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Birth of a Hindu *Rashtra*:
Religion and Democracy in India's Policy Making

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Ad: Fernando Neves da Costa Maia

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"It's a battle of those who know how to think against those who know how to hate. A battle of lovers against haters. It's an unequal battle, because the love is on the street and vulnerable. The hate is on the street, too, but it is armed to the teeth, and protected by all the machinery of the state."
– Arundhati Roy

Agradecimentos:

Pensei em várias formas de fazer isso, não queria que parecesse clichê. Mas confesso que, por ora, estou cansado de pensar. Resumo, então, com as palavras de LaCapra, o que busco com esse trabalho e com o caminho que quero traçar nos próximos anos, algo que julgo comum (ou que pelo menos deveria ser) à todos nós, que nos formamos em RI: "fazer o que for possível para ser capaz de viver e morrer em uma sociedade no mínimo um pouco mais justa, generosa e compassiva do que aquela em que nascemos" (LACAPRA, 2023, p. 268). Vamos aos agradecimentos:

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Pela democracia, pela liberdade religiosa e contra todas as formas de autoritarismo. Espero contribuir um pouco nas próximas páginas.

Abstract

In recent years, there has been a noticeable strengthening of *Hindutva* – a nationalist political ideology aiming to establish India as a Hindu state. This dynamic is particularly evident through the election of Narendra Modi as the Prime Minister in 2014 and his re-election in 2019, the main figure in the *Bharatiya Janata Party* (BJP), an extreme right-wing political party advocating for *Hindutva*. Modi's victory created conditions that allowed for the saffronisation of Indian politics. This study seeks to understand how this dynamic tensions the democratic and secular elements of the Republic of India, primarily through the analysis of policies understood as saffronizing.

Keywords: India; religion; democracy; authoritarianism; Hindu nationalism.

Nascimento de uma nação hindu: religião e democracia na elaboração de políticas na Índia

Resumo

Nos últimos anos tem se percebido o fortalecimento da *Hindutva* – ideologia política nacionalista que tem como objetivo fazer da Índia um Estado Hindu. Essa dinâmica é percebida, principalmente, através da eleição de Narendra Modi como primeiro-ministro em 2014, e em sua reeleição em 2019, principal figura do *Bharatiya Janata Party* (BJP), partido político de extrema direita que prega a *Hindutva*. A vitória de Modi criou uma condição de possibilidade para que houvesse a safronização da política indiana. O presente estudo busca, portanto, entender como essa dinâmica tensiona os elementos democráticos e seculares da República da Índia, através, principalmente, da análise de políticas entendidas como safronizantes.

Palavras-chave: Índia; religião; democracia; autoritarismo; nacionalismo hindu.

SUMMARY

LIST OF ACRONYMS

AIML - All India Muslim League

BJP - Bharatiya Janata Party (Indian People's Party)

CAA - Citizenship Amendment Act

INC - Indian National Congress

LIST OF GRAPHS AND IMAGES

INTRODUCTION

The Republic of India, a country in South Asia, currently holds the status of the world's most populous, reaching approximately 1.4 billion people (UN, n.d). For contextualization, the British arrived in the Indian subcontinent in the late 15th century, establishing trade ties. After the Battle of Plassey (1757) against the last Nawab of the Mughal Empire, the British assumed power in the territory now known as Bengal, granting the British East India Company, previously responsible for trade, a ruling role. However, in 1857, the British government took direct control, replacing the Company's administrative structure with the Indian Civil Service (later becoming the Indian Administrative Service after independence). In 1877, Queen Victoria was proclaimed Empress of India, a symbolic milestone (BLACKWELL, 2008).

In August 1947, independence was granted to the former imperial domain of British India - after an extensive struggle for independence led by Mahatma Gandhi and Jawaharlal Nehru - and it was divided into two countries: India and Pakistan. The Partition was one of the most defining events in the history of the Indian subcontinent. With no accurate records of how many people died or lost their homes, estimates suggest that perhaps up to 20 million people were affected by the Partition, and between 200,000 to 1 million lost their lives. The Partition mainly occurred due to dissenting voices within the British Raj, where Muslims and Hindus had different visions for the countries (KEAY, 2011).

The All India Muslim League (AIML) anchored its agenda to the two-nation theory, proposing the creation of two distinct nations, one Muslim and one Hindu, after independence from the British Raj. In contrast, the Indian National Congress (INC) opposed the religious-based framework, advocating for an inclusive idea of the Indian nation. The INC itself comprised Muslims, other religious minorities, and a majority of Hindu members (RAHMAN, 2017). These two religious communities constitute the two most populous within the vast Indian ethnic and religious melting pot. Finally, after the partition, Pakistan became home to a Muslim majority, forming an Islamic republic. India, on the other hand, under the control of the Indian National Congress and Nehru, sought to distance itself from Hindu identity, proclaiming itself a **sovereign socialist secular democratic republic** in its Constitution.

According to Srivastava (2022), Nehru, the first Prime Minister of India, held the view that the government should remain impartial towards any particular religion, signifying that religion should not intertwine with politics. This perspective is reiterated in Nehru's 1947 speech on India's Independence:

> "We are citizens of a great country, on the verge of bold advance, and we have to live up to that high standard. All of us, to whatever religion we may belong, are equally the children of India with equal rights, privileges and obligations. We cannot encourage communalism or narrow-mindedness, for no nation can be great whose people are narrow in thought or in action." (NEHRU, 1947, n.p).

Nehru's main goal was to prevent more political conflicts and divisions in a country that had just become independent. Liberal democratic values, however, could help to make it possible, if the population found themselves represented in a government that does not guide itself by ethnic components, mainly by religious ones.

This project of a country, envisioned by Nehru, led to a particular understanding of India by the international community. The country is often bestowed with the title of the "largest democracy in the world," a result of both the post-independence efforts of the INC to ensure that the country followed democratic paths and the vast population encompassed by the Indian political system. For Nehru, equality, tolerance, and appreciation of diversity, fundamental principles for the strengthening of democracy, are intrinsic to the history and tradition of India:

> "(…) the whole history of India was witness to the toleration and even encouragement of minorities and of different racial groups. There is nothing in Indian history to compare with the bitter religious feuds and persecutions that prevailed in Europe. So we did not have to go abroad for ideas of religious and cultural toleration; these were inherent in Indian life." (NEHRU, 1989, p. 382)

However, one of the objectives of this work is to question this democratic nature of India. This becomes necessary due to the ongoing contextual transformations in the country. In recent years, the strengthening of *Hindutva* – a Hindu nationalist political ideology with the goal of making India a Hindu *Rashtra* (RSS, 2012) – has been observed. This dynamic is perceived primarily through the election of Narendra Modi as prime minister in 2014 and his re-election in 2019, the key figure of the Bharatiya Janata Party (BJP), an extreme right-wing political party that advocates *Hindutva*.

Narendra Modi's victory as the Prime Minister of India represents a decisive break with the politics of the past. The rise of the BJP and *Hindutva* challenges the idea of India formulated by Nehru and the Indian National Congress. Instead, a religious nationalism based on Hinduism emerges. Religious nationalism, in this sense, can be understood as a movement that claims to represent the nation and defines it in religious terms (GORSKI; TÜRKMEN-DERVISOGLU, 2013). However, *Hindutva*, by defining India as a Hindu nation, puts a strain on the country's Constitution as it goes against the principle of secularism, which the Constitution entails.

Furthermore, according to Amnesty International (2022), hate crimes against Muslims have increased under Prime Minister Narendra Modi's government. Along this line, Human Rights Watch (2021) argues that these prejudices propagated by government leaders, mainly through discursive practices, have infiltrated independent institutions such as the police and the courts, empowering nationalist groups to threaten, harass, and attack religious minorities with impunity. This phenomenon, alongside the repression suffered by the Muslim community, challenges the principles of participation and dissent, two crucial democratic elements.

Moreover, the formulation and implementation of public policies themselves are instrumentalized by this narrative that assigns to Muslims the attribute of the common enemy of Hindus, aiming to target an imagined community (ANDERSON, 1983) with Hindu values. This phenomenon, known as saffronisation - the word comes from the association of saffron color with Hinduism - points to the institutionalization of institutions and policies associated with Hindu superiority.

Saffronisation is evident when analyzing the Citizenship Amendment Act (CAA), an amendment to the Citizenship Act of 1955, which serves as the primary guideline for granting Indian citizenship to foreigners. The revision of the original text, implemented in 2019, simplifies the regularization process for migrants from Afghanistan, Bangladesh, and Pakistan:

> "Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi, or Christian community from Afghanistan, Bangladesh, or Pakistan, who entered into India on or

before the 31st day of December 2014 (...) shall not be treated as an illegal migrant for the purposes of this Act." (THE GAZETTE OF INDIA EXTRAORDINARY, 2019).

The major issue surrounding this amendment is that, for the first time in the history of independent India, religion has become a criterion for citizenship (HUMAN RIGHTS WATCH, 2021). As stated in the text, regularization is ensured for foreigners belonging to the Hindu, Sikh, Buddhist, Jain, Parsi, or Christian community; however, Muslims do not enjoy this right, indicating a strong Islamophobic character. Islamophobia is an important element to consider because, in a context of rising *Hindutva*, Muslims pose the greatest challenge to the construction and establishment of a Hindu *Rashtra* since they constitute the largest religious minority in the country.

From the CAA, we can assert that this process of saffronisation and strengthening of *Hindutva* tensions two elements so constitutive of India's identity as a nation: democracy and religious freedom. Democracy and religion, therefore, are important analytical elements for a more comprehensive understanding of the Indian context.

In this sense, the crucial aspect is to comprehend the sphere of a "secular democracy" and recognize it as points of tension with another vision of the nation, one that diverges from what the Constitution entails: a Hindu *Rashtra*. In this context, it is worth asking: how do *Hindutva* policies, specifically the Citizenship Amendment Act, tension the realm of India's "secular democracy"?

This work, aiming to discuss the rise of *Hindutva* based on two fundamental pillars - democracy and religion - has as its theoretical framework two essential authors to understand this tension provoked by *Hindutva* in the Indian context: Robert Dahl (1971) and Elizabeth Shakman Hurd (2008). Certainly, other authors will contribute to this study, but the analysis will be primarily guided by the contributions of these two.

Regarding the discussion on democratic theory, the framework presented by Robert Dahl (1971), along with the elements he identified as necessary for democratic play, will be the parameter for analysis. 'Participation' and 'Contestation,' the main elements brought by Dahl, will, in these terms, be used to analyze the Indian context, focusing primarily on the CAA.

Elizabeth Shakman Hurd (2008), in this sense, contributes to our understanding of the establishment and universalization of secular principles in the international system. Along with other authors, such as Bhargava (2015) and Smith (1998), it is also possible to trace the institutionalization of secularism as part of the accommodation of religion proposed by democracy and the modern state.

Furthermore, this work is part of a broader research agenda seeking to answer a question often overlooked in the discipline of International Relations - especially in the theoretical mainstream: the role of religion in international politics. The discipline's canon understands that the establishment of the modern state in Westphalia was sufficient to displace religion from the domain of power and authority. However, as argued, *Hindutva* and the CAA underscore a reality that religion, even in a country that constitutionally asserts itself as secular, is a point of tension in politics. To articulate this theoretical silencing, this work is grounded in the theoretical-methodological proposal of Vendulka Kubálková (2000): International Political Theology (IPT). IPT aims to rectify this consistent omission of the influence of religions, culture, ideas, or ideologies in theorizing about international politics.

For this purpose, this work is divided, though, in three chapters, alongside with this introduction and final considerations. The first chapter emphasis of the initial chapter is on examining democracy theoretically. In this context, the goal is to comprehend India's form of "democracy" using Dahl's framework, with a particular focus on participation and public contestation. The objective is to address the question of how we might classify India — whether it aligns more with being a full democracy, a flawed democracy, a hybrid regime, or an authoritarian regime.

The second chapter, then, aims to understand how religion plays a crucial role in Indian politics, which is important in this context of religious nationalism. Important to say that the premise here is not that religion in politics is, by nature, the opposite of democracy or something wrong. But its instrumentalization can weaken the assumption of equality that democracy is, at least, expected to entail.

