially exclude minorities is in the name of Love Jihad. The campaign by Hindu nationalists is on the claim that Hindu girls are at risk of corruption and Hinduism of extinction due to inter-religious marriages that result in 'forced' conversions to Islam.[126] Through this campaign, the Hindu right attempts to projecting fragility and desiring to maintain social dominance through inventing stories of persecution of the Hindu girls who fall prey to the Muslim men in the name of love.[127] Such campaigns often enrage general Hindu public and add to the vulnerability of Muslims.

A similar instance of social exclusion, Ghar Wapsi (home returning) primarily targets the socio-economically disadvantaged Muslims and Christians. The notion behind this campaign is that forefathers of all Muslims and Christians, living in India, were once Hindu and were forcefully converted to Islam or Christianity by the 'invaders'. Now they are forced, through stick and carrot, to embrace Hinduism which is taken as their home returning. The campaign

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[120] Christophe Jaffrelot, "A Defacto Ethnic Democracy", 54.
[121] Christophe Jaffrelot, "A Defacto Ethnic Democracy", 55.
[122] Kim, "Understading Modi and Minorities", 10.
[123] Kim, "Understading Modi and Minorities", 11.
[124] Kim, "Understading Modi and Minorities", 11.
[125] Hansen, "Democracy Against the Law", 20.
[126] Truschke, Audrey. 2021. "What the myth of 'love jihad' tells us about the Hindu Right", Scroll.in, September 27. https://scroll.in/article/1006000/audrey-trushke-what-the-myth-of-love-jihad-tells-us-about-the-hindu-right.
[127] Truschke, "The myth of 'love jihad'.

has intensified since 2014.[128] Although no official data is available, the ghar wapsi campaign reconverted at least 200 Christians in Gujarat, 300 Muslims in Agra, and more than 100 Christians in Kerala, in first eight months of the Modi government alone.[129]

On the other hand, a controversy has been created around conversions from Hinduism to Islam in the name Love Jihad. There is a strong campaign carrying the demands to ban religious conversions through legislations. Such calls are also strongly supported by top brass of the Modi-government, including the current Union Home Minister, Amit Shah.[130]

Conclusion

The discussion regarding the evolution of Hindutva in India's socio-political sphere in last chapter paved the way for dealing with the question of otherization which the marginalized religious minorities of India have been facing through majoritarian agenda. In this chapter, the constitutional guarantees available to minorities were enlisted followed by a brief discussion on how Hindu nationalist forces view the Constitution. It is helpful in establishing how far the majoritarian ambitions of any exclusionist group can be curtailed through constitutional arrangements.

The later section in this chapter attempted to explain how, despite the presence of constitutional guarantees, Hindu nationalist forces have used the state power during first term of Modi government to socially exclude the marginalized communities and set a pattern for institutionalized otherization in its second term.

In the following chapter, the institutionalized efforts which the Modi government has made in its second term towards a majoritarian state have been examined. It has been suggested that during the period of 2019 to 2021, the longstanding agenda points of RSS' Hindutva rhetoric have been materialized through constitutional and institutional arrangements. The institutional arrangements which fall in this list include revocation of special status of Jammu and Kashmir; introduction of the National Register of Citizenship—NRC in Assam; Citizenship Amendment Act—CAA; Supreme Court judgement on the disputed site of Babri Masjid and paving the way for the construction of Ram Temple on the site, etc.

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[128] Kim, "Understading Modi and Minorities",12.
[129] "After Gujarat, VHP 'Converts' Christians in Kerala, State Govt Orders Probe," *Firstpost*, December 22, 2014; KPM Basheer, "Why Kerala Dalit Christians are Ghar Wapsi Targets," *The Hindu Business Line*, January 19, 2015.
[130] Kim, "Understading Modi and Minorities", 12.

Chapter Three: Otherization of Muslims in the Second Term of Modi-led Government

Introduction

The previous chapter discussed the concept of otherization under Hindu nationalism in India. It also discussed certain guarantees and legal rights which the Constitution of Republic of India provides to the country's minorities. How the Hindutva forces which dominate the socio-political sphere see the secularity of the constitution was another point of discussion. This led us to a conclusion that in first term of Modi-led government, Hindutva focused on social otherization of minorities including the Muslims. But the majoritarian agenda of Hindutva can only be accomplished in its true spirit once it institutionalizes this otherization through institutional and constitutional arrangements.

This chapter, while making an attempt to address the third question, discusses the institutional measures which have been taken in second term of Modi-led government to institutionally otherize the Muslims as a religious minority. The chapter enlists the institutional arrangements which include: i) abrogation of article 370 and 35A of the Constitution to revoke special status of the Indian-Occupied-Kashmir; ii) war on citizenship through the NRC and CAA; and iii) recent judgement of the Supreme Court of India on Ayodhia dispute between Hindus and Muslims.

A brief analysis of each of these steps attempts to support the argument that they have contributed to further majoritarian rule in India which has ultimately resulted in further marginalization of minorities in political and social spheres. The institutionalized otherization observed in Modi government's second term is more dangerous for minorities because it creates a scenario where the majority has been completely supported by all organs of the state to push minorities to the level of second-class citizens.

To understand the picture in its entirety, the chapter begins to explain the internal and external context which supported the state to take the measures discussed.

3.1. The Supporting Factors behind the Government's Institutional Drive

There are several internal and external factors, which provided support to the BJP government required to wage a drive of institutionalized otherization. These factors are briefly discussed in the following lines.

3.1.1. Unchallenged Political Dominance

In the general election campaign of 2014, the Bharatiya Janata Party, rather than focusing on state-specific agenda, adopted a new all-India holistic strategy with Hindu nationalist imagination at the core of its political struggle.[131] This strategy posed a crisis not only to the regional political parties but the Congress Party also. Regional parties faced a gradual decline which ultimately contributed to the power of the BJP.[132] The Congress Party also failed to tap into the public hopes and expectations because the BJP tactfully clubbed the slogan of 'shining India' with its idea of majoritarian nationalism.[133] This left little room for the Congress Party to pose a strong opposition to the BJP government inside and outside the parliament.

The Congress went so defeatist in its political strategy that it started towing the Hindu nationalist line to attract hardcore Hindu vote bank, leaving aside its secular ethos. Its president Rahul Gandhi proudly claimed being a practicing Brahmin and started paying frequent visits to the Hindu temples during his political campaigns.[134] Congress candidates contesting elections and leaders of the party were categorically stopped from visiting Muslim localities, sharing stage with Muslims and were directed to ask Muslims to attend the party's election gathering without traditional Muslim attire.[135] This approach of the Congress Party was named as '*soft Hindutva*'.[136] This defensive opposition ultimately benefited the real flagbearers of Hindu nationalism and the BJP was able to implement its longstanding agenda points after a landslide victory in the 2019 general election.

3.1.2. Social Dominance

Along with political dominance, social drive of the Hindutva forces was also quite helpful in creating a fearless dominating image of the BJP. RSS, its affiliates, and the organizations which are ideologically near to the RSS, raised a number of issues in order to influence the public opinion.[137] Hindutva extremists mounted a campaign against 'love jihad' and prioritized

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[131] Suhas Palshikar, "Toward Hegemony? The BJP Beyond Electoral Dominance," in *Majoritarian State: How Hindu Nationalism is Changing India*, ed. Angana P. Chatterji, et al. (New York: Oxford University Press, 2019), 102,103.

[132] Suhas, "Toward Hegemony," 103.

[133] Suhas, "Toward Hegemony," 106.

[134] "Rahul Gandhi visits temples in poll-bound Karnataka," Times of India, February 10, 2018. https://timesofindia.indiatimes.com/india/rahul-gandhi-visits-temples-in-poll-bound-karnataka/articleshow/62866502.cms (Accessed July 6, 2023).

[135] Gillani, "Understanding Indian Extremism," 81,82.

[136] Naveen Menezes, "Soft-Hindutva a trademark of Congress in Dakshina Kannada," *Economic Times*, April 10, 2018. https://economictimes.indiatimes.com/news/politics-and-nation/view-soft-hindutva-a-trademark-of-congress-in-dakshina-kannada/articleshow/63691188.cms?from=mdr (Accessed June 24, 2023).

[137] Suhas, "Toward Hegemony," 110,111.

religious conversion of minority groups to Hinduism.[138] They also used Gau Rakhsha (cow protection) campaign to frighten minorities. One of many such incidents took place in UP state in September 2015, when a Muslim was beaten to death on the accusation of killing a cow 30 years ago.[139] This is how the victims were painted as criminal and those justifying the killing enjoyed state patronage. Appointment of Yogi Adityanath as chief minister UP in 2017 was a signal for minorities to get ready to "face cultural, social and symbolic subordination" and the BJP stressed "resentment rather than hope…… hate rather than reconciliation and violence rather than decency".[140]

This social drive remained successful in creating fear amongst minorities and letting others know that Hindutva has no institutional barriers in its way.