In this sense, we must also discuss the importance of certain premises of secularism, which are also present in the Indian constitution. This is necessary because, as stated,

despite being a constitutionally secular country, laws like the CAA create tension and cast doubt on the Indian secular tradition.

The third chapter, in this sense, aims to show the link between the democratic weakness and religion in India. To this, I propose to outline the meaning of *Hindutva*, understanding its roots and how it has become a major force in Indian politics. This turns out to be necessary because of the religious identity embedded in Hindu nationalism and the consequences of the emergence of the movement: an authoritarian turn in the country. Thus, the present study is an initial effort to understand how democracy and religion are elements tensioned by the rise of *Hindutva*.

CHAPTER 1
The possibilities of participation and contestation in India

India is known as the largest democracy in the world. This is because the government claims itself as a democracy, and in terms of population, it would be the country with this type of regime that aggregates the huge number of citizens. Nonetheless, this piece of work comes in the context of systematic repression of civil rights conducted by the central government of India, which makes it impossible to understand it as "the largest democracy in the world", even in the discursive arena.

As Dahl (1971) points out, there are two theoretical dimensions of democratization: public contestation and the right to participate in election and office. In this context, this chapter aims to understand India's "*democracy*", through Dahl's framework, thinking mainly in terms of participation and public contestation. It is in an attempt to answer how we could categorize India, if it can be understood as a full democracy, flawed democracy, hybrid regime or an authoritarian regime[1]. For this purpose, some public policies regarding the civil register may be analyzed.

1. What can we understand as a democracy?

The Oxford's dictionary defines the word democracy as a "a system of government by the whole population or all the eligible members of a state, typically through elected representatives", "a state governed by a democracy", "control of an organization or group by the majority of its members" or "their right to take part in making decisions". This is a wide view of the common sense of what a democracy can be.

In this section, we will delve into the fundamental question of what constitutes a democracy. As a political regime, democracy is widely embraced and celebrated, yet its definition and implementation remain the subject of debate and disagreement. To shed light on this important topic, we will explore three key subsections: The Democratization of Liberalism, Democracy and the Market, and Participation and Contestation. Each of these subsections will examine different aspects of Democracy as a political regime.

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[1] Those regime types are the ones used by The Economist Democracy Index.

1.1. The Democratization of Liberalism

This section aims to explore the historical development of the relationship between liberalism and democracy, and how these two concepts have become intertwined in modern politics. Liberalism is broadly defined in terms of the rule of law and the protection of individual rights, but how did these core principles turn into "democracy"? As Plattner (1999) shows, there was a process of democratization of liberalism, as liberal ideas of natural freedom and equality spread. This led to the contemporary understanding that government must be of the people, by the people, and for the people.

The concept of democracy dates back to the Ancient Greek cities (sixth century), such as Athens, where citizens were given the opportunity to participate directly in the process through a system of assemblies. But it is relevant to remark two important things: (I) in the Athenian democracy, even though it was a model of direct participation, women, slaves and foreigners were excluded from the *democratic process*[2]; and (II) it is impossible to compare the possibilities of participation in the public life of a city-state such as Athens to complex countries with a large amount of citizens, that are not able to stay informed, engaged and organized enough to exert real influence on political decision-making.

Despite the achievements of the Athenian democracy, it eventually fell and was replaced by a succession of monarchies and aristocracies. The decline of democracy in Ancient Greece was caused by various factors, including external invasions and internal conflicts. In many cases, the transition to a more centralized and authoritarian form of government was accompanied by the suppression of political rights and freedoms.

In spite of this setback, the legacy of the Ancient Greek democracy continued to influence political thought and practice throughout history. The concept of democracy was rediscovered and reinterpreted during the Enlightenment period and it became a central feature of modern political systems.

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[2] *Democratic process* can be understood as the expression of the demos, so, the mechanisms and ways through which the general population, the "demos," express their will, interests, and opinions in the political sphere. According to Lessa (2019, p. 258), "[d]emocratization is associated with fundamental processes of expression of the demos, not with specific institutional forms".

During the seventeenth and eighteenth centuries, monarchical and aristocratic regimes were common in the western world – in the east, third world or Global South, as it is understood today, the colonization process was dominant. Not only those regimes, but also their principles "reigned" in the minds of the people (PLATTNER, 1999). Even though authors like Paine (1795, apud PLATTNER, 1999) argued that those regimes, the ones that are governments by hereditary succession, were founded on usurpation. Plattner (1999, p. 123), however, says that people "were willing to consent to be ruled by others precisely because principles other than that of consent still held great sway".

Although Paine's view comes from a liberal approach, liberalism entails a government that is limited by a constitution and by the rule of law, and not a government that must be chosen by the people.

John Locke, even though he did not conclude that the people themselves (or their elected representatives) should necessarily govern, in his Second Treatise of Government, argues that, by nature, every man is free, equal, and independent, which makes it illegitimate to put someone "out of this estate and subjected to the political power of another without his own consent (LOCKE, 1952 apud. PLATTNER, 1999, p. 123). This idea of individual freedom and the requirement for consent formed the basis for the principle of consent over government. While Locke did not explicitly advocate for direct governance by the people or their elected representatives, his emphasis on individual consent laid the groundwork for the concept of popular sovereignty and the idea that government should be based on the consent of the governed.

And this notion that government must be based on popular consent led to the contemporary understanding that government must be of the people, by the people, and for the people, i.e., a democracy (PLATTNER, 1999). It is important to remark, however, that the notion of who are "*the people*" brings different frames to democracy.

After the spread of liberal ideas of the natural freedom and equality of all human beings, and also after the French Revolution, people would accept nothing other than popular government. There was an "outright rejection of any admixture of monarchy or aristocracy" (PLATTNER, 1999, p. 124): "[t]hough monarchy and even an aristocratic

branch of the legislature may in some places have been preserved in form, everywhere in the developed world they have been emptied of any substantial political power" (PLATTNER, 1999, p. 130).

Another important element to consider in this process is the extension of suffrage. During the first experiences of what we can call democracies, the right to vote was mainly restricted. In the beginning, only wealthy men could exercise this right. Then, it was extended to low-income men, but women and slaves were still excluded from the process – much because they were not even understood as human beings with rights. Women were later given the right to vote, and slavery has ended. But still, some liberals opposed this process of extension of suffrage, because they feared that a government responsive to popular majorities would be tempted to violate the rights of unpopular individuals or minorities – the tyranny of the majority (PLATTNER, 1999).

As John Stuart Mill (2003) claims, "[t]he 'people' who exercise the power, are not always the same people with those over whom it is exercised", which in other words means that "[t]he will of the people (…) [would be] the will of the most numerous or the most active part of the people; the majority, or those who succeed in making themselves accepted as the majority" (MILL, 2003, p. 75-76). This is a controversial interpretation of what a democracy can be. Authors, such as Dahl (1971), help us to minimize this possibility of the rule of majorities over minorities through his framework of democracy, which will be explored later in this chapter.

Nonetheless, the liberals fear of a government responsive to popular majorities could not stop the democratization process, as Plattner states:

> "Accordingly, many liberals in past centuries opposed the extension of the suffrage, fearing precisely such an outcome. Yet everywhere efforts to forestall the extension of the suffrage failed, and liberalism turned into liberal democracy. And far from being destroyed by its democratization, liberalism on the whole has flourished." (PLATTNER, 1999, p.122-123).

As Plattner (1999, p. 121) shows, nowadays: "wherever one finds liberalism (understood as constitutional and limited government, the rule of law, and the protection of individual rights), it is almost invariably coupled with democracy (understood as the selection of government officials by universal suffrage)". Nevertheless, the author

argues that, after the fall of some communist or authoritarian governments and their replacement by more or less freely elected governments in the last decades of the twentieth century, there are now many regimes that can plausibly be called democratic but not liberal.

In sum, the historical development of liberalism and democracy shows how liberal ideas spread and led to the democratization of liberalism. This resulted in the modern understanding that government should be by and for the people. During the seventeenth and eighteenth centuries, monarchical and aristocratic regimes were prevalent. The concept of democracy emerged with the idea of government based on popular consent. The extension of suffrage played a significant role in the democratization process, despite opposition from some liberals. Efforts to prevent suffrage extension failed, and liberalism transformed into liberal democracy. Nowadays, liberalism and democracy are closely intertwined, although not all democratic regimes embody liberal principles. This highlights the evolution of the relationship between liberalism and democracy, the challenges of early democracies, and the complex interplay between liberal principles and suffrage extension in shaping modern political regimes.

1.2. Democracy and the Market

In the twentieth first century, it is quite difficult for countries to do business, maintain good diplomatic relations and play an important role in global politics if they do not claim to be democratic governments. The cooperation itself becomes easier when the partners are democracies. Leeds (1999), in this sense, argues that because democracies are more capable of guaranteeing their own future behavior, then is expected from them a more cooperative behavior. The future intentions of democracies are easier to be stated and assured because of the domestic accountability of their leaders and the lack of policy-making flexibility characteristic of democratic institutional structures (LEEDS, 1999).

> Because leaders in democracies experience costs from foreign policy failures and find it difficult to alter policy quickly, they find both breaking promises and being exploited by others to be undesirable policy outcomes. Democratic executives experience costs from not following through on a planned course of action and find it difficult to adjust quickly to changing circumstances in the international environment. As a result, their commitments are likely to be credible, and they seek to form only secure agreements. Since autocratic states

> tend to be characterized by more policy-making flexibility and lower levels of domestic constraint, leaders can adjust more quickly and easily to changes in the international environment. As a result, they have more difficulty guaranteeing their own future behavior, but they are more likely to accept agreements with some risk of abrogation. (LEEDS, 1999, p. 980)

Nonetheless, according to Leeds (1999), dyads consisting of both democratic and both autocratic nations have a higher probability of reaching agreements than dyads consisting of one democratic and one autocratic nation. This means that, for international cooperation, in her argumentation, the domestic institutions and regime matter.

In this sense, if we apply the same rationale of international cooperation to international business and trade, it is worth considering the case of India. The country engages in relations with countries like the United States, the United Kingdom, Germany, France, and others. People might assume that India is a democratic nation based on this observation, as Leeds argues that dyads between one democratic and one autocratic nation have a lower probability of occurring.

Expanding the debate on democracy, according to Schumpeter (1942, apud Almond, 1991), democracy is an integral part of the "civilization of capitalism" and has historically been intertwined with it. The rise of modern democracy is closely linked to the development of capitalism, and it can be considered a product of the capitalist process. So, this view enhances the understanding that India is a democratic nation because of its capitalist characteristics.

India's Prime Minister, Narendra Modi, reinforce this notion as he affirms that the country has the fastest-growing major economy today, and that it is a result of the intertwined characteristics of democracy and the capitalist economy:

> There is much to say about the virtues of democracy, but let me say just this: India, despite the many global challenges, is the fastest growing major economy today. This itself is the best advertisement for democracy in the world. This itself says that democracy can deliver (MODI, 2023, n.p.)

Nevertheless, Marx (apud Almond, 1991) argued that as long as capitalism and private property existed, there could be no genuine democracy. He maintained that democracy under capitalism was bourgeois democracy, which essentially meant it was not

democracy at all. This is because, in a bourgeois state, the government serves the interests of the bourgeois class, not addressing the demands of the people.

Contemporary Marxists, however, claim that the bourgeois democratic state is now perceived as a state of class struggle, rather than a purely bourgeois state. The working class has access to it, enabling them to fight for their interests and gain partial benefits from it. The state is now seen as autonomous, or relatively autonomous, and it can undergo reform in a progressive direction through the efforts of the working class and other popular movements (ALMOND, 1991).

Nonetheless, I contend that for the market – so, for capitalism itself – the regime is not important. Democracies maintain business with democracies, autocracies, or dictatorships, although dyads may not be equal. So, we cannot affirm that India is a democracy just because of its capitalists' characteristics.

It is possible to support this argument based on the historical experiences of the Cold War. During that period, liberal democracies received active support from the United States government and international Western political institutions, aiming to establish a global order centered around capitalism, liberal markets, and the rule of law. This occurred in the backdrop of a divided world, with two main spheres of influence: the capitalist one - *the realm of liberty (USA)* – and the socialist one – *the realm of justice (USSR)*.

Being part of the capitalist sphere meant embracing the liberal and democratic ideals promoted by the USA. However, it is worth noting that many countries within this sphere, despite being capitalist, had anti-democratic and authoritarian regimes. This was particularly evident in Latin America during the 1960s and 1970s, with military dictatorships in countries such as Brazil, Chile, Uruguay, and Argentina.

These instances shed light on the fact that, despite the promotion of liberal democracy during the Cold War, there were cases where the importance given to democracy within the capitalist order was overshadowed by other factors.

Given what has been said, it is possible to conclude that, despite arguments made by authors like Leeds that highlight the significance of domestic institutions and regime in international cooperation, the regime itself does not hold the same level of importance in international trade or to the capitalist economy. This distinction is important to bear in mind because, as argued earlier, for the market and capitalism itself, the regime does not play a determining role. Democracies engage in business with both democracies and non-democratic regimes, albeit with varying degrees of equality in dyadic relationships.

Therefore, it would be incorrect to affirm that India is a democracy solely based on its capitalist characteristics. The next subsection, in contrast, aims to provide the necessary theoretical tools to assess the degree of democratization in a country.

1.3. Participation and Contestation

As Robert Dahl suggests, there are two theoretical dimensions of democratization: public contestation and the right to participate in elections and hold office. In this context, the objective of this subsection is to examine those two dimensions, through Dahl's work. This is essential to examine the nature of India's "democracy", which will be explored in the next section.

In "Polyarchy: Participation and Opposition", Dahl explores the concept of polyarchy, which refers to a political system in which power is dispersed among multiple actors, and citizens have a certain degree of participation and representation. To him, "polyarchies are regimes that have been substantially popularized and liberalized, that is, highly inclusive and extensively open to public contestation" (DAHL, 1971, p. 8). A polyarchy would be relatively (but incompletely) democratized regimes, because a full democracy, to Dahl, is impossible to achieve. In other words, it is quasi-utopian to say that a country is fully democratized, because in Dahl's view, democracies require active participation from citizens in the decision-making process, which is practically impossible to achieve in large-scale societies.

Furthermore, even in highly democratized countries, there are always some groups that hold more power and influence in the decision-making process. This could lead to

asymmetrical distribution of political power and limit the participation of individuals in the political process.

Bearing this in mind, Dahl emphasizes that a polyarchy have some core institutional characteristics, such as: (I) freedom to form and join organizations, (II) freedom of expression, (III) right to vote, (IV) eligibility for public office, (V) alternative sources of information, (VI) free and fair elections, (VII) right of political leaders to compete for support and for votes, and (VIII) institutions for making government policies depend on votes and other expressions of preference (DAHL, 1971). All those features compose what the author understands as the two dimensions of a polyarchy: "participation" and "opposition". Then, the author highlights the fundamental freedoms that are essential for public contestation and participation in a democratic society:

> "(…) there are the classic liberal freedoms that are a part of the definition of public contestation and participation: opportunities to oppose the government, form political organizations, express oneself on political matters without fear of governmental reprisals, read and hear alternative points of view, vote by secret ballot in elections in which candidates of different parties compete for votes and after which the losing candidates peacefully yield their claim to office to the winners, etc." (DAHL, 1971, p. 20)

In this sense, it can be stated that both contestation and participation are essential features of a polyarchy or to the governments that call themselves "democracies".

In addition, it is important to mention that, in any given country, the opportunities for expressing, organizing, and representing political preferences play a crucial role in the representation of a diverse range of preferences and interests in policy making. As Dahl (1971) states, the level of representation is likely to be higher in a polyarchy compared to a mixed regime, and higher in a mixed regime compared to a hegemony. Thus, the transformation of a hegemony into a mixed regime or a polyarchy, or a mixed regime into a polyarchy, would likely increase the number and variety of preferences and interests represented in policy making.

However, when examining the impact of the regime on policy, particularly regarding policies involving severe physical coercion for a large portion of the population, we need to consider other factors. As the author points out, the lower the barriers to public contestation and the greater the inclusion of the population in the political system, the

more challenging it becomes for a government to adopt and enforce policies that necessitate the application of extreme sanctions against a significant percentage of the population. Moreover, governments are less likely to attempt such policies under these circumstances (DAHL, 1971).

To sum up, this piece of work understands *democracy* as a political regime that enables individuals to participate and engage in the governance process through contestation. As emphasized by Dahl, a key aspect of democracy lies in the opportunities it provides for expressing political preferences, organizing, and representing diverse and divergent interests.

Within this frame of reference, the next section aims to analyze India's *democracy* and its public policies through these core concepts brought by Dahl's work.

2. "Democracy" in India

This section delves into the factors and dynamics that have allowed India to maintain a "democratic" system in the face of its inherent diversity and examines the ongoing tensions and challenges that arise, particularly with regard to religious and ethnic minorities. It explores the historical context, the perspectives of influential leaders such as Nehru and Prasad, as well as contemporary concerns surrounding the treatment of Muslim communities and the erosion of certain democratic values. By critically analyzing these aspects, we can gain a deeper understanding of the complexities and paradoxes within India's democratic framework and evaluate its current standing as a flawed democracy in The Economist's Democracy Index (2023).

In March 2023, Fumio Kishida, Japan's Prime Minister, made a diplomatic visit to New Delhi, with the aim of strengthening security relations with India. On this occasion, Kishida (2023, n.p) asserted that "India is the largest democracy in the world (...) I have always viewed with great respect at the way such a huge and diverse country as India has developed democracy". The PM's discourse highlighted the significance of India's multi-ethnic characteristics. For him, this was a core feature of India's democracy: the ability to accommodate a society that is inherently diverse in terms of ethnicity, language, caste and religion.

According to Dahl (1971), this pluralism, inherent to Indian society, "often places a dangerous strain on the tolerance and mutual security required for a system of public contestation seems hardly open to doubt". He argued that polyarchy is more commonly observed in nations that are relatively homogeneous rather than those characterized by significant subcultural diversity. However, Dahl agree with Japan's PM, as both pointed out that the country had developed democracy even though it has pluralistic foundations, which, for Dahl's framework, would be a problem in the first place:

> "Yet competitive politics can exist even in countries with a very considerable degree of subcultural pluralism. Indeed, Belgium, Canada, and India, among others, have managed to develop and sustain polyarchies" (DAHL, 1971, p. 113).

But how could India sustain a democracy with its characteristics regarding plurality?

Jawaharlal Nehru (1989, p. 382), the first PM of India, declared that "the fundamental rights of the individual and the group", despite of religion, culture and language, "were all to be protected and assured by basic constitutional provisions in a democratic constitution applying equally to all". So, democracy and their institutions themselves could protect the plurality of India's people.

Although it was stated earlier that democracy originated in the Greek cities, Modi, the current India's PM, argues that his country has older democratic values than the Western experiences. During the second Summit for Democracy in March 2023, the PM stated that India's society is intertwined with democratic values. Modi used discursively the notion that democratic characteristics could be found even in the Vedas[3], as they "speak of political power being exercised by broad-based consultative bodies", to affirm that " India is, indeed, the mother of democracy" (MODI, 2023, n.p).

More than that, to Nehru, India was a country inclined to tolerate diversity:

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[3] The Vedas are the oldest sacred texts of Hinduism and serve as the foundational scriptures of the religion. The term "Veda" derives from Sanskrit and signifies "knowledge" or "wisdom," reflecting the profound insights and spiritual wisdom contained within the texts. These scriptures hold immense reverence within Hinduism and continue to provide spiritual and philosophical guidance (DONIGER, s.d).

> (...) the whole history of India was witness of the toleration and even encouragement of minorities and of different racial groups. There is nothing in Indian history to compare with the bitter religious feuds and persecutions that prevailed in Europe. So we did not have to go abroad for ideas of religious and cultural toleration; these were inherent in Indian life. (NEHRU, 1989, p. 382)

To Dahl (1971, p. 118), this "fantastic panoply of subcultures" expressed in India's composition, "is not merely a source of difficulty but is also in some ways one of the strengths of the Indian polyarchy". This because, to him, this diversity requires leaders from every group to learn and practice the skills of conciliation and coalition building, and it prevents any single unified group from gaining a "monopoly on political resources" (DAHL, 1971, p. 118). The plurality, here, is a positive point. But this is only possible because of a certain way of leaders, and the people themselves, understand the whole population as part of the nation. No matter the ethnic group, the religion, the language, there was a shared notion that all of them were Indians, so the ethnic-religous-language-caste conflicts should be avoided, for the good of the nation:

> "For reasons which must lie deep in the psychology of Indians, India's national party leaders, intellectuals, and bureaucrats look upon conflict within their society as intrinsically undesirable. While the notion of competition and conflict is central to American political life and thought, notions of cooperation, harmony and, to use a favorite Indian word, "synthesis" are central to Indian thought" (DAHL, 1971, p. 154-155).

According to Srivastava (2022), Nehru held the view that the government should remain impartial towards any particular religion, signifying that religion should not intertwine with politics. This perspective is reiterated in Nehru's 1947 speech on India's Independence:

> "We are citizens of a great country, on the verge of bold advance, and we have to live up to that high standard. All of us, to whatever religion we may belong, are equally the children of India with equal rights, privileges and obligations. We cannot encourage communalism or narrow-mindedness, for no nation can be great whose people are narrow in thought or in action." (NEHRU, 1947, n.p).

Nehru's main goal was to prevent more political conflicts and divisions in a country that had just become independent. Liberal democratic values, however, could help to make it possible, if the population found themselves represented in a government that does not guide itself by ethnic components, mainly by religious ones.

As Dahl (1971, p. 43) argues, the independence of India "blended nationalism with the ideology of representative government and political liberalism". Therefore, India's nation was only possible because of democracy, because democracy and nationalism delegitimize British colonialism: "to attack representative democracy was to attack the nation" (DAHL, 1971, p. 43).

In this context, Rajendra Prasad (1947, n.p), the first President of India, during the fifth session of the country's Constituent Assembly in 1947 assured "to all the minorities in India" that they would "receive fair and just treatment" and there would be "no discrimination in any form against them". He further emphasized that "[t]heir religion, their culture and their language" were safe and they would "enjoy all the rights and privileges of citizenship".

However, according to the Fourteenth OIC Report On Islamophobia (2022), in recent years India has become a dangerous and violent space for Muslim minorities. Discrimination, physical violence, dissemination of hate speech, incidents involving *hijab* and mosques are some of the examples brought in the report. According to Amnesty International (2022), hate crime against Muslims has grown under the rule of the Bharatiya Janata Party (BJP), a far-right Hindu nationalist political party that follows *Hindutva* – a nationalist political ideology whose ultimate goal is to make India a Hindu State (RSS, 2012).

In light of this, The Economist's Democracy Index (2023) categorized India as a flawed democracy, a country that has "free and fair elections and, even if there are problems (such as infringements on media freedom), basic civil liberties are respected" but "there are significant weaknesses in other aspects of democracy, including problems in governance, an underdeveloped political culture and low levels of political participation" (The Economist, 2023, n.p).

However, the treatment of the muslim community in India cannot be equate to "basic civil liberties are respected", because basic human rights such as freedom of religion - as the same Democracy Index categorizes as a basic human right - are not being respected. We can argue this through the Citizenship Amendment Act (CAA), an amendment to the Citizenship Act of 1955, which is the main guideline for granting

Indian citizenship to foreigners. The modification of the original text, made in 2019, facilitates the regularization of migrants from Afghanistan, Bangladesh and Pakistan:

> "Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014 (…) shall not be treated as illegal migrant for the purposes of this Act;" (THE GAZETTE OF INDIA EXTRAORDINARY, 2019).