3.1.3 Global Environment

The evolving global environment has also contributed to the unattended rise of Hindu nationalism in India. It is not only India where democracy produced odd results; even in the US, the democratic process resulted in the rise of a personality like Donald Trump. Therefore, the second decade of 21st century can be named as the decade of populism across the globe. And this phenomenon favored the rise of BJP to power to a great extent.[141] Even within BJP, leaders with moderate approach such as Atal Bihari Vajpayee, Jaswant Singh, Yashwant Sinha, and Murli Manohar Joshi had to exit the fray in order to give space to the present day hardline leadership.

Secondly, the Western powers, especially the US are benign towards India despite its anti-minority policies and severe violations of the human rights. This is due to the fact that these powers want to project India as a counter balance to China in South Asia and the politics of Indian Ocean.[142] India's huge market also compels the global powers to overlook the internal situation of India which ultimately has encouraged the Hindu nationalist elements to go unchecked.[143] China, on the other hand, does not wish to play any loose ball. Despite having

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[138] James Manor, "Can Modi and the BJP Achieve and Sustain Hegemony," in *Majoritarian State: How Hindu Nationalism is Changing India*, ed. Angana P. Chatterji, et al. (New York: Oxford University Press, 2019), 122.
[139] Manor, "Modi and the BJP," 122.
[140] Pratap Bhanu Mehta, "In the moment of his political triumph, Modi has chosen to defeat India," *The Indian Express*, 20 March 2017. https://indianexpress.com/article/opinion/columns/yogic-madness-yogi-adityanath-uttar-pradesh-bjp-narendra-modi-4576588/ (Accessed July 6, 2023)
[141] Salman Bashir, "Changing International Dynamics and Extremism in India", in *Hindutva: Rising Extremism in India*, ed. Khalid Rahman, (Islamabad: IPS Press, 2020) 121-126.
[142] Ye Hailin, "Rise of Extremism in India and Chinese Response", in *Hindutva: Rising Extremism in India*, ed. Khalid Rahman, (Islamabad: IPS Press, 2020) 115-120.
[143] Salman Bashir, "Changing International Dynamics and Extremism in India", 121-126.

differences with India over many issues, China does not show very strong concerns over the internal affairs of India. It is because if China does too much to stop India, it will ultimately push India towards the US, which will provide the US with a more feasible way to target China.[144] This reality compels China to keep balancing between the West and India.

3.2. Steps towards Institutionalized Otherization

This part focuses on the question of what constitutional and institutional measures have been taken so far in order to institutionalize otherization of minorities in India. These include i) abrogation of article 370 and 35A of the Constitution to revoke special status of the Indian-Occupied-Kashmir; ii) war on citizenship through the NRC and CAA; and iii) recent judgement of the Supreme Court of India on Ayodhya dispute between Hindus and Muslims.

Brief analysis of each of these developments attempts to show how they may add to the majoritarian agenda of marginalizing minorities across the country.

3.2.1. Abrogation of Jammu & Kashmir's Special Status

On 5 August, 2019, the Indian parliament unanimously passed the Jammu & Kashmir Reorganization Act 2019 to divide the Indian-administered Jammu & Kashmir into two union territories. With effect from 31 October, 2019, the Act also abolished Legislative Council of Jammu & Kashmir. The Act gave powers to the Indian government to pass executive orders in relation to both union territories. Following the Act, a presidential order amended Article 370 of the Indian Constitution which, thus, revoked special status extended to Jammu & Kashmir.[145]

Before this legislative development was unveiled, there was a "straight clampdown on Jammu & Kashmir under military boots including an absolute communication blockade. It allowed the Indian government to scrap its special status and tear it into two parts.[146] The longest-ever lockdown crushed the chances of any public uproar and ensured the information to slip into a blackhole. It was the same model of colonization which Israel has already applied to Palestinians in order to disempower and dispossess the local Muslim community.[147]

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[144] Ye Hailin, "Rise of Extremism in India and Chinese Response", 115-120.
[145] Legal Forum for Kashmir, "Colonial Diary: A Repository of Settler Colonial Diktats in Indian Occupied Jammu & Kashmir", (Legal Forum for Kashmir-LFK 2022), 3.
[146] LF, "Colonial Diary," 4.
[147] LFK, "Colonial Diary," 4.

The legislative development enabled the application of India's Central Land Acquisition Act, 2013, to Jammu & Kashmir which implies that the land can be grabbed from local community for "defense purposes".[148] Another notification, dated 24-07-2020, withdrew the requirement of No Objection Certificate from the Home Department for provision of land to the army, BSF, CRFP and similar other organizations.[149] An amendment was also introduced in grant of domicile certificate rules. The process of claiming a local domicile certificate was simplified, with *Tehsildar* and *Naib-Tehsildar* having authority to issue it. It can apparently lead to a process of altering demographic realities of Jammu & Kashmir.[150] On the other hand, some open category employment positions were also reserved for migrant and non-migrant Kashmiri *pandits* under the special prime minister package.[151]

3.2.1.1. How does it contribute to otherization?

With revocation of special guarantees to Jammu & Kashmir in August 2019, India totally withdrew its conciliatory approach to management of Kashmir issue, if there was any. Jammu & Kashmir's special status meant the state's own constitution, flag and entitlement to determine its permanent residents. Although this autonomy of the disputed area was already mere symbolic due to heavy militarization, yet it had significance for local Kashmiris. With new developments, Kashmir has turned into an Indian colony.[152] Article 35A had limited land ownership in the state to permanent residents only. Nullification of this Article, however, confirms that the Indian government aims at changing demographic composition of the region.

The move is in full accordance with the BJP's stated aim of transforming India into a strong, centralized, unitary Hindu Rashtra (state).[153] Separating Ladakh from Jammu & Kashmir seems a step towards entertaining the longstanding demand of Buddhist community. This shows a basic tenet of Hindutva theory which categorizes religion and religious communities of India on the basis of either local, or foreign.[154]

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[148] LFK, "Colonial Diary," 6.
[149] Government of Jammu and Kashmir, Revenue Department, *Withdrawal of Circular No. Rev(LB) 71/13-A dated 27.08.1971*, Srinagar: Revenue Department Jammu and Kashmir, 2020. Accessed online, cir_land.jpg (940×1280) (jkrevenue.nic.in) (Accessed on 25 June 2023.
[150] LFK, "Colonial Diary," 7.
[151] LFK, "Colonial Diary," 9.
[152] Medha. "The Revocation of Kashmir's Autonomy: High-Risk Hindutva Politics at Play." German Institute of Global and Area Studies (GIGA), 2019. http://www.jstor.org/stable/resrep24808.
[153] Medha. "Kashmir's Autonomy".
[154] Medha. "Kashmir's Autonomy".

Another religious aspect is also attached with the development of August 5, 2019. Kashmir is significant for Hindu religion for being the land of many Hindu deities. Therefore, Hindu nationalists have a longstanding dream of evacuating Jammu & Kashmir from centuries-old "occupation" of Islamic "invaders".[155] Revocation of the Article 370 has always been a key agenda point for the Hindu nationalist movement. In this quest, Bharatiya Jana Sangh, the precursor of BJP, had launched an anti-370 agitation in 1951 and its founder, Syama Prasad, died of a heart attack in prison while protesting the Article.[156] He is referred to as a 'martyr leading the movement for complete integration of Jammu & Kashmir" on the official BJP website.[157]

The Development on Jammu & Kashmir galvanized the BJP's hardcore Hindu majoritarian voter base.[158] In its quest to show masculinity over Muslim minority, the local leaders and workers also expressed their ambition to use this opportunity to have access to the Muslim Kashmiri women and the land in Kashmir. A BJP MLA was heard cracking a joke in a public gathering that Hindus can now marry girls from Kashmir also.[159] Control over Muslim women is part of the Hindu nationalist project in order to exercise masculine power through ownership and control of women.

3.2.2. Grabbing Citizenship from Minorities

A landslide victory in general election of 2019 gave BJP government the required momentum to fulfil those ambitions which were on the agenda of Hindu nationalist politics for quite a long time. One of these agenda points was waging war on citizenship. In response to a petition filed by an Assamese NGO, the Assam Public Works (APW) to "protect the rights of the indigenous people of Assam", the Indian Supreme Court ordered to conduct a revision in National Register for Citizenship in Assam, the northeastern Indian state. This final NRC, published in August 2019 rendered 19 lac Muslims stateless on the basis that they could not provide satisfactory documentary evidence of their citizenship. In many cases, some members of a family were declared local while the other could not obtain this status. Eleven detention camps were established across Assam to keep those declared noncitizens. Those having any grievances had the chance to file an appeal before the Foreigners Tribunals established for this purpose only.

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[155] Medha. "Kashmir's Autonomy".
[156] Medha. "Kashmir's Autonomy".
[157] (Bharatiya Janata Party n.d.) https://www.bjp.org/dr-syama-prasad-mookerjee accessed June 25, 2023.
[158] Medha. "Kashmir's Autonomy".
[159] The Tribune, "BJP bachelors can go to valley and marry fair Kashmiri girls." *YouTube Video*. August 7, 2019, https://www.youtube.com/watch?v=AA5XWswf1AA&t=68s accessed 25 June 25, 2023.

Indian Home Minister Amit Shah expressed several times in 2019 his government's ambition to enlarge this practice to a national level.[160] In December 2019, Indian Parliament passed the Citizenship Amendment Act. The Act, amending Section 2 of the Indian Citizenship Act 1955, permits citizenship to the persons "belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan" if he/she entered India on or before 31st of December 2014.[161] It includes the minorities of the aforementioned countries and leaves out Muslims on the pretext that these communities are facing systematic persecution in their own countries. The Act was presumably introduced in order to facilitate those Hindus to get back their citizenship who lost it in the practice of NRC in Assam.[162] It, however, put more burden on the Indian Muslims leading them to an aggravated identity crisis.[163] It was for the first time that religion was used as a criterion for citizenship. As per the Constitution of 1950, the criteria for citizenship was based on i) birth in the Indian territory; ii) Birth of parents in the Indian territory; iii) Residence in the Indian territory for not less than five years.[164]

NRC and CAA show the "racism, discrimination, Islamophobia, and even dehumanization ……… are taking center stage in a future dominated by Hindu nationalism".[165] That was the reason that CAA invited a huge number of protests across Delhi which turned into violence, riots and police brutality against the protestors. These protests reflected anxiety over the question of resources and rights of indigeneity and ultimate fear of losing elements of identity, including language, culture, and land.[166]

3.2.2.1. How does it contribute to otherization?

NRC and CAA contribute to the otherization of Muslim minority in multiple ways. Those unable to produce the required documents in the practice of NRC were termed as 'infiltrators', making them vulnerable to expulsion. They may become more vulnerable to persecution or get deprived of their basic rights.[167] While the NRC was a practice to exclude indigenous people

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[160] Varshney, Ashutosh. "India's Citizenship Amendment and its Muslim Minority." *US Commission on International Religious Freedom*. 2 Mar. 2020. www.uscirf.gov/sites/default/files/Ashutosh%20Varshney.pdf. Accessed 6 June 2023.
[161] Government of India. Ministry of Law and Justice (Legislative Department). *The Citizenship (Amendment) Act, 2019*. The Gazette of India, 2019.
[162] Mohapatra, Sanket. "A Legal Analysis of Indian Citizenship Amendment Act with Special Reference to Repudiation of Secularism." *Alochana Chakra Journal IX*, no. IV (2020): 1591-1605.
[163] Mohapatra, "A Legal Analysis of Indian Citizenship Amendment Act," 1591-1605.
[164] Connah, Leoni. "The Indian Northeast: India's Shift from Colonised to Coloniser." *Global Change, Peace & Security* 33, no. 2 (2021): 201-209. 10.1080/14781158.2021.1847062.
[165] Leoni. "The Indian Northeast," 201-209.
[166] Deka, Mridugunjan. "Ascriptive Belongings and Contestations: Locating the Citizenship Amendment Act (CAA) 2019 and Assam," *Salesian Journal of Humanities and Social Sciences XIII*, no. 1 (2022): 1-12.
[167] Ashutosh. "India's Citizenship Amendment".

by depriving them of their citizenship, the CAA was introduced to facilitate foreign nationals getting Indian citizenship on religious basis. The NRC also caused split in families where some members of a family were included while leaving out others.[168]

Both NRC and CAA have an external dimension also. Expulsion of citizens through a revised NRC could lead to the influx of migrants to Bangladesh, which has already been struggling with the Rohingya influx. Despite warm relations between New Delhi and Dhaka during Modi-Hasina era, Bangladesh was not taken into confidence with respect to the possible implications of NRC.[169] In CAA, by using the rhetoric of persecution of non-Muslim minorities in Afghanistan, Bangladesh and Pakistan, India has tried to develop a posture of the region's elderly figure who is much concerned about the suppressed communities belonging to other countries in South Asia. But in doing so, India particularly focused Muslim majority countries and paid no attention to the persecuted ethnic and religious minorities in countries like Myanmar and Sri Lanka. This clearly indicates the Indian ambition to target both the indigenous Muslim minority of India and secular practices in the country.[170]

3.2.3. Supreme Court Verdict on Ayodhya Controversy:

Another instance of the institutionalized otherization of Muslims in India is the Supreme Court's judgement of November 9, 2019, on Ayodhya mosque-temple controversy. A five-member bench unanimously allotted 2.77 acres of the disputed land for construction of Ram Temple. The bench directed central and state governments to allocate 5 acres of land to Muslims to construct their mosque on some alternate place in the city.[171]

Judiciary's role in Ayodhya dispute has always raised concerns, mainly among Muslims. On 7 October, 1991, when the dispute was on its peak, the state government of Uttar Pradesh acquired 2.77 acres of disputed land with a claim to use it for promotion of tourism and provision of amenities to pilgrims. Muslims challenged this acquisition on the basis that it was to destroy mosque and transfer land to Hindu groups for construction of the temple. A high court bench allowed the state government to possess land but ordered to abstain from any construction and also from transferring land to any other party. The land was, however,

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[168] Ashutosh. "India's Citizenship Amendment".

[169] Saikia, Arunabh. "No NRC talks held with Bangladesh so far, says India's foreign ministry in RTI response." *Scroll India*. Scroll India, October 2, 2019. https://scroll.in/latest/939212/no-nrc-talks-held-with-bangladesh-so-far-says-indias-foreign-ministry-in-rti-response, (Accessed July 3, 2023).

[170] Deka, Mridugunjan. "Ascriptive Belongings and Contestations, 1-12.

[171] M Siddiq (D) versus Mahant Suresh Das & Others, CA Nos 10866-10867 of 2010, 2019, pp 923. https://indiankanoon.org/doc/107745042/, accessed 23 June, 2023.

transferred to the Ram Janmabhoomi Trust on 20 March, 1992, through a deed of lease which started construction after demolishing the existing structure. Despite this violation of the status quo, the court only ordered to stop construction after Muslims filed an appeal against it and did not punish those responsible for it.[172] Similarly, the UP high court allowed Hindus to have *Darshan* of lord Ram after demolition of the mosque.[173] It was despite the fact that Muslims had never been allowed to pray inside the mosque since its closure in 1949. The Indian Supreme Court refused to entertain an appeal filed by Muslim community to reverse this judgment of the high court.[174]

Since the demolition of the mosque in 1992, it was only in 2018 that the apex court could begin substantive hearings of the case. By that time, the Muslim minority had already come under immense social and political pressure of the majoritarian agenda of BJP government. Since 2014, the atmosphere had turned too much anti-minority in general and, anti-Muslim in particular. Throughout the judgement, the principle of secularity was altogether neglected by the Supreme Court.[175]

3.2.3.1. How does it contribute to otherization?

Muslims' religious sights and historical places have long been an issue of contestation for Hindu majoritarian mindset. The incumbent chief minister of UP, Yogi Adityanath, in a speech delivered in February 2015, says:

> "Every time a Hindu visits the Vishwanath temple, the Gyanvapi mosque taunts us. If given a chance, we will install statues of goddess Gaurr, Ganesh and Nandi in every mosque."[176]

This statement, which Yogi gave well before the judgement on Ayodhya dispute, shows the majoritarian Hindu mentality regarding Muslim holy sites in India. Hindu fundamentalists also

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[172] Edge, Peter W, and Mc Rajan. "Sacred Sites and State Failures: A Case Study of the Babri Masjid/Ram Temple Dispute in Ayodhya." In *Law and Religion in the Liberal State*, edited by Jahid Hossain Bhuiyan and Darryn Jensen, 217–232. Oxford: Hart Publishing, 2020. Accessed July 5, 2023. http://dx.doi.org/10.5040/9781509926367.ch-013.

[173] Judgement delivered on 1 January 1993 by Justice HN Tilhari and AN Gupta in Vishwa Hindu Parishad v Union of India case cited in AG Noorani (ed), The Babri Masjid Question 1528-2003: 'A matter of National Honour' (Tulika Books, New Delhi 2003) Vol II, 247-48.

[174] S Ahmad, 'Judicial Complicity with Communal Violence in India' (1996) 17 Nw J Int'l L & Bus 320, 334.

[175] Edge and Rajan. "Sacred Sites and State Failures".