The major problem surrounding this amendment is that, for the first time in the history of post-colonial India, religion became an object of analysis for granting citizenship (HUMAN RIGHTS WATCH, 2020a) and, more than that, one of the main professed faiths in the country, the only group not contemplated was the Muslim, indicating a strong Islamophobic character, what goes against the principle of freedom of religion.

According to the Human Rights Watch (2020a), the central government of India described non-Muslims as 'refugees' fleeing religious persecution in their countries of origin. Muslims, in the words of Armit Shah – also from the BJP, serving in the government as Minister of Home Affairs – are 'infiltrators from border countries', with an Islamic majority.

It is also worth mentioning that this perception of the Muslim, which is vocalized by the members of the BJP, as an enemy of the nation and of questioned loyalty, dates back to the Partition of India, the moment of creation of Pakistan, when it was expected that the Muslims who lived in the Indian territory leave to the neighboring country, which has a Muslim majority – which did not materialize completely, given that a large number remained. For Reynolds (2020), this is a narrative that promotes the very *raison d'être* of political parties that follow *Hindutva*:

> "Flagging the existence of 'an enemy' evidently enables populists to mobilise. Unable to offer a real economic programme that will quickly overcome poverty and unemployment, the Sangh Parivar, operating in support of the Modi government, aims to promote (…) a 'collective political dignity' (…) – which, however, is based on the exclusion of some members of society, whose loyalty is questioned." (REYNOLDS, 2020, p. 288)

How can we still speak of a full democracy in India, in Dahl's framework, so, in terms of participation and contestation, if migrants from a certain religion are not welcomed

in the country and if a certain share of the population is understood as second-class citizens?

Bearing this in mind, the next chapter aims to debate about the place of religion in Indian politics. This is necessary because it is evident here that the religion, and being from a certain religion, matters when we discuss citizenship in india.

We must question, then, what is the intersection between religion and politics? As a multiethnic society, religious governance is an important element to think about in India's public policy. Nonetheless, when a majority religion rules over the minorities, an unbalanced scenario is expected to take over. This is the context that is immersed nowadays, with a government openly pro-Hindu. In this sense, it is relevant to understand the historical place of religion in India.

CHAPTER 2
The place of religion in India's politics

As we have seen in the last chapter, this study conceives democracy as a political system that empowers individuals to take part in governance through participation and contestation. As Dahl underscores, a pivotal facet of democracy lies in the avenues it presents for articulating political preferences, mobilizing, and representing varied and divergent concerns. In India, the safeguarding of the nation's diversity, including religious freedom, is enshrined in its Constitution. Nevertheless, the Fourteenth OIC Report On Islamophobia (2022) reveals that India has transformed into a hostile environment for its Muslim minorities in recent times. The graph below shows violence of all kinds perpetuated against the Muslim community, by number of occurrences.

Graph 01: Islamophobia manifestations in India (Dec 20 - Jan 22)
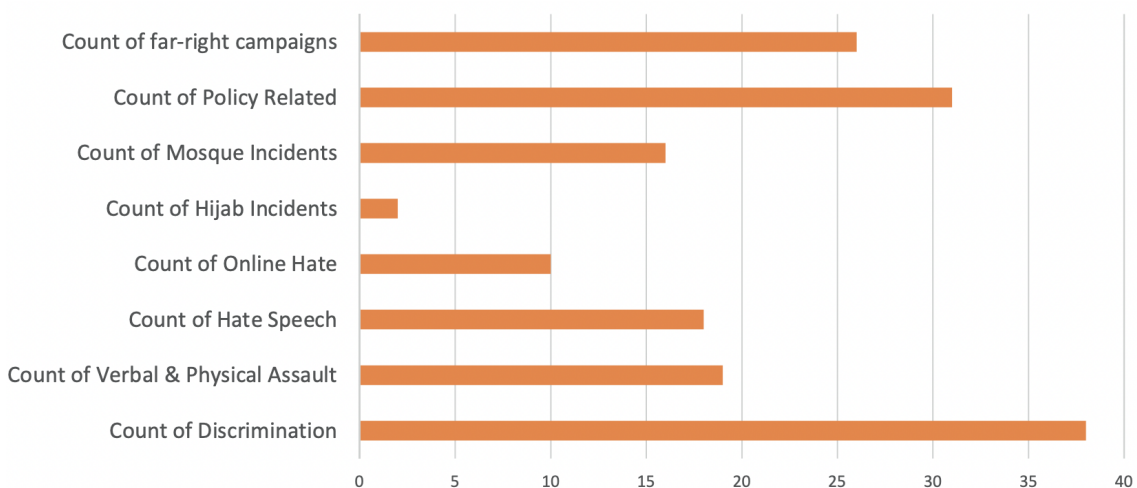
Source: Fourteenth OIC Report On Islamophobia (2022)

Instances of hate crimes targeting Muslims, such as Hijab incidents, online hate, hate speech, verbal and physical assault etc, have emerged during the rule of the Bharatiya Janata Party (BJP), a far-right Hindu nationalist political entity aligned with *Hindutva* – a nationalist political ideology aspiring to establish India as a Hindu State (RSS, 2012).

In this context, four central examples serve as representatives of the overlap of religious themes in Indian policy making, despite the secular nature of the country's Constitution.

These examples include: (1) the change in the special status of Kashmir; (2) India's Supreme Court verdict on the Ayodhya disputed site; (3) the saffronisation of history, memory, and names; and (4) the Citizenship Amendment Act. They will be further analyzed in the next chapter.

Given these circumstances, it's worth questioning the authenticity of a full democracy in India within Dahl's framework. Especially concerning participation and contestation, can we assert the presence of democracy when migrants of a particular faith face exclusion and a segment of the population is relegated to second-class citizenship? Thus, we must delve into the intersection of religion and politics.

In this context, this chapter aims to understand this intersection, and how it can help to weaken democracy in India. However, the premise here is not that religion in politics is, by nature, the opposite of democracy. But its instrumentalization can weaken the assumption of equality that democracy is, at least, expected to entail.

In this sense, the chapter is divided in 4 sections: (1) one that contextualize the question of the human being and religion; (2) other about the religion and secularism; (3) one that is proposed debate how 'religion' was constituted in the discipline of International Relations; (4) and the last, that aims to understand the intersection between religion and politics in India.

1. Human and religion

Across various cultures, people have consistently expressed their perception of what gives meaning to life. People are constantly questioning, striving to understand their identity, origins, and destination. Religion has played an important role in this search for meaning. In this context, this section delves in the relation between men and religion.

This incessant questioning leads humans to seek answers that bring them a sense of belonging and self-knowledge, ultimately. Ideologies, nationalisms, and religion are some ways humanity has turned to in creating this sense of belonging.

Religion, however, more than creating a sense of belonging to a community and placing the individual somewhere in the world, connects human beings with the sacred, ultimately seeking transcendence. Religion and faith provide meaning to life, as Almeida points out:

> "It can be affirmed that for most of human history, certainties about the world were predominantly given by faith, by magical or religious belief that endured for a long time. (...) Faced with this scenario, it is necessary to take a differentiated look at the search for meaning in life. In this quest, human beings seek to harmonize with the sacred by seeking the transcendent. Amidst the anguish, there is hope that something divine will happen in their life through the power of faith, a liberating force of the sacred that inspires them to fulfill their role as a human being, which is to participate and feel responsible for bringing about change in society" (ALMEIDA, 2021, p. 141, our translation).

Religious networks, as pointed out by Alves (1999, p. 12, our translation), were woven around promises of "individual peace, inner harmony, relief from anguish, hopes for fraternal and just social orders, resolution of conflicts among people, and harmony with nature." Today, our understanding of these issues primarily revolves around scientific knowledge in the fields of sociology, politics, economics, and their subfields. However, these have always been topics that religions have grappled with.

Science, as much as it is understood this way in a secular society, is not superior to religion. Nor is religion superior to science. They are different interpretations of the world. And if we want to live in a pluralistic world, respect for different worldviews is more than necessary.

Even in the secularized world, as we will see in the next section, religion still plays an important role. As Alves (1999, p. 12) states, "religion is closer to our personal experience than we wish to admit". The more scientific, industrial and developed the world becomes, the faster we forget that two hundred years ago were the religions that provided the dominant mode of thought (KUBÁLKOVÁ, 2000).

As Kubálková (2000) argues, all religious communities distinguish between the realms of ordinary reality and the transcendent. This ontological distinction gives rise to profound differences in how religious and secular perspectives approach the world,

leading to variations in epistemology and methodology. Any attempt to force religious experiences into a rationalistic framework ultimately diminishes their richness, portrays them inaccurately, distorts their inherent significance, and underestimates their profound impact.

In this framework, it turns out to be essential to understand the process of secularization and its universalization, assuming that secularism does not solve the intertwining of religion and politics but rather conceals it.

2. Religion and secularism

As discussed in the previous section, religion plays a crucial role in the ongoing quest to elucidate human experience. In the development of social-political mechanisms, religion maintained itself as part of these organizational institutions. For centuries, the religious characteristics of various governmental systems were understood as natural. This section, however, aims to explore the emergence of questions surrounding this 'naturalized' condition, which eventually gave rise to what we now refer to as 'secularism'.

As Hurd (2008, p. 1) states, the "(...) division between religion and politics is not fixed but rather socially and historically constructed". The conventional History of IR traces back this necessity for division to the Peace of Westphalia (1648). The treaty put an end to the Thirty Years' War (1618-1648) and is often regarded as a historical milestone in the formation of the modern nation-state, as it was responsible for defining its borders and establishing the principles of sovereignty, non-intervention in internal affairs, and the independence of states. The principle of the right to self-determination of peoples was also recognized (LINKLATER, 1996).. The modern state that emerged in Westphalia was secular, but still deeply Christian - the values and morality embedded in national laws and institutions were rooted in the Christian tradition.

Religion was in the center of European politics (HURD, 2008), but after Westphalia religion "had to be marginalized, privatized, or overcome by a cosmopolitan ethic to secure international order" (HURD, 2008, p. 3):

As Taylor argues, "the origin point of modern Western secularism was the Wars of Religion; or rather, the search in battle-fatigue and horror for a way out of them. The need was felt for a ground of coexistence for *Christians* of different confessional persuasions." If Westphalia signaled *both* a dramatic break from the past *and* "a consolidation and codification of a new conception of political authority" that was secular and also deeply Christian, then perhaps contemporary international relations is witnessing the gradual emergence of a series of post-Westphalian, postsecular conceptions of religion political authority. These developments, combined with the Christian dimensions of the original Westphalian settlement, make it difficult to subsume international relations into realist and liberal frameworks that operate on the assumption that religion is irrelevant to state behavior. (HURD, 2008, p. 3)

Secularism, in a broader perspective, as elucidated by Bhargava (2015), is the opposition to religious hegemony, tyranny and exclusions. Secularism aims to secure that both social and political orders are free from institutionalized religious control, fostering religious freedom, equal treatment among believers and non-believers, and a sense of unity free from religious divides. The secular state, based on this rationale, ensures individual and corporate freedom of religion, treats people as citizens, not based on their religious beliefs, and is not connected to a certain religion constitutionally (SMITH, 1998).