[176] Mishra, Mukul Kumar. "No lesson learnt? Will install Gauri-Ganesh in every mosque, says Yogi Adityanath." One India. Published February 9, 2015. https://www.oneindia.com/india/will-install-gauri-ganesh-every-mosque-yogi-adityanath-1647800.html.

claim their right over other mosques like that in Waranasi, Mathura and Kansi. Supreme Court judgement on Babri Mosque has set a path and precedent for Hindus to pursue these actions.[177]

Conclusion

This chapter has discussed few practical steps, which the Hindu nationalist government of BJP has taken using state institutions to institutionalize otherization of the Muslim minority in India. It first briefly mentioned the internal as well as external factors which have contributed to an unchecked and unopposed rise of Hindu nationalism to a level where it has no obstacles and resistance in its way to fulfil longstanding agenda of Hindu majoritarian rule. The internal factors include fragile political opposition; benign state machinery and social influence of Hindu nationalism. And the external factors include global rise of populism, the Indo-US strategic alliance to counter the rise of China etc.

The chapter then goes on to describe some of the institutional arrangements aggravating human rights situation of Muslims. These include changing the constitutional status of the Indian-administered Jammu & Kashmir; changing constitutional conditions for citizenship through NRC and CAA; and judgment of the Ayodhya dispute between Muslims and Hindus.

These are some instances which show that in its second term in office, the Modi government has taken a shift from social suppression to impose institutional otherization on the Muslim minority. All the aforementioned developments in fact fulfil the key agenda points of longstanding ambitions of the RSS and its nationalist affiliates. These developments on the one side have grabbed some basic human rights from the Muslim community while putting it in a state of constant fear, while on the other, it has granted Hindu nationalist forces an atmosphere to carry out their activities with impunity because the state machinery is always on their back to justify and legalize whatever they carry out.

The next chapter analyzes how this otherization of Muslim community is linked with the erosion of the secular character of India. It briefly explains the historical journey of secularism in India, the challenges which it faced over time, and the way it got damaged in the hands of Hindu nationalist movement.

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[177] Kumar, A., 2020. SC Verdict: What if Ram Temple was demolished in 1992 instead of Babri Masjid?, *South Asia Journal*, (31), pp.48-50.

Chapter Four: Otherization of the Muslim Minority and Secular Character of India

Introduction

Hindu majoritarian approach in India is maintained not only on the claim of rights and privileges for 80 per cent population of the country,[178] it rather poses an exclusive claim on the country with a view that only Hindus are the "true sons of soil", while others, particularly Christians and Muslims are outsiders. This claim in itself is so anti-minority that its dominance in the country can definitely pose threats to the secular nature of the constitution.

The institutionalized otherization of the Indian Muslim minority from 2019 to 2021 came under discussion in the previous chapter. It explained how the second term of Modi-led BJP government is different for Muslims from its first term. The second term saw substantial arrangements at institutional level which not only threatened the very existence of Muslim community in the country, but also posed danger to the pluralistic nature of Indian society.

Consequently, this chapter discusses how the secular character of India, protected and upheld by the country's constitution, is linked with marginalization of local Muslims. First part of the chapter tries to dig out the historical roots of secularism in India. The role of competing views on the question of India's new identity in the wake of freedom in 1947 has been discussed. Although the Nehruvian view dominated other competing ideologies, but the Congress party, the very guardian of this view, had to face contrasting attitudes within its own spheres in the years and decades to come.

The internal contradictions which led to the gradual decline of Nehruvian state in India gave way to the more conservative and anti-secularist forces to challenge secular ethos. The gradual rise of Hindu nationalist movement and how its rallying for Hindu rights affected secular character of the constitution has been discussed in second part of the chapter. Third part deals with the question of secular character of India in first term of the Modi government. It examines how the dominating Hindu nationalist approach has compelled even the secular forces like Congress to play religious card in politics. This part briefly differentiates the BJP version of Hindutva from that of Congress. In the final part, we return to the discussion of correlation between marginalization of Indian Muslims since 2019 onwards and India's secular identity.

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[178] "Population Census 2011," Census Organization of India, 2011, https://www.census2011.co.in/.

4.1. Historical Roots of Secularism in India

Soon after its independence from the colonial rule, India had to face diverging, rather conflicting views on the new identity and the constitutional approach of the new state. We find three broader approaches regarding what the independent India should look like and how it should be governed. These approaches are briefly discussed in the following lines:

4.1.1. Diverging Views on the Post-Colonial Identity of India

Indian leadership, in its early days, after independence was divided across three broader approaches while addressing the question of the country's constitutional identity. The first approach was Nehruvian approach, advocated by Jawaharlal Nehru himself. This approach defined nation in political terms i.e. "comprising those who inhabit sovereign Indian territory, and a place where all citizens were equal".[179] Another approach was based on Hindu nationalism which projected exclusive Hinduism as the new state's identity. Apart from these two conflicting views, there was another view which saw the future of India in traditional terms. Emerging from the Congress tiers, this view was more inclined towards preserving cultural features like Hindi language over Urdu.[180] Functionaries from top to local levels of leadership in the Congress Party, the flagbearers of this approach posed a threat to the Nehruvian vision from within the party.

4.1.2. Dominating View of Nehruvian Secularism

Since the Hindu nationalist elements did not have presence in the Constituent Assembly, the traditionalist approach was well represented there through the likes of Sardar Vallabhbhai Patel. It was due to the pressure from this faction that despite many efforts from the members of India's Constituent Assembly, the textual reference to secularism could not find place in the Constitution at its inception.[181] However, the secularist approach practically dominated and India got a brand of secularism, which was "designed to hold the country's disparate communities together".[182] It was only through Forty-second Amendment that the term "secular" could get a place into preamble of the Constitution.[183]

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[179] Christophe Jaffrelot, "The Fate of Secularism in India." In *The BJP in Power: Indian Democracy and Religious Nationalism*, ed. Milan Vaishnav, (Washington DC: Carnegie Endowment, 2019) 52.

[180] Jaffrelot, "The Fate of Secularism", 52.

[181] Mate, Manoj, Constitutional Erosion and the Challenge to Secular Democracy in India (September 17, 2018). Constitutional Democracy in Crisis? (Mark Graber, Sanford Levinson, Mark Tushnet, eds., Oxford University Press, 2018)., Available at SSRN: https://ssrn.com/abstract=3250995 or http://dx.doi.org/10.2139/ssrn.3250995

[182] Jaffrelot, "The Fate of Secularism", 51.

[183] Manoj, "Constitutional Erosion", 8.

4.2. Early Damages to Secular Character of India

India's secular model worked well from 1950s till early 1970s. During this time, religious minorities got good representation in the elected assemblies at central and state levels.[184] Since 1947, however, the Congress Party had been facing some internal contradictions coupled with opposing views on India's identity. For example, Jawaharlal Nehru was central to the Congress party's policies and approaches and he was the man who advocated secular ethos the most. But the party's local leadership did not hesitate to exploit issues like cow slaughter and Hindi-Urdu problem for electoral gains.[185] Yet, it was the dominating persona of Jawaharlal Nehru and other leaders at top level which did not let the party deviate from its secular principles. As a result, the party kept performing well as the guardian of secular character of the country.

4.2.1. Entry of the Hindu Nationalism on Central Scene

The secular character of India faced a major blow in 1964 upon the death of Nehru, after which leaders of the Congress party started openly using Hindu symbols for their political benefits.[186] Yet the party maintained to keep dominating political sphere in the country. In 1980s, respective policies of Indira Gandhi and, later on, her son Rajiv Gandhi and their favors to certain minorities gave Hindu nationalists an argument to mobilize Hindu nation that the Congress party had been compromising the majority's rights in order to appease minorities through "pseudo-secularism".[187]

This was in 1980s when the Hindu nationalist factions took on the already declining secular character of the country. The BJP's politics is based on religiosity which it has been deploying in the Indian politics.[188] Chariot Procession (aka Rath Yatra) under Advani's leadership with a demand to replace Babri Mosque with Ram Temple proved a disastrous dent to the fate of the country's secular character. Congress' electoral decline, BJP's active participation in Ramjanmabhomi movement and its overall Hindutva agenda contributed to the expansion of its electoral base.[189] It was the religious polarization which earned victory for the BJP in UP's state election of 1991, which is not only the largest state of India but also homes the largest populace of the Indian Muslims. It proved that weakening secular character was inverse

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[184] Christophe Jaffrelot and Sanjay Kumar, *Rise of the Plebeians?: The Changing Face of the Indian Legislative Assemblies* (New Delhi: Routledge, 2009).
[185] Afzal, *Bhartiya Janata Party*, 63.
[186] Afzal, *Bhartiya Janata Party*, 63, 64.
[187] Jaffrelot, "The Fate of Secularism", 52.
[188] Manoj, "Constitutional Erosion", 5.
[189] Manoj, "Constitutional Erosion", 19.

proportionate with the BJP's electoral performance, a fact which was only reemphasized in the years and decades to come.

The institutional support which BJP got to promote its Hindu nationalist agenda cannot be overlooked. For instance, the Supreme Court of India made particular interventions during the year 1996 which allowed the BJP to put further strength in using religion and rallying on Hindu nationalism in its electoral politics. In three cases, the Supreme Court interpreted Section 123(3) of The Representation of the People Act 1951 (RPA) while dealing with the question of how far the use of religion can be allowed to seek vote.[190]

Despite winning majority in 1996 election, the BJP could not dent the secular character to a substantial level because it had to compromise its hardcore agenda in order to adjust with the successive coalition governments from 1996 until 2004.[191] Although economic issues and national security vis-à-vis Pakistan were central to the BJP-NDA government from 1999 to 2004, the BJP kept expanding its Hindutva appeal through supporting Hinduism at state level and also through introducing the aspects of Hinduism as part of syllabus at public schools.[192]

At local level, incidents like Gujarat riots of 2002 helped the party to project itself as the only savior of Hinduism in India.

4.2.2. Secular Character of India in the Post 9/11 World

Like in many parts of the world, wave of terrorism after September 11 has also laid negative effects on Muslims' lives in India. With their basic rights being compromised, Muslims from lower classes remained under continuous policing and skepticism by the state and the society. Muslim majority areas often face a high density of police raids and visible policing than Hindu majority localities.[193] During the period of 2002 to 2009 when Mumbai had faced multiple incidents of bombing, it became a standard procedure that after each blast platoons of constables would raid Muslim areas and force Muslim males to sit in long rows under naked sun, with policemen beating them up with batons and rifle butts.[194]

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[190] See Prabhoo b. Kunte (1996)1 SCC 130; Joshi v. Patel (1996)1 SCC 169; Kapse v. Singh (1996)1 SCC 206.
[191] Manoj, "Constitutional Erosion", 20.
[192] Manoj, "Constitutional Erosion", 22.
[193] Hansen, "Democracy Against the Law", 25.
[194] Hansen, "Democracy Against the Law", 25.

4.3. Secular Character of India since 2014

The electoral as well as institutional dynamics of the Indian politics have drastically changed since BJP's victory in the general election of 2014. With Modi-led government in India, use of religious rhetoric in electoral and governance spheres increased, ultimately undermining and weakening the secular character of the constitution.[195] Continuous use of religious rhetoric to seek electoral support invites divide, communal tensions and political instability, which together pose a threat to the constitutional foundations of a state. The way BJP used communal fault lines for its electoral campaigns and governance policies since 2014 has inflamed further communal disturbances and caused anti-minority violence.[196]

4.3.1. BJP's Hardcore Hindutva Approach

Future of civil liberties and secular ethos in India was a core concern after BJP got power in 2014 and this concern has only aggravated with every passing year. It should be interesting to note that the 2014 election manifesto of Bharatiya Janata Party, unlike the previous such documents, did not openly advocate for the "Hindutva" agenda and focused primarily on the development agenda.[197] The election campaign, however, did not go empty of Hindu nationalist slogans and anti-Muslim rhetoric, emphasized by various key figures of the BJP in their speeches at various localities.[198]

Keeping in view its landslide victory in the 2014 election, the BJP did not need to compromise its hardcore agenda in order to keep the ruling alliance intact. Yet, it did not pass any significant legislation curbing secular character and mostly relied on existing body of laws and police protocols in order to "limit speech, assembly and movement of various classes".[199] Playing tactfully, however, the BJP's local governments in various states enacted a series of sweeping measures to advance the agenda of promoting Hindu nationalism.[200] This resulted in two key measures including ban on cow slaughter for beef consumption in different states; and introducing reforms in Muslim Personal Laws without any serious consultation with religious leadership of the Muslims.[201] Bans on cow slaughter followed a social campaign of cow vigilantism in 2014, which resulted in incidents of mob attacks and increased ratio of mob

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[195] Manoj, "Constitutional Erosion", 6.
[196] Manoj, "Constitutional Erosion", 6,7.
[197] "Bharatiya Janata Party." n.d. Bharatiya Janata Party. https://www.bjp.org/bjp-manifesto-2014.
[198] Manoj, "Constitutional Erosion", 26.
[199] Hansen, "Democracy Against the Law", 19.
[200] Manoj, "Constitutional Erosion", 27.
[201] Manoj, "Constitutional Erosion", 27.

lynching of Muslims nationwide.[202] The cultural policing of Muslims on cow slaughter and other issues like *Ghar Wapsi* and Love Jihad carried out since 2014 has turned India into a de facto Hindu *rashtra*.[203] Much celebrated liberal norms which stem out of the seventy-four-year old Constitution "have neither penetrated in everyday political life, nor substantively changed the social and cultural norms among the vast majority of Indians.[204] As a result, Hindu mobs indulging in this policing under state apparatus are generally seen as legitimate embodiment of majoritarian ambitions.[205]

Nomination of Yogi Aditiyanath, a staunch Hindu nationalist and Hindu monk, as chief minister of the largest state of India in 2017 was another clear indication of the BJP's increased deployment of majoritarian religious rhetoric in politics.[206]

Additionally, the weakening secular, pluralistic character appears in the BJP's war on non-Hindu symbols and names. In its government since 2014, Muslim names of towns and famous places have been replaced with non-Muslim names. The historic city of Allahabad is now called Pryagaraj.[207]

4.3.2. Bandwagon with the Hindu Nationalist Rhetoric: The Only Way Out

Hindu nationalism in India has grown at the cost of secularism to a level that it has become nearly impossible for political forces to do politics on secular principles. The view has been prevalent that rallying around Hindu majoritarianism is the only legitimate stance which the political forces will have to adopt if they seek nationwide acceptance and electoral success. This phenomenon has compelled even the Congress Party to "downplay its secularist roots and embrace a pro-Hindu sentiment".[208] This can be observed in Congress Party's electoral tactics in different states, where Rahul Gandhi, on one hand, projects himself as a Brahmin and, on the other, he visits various Hindu temples during his campaign in Gujarat.[209] Similarly, Congress Party's manifesto for state election in Madhya Pradesh intends to "build gaushalas (cow shelters), develop commercial production of gaumutra (cow urine) and cow dung;

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[202] Manoj, "Constitutional Erosion", 28.
[203] Jaffrelot, "The Fate of Secularism", 55.
[204] Hansen, "Democracy Against the Law", 21.
[205] Jaffrelot, "The Fate of Secularism", 55.
[206] "BJP Springs Surprise: Yogi Adityanath to be the New Uttar Pradesh CM," *Economic Times*, March 18, 2017, https://economictimes.indiatimes.com/news/politics-and-nation/bjp-springs-surprise-yogi-adityanath-to-be-the-new-uttar-pradesh-cm/articleshow/57707752.cms.
[207] *BBC News*. 2018. "Allahabad: The Name Change That Killed My City's Soul," November 7, 2018, sec. India. https://www.bbc.com/news/world-asia-india-46015589.
[208] Jaffrelot, "The Fate of Secularism", 55.
[209] Manoj, "Constitutional Erosion", 31.

promote Ram Gaman Path (the path that lord Ram took during his exile from Ayodhia); and pass laws to conserve sacred Indian rivers.[210]

In the past, the Congress party retained its secular image due to its secular leadership at national level, large number of Muslim nominations in certain states, and the party's concerns to improve socio-economic conditions of minority communities. But this has significantly changed with passing times. Now the party leadership feels less hesitation in exploiting Hindu symbols for political gains; the party has substantially decreased Muslim nominations in election; and it seems less concerned about the improvement of minority state of affairs.[211] Even in states where Congress has been in power, there is a general trend of succumbing to the pressures from Hindutva forces. This can be seen in an incident of Madhya Pradesh where three Muslim youths were arrested for cow slaughter under a notorious federal law which permits to detain people for up to a year without judicial proceedings. The police later admitted that the accused were detained upon the pressure from Bajrang Dal.[212] This shows how the state machinery has been facing immense pressure from the narrative built by Hindutva forces over the years, and that this pressure is not confined to those parts of the country which are directly run by Hindu nationalist parties.

Conclusion

Socio-political and electoral dominance of Hindu nationalism in India since 2014 has posed existential threats to the religious and ethnic minorities of the country. Muslim minority is the particular victim of the majoritarian agenda which is equipped not only with electoral support base, but also the institutional protection through state machinery. This phenomenon has unavoidable challenges for the very nature of the Indian constitutional framework which is based on secular character.

In this chapter, the question of how the otherization of Muslim minority and the changing secular character of India has been addressed. In doing so, the nature of Indian secularism is discussed in the first place. A brief analysis of the journey of secularism in India, diverging views regarding India's postcolonial constitutional identity and ultimate triumph of secularist view has been made. How the Congress party's compromises on its secular ethos costed India, its politics and society has also been discussed. This discussion takes us to the rise of Hindu

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[210] Jaffrelot, "The Fate of Secularism", 56.