As Smith (1998, p. 178) proposes, the secular state "involves three distinct but interrelated sets of relationships concerning the state, religion, and the individual". These sets of relationships, according to the author, are: religion and the individual (freedom of religion); the state and the individual (citizenship); the state and religion (separation of state and religion) (SMITH, 1998). They can be better visualized in the triangle below:

Image 01: Secular state triangle
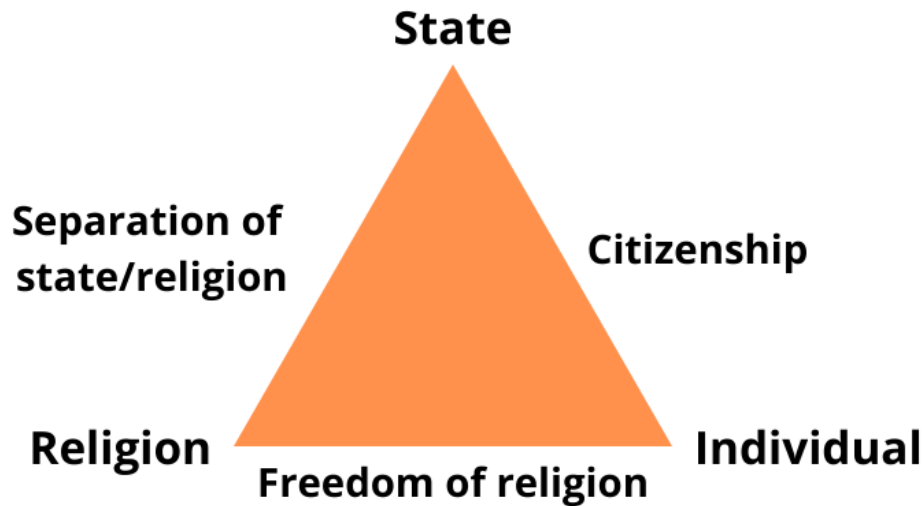
Based on SMITH, 1998

In this sense, it is possible to argue that "secular" does not mean only and is not restricted to the idea of separation of state and religion. However, it is also important to state that, as Bhargava (2015, p. 163) claims, "[w]e have failed to recognize multiple secularisms because our imagination is severely controlled by particular conceptions of secularism developed in parts of the Western world".

As Rahman (2017) highlights, given that each country adopts constitutional and legal concepts in accordance with its unique political and social circumstances, the variation in the implementation of secular institutions among nations proclaiming themselves as secular is comprehensible.

Hurd (2008) states that there are two main types of secularism: (I) laicism, that refers to a narrative of separationism that involves the exclusion of religion from the political sphere, which is derived from the Jacobin tradition of *laïcisme,* emerging from the Enlightenment's scrutiny of religion; and (II) the American Judeo-Christian secularism, an accommodationist narrative that entails a Judeo-Christian tradition understood as the unique basis of secular democracy (HURD, 2008).

After the creation of the idea of "secularization", the intertwining of religious and political matters became to be seen as illogical and potentially risky. To enable modernization, a distinction between religion and politics is imperative. For the process

of democratization to occur, secularization is fundamental. A nation is either oriented towards democracy, Western values, and secularism, or it leans towards religious, tribal, and theocratic inclinations (HURD, 2008).

According to Hurd (2008), the idea of secularism would be one of the most important organizing principles of modern politics, and a "discursive tradition defined and infused by power" (p. 23).

If secularism is important for enabling modernization, then it becomes important to discuss the notion of what it means to be modern and what a process of modernization would entail. Here, I argue that this concept of modernization influences the idea of secularism and a secular society, and conversely, secularism and a secular society influence the concept of modernization – they are co-constitutive.

The modernization idea is the "commitment to build a modern Westphalian state" (HURD, 2008, p. 32). In this "modern" international system, religious identity was proclaimed as inconsequential to the logical endeavor of managing the political life of a societe. From the perspective of the Western canon, the intertwining of politics with religion emerged as the most significant menace to order, security, civility and progress (HATZOPOULOS; PETITO, 2003). By perceiving religion as an obstacle to the systematic governance of both domestic and international public spheres, the "modern" mirrors the ideals of secularism. The consequence of it, as discussed above, is the demarcation between "public and private, sacred and secular", which was "considered to be universal, or at least universalizable" (HURD, 2008, p. 32).

However, by doing this, we lack understanding of human existence, and politics in general. As Kubálková argues:

> Following the path of modern knowledge, and particularly, taking the turn of positivist epistemology, we reached a point where we are unable to reveal some of the most fundamental features of human existence. The understanding of speech, intersubjectivity, and action cannot be grasped through the mechanical separation of subject and object, agent and structure, free will and determinism (KUBÁLKOVÁ, 2000, p. 686)

Bearing in mind that the 'modern' idea and the 'secular' project are constitutive of the modern International System, how do you theorize religion in the field of IR? The next section aims to answer this question.

3. Religion and IR: Religion in Constructivism

The previous section tried to understand the process of secularization and its universalization. As stated, the objective of secularism is to remove religion from the political space and from spheres of power and authority within a modern society. This section, however, aims to debate how IR can theorize religion, taking into consideration the fact that the canon of the discipline understands that the establishment of the modern state at Westphalia was enough to displace religion from the realm of power and authority. But, as we have seen, the Indian case stresses a reality that religion and politics, even in a country that claims to be secular, are intertwined.

In this context, it is possible to say that the fundamental components of international relations practices were deliberately established during the early modern era in Europe with the aim of solving the Wars of Religion. Herein, the modern characteristics of the discipline avoid the religion as an object of analysis: "[r]eligion has been, and largely remains, what the discipline of International Relations (IR) can speak about only as a threat to its own existence" (HATZOPOULOS; PETITO, 2003, p. 1).

In view of this, it is possible to argue that religion is a gap in International Relations. The mainstream theories of IR consider the state as a unitary and the main actor in the international system. Religion "stands in sharp contrast to reason" and "eludes the territorial boundaries characteristic of state-centric IR studies" (KUBÁLKOVÁ, 2000, p. 677). Rational choice theory, the steam of the mainstream in IR, by definition does not theorize religion in IR. Even the post-modernist theories of IR (so, constructivism, post-structuralism, gender theory, post-colonialism and so on) usually do not put religion in the center of the debate.

And to Kubálková (2000), even the "soft constructivism", which was popularized by Alexander Wendt (1999), cannot theorize religion, because of their "positivist-friendly"

nature. Kubálková, however, resorts to a "non-positivist ontology of the rule-oriented constructivist framework first introduced by Nicholas Onuf in 1989" (KUBÁLKOVÁ, 2000, p. 677) to formulate what she calls "International Political Theology" (IPT).

The goal of IPT is to rectify this consistent oversight of the influence of religions, culture, ideas, or ideologies in "social scientific" explanations of global affairs.

Onuf's framework is useful to IPT because, although it is secular, it "creates a large space for the appreciation of religious experience too" (KUBÁLKOVÁ, 2000, p. 686). The core distinction between constructivism and positivism is evident in their contrasting perspectives on the relationship between agent and structure. In contrast to positivism, rule-oriented constructivism assigns equal ontological significance to both agents and structures, along with language, depicting a mutual co-constitution in their relationship, as constructivism is grounded in the assumption that individuals actively build the social world while also being molded by it in the process. In this context, rule-oriented constructivism's ontology

> is the common thread in the ever-changing range of social activities in which people engage, shaping the world and in turn, being shaped by it. Rule-oriented constructivism points to words, speech acts, and rules as the key ontological elements of human interaction and of the human view of the world. (…) Rule-oriented constructivism offers no theory about international relations or religion as such. Rather, it theorises the social existence that includes both. Rule-oriented constructivism offers no specific explanations of these subjects, but rather it 'makes it feasible to theorize about matters that seem to be unrelated because the concepts and propositions normally used to talk about such matters are also unrelated'. It forges links where none seemed possible before. (KUBÁLKOVÁ, 2000, p. 687)

Constructivism helps to theorize religion not only because of its ontology, but methodology too. For the rule-oriented constructivist approach, context and culture matters. When culture matters, religion begins to matter too.

Kubálková, and Onuf's rule-oriented constructivism helps us to understand religion as a system of rules and related practices. This system serves the purpose of explaining the meaning of existence, which encompasses identity, ideas about the self, and one's position in the world. Ultimately, religion functions as a motivating and guiding force

for those who wholeheartedly accept the validity of these rules on faith and fully internalize them (KUBÁLKOVÁ, 2000, p. 695).

In that sense, this work intends to follow the rule-oriented constructivist approach to deal with the religious issues in Indian policy-making, following Kubálbová's contribution to International Political Theology.

4. Religion and secularism in India

Indian society prominently displays religiosity. The majority of the country's population, regardless of their specific religious affiliations, maintains strong ties to religion and religious convictions. Even with the diversity in religious practices woven into their daily lives, religion continues to be a fundamental aspect of individuals' identities and collective experiences. In this socio-cultural backdrop, it's noteworthy that the Indian Constitution officially designates the country as a secular state (RAHMAN, 2017).

Jawaharlaln Nehru, the first Prime-Minister of India, had played a central role in the process of secularization of India. Certainly, much of Nehru's understanding of the role of religion in politics was shaped by his upbringing and experiences. Unlike many Indians of his time, he came from a wealthy family and received a private education at home during his childhood. According to Nanda (1988), even though his mother was a practicing Hindu, his father was a product of late Victorian rationalism, having abandoned divine explanations and placing trust in human intelligence and science to guide the progress of humanity. Nehru was certainly influenced by his father.

At the age of fifteen, he moved to England, and the seven years he spent in the country certainly made him a man "in favor of rationalism and agnosticism" (NANDA, 1998, p. 98).

Upon returning to India in 1912, Nehru quickly became actively involved in politics, particularly in the struggle for independence. In 1916, he met Mahatma Gandhi for the first time, who would later choose him as his "political heir" (INC, n.d). Nehru expressed his dissatisfaction with the religious tensions among the general population,

and independence activists in particular. In "The Discovery of India" (1989), a book he wrote while in prison, Jawaharlal articulated his understanding that what should unite Indians was a sense of Indian nationalism that should be pluralistic, rather than an exclusive sense of religious belonging. As Nanda (1998) contributes:

> "After the collapse of the non-cooperation movement, Jawaharlal was distressed by the religious tension and discord which disfigured the country. In prison, he read and pondered over the problems of religion, culture, and politics, and sought to fill gaps in his own early education. By delving into the history of India, he was re-rooting himself culturally, and at the same time, bolstering his faith in Indian nationalism. He came to the conclusion that what had kept India going was not some secret doctrine or esoteric knowledge, but a varied and tolerant culture and a deep understanding of life" (NANDA, 1998, p. 99).

Unequivocally, Nehru's experience in England shaped his views on religion. To him, not only should the public sphere get rid from religion, but also Indians' private life should not be based on religious views of the world:

> "We have to get rid of that narrowing religious outlook, that obsession with the supernatural and metaphysical speculations, that loosening of the mind's discipline in religious ceremonial and mystical emotionalism, which come in the way of our understanding ourselves and the world. We have to come to grips with the present, this life, this world, this nature which surrounds us in its infinite variety. Some Hindus talk of going back to the Vedas; some Moslems dream of an Islamic theocracy. Idle fancies, for there is no going back to the past; there is no turning back even if this was thought desirable." (NEHRU, 1989, p. 519-520)

But not only Nehru's role mattered. Rahman (2017) argues that three factors have led to the secularization of India: (1) the historical aspect, (2) the internal divisions and (3) the international environment.

The historical aspect encompasses the independence movement, which was deeply marked by religious disagreements. All India Muslim League (AIML) anchored its agenda to the two-nation theory, which was proposed to create, after Independence from the British Raj, two distinct nations, one Muslim and a Hindu one. In this context, the Indian National Congress (INC) Party, the major political party in Indian politics until the emergence of BJP, opposed the religious-based framework, following an inclusive idea of the Indian nation. The INC itself was constituted by Muslims, other religious minorities, and a majority of Hindu members (RAHMAN, 2017).

Internal divisions also contributed to the secularization of India, as Rahman (2017) points out. India, as already stated in the previous chapter, is highly marked by its multiculturalism and its religious diversity. However, even with this core character to the Indian nation, Hindu predominance still plays an important role in politics and society. The graph below illustrates this, based on the 2011 census.

Graph 02: Population by religion
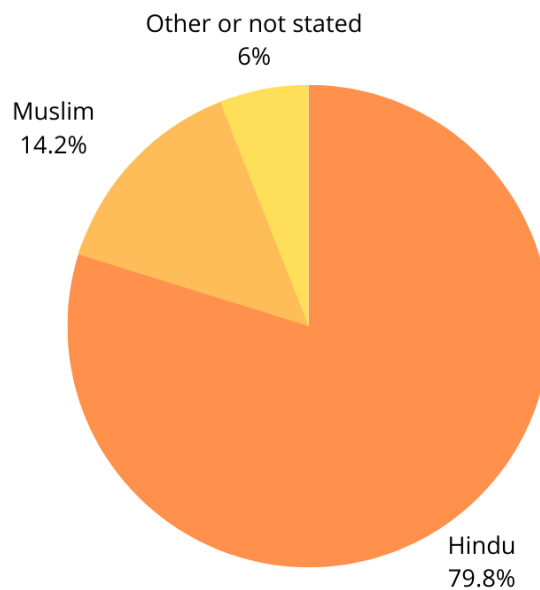
Based on 2011 Census

Still, as Rahman (2017) shows, due to its own specificities, the religious divisions within Hinduism, along with their caste system, hinder them from forming a cohesive religious entity in the strictest sense. This context boosts the possibilities to establish a secular state:

> Hinduism itself becomes a name of secular beliefs and practices which neither has an agreed religious creed, nor uniformity in its practices. In view of such divisions and in an attempt to unite the society that was divided at multiple levels on religious and social grounds, it was ideal for the state not to declare any religion as its state religion (RAHMAN, 2017, p. 38).

When it comes to the third factor, international environment, Rhaman (2017) argues that it is not expected that a country with a "Hindu identity" would be well-related with the international society. I argue, though, that this is a reflection of the universalization of secularism, as discussed previously, in an international society that understands that the

norm is to be secular. For a country, and in this context here, for India, to claim itself as a secular state is to adjust its identity to a secular international system. We should question, then, if this adjustment, and the inclusion of secularism in Indian's Constitution, is a real commitment to secularism or just an attempt to fulfill certain requirements expected by the international community.

All those factors contributed to the addition of the following articles in India's Constitution, which normatively ensure and support the rights of religious freedom for the population:

- Article 25. Freedom of conscience and free profession, practice and propagation of religion.
- Article 26. Freedom to manage religious affairs.
- Article 27. Freedom as to payment of taxes for promotion of any particular religion.
- Article 28. Freedom as to attendance at religious instruction or religious worship in certain educational institutions.

Because of all the communal violence between religions, mainly hindu and islamic populations, that has been a characteristic during British rule and the Independence process, a particular philosophy of secularism has emerged, primarily through the figure of Mahatma Gandhi. It was the state's duty to "be equally well disposed to all paths, god, or gods, all religions, even all philosophical conceptions of the ultimate good" (BHARGAVA, 2015, p. 170). Kwon as *sarvadharma sambhāv*, this kind of political secularism had the task to promote trust among religious communities and rebuild fundamental confidence if it has been eroded (BHARGAVA, 2015). This was understood as the only way to prevent other territorial fragmentations from occurring, as was the case in the division of India/Pakistan, which had a strong religious aspect.

Then Secularism, and more specifically this kind of, was the way out to communalism, as Bhargava (2015) argues:

> "So here, secularism is pitted against what in India is pejoratively called communalism — a sensibility or ideology where a community's identity, its

core beliefs, practices, and interests are constitutively opposed to the identity and interests of another community."(p. 170)

To sum up, secularism emerged in India to safeguard that the state would not constrain its diverse populations, and to maintain its integrity. It has in its roots the role to promote a specific level of social interaction, to cultivate healthy relationships among religious communities, and strive for interreligious equality within a context of profound religious diversity. The Venn diagram below shows how the Indian constitution deals with the Religion/Politics tension, integrating *sarvadharma sambhāv* philosophy:

Diagram 01: Intersection of Religion/State according to the Constitution
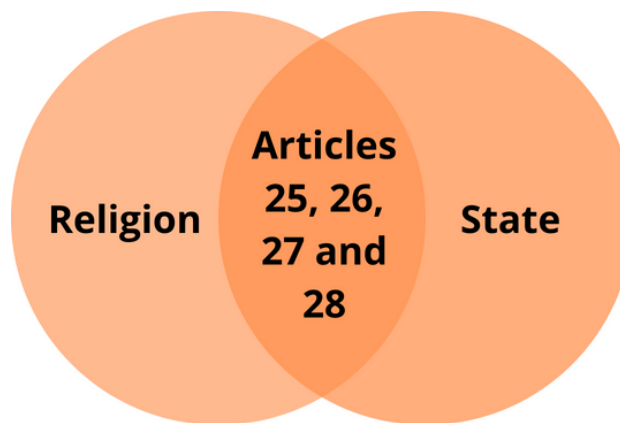
Source: Own elaboration

However, since British rule, hindu thinkers started to advocate the creation of an Hindu nation. The consequence of it was the emergence of Hindu nationalism, a sort of religious nationalism.

Religious nationalism can be understood as a movement that claims to represent the nation and defines it in religious terms, one in which people assert that the nation has religious foundations, and that religion plays a fundamental role in defining what it means to be a part of that nation (GORSKI; TÜRKMEN-DERVISOGLU, 2013).

In this context, Hindu nationalism, also known as *Hindutva*, understood that India's national identity revolved around Hinduism, the predominant faith of the population. Indian culture was intended to be delineated as synonymous with Hindu culture. As Jaffrelot (2019, p. 15) states, Hindu nationalism motto "'Hindu, Hindi, Hindustan',

echoed many other European nationalisms based on religious identity, a common language, or even racial feeling".

Golwakar (1939, p. 24-25), one of the most important thinkers of *Hindutva* and of an *Hindu Rashtra*, argued that no "sane man can question the proposition that Hindus are a nation. There will also be no difficulty to concede that the Hindus constitute the vast majority of the population. India is therefore pre-eminently a Hindu nation, Hindusthan". According to him, who was writing during nazi Germany, believed that the country was correct to purge minorities in order to "keep up the purity of the Race and its culture" and that it was a "good lesson for us in Hindusthan to learn and profit by" (GOLWALKAR, 1939, p. 87-88), showing that *Hindutva* has been influenced by Nazism. The Venn diagram below shows how *Hindutva* ideology thinks in terms of the place of religion in the state:

Diagram 02: Intersection of Religion/State according to *Hindutva*
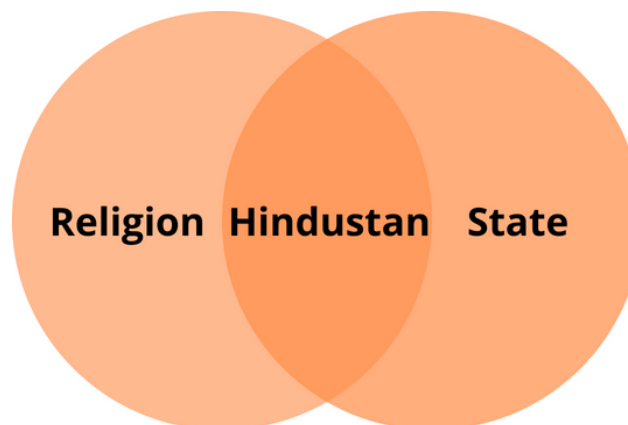
Source: Own elaboration

The outcome of the 2014 Parliamentary election and numerous state elections signifies an unprecedented surge in electoral support for the Bharatiya Janata Party (BJP), an Hindu nationalist-led political party, marking a significant ideological shift in Indian politics. It was the first time that the BJP suppressed the traditional Indian National Congress Party.

In the 2014 elections, BJP won 282 seats out of 543 in the Lok Sabha (People Chamber). The parliamentary leader of the BJP, Narendra Modi, was sworn in as the 15th Prime Minister of India on May 26, 2014. In the general elections of 2019, the BJP

secured 303 seats in the Lok Sabha, further solidifying the party's rise and the influence of *Hindutva*, placing the Congress party in a politically vulnerable position.

The rise of Narendra Modi to the position of Prime Minister of India represents a decisive break from the politics of the past. It challenges the Nehru-Gandhi dynasty, which had dominated the Indian political landscape for over six decades. The fact that this occurred with Narendra Modi, an outsider in relation to the entire political establishment of Delhi, makes this change even more profound. The Indian political class has failed to meet the aspirations of a rapidly changing India, and Narendra Modi, with a nationalist and developmental agenda, has managed to fill this void (PANT, 2014).

BJP ideological agenda is highly influenced by the Rashtriya Swayamsevak Sangh (RSS), which defines itself as a movement for assertion of Bharat's national identity (RSS, n.d.), is an Indian right-wing, Hindu nationalist, paramilitary volunteer organization (BRIDGE INITIATIVE TEAM, 2021).

Following Rehman (2018), the most concerning aspect of BJP growth lies in its potential to reshape the relationship between the state and its citizens, leading to imbalances in societal and communal dynamics across various castes, regions, and religions. This could be exacerbated by a surge in majoritarian aggression that would seek to revive the Brahmanical social hierarchy. As a result, it might lead to widespread sectarian violence and undermine human rights in numerous social spheres.

According to Amnesty International (2022), hate crimes against Muslims have increased under the government of Narendra Modi (2013 - present). Along the same lines, Human Rights Watch (2021) argues that these biases propagated by government leaders, primarily through discursive practices, have infiltrated independent institutions such as the police and the judiciary, empowering nationalist groups to threaten, harass, and attack religious minorities with impunity. Furthermore, the formulation and implementation of public policies themselves are instrumentalized by this narrative that assigns the attribute of a common enemy of Hindus to Muslims, with the aim of targeting an imagined community (ANDERSON, 1983) with Hindu values.

In this sense, the next chapter aims to dive into the *Hindutva* ideological project, from the perspective of an emerging movement that is reshaping Indian politics. Thus, it is also important to debate Authoritarianism and populism, considering that the *Hindutva* movement could be understood as an authoritarian project in an era of emerging pro-fascist movements in the contemporary world.

CHAPTER 3
Hindutva and the authoritarian turn in India

We have previously discussed democracy and religion, and how these two concepts have been articulated in the Indian context. As mentioned in the first chapter, The Economist's Democracy Index (2023) categorized India as a flawed democracy, which means that the country has "free and fair elections and basic civil liberties are respected" but "there are significant weaknesses in other aspects of democracy, including problems in governance, an underdeveloped political culture and low levels of political participation" (THE ECONOMIST, 2023, n.p).

But, as I argued both in the first and second chapters, the way the Indian government, and more specifically BJP and Modi's allies, have been dealing with the muslim community shows that basic civil liberties are not being respected in the country, because basic human rights such as freedom of religion are not being respected. We can materialize this through the Citizenship Amendment Act (CAA), as already discussed. So, it is not possible to speak of a full democracy in India if a certain share of the population is understood as second-class citizens.

As already stated, religion plays a crucial role in Indian politics, in spite of the "secular"[4] characteristic of the country's constitution. Although India is mainly known as religiously diverse, the majority of the country's population is hindu (79.8%). Internal divisions in Indian society, mainly in religious terms, and the way the religious minorities are treated could help us to explain the weakening of democracy and the rise of an authoritarian movement in the country, namely *Hindutva*.

In this aspect, this chapter aims to show the link between the democratic weakness and religion in India. To this, I propose to outline the meaning of *Hindutva*, understanding its roots and how it has become a major force in Indian politics. This turns out to be necessary because of the religious identity embedded in Hindu nationalism and the consequences of the emergence of the movement: an authoritarian turn in the country.

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[4] India's Constitution names the country as a **sovereign socialist secular democratic republic.**

1. The rise of *Hindutva*

As mentioned in the previous chapter, *Hindutva* is a hindu nationalism - a kind of religious nationalism, that can be understood as a movement that claims to represent the nation and defines it in religious terms (GORSKI; TÜRKMEN-DERVISOGLU, 2013). Anderson (1983) conceives a nation as an imagined political community. He states, "It is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion" (p. 6). In this sense, nationalism becomes a way of imagining and thereby creating a community. According to Gellner (cited in ANDERSON, 1983, p. 6), nationalism invents nations where they do not naturally exist. *Hindutva*, in this context, imagines India's national identity revolving around Hinduism. Similarly with other europeans nationalisms, *Hindutva* is based on religious identity, a common language, or even racial feeling, as argued by Jaffrelot (2009, p. 15). *Hindutva,* however, by defining India as a Hindu nation, puts a strain on the country's Constitution, as it goes against the principle of secularism, which the constitution entails.