[211] See, for example, Iftikhar Gillani, "Understanding Indian Extremism", 73-87.

[212] See Milind Ghatwai, "In MP, This Time Under Congress, Three Held Under NSA for Cow Slaughter," *Indian Express*, February 6, 2019, https://indianexpress.com/article/india/in-mp-this-time-under-cong-three-held-under-nsa-for-cow-slaughter-5571019/.

nationalism in India's political arena and its implications for secular identity of the country. The aggravating situation of the already vulnerable Muslim minority in the post- September 11, 2001, has been touched briefly. The chapter then discusses, in somewhat detailed manner, the current rise of Hindu nationalism since 2014 and how it has changed rules of game in the politics of India.

The chapter concludes that, at least for the time being, [soft or hard] Hindutva is the only acceptable way to survive in the Indian politics. This is a trend which even the Congress party, otherwise custodian of secularism in India, could not escape and it also tried to win back its foothold through playing religious tactics. In its second term from 2019, the Modi-led BJP government has gone a step further in eroding secularism when it institutionalized Muslims' marginalization through introducing Citizenship Amendment Act, National Register of Citizenship in Assam, abrogation of Article 370 in Jammu & Kashmir, and the like. This is ultimately undermining the spirit of secularism in the constitutional framework of India.

The final chapter discusses the implications of otherization of Muslims through Hindutva, with a particular reference to the political philosophy of majoritarianism. It briefly discusses how India is on its way to convert from a secular pluralist constitutional democracy into a majoritarian ethnic democracy and what implications this gradual evolution might have for India - internally as well as externally.

Chapter Five: Hindu Majoritarianism and Its Implications: An Analysis

Introduction

The previous chapters attempted to explore the rise of Hindu nationalism in India through a gradual process of decades, the successive government of Hindu nationalist BJP since 2014 and its implications for Indian minorities and changing political course and constitutional character and its cost for the Indian governance system and the state structure.

The final chapter aims to explain the internal as well as external implications of Hindu Majoritarianism. In doing so, this chapter returns to the theoretical assumptions of the political philosophy of majoritarianism and discusses them in relation with current situation of Indian state and society since 2019 onwards. By doing the analysis of events through the lens of majoritarian philosophy, we will be able to dig out how this approach has polarized the political environment of the country, how the course of governance has taken various shifts to use state machinery in its favor, and how it dealt with the independent segments like civil society and media. Although analyzed in somewhat detail in previous parts, the political and social implications of majoritarianism for Indian Muslims have also been briefly touched upon while making the post 5 August 2019 Jammu and Kashmir as a case study. The chapter finally explains what implications this phenomenon can bring on external front where India has been struggling to become a regional hegemon, on one hand, and prove itself a fast emerging global power, on the other.

5.1. Majoritarianism in a Democracy

Majoritarianism is an off-shoot of illiberal democracy, which comes into being when the difference between opposing group does not remain a normal principled one but takes shape of a distinct social identity.[213] As discussed in previous chapters, the opposing groups to claim distinct social identities in India have traditionally been those having secular vision of politics and society and those envisioning the country a Hindu Rashtra.

In political terms, majoritarianism gives birth to a clear polarization, which is "a process whereby the normal multiplicity of differences in the society increasingly align[s] along a

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[213] Thomas Carothers and Andrew O'Donohue, "Introduction," in *Political Polarization in South and Southeast Asia Old Divisions, New Dangers*, ed. Thomas Carothers and Andrew O'Donohue (Online: Carnegie Endowment for International Peace, 2020), 3–7, https://carnegieendowment.org/files/Political_Polarization_RPT_FINAL1.pdf.

single dimension, cross-cutting differences become reinforcing, and people increasingly perceive and describe politics and society in terms of 'us' versus 'them'".[214] This majoritarian polarization can easily be traced out in Indian general elections of 2014 and 2019 where BJP bagged an unprecedented victory mainly because of the polarizing agenda upon which it traditionally runs its politics. Modi's popularity as a charismatic leader was also due to his image as an unapologetic Hindu leader whose followers see in him a *Hindu Hriday Samrat* (ruler of Hindu hearts).[215] The BJP under Modi has been projecting itself forcefully masculine, majoritarian and anti-minority, which is in tune with the general atmosphere of increasing polarization.

5.2. Implications for Political Structure of India

One common trait of a majoritarian politics is to project a paranoia of some perceived enemy working against the country's majority community. In doing so, it perceives internal as well as external enemies, which helps it to divide people in categories of 'us' vs 'them'.[216] In India also, Hindu nationalist factions have naturally maintained their politics on this division and political forces which oppose majoritarian agenda have frequently been labeled as traitors, minority-appeasers, Pakistan-sympathizers, etc. The BJP promoted slogans of '*Congress-Mukt Bharat*' (Congress-Free India), while accusing Congress of being soft to Pakistan and enemy of the Hindu majority.[217] This has resulted in two different phenomenon. On the one hand, the RSS and BJP have earned good name amongst Hindu majority by tapping into the majority sentiments and religious affiliation for electoral gains; while on the other, secular forces have given up their role of guardianship of secular ethos in politics and society. They have started making strategies to win hearts of majority, even if it is at the cost of rights for minorities.

The majoritarian populist leaders also claim to embody people. The people they represent is one singular entity. This leaves little or no room for inclusive politics and pluralistic policies.[218] Consequently, every community, group or individual with a different approach is tagged as anti-national, or traitor.

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[214] Murat Somer and Jennifer McCoy, "Déjà Vu? Polarization and Endangered Democracies in the 21st Century," *American Behavioral Scientist* 62, no. 1 (2018): 2.

[215] Niranjan Sahoo, "Mounting Majoritarianism and Political Polarization in India," in *Political Polarization in South and Southeast Asia Old Divisions, New Dangers*, ed. Thomas Carothers and Andrew O'Donohue (Carnegie Endowment for International Peace, 2020), 9–23, https://carnegieendowment.org/files/Political_Polarization_RPT_FINAL1.pdf.

[216] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State*, 1.

[217] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State*, 4.

[218] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State*, 4.

5.3. Implications for Independent Institutions of India

Populist majoritarian leaders naturally like no obstacles in their way. According to the core philosophy of majoritarianism, 51 per cent or above share of the popular vote entitles the winner to rule "without interference from institutions like judiciary, free press or civil society activism".[219] Coupled with authoritarian approach, majoritarian leaders attempt to avoid their power being questioned. Efforts are made to maintain tight grip over politics in order to control state apparatus more effectively. In this course, they tend to control information and communication through influencing media outlets either by stick or carrot.[220] In addition to minorities, the BJP government has also brought disaster for every independent institution and segment of the society including rights activists, media, progressive educational institutions, and political opposition.[221]

Freedom of press as the fourth pillar of democracy gets compromised when media is used to amplify and propagate state narrative instead of its original work to keep checks on and identify the loopholes in governance. The BJP government has extensively used the Indian media to fabricate, present, promote and amplify narratives which suit its ideological stance.[222] This phenomenon has given birth to a new term 'Godi-Media' for those media networks which openly support the BJP government and its policies. The journalists criticizing government policies, on the other hand, have to frequently face backlash from the government.[223] A recent report of *Reporters without Borders* accuses India to be "one of the world's most dangerous countries for media". It also shows that Hindu majoritarian mindset launches online attacks and cyber bullying against anyone who does not subscribe to its rhetoric.[224]

Similarly, the Indian judiciary has also largely been ineffective and unable to play its part in order to safeguard the country's secular identity despite being the first and foremost guardian of its constitution. This is evident from the Indian Supreme Court's judgement in Ayodhia case

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[219] "Majoritarianism," Populism Studies (European Center for Population Studies), accessed August 7, 2023, https://www.populismstudies.org/Vocabulary/majoritarianism/#:~:text=Majoritarianism%20is%20often%20referred%20to.

[220] "Majoritarianism," Populism Studies.

[221] Nitasha Kaul, "Rise of the Political Right in India: Hindutva-Development Mix, Modi Myth, and Dualities," *Journal of Labor and Society* 20, no. 4 (December 2017): 523–48, https://doi.org/10.1111/wusa.12318.

[222] Saroj Kumar Aryal and Simant Shankar Bharti, "Changing the Media Landscape in India under the Modi Government: A Case Study Based on the Narrative Policy Framework," *Studia Z Polityki Publicznej* 9, no. 3(35) (December 4, 2022): 47–64, https://doi.org/10.33119/kszpp/2022.3.3.

[223] Danish Raza, "India arrests dozens of Journalists in Clampdown on Critics of Covid-19 Response," the Guardian, July 31, 2020, https://www.theguardian.com/global-development/2020/jul/31/india-arrests-50-journalists-in-clampdown-on-critics-of-covid-19-response, accessed Aug 6, 2023.