Savakar (1923), the the theoretical and conceptual founder of *Hindutva*, sees it as a *history* and even broader than Hinduism:

> "Not only the spiritual or religious history of our people as at times it is mistaken to be by being confounded with the other cognate term Hinduism, but a history in full. Hinduism is only a derivative, a fraction, a part of Hindutva" (p. 4)

He defines it like this because for him, *Hindutva* cannot be confused with Hinduism, for the reason that it is much more than a religion - more than the Hindu faith. More specifically, following Tharoor's reading of Savarkar, the term can be described as "a political philosophy" that informs the "quality of being a Hindu in ethnic, cultural and political terms" (THAROOR, 2018, p. 55).

Hindutva is a powerful political philosophy because it articulates the sense of belonging not only to a common nation (*rashtra*), but also to a common race (*jati*) and a common civilisation (*sanskriti)*, "as represented in a common history, common heroes, a common

literature, a common art, a common law and a common jurisprudence, common fairs and festivals, rites and rituals, ceremonies and sacraments" (THAROOR, 2018, p. 56).

In this way, Savarkar reduces India as the motherland and the holy land of the Hindu community, since their ethnicity is Indian and since the Hindu faith originated in India. Other faiths, such as Sikhsm, Buddhism and Jainism could also be included in the *Hindutva* umbrella, because he saw them as variants of Hinduism since they are also native Indian religions. Islam and Christianity, which were not born in India, cannot be part of the common nation, neither of the common race or civilization. Then, it is made a connection between the land, the people (a certain one), and a (certain) religion, which is tried to be traced historically, to give a sense of authority:

> "Thus Hindu would be the name that this land and the people that inhabited it bore from time so immemorial that even the Vedic name Sindhu is but a later and secondary form of it. If the epithet Sindhu dates its antiquity in the glimmering twilight of history then the word Hindu dates its antiquity from a period so remoter than the first that even mythology fails to penetrate - to trace it to its source". (SAVARKAR, 1923, p. 6).

According to this, we can argue that the Hindu community were not only numerically superior to others, but they were expected to represent the nation also because of its historical precedence. According to Jafrellot (2009), Savarkar considered Hindus the indigenous population of India, while religious minorities were seen as external groups who are required to embrace *Hindutva* culture as the national one.

It is important to state that *Hindutva* was Savarkar reaction to the pan-islamic mobilization of the Khilafat movement, during the end of 1910's, when Indian muslims gathered together against the British policy over the dismemberment of the Ottoman Empire after World War I (JAFFRELOT, 2009):

> 'For Savarkar the Muslims of India constituted fifth-columnists whose allegiance was to Mecca and Istanbul (the political capital of the Umma until the 1920s). Though in a minority, Muslims were a threat to Hindus because of their pan-Islamism, and because, being more aggressive and better organized, they could outmanoeuvre Hindus, who remained effete and divided into many castes and sects' (p. 23).

However, Savarkar was only an ideological founder of *Hindutva*, not developing a plan of action. Keshav Baliram Hedgewar (1889–1940), the founder of Rashtriya

Swayamsevak Sangh (National Volunteer Organization, RSS), motivated by hindu nationalism with the intention of creating a Hindu *Rashtra* (nation) that took the first step in promoting a plan of action. RSS, as briefly mentioned in the previous chapter, is an Indian right-wing, Hindu nationalist, paramilitary volunteer organization (BRIDGE INITIATIVE TEAM, 2021). As indicated by Jaffrelot (2009), RSS had the purpose of not just promoting the *Hindutva* ideology but also revitalizing the physical vitality of the majority community.

Golwalkar (1906-1973), one of the most important thinkers of *Hindutva* and the ideologue successor of Savarkar, who was in charge of RSS for three decades (1940–1973), was the one that took *Hindutva* ideology even further. If Savarkar was able to imagine a country where other ethnic-religious groups could be absorbed in Hindu community, Golwalkar was not even in favor of equal rights of citizenship for all those who lived in the Indian territory (THAROOR, 2018). As stated in the previous chapter, Golwakar was sympathetic to purge minorities in order to "keep up the purity of the Race and its culture" (GOLWALKAR, 1939, p. 88). To him, 'Hindusthan is the land of the Hindus and is the *terra firma* for the Hindu nation alone to flourish upon' (GOLWALKAR, 1939, p. 101). What Golwakar conceived by nation was narrower than the Indian territory per se, the nation, to him, should be framed by a people, and in the Indian case, the Hindus.

Golwalkar's ideological turn in *Hindutva* transformed it into an ideology aimed at establishing Hindu dominance, Hindu values, and the Hindu way of life within India's political framework. In doing so, he built upon Savarkar's dismissive rejection of Gandhian 'universalism' and 'non-violence,' which he regarded as illusory distractions.

Golwakar build up a rhetoric that views the muslim community as invaders, as a disruption of Hindu nation, and the ones that have to be expelled from it:

> 'Surely the Hindu Nation is not conquered. It is fighting on. Ever since that evil day, when Moslems first landed in Hindusthan, right up to the present moment the Hindu Nation has been gallantly fighting on to shake off the despoilers. It is the fortune of war, the tide turns now to this side, now to that, but the war goes on and has not been decided yet. Nor is there any fear of its being decided to our detriment. The Race Spirit has been awakening. The lion was not dead, only sleeping. He is rousing himself up again and the world has

to see the might of the regenerated Hindu Nation strike down the enemy's hosts with its mighty arm' (GOLWALKAR, 1939, p. 53)

Muslims, as we saw in Savarkar and in Golwalkar thought, are a threat to the Hindu majority in the *Hindutva* way of thinking. The *Hindutva* agenda succeeds in portraying Muslims as "foreign others" while it brings back the history of Muslim domination in India. The period when muslims arrived in India and ruled over the Hindu population is pictured as a barbarian invasion. On the other hand, They view the era before muslim dominance as the pinnacle of Hindu civilization. According to the *Hindutva* perspective, this period was marked by a succession of historical conflicts between what they perceived as native Hindus and the foreign barbaric muslims. Islam and muslims are both hostile and inimical to the Hindu essence of India (KHAN; LUTFUL, 2021). RSS, in this way, connects itself with this storyline.

In that regard, the modus operandi adopted by RSS involved working from below. Local branches of the organization spread around the country, aiming to develop a strong network in the whole Indian territory. During India's independence, there were approximately 600,000 volunteers, and it swiftly emerged as the most influential Hindu nationalist movement. However, it had limited influence on Indian public life primarily because it remained apolitical (JAFFRELOT, 2009).

Things changed radically to RSS after the assassination of Mahatma Gandhi in 1948 by a former RSS volunteer, Nathuram Godse. The action was primarily motivated because of Gandhi's idea of India, which was completely different from the one advocated by Hindu nationalism. The pluralistic view of Indian society proposed by Gandhi was what led to his assassination by Godse. The outcome to RSS was a ban imposed on the organization by Nehru (JAFFRELOT, 2009). Following this, RSS understood that they could not anticipate assistance from any political party, resulting in the creation of the Bharatiya Jana Sangh in 1951, the precursor to the current Bharatiya Janata Party.

It is important to note that hindu nationalism was highly institutionalized by RSS, firstly in its own foundation, and then by its widespread use in diverse other organizations in the Sangh Parivar umbrella. Sangh Parivar is a collection of *Hindutva* organizations spawned and administered by the RSS, such as BJP, Vishva Hindu Parishad (VHP, World Council of Hindus), Vidya Bharati (Indian Knowledge), Seva Bharati (Indian

Service), etc. All of them have a specific function in promoting hindu culture, knowledge, faith and political will in indian public life.

The RSS, and all Sangh Parivar organizations, always tried to present itself as a patriotic party dedicated to national unity, serving as a safeguard for both the underprivileged and small privately-owned enterprises, while employing a populist approach. Alongside with this, the VHP, for example, served as a more militant and more aggressive organism of action, rejecting other world views and against Indian society's pluralism. A core example of this is a campaign to raise Hindi to the level of India's national language (JAFFRELOT, 2009).

Still, RSS has not been an important player in Indian public life until the mid-1980's, until the Ayodhya movement[5]. Ayodhya, a town in Uttar Pradesh, is traditionally regarded as the birthplace and capital of the god-king Lord Rama. The site was believed to have once housed a Rama temple until it was destroyed in the sixteenth century on the orders of Babur, the first Mughal emperor, and replaced by a mosque known as the 'Babri Masjid'. In 1984, the VHP called for the return of this site to Hindus.

Hindu nationalist extremists 'solved' this impasse by destroying the mosque on December 6, 1992. This action, along with the subsequent Hindu-Muslim riots that resulted in 1,200 deaths in some days, led to the implementation of several stringent measures by the New Delhi government. These measures included dissolving the legislative assemblies in states where the BJP held power (Uttar Pradesh, Madhya Pradesh, Himachal Pradesh, and Rajasthan), as well as imposing a ban on the RSS and the VHP (JAFFRELOT, 2009). However, these actions were temporary and did not significantly impact the Sangh Parivar. On the contrary, the outcome of Ayodhya movement was the rise of BJP and RSS in India's political arena, the next section aims to cover this phenomenon.

2. The BJP-Modi's rise

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[5] Although this piece of work does not intend to explain in detail the riots in Ayodhya, it is important to note that this was when RSS, BJP and *Hindutva* started to figure in important roles in Indian politics, so worth mentioning.

After Ayodhya, BJP was again at the main stage of Indian politics during the Gujarat riots, in 2002. Those riots were connected to the Babri Masjid demolition - the riots, which occurred between February and March 2002, began after a group of Muslims set fire to a train in Godhra (State of Gujarat), carrying Hindu activists returning from Ayodhya.

The attack was motivated by the fact that the Hindu group was advocating for the construction of a temple for the Hindu god Ram at the site of the Babri Masjid - this campaign was led by VHP (HUMAN RIGHTS WATCH, 2002), one of the organizations under the Sangh Parivar.

A three-day retaliatory killing spree by Hindus left hundreds dead and tens of thousands homeless and dispossessed, marking the country's worst religious bloodletting in a decade. The looting and burning of Muslim homes, shops, restaurants, and places of worship was also widespread. The attacks were characterized by brutality, including the mutilation and rape of Muslim girls and women. According to Human Rights Watch (2002), muslim survivors of the attacks repeatedly reported being told to 'go back to Pakistan'.

It is visible how Hindu extremism rhetoric is infused by the storytelling that conceives Muslims as foreigners, even though they are still Indian citizens. They are constantly framed as the barbaric ones that need to be purged in order to bring the golden era of Hindu civilization back. They are the necessary 'others' that ideologically motivates *Hindutva* to exist.

According to the Human Rights Watch report (2002), the attacks against Muslims in Gujarat were actively supported by state government officials and by the police. The Gujarat government, whose chief ministry was Narendra Modi, chose to characterize the violence as a "spontaneous reaction" to the incidents in Godhra.

The Gujarat riots occurred in a moment when BJP was losing its strength in the state of Gujarat, as well as Modi. However, the way they instrumentalized the religious-polarization of Gujarati society brought support from the Hindu community to both BJP and Modi. According to Jaffrelot (2021), the state's elections that were scheduled for February 2003 were anticipated after Modi had dissolved the state

assembly and then resigned as chief minister, arguing that the Gujarati people should have the right to choose their leaders, while the media accused Modi of the riots. To Jaffrelot (2021, p. 42) this was "his attempt to appear as the savior of the Gujarati people against those who, according to him, attacked them, including the English-speaking media that had exposed the failure of the state machinery to contain violence".

After this, BJP won the elections and Modi - with the BJP and Sangh Parivar's support - started to propagate his image as Gujarat's hero and the Hindu community representative. This was certainly only possible through the use of religious polarization in the region to promote itself. The islamophobia was - and still is as Prime-Minister - part of his rhetoric and plan of action, as Jaffrelot (2021) points out:

> As chief minister of Gujarat, he mentioned on many occasions the "1200 years of slavery" endured by Hindus — including the entire reign of the Mughal Empire. (…) Gujarat under Modi refused to implement a scholarship program for needy Muslim students that the central government had initiated and mostly funded. (..) The state government moreover refused to help the Muslims of Gujarat—financially or otherwise—to rebuild edifices and monuments that were destroyed during the events of 2002 (p. 52).