[224] "India | RSF," rsf.org, n.d., https://rsf.org/en/country/india.

which raised concerns over the safety and future of historical structures belonging to minorities. It is the result of majoritarian approach adopted by the Court in this case which has given much needed courage to the Hindutva forces to fabricate controversies over other Muslim historic places like in Varanasi and Mathura.[225]

To sum it up, the majoritarian ambitions of ruling Hindutva forces have dented the independent institutions like media, civil society and judiciary which, are expected to play crucial role in keeping checks on democratically elected governments, no matter how popular they are. These constraints have contributed to the inefficiency of democratic institutions and has increased its pace from illiberal democracy to a majoritarian rule.

5.4. Implications for the Indian Muslim Minority

Politics of the Bharatiya Janata Party in India revolves around its commitment to defend the interests of Hindu majority first and foremost. This naturally comes at the expense of rights of minority communities.[226] This phenomenon leads it to a key majoritarian characteristic of dividing people in categories of 'us' versus 'them'. Although all religious minorities have suffered the otherization by Hindu nationalism in one way or the other, Muslims are a prime target of Hindutva forces. Practical manifestation of the Hindu majoritarian agenda since 2014 has impacted Muslims socio-economically as well as politically. Different aspects of social exclusion and political marginalization have been discussed in previous chapters. This section briefly returns to these aspects in light of philosophy of majoritarianism. Abrogation of Article 370 of the Indian Constitution was a longstanding agenda point of the Hindutva forces. How the political and socio-economic life in the Indian-held Jammu and Kashmir has since changed has been discussed as a case study.

Since August 5, 2019, the Indian authorities have issued domicile certificates to non-residents of Jammu & Kashmir at a large scale. More than 4 million outsiders were issued domicile certificates in Kashmir after the abrogation of Article 370.[227] This unprecedented migration to the Muslim majority Kashmir from other parts of India seems a deliberate policy of the Indian government to change demographic realities of the conflicted area. With this, electoral landscape of the valley is also being changed. The seats in state assembly were increased from

[225] Iftikhar Gillani, "Understanding Indian Extremism", 73-87.
[226] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State*, 4.
[227] Nasir Qadri and Musaib Manzoor, "Bi-Annual Review of Human Rights Situation in Indian Occupied Jammu & Kashmir ," *Legal Forum for Kashmir* (Legal Forum for Kashmir- LFK, June 2022), https://lfkashmir.com/bi-annual-human-rights-review-iojk-jan-june-2022/.

83 to 90. Six out of seven additional seats were allocated to the Hindu-majority Jammu area, while only one seat was increased in Muslim-majority Kashmir valley. This is despite the fact that the later accounts for 56.15 per cent of the total population.[228] This seems completely in line with the majoritarian plan to politically suppress minority communities of the country.

The issue of social exclusion of Kashmiri Muslims is even worse. A report published by the Kashmir Chambers of Commerce and Industry shows that the lockdown and communication blockade imposed by Indian authorities following 5 August 2019 dismantled local industry. In first three months, the Muslim-majority area suffered loss of up to 178.78 billion Rupees while the ratio of job loss during the same period was 0.496 million.[229] The authorities also grabbed 178,005.213 acres of land in Kashmir, and 25,159.56 acres in Jammu.[230] This resulted in depriving local people of their major source of earning through agriculture production.

Another manifestation of social exclusion can be traced in language politics in Kashmir. Indian parliament passed The Jammu and Kashmir Official Languages Act on 23 September, 2020. The Act introduced English, Hindi, Kashmiri and Dogri as official languages along with Urdu, which had been the sole official language since 131 years.[231] This move is feared to wipe out centuries-old literature, culture, historical legacy and identity, eventually fulfilling another majoritarian agenda of academic suppression.

5.5. External Implications of Hindu Majoritarianism in India

Indian foreign policy and its relations within South Asia and beyond need dedicated assessment and deep analysis. This section attempts only to give a brief overview of the implications of BJP government's majoritarian agenda on India's relations with other countries.

The BJP government under Narendra Modi has taken an aggressive policy vis-à-vis Pakistan and on bilateral issues with it. Following the populist narrative, the BJP used Pakistan as a perceived enemy, an existential threat to India.[232] This suited the party's majoritarian ambitions and fostered Narendra Modi's persona as a strong charismatic leader.

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[228] Qadri and Manzoor, "Bi-Annual Review of Human Rights in Jammu & Kashmir."
[229] Kashmir Chamber of Commerce and Industry, "Preliminary Economic Loss Assessment Report," Januar 2020, https://kashmirscholars.files.wordpress.com/2020/01/kashmir-chamber-of-commerce-report-january-2020.pdf.
[230] Qadri and Manzoor, "Bi-Annual Review of Human Rights in Jammu & Kashmir."
[231] Umer Maqbool, "Why the Centre's Bill on Official Languages in J&K Is Facing Opposition," *The Wire*, September 3, 2020, https://thewire.in/government/jammu-and-kashmir-official-languages-bill.
[232] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State*, 4.

The majoritarian ambitions based on polarization have also politicized Indian national security and its relations in the region.[233] As a result, India has been aggressively dealing long standing issues in the region. Total ignorance of the Pakistani concerns while taking back Kashmir's special status in 2019 shows that India is not ready to consider opposing views even in bilateral issues. India's zero-engagement policy with Pakistan has also shrunk space for regional cooperation in South Asia, as is evident from the practical demise of South Asian Association for Regional Cooperation—SAARC which is the only intergovernmental body for cooperation in South Asia.

Surprisingly, however, this majoritarian agenda or Hindus-first policy of the BJP government does not seem at work at global level. Internationally, India has been trying to project India as a world power, promoting its soft skills, cultural richness, and Hindu rituals as a common heritage for humanity. Indian diaspora abroad is of particular strength in this quest which is being used to project Indian soft image. Additionally, the BJP and RSS have also been using ultranationalist factions among Hindu diaspora to promote global campaigns for Hindutva.[234]

This leads us to conclude that the Hindu nationalist BJP government has two contradicting approaches on foreign policy front. On one hand, it has been pursuing a hardline, aggressive approach in the region which is focused to alienate Pakistan. On the other hand, India under the same government has been using a soft approach in international relations, becoming part of alliances, and projecting itself as a global leader.

Conclusion

While returning to the political philosophy of majoritarianism, the final chapter concludes that the BJP government led by Narendra Modi is theoretically based upon four key characteristics of populism, authoritarianism, nationalism and majoritarianism. Together with the former three characteristics, majoritarianism divides the Indian society and politics along two categories of 'us' versus 'them'. This division has been very significant since BJP grabbed majority in the center in 2014. As a natural outcome of populism, those who criticize the government, its policies and its Hindutva ambitions are considered and labelled as anti-national and anti-Hindu. Muslim minority is the prime target of Hindu communalism but it is not the only target. Rights activists, media, progressive educational institutions, and political opposition, ethno-religious

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[233] Sahoo, "Mounting Majoritarianism in India", 9-23.
[234] Angana P. Chatterji, et al., "Introduction," in *Majoritarian State*, 11.

minorities and academic circles have largely been suffering from this majoritarian division. Every dissenting voice is projected sympathizer of a perceived enemy, if not the enemy itself.

The chapter concludes that this division has visible implications for Muslims and other minorities, for political opposition, for independent bodies and institutions like judiciary, media and civil society, and for the country's foreign relations.

Conclusion

India, the largest democracy in the world, has been confronting a wave of Hindu majoritarianism since early 1980s. The return of Hindutva nationalism in early 2010s resulted in the political dominance of hardcore Hindu nationalist party BJP which has been ruling India since 2014. This research work analyzes the institutionalized otherization which Muslim minority has been facing in the second term of BJP-led Modi government. Institutionalized otherization is manifested in constitutional and institutional arrangements which India has taken in form of i) abrogation of Article 370 to dominate socio-political realities of Muslim-majority Jammu & Kashmir; ii) Revised Register for Citizenship in Assam; iii) Citizenship Amendment Act; and iv) 2019 Verdict of the Indian Supreme Court on Ayodhia controversy between Hindus and Muslims. This institutionalized arrangement has contributed to a visible marginalization of Muslim minority in India which has posed threats to other minorities of the country as well.

This research study presents an overview of the evolution of Hindu nationalism to the mainstream Indian politics. In doing so, it briefly mentions the circumstances which led to the formation of the RSS. It also gives an overview of the pre-independence and post-independence strategies of Hindu nationalism, its encounter with the real time politics, and how it reacted to the question of India's constitutional identity after freedom. It further discusses how the BJP, with its Hindutva ideology, emerged to mainstream Indian politics squeezing the secular nature of Indian constitution and threatening the secular political ethos of India.

The study analyzes the forms of otherization of certain religious minorities in India, violating the constitutional guarantees available to these minorities. The attitude of Hindu nationalist forces towards these constitutional guarantees has also been briefly explored before going deep into the nature and various forms of otherization which the country's minorities have been facing at the hands of Hindu nationalist forces for decades. This leads the research to understand the gradual intensification of hatred towards these minorities, which reached its boiling point during the first term of Modi-led government, i.e. the BJP 2.0.

Particularly, this study covers the institutionalized arrangements which the Indian parliament, Hindu nationalist government, and state machinery have taken since 2019 till 2021 to socially and politically otherize the Indian Muslim minority. It elucidates the BJP government's policies, constitutional amendments made by a parliament where Hindu nationalist parties have

decisive majority, and institutional arrangements at state level towards Muslims, creating an inconvenient and insecure environment to their living in India.

Furthermore, the study also deals with the question of how secular character of a country can allow the state to bring forth majoritarian agenda aimed at suppressing certain minorities. In doing so, it sheds light on diverging views on the question of India's constitutional identity at the dawn of freedom; the success of Nehruvian view to base the constitution on secular ethos, and the gradual decline of secular ethos afterwards, ultimately leading led to the rise of Hindu nationalism to throne.

Finally, the study analyzes the implications of Hindu majoritarianism for different circles and domains. First, it attempts to make philosophical explanation of how majoritarian practices can corrupt a democratic system. It then explores the situation of India's political governance system amid rising wave of Hindu majoritarianism. In doing so, it digs out how the political system, and independent institutions like judiciary, media and civil society have been confronting Hindu majoritarianism. Subsequently, the implications of majoritarian phenomenon for Indian minorities have also been explored.

This research study concludes that impact of marginalization is not confined to the ethnic or religious minorities only. It has been affecting the country's secular character, ultimately drawing its new constitutional identity. The erosion of secularism in India will be a deviation from its original identity laid down by its founding fathers like Jawaharlal Nehru after a tiring struggle inside and outside the party, which will be an eventual triumph for Hindu nationalists who had never been happy with the secular identity of India that professed equal treatment of minorities, at least constitutionally.

Key findings of the research work are listed below followed by some recommendations.

Key Findings

This research study finds out that:

- The social marginalization of Indian minorities at the hands of Hindu nationalist forces has gradually taken an institutional shape in the second term of BJP Government under Narendra Modi.

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- The first term of Modi-led BJP government from 2014 to 2019 is marked with Hindu vigilantism at social level. In this process, Hindu mobs suppressed Muslims in the name of cow protection, curbing love jihad, ghar wapsi and economic boycotts.

- In its first term, the Modi-led BJP government did not take any institutional steps toward fulfilling longstanding agenda of Hindu nationalism. The state, however, was largely complicit to Hindu vigilantes targeting Muslims at socio-economic level.

- In its second term, the Modi-led BJP government worked to institutionalize otherization through constitutional arrangements, coupled with judicial verdicts strengthening the majoritarian narrative.

- The institutionalized otherization has further aggravated the situation of social exclusion, economic marginalization and political underrepresentation of Muslim community.

- Indian parliament's move to abrogate Article 370 of the Constitution has added to vulnerabilities of not only the Muslims of Indian-Occupied-Kashmir, but to the centuries-old cultural and civilizational legacy of the land itself. A particular example in this regard is to allow non-Kashmiris to purchase land in the valley, get settled their and acquire local domiciles, which may be the initial stage of changing demographic status quo.

- Hindu nationalists see abrogation of Article 370 as a decisive triumph over Kashmiri Muslims. Their tone and posture against Muslims is that of the victorious who have every right over the bodies and properties of the invaders.

- By introducing a revised National Register for Citizenship (NRC), identity of more than 2.5 million Assamese Muslims is at threat. The move has also created threat for the neighboring Bangladesh which may have to face a new influx of migrants after Rohingya refugees from Myanmar.

- Citizenship Amendment Act (CAA) is not only a threat to the demographic volume of Indian Muslims, it has an external aspect also. By inviting the so-called persecuted minorities of Pakistan, Bangladesh, and Afghanistan, India has attempted to ignite and exploit local fault lines of these societies.

- The institutionalized otherization has encouraged Hindu nationalist forces to further work towards separation of Muslims. One example is the Supreme Court's judgement on Ayodhia controversy, after which Hindus are now strategizing to claim other historical mosques like one in Varanasi and another in Mathura, etc.

- India has also been trying to erase traces of Muslim identity which were there in India for hundreds of years. In this quest, there are concerted attempts to "rewrite history", with

educational curricula already under drastic changes, and Muslim names of towns and cities are being replaced with Hindu names.

- Decline of secularism in India has been a key factor behind gradual rise of Hindu nationalism to the center stage.

- Indian secular forces, mainly the Congress Party, have at times played self-contradicting role and tried to exploit Hindu symbols for electoral gains while championing secularism at the same time.

- One key factor behind India's deviation from its traditional secular identity has been the difference between constitutional identity and the social constructs. Although Indian leaders like Jawaharlal Nehru and Gandhi were influential enough to win the battle of identity in parliament, this identity could not be ingrained into the public conscience. This was the reason that, despite constitutional guarantees, minorities always felt insecure and marginalized in India after 1947.

- Rise of Hindu nationalism to the center stage has proved, at least for the time being, that championing secularism is no more a sellable currency for electoral gains. Any party or individual seeking popularity in the Indian politics will have to talk of Hindu majority and its concerns. This is the reason that even the Congress Party has no other option than adopting a soft Hindutva approach in order to get back its lost standpoint.

- The recent wave of Hindu majoritarianism has also put constraints on the independent working of civil society, media, judiciary, academia, and so on.

- As an authoritarian, populist, majoritarian rule, the incumbent BJP government does not want any interference and checks on its way. This is the reason that those criticizing the ideology and policies of BJP government are labeled as traitors, and enemy-sympathizers.

- Indian foreign policy, under the Modi-government, has been based on two contradictory approaches. In the South Asian region, India has been trying to maintain the posture of regional hegemon, particularly focused at containing China and attempting to isolate Pakistan. Its Hindu nationalist approach also seems at work vis-à-vis Pakistan, and its internal policies, rhetoric and narratives drive its relations with Pakistan. At the global level, however, India has successfully managed to portray itself a peace-loving, innovative, technology-friendly nation carrying the cultural legacy of centuries.

- Western world, despite all its advocacy for a rule-based world, human rights, and liberal democracy, seems indifferent on majoritarian approach and practices of the Indian state. Relations and cooperation between Indian and the Western bloc including the US, UK,

France and Germany is on all-time high under Modi government. The key motivation behind this paradox is India's contribution in global economic and technological market which lures the liberal world to stay silent on records of human rights violations in India.

Recommendations

It is important that instead of having any false expectations of dialogue with the Hindu nationalist government, a comprehensive strategy is devised to face it. This should not only encompass measures in strategic, political, research and communication arenas, but should also look at short, medium and long-term plans.

- There are indications that the hate-oriented policies will gradually keep weakening India from inside. It is natural and will pave way for balance-minded factions to come forward and further resist Hindu nationalist forces. Many such people are a part of the diaspora too. All such elements should be directly or indirectly encouraged and appreciated for their efforts.

- Adequate and timely preparations to fight any misadventure from India are needed. Strategic restraint, as a well thought-out strategy, may always be considered as an option; nevertheless, restraint should not mean compromising the assertiveness in strategic affairs. Assertiveness is required both in words (narrative) and actions. Thus, it should also be accompanied with an aggressive, skillful, consistent, bilateral and multilateral diplomacy focusing on governments as well as on public opinions. In the context of governments, regional initiatives would need special attention; whereas, in the domains of public opinion, the aim should include exposing the so-called soft image of India.

- Research on RSS connections with far-right forces in the West should be carried out and propagated through most effective means of communication. The digital world of today has made it very easy to distort even established historical facts, affecting the relevant public opinions by creating confusion and causing chaos. This also requires a comprehensive strategy for proper monitoring and timely response.

- At the diplomatic front, it is necessary for Pakistan to keep raising its voice over atrocities faced by minorities in India. However the matter of Kashmir needs to be

treated differently due to it being an internationally recognized dispute and Pakistan is direct party to it.[235]

- Special focus is needed for monitoring and carrying out research on the growth of Hindutva ideologies in different arenas. On the other side, concrete steps should also be taken to develop correct and improved understanding of the history of Pakistan and about the ideology of the founders of Pakistan, removing any confusion(s) being created deliberately or out of ignorance from various groups and individuals.

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[235] It should be very clear in Pakistan's diplomatic and communication strategies that whatever is happening inside India is an issue of human rights, but the issue of Kashmir goes beyond human rights as it is fundamentally a matter of the right of self-determination of a whole population, and since the dispute has been validated by the United Nations time and again, the whole global community becomes a party to it on both humanitarian as well as other principle grounds.

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