Modi and BJP made no effort to hide their islamophobic agenda - because this is what they rely on. Modi and his party's strength comes from this religious intolerance. According to Tharoor (2018, p. 53), "the increasing secularization of modern Indian life is responsible for the rise of fundamentalism", because the privatization of faith allows what he calls the "perversion of religion". This perversion would be the rise of religious extremism, that works as an antithesis to the secular idea of India. RSS, BJP and VHP - and the Sangh Parivar in a broader way -, acting under the *Hindutva* ideology, are the organizations that promote and instrumentalize this "perversion".

While Modi used the *Hindutva* agenda to promote himself, he sought to position Gujarat in opposition to the central government in New Delhi in the years leading up to the rise of the BJP in the national arena. As Jaffrelot (2021, p. 54) states, "Modi systematically projected himself as the protector of Gujarat against a predatory central power" dominated by the Indian National Congress Party.

Modi also criticized the Nehruvian "political dynasty", which, in his view, represented a political aristocracy in power since independence. Unlike Indira, Rajiv, and Sonia Gandhi, he presented himself as a "common man" from a lower caste and a poor background (JAFFRELOT, 2021). This played a central role in boosting his popularity throughout the entire country.

Bearing this in mind, it is important to state that this context enabled Modi to be defined by authors such as Jaffrelot (2021) and Heller (2021) as a *populist*. According to Cas Mudde (2014, p. 543), populism is an ideology that "considers society to be ultimately separated into two homogeneous and antagonistic groups, 'the pure people' versus 'the corrupt elite'" and that "politics should be an expression of the *volonté générale* (general will) of the people"[6]. In the Indian case, the 'corrupt elite' is the Nehruvian "political dynasty". But 'the people', as Mudde (2004, p. 545) argues, is a vague term: "[s]ome commentators have argued that the term is nothing more than a rhetorical tool that does not truly refer to any existing group of people". Class segment should not be considered too - in Indian case it makes no sense, the economical elite and the middle class are BJP and Modi's electors, as the poorest are. Taggart (2000 apud MUDDE, 2004), in this sense, brings the concept of 'the heartland' to define 'the people'. The notion of the heartland serves to highlight that the individuals portrayed in populist propaganda are not entirely representative of the entire population; rather, they are a constructed and mythical subset. In essence, the people depicted by populists form an 'imagined community' - in Indian case, there is no doubt who this imagined community is formed by: the Hindus.

In this sense, we can argue that BJP's and Modi's populism has two clear targets: the Indian National Congress Party, represented by the Nehruvian political dynasty, and the Muslim community, as they do not belong to the 'heartland'. The narrative that views Muslims as outsiders strongly supports this interpretation of populism because, in this case, they are not merely a deviant segment of the native population - in the *Hindutva* narrative, Muslims aren't even considered part of the native population.

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[6] "Populism" is a concept under debate, with different interpretations. However, it is not the aim of this work to delve into the concept, and for framing purposes, it has been decided to adopt that of Cas Mudde (2014).

As the 'defender of Hindus' against the Muslim invaders, Modi manages to draw a clear connection between the INC and the Muslims: the INC needs to be eradicated because they are the ones who 'tolerate' - based on the secular political tradition that the INC has forged in Indian constitution during the country's Independence - the existence of Muslims.

Furthermore, in Modi's populist propaganda, the "common man" was also portrayed as a "development man". Even though the poor reputation that the 2002 riots brought to him with the business class in Gujarat because of the political and social stabilities, he succeeded in recovering it. In 2003, with a new industrial policy, Modi made notorious concessions to the business community, attracting financing and the establishment of industries throughout the state. The "Modi method" became appreciated by investors: "rapid decision making, simplified procedures, and secret deals" (JAFFRELOT, 2021, p. 57). This was also a great movement for him not only to get support from the industrials, but also to the voters in a situation of poverty, since the number of jobs has increased, even if they are low paid. So, it was a growth model lacking development, given that it resulted in the creation of few quality jobs and sustained considerable inequalities:

> Like most populists, Modi made many promises to the poor but did not deliver on socioeconomic matters. He found it more important to cozy up to industrialists who would be in a position to support him financially—and therefore enable him to saturate the public space. (JAFFRELOT, 2021, p. 58)

In this way, Modi brings to his populism two spheres: one is rooted in the commitment to economic progress, while the other sphere focuses on making distinctions between "us" and "others." "Us" being the BJP and the Hindus, in other words, the 'imagined community'; and the 'others', however, are the INC and the Muslims.

The general elections of 2014 symbolized the political success of the BJP and Modi. According to Heller (2021), there's no doubt that the BJP's electoral achievements were made possible by the decline of the Indian National Congress Party and the expansion of the BJP's support base, achieved by gaining support from Other Backward Castes (OBC) and significant sections of the Dalit (historically termed "untouchable") and Adivasi (tribal) communities. Heller is correct, but other conjuncture factors also helped facilitate Modi's victory.

We can argue that the Indian National Congress party was undergoing a significant transition: after a decade as prime minister, the aging Manmohan Singh handed over leadership to an inexperienced Rahul Gandhi. Moreover, corruption scandals have also significantly affected the popularity of the INC among voters. The economic landscape was also pivotal, with India facing a downturn in economic growth, enabling Modi to highlight the "Gujarat model" and its growth rate (JAFFRELOT, 2021).

Concerning the latter, Modi and the BJP, much like they did in Gujarat after the riots, toned down Brahmanism, which was a prominent feature of *Hindutva* and of the BJP. A political success at the national level advocating the caste system would not have been feasible.

Moreover, Modi made effective use of the prevalent Islamophobic sentiment in Indian society, which had reached unprecedented levels. This context was shaped by the increasing terrorism attacks in the country. According to the National Consortium for the Study of Terrorism and Responses to Terrorism (START) - from the United States Department of State - around 400 people lost their lives due to terrorist attacks in India in 2013. This situation was conducive to mobilizing fear around the Muslim community, serving as a political platform for the popularity of the *Hindutva* agenda. As Heller (2021) puts out, Indian Muslims under Modi's discourse are framed as anti-nationalists, as they were pro-Pakistani terrorist groups. This scenario corroborates the construction of an image of the Muslims as outsiders, as the others, the invaders of the Hindu land.

All these factors combined, along with the popularity surrounding a charismatic figure like Modi, made the victory of the BJP at the polls possible - the BJP won 282 seats out of 543 in the Lok Sabha (People's Chamber).

The 2014 elections brought *Hindutva* to the national political arena. The victory was similar to a public authorization to the Hindu nationalist agenda. As the next section shows, the BJP's majority led to an authoritarian turn in India.

3. The authoritarian turn in India's policy making

As stated by Heller (2021), Modi's first term (2014-2019) did not push forward the *Hindutva* agenda itself - issues related to the country's economic development were the priority. However, towards the end of the first term, official figures revealed a slowdown in growth, while the government acknowledged that the country had the highest unemployment rate in 45 years, and the workers' purchasing power was declining (DOS SANTOS, 2021).

Nevertheless, since the victory in 2019 - even greater than that of 2014 (303 out of 542 Lok Sabha seats) - the BJP's ethno-nationalist agenda gained momentum, leading to a true authoritarian turn in the country. The encouragement and downplaying of hate crimes against the Muslim population ceased to be merely rhetorical, and Modi from Gujarat, the protector of the Hindu community, once again used the government machinery to advance the Hindu nationalist agenda. As argued by dos Santos (2021), facing the inability to address social and economic problems, the government accelerated the *Hindutva* agenda.

Four examples are central to this phenomenon, the last being the most significant for this work: (1) the change in the special status of Kashmir; (2) India's Supreme Court verdict on the Ayodhya disputed site; (3) the saffronisation of history, memory and names; and (4) the Citizenship Amendment Act.

3.1. The change in the special status of Kashmir

On August 5 2019, the Indian government announced that it was altering the special constitutional status of Jammu and Kashmir. The government reconstitutes the Indian-administered state of 'Jammu and Kashmir' into two separate territories which will be federally governed called 'Jammu and Kashmir' and 'Ladakh', revoking the special status - of autonomy - of the state, reducing the authority of elected state officials. Central to this discussion is that Kashmir is one of the two only Indian regions with a Muslim majority, as is possible to see in the map below:

Map 01: Religious demography of Indian states and territories
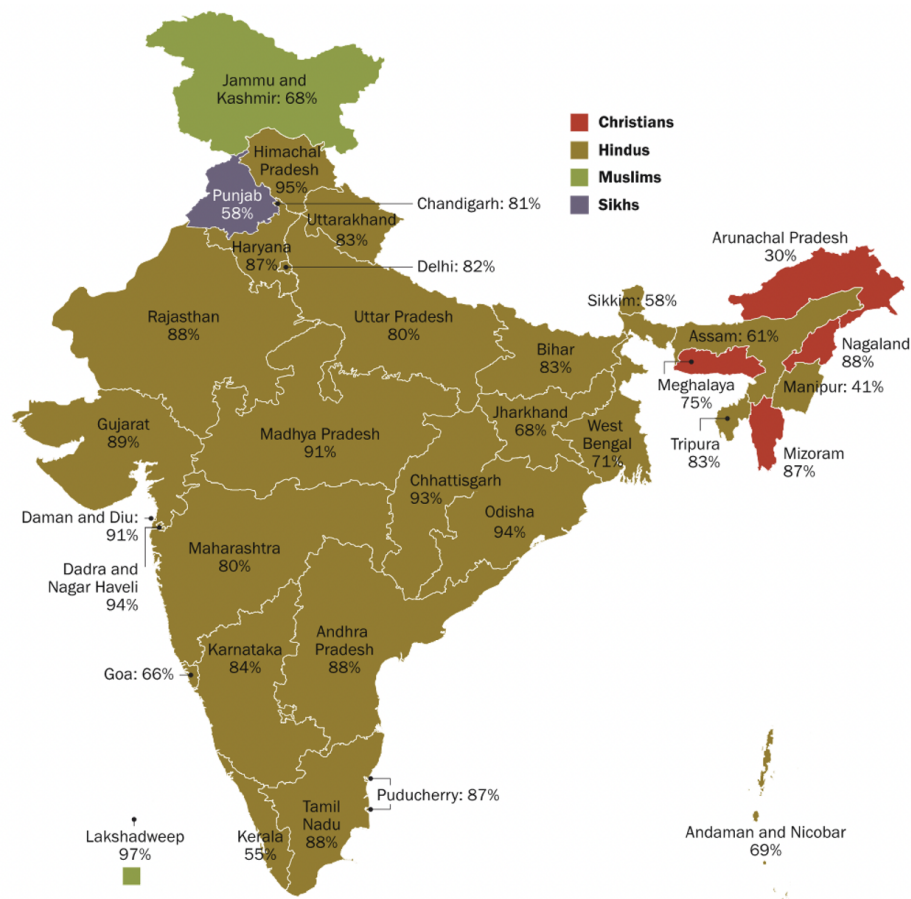
Source: Pew Research Center

The revoking of autonomy came out months after a terrorist attack in the Jammu and Kashmir's Pulwama district. The attack was led by a Pakistan-based armed group, Jaish-e-Mohammad, targeting a security forces convoy. According to Ganguly (2019, n.p.), the attack was used by the BJP and the media to "whip up extremist nationalist fervor". Consequently, Kashmiri students and businessmen residing in various Indian cities faced harassment, physical assaults, and were forcibly removed from their rented accommodations and dormitories. Kashmiri were framed as accomplices of the terrorists, pro-Pakistan and Indian traitors.

Promising security and reform, the government revoked the constitutional autonomy of Jammu and Kashmir. According to Human Rights Watch (2019a), prior to the announcement, the government detained numerous political leaders, enforced extensive limitations on freedom of movement, and prohibited public gatherings. The government also shut down the internet and the phone services for months.

From that time onwards, the authorities have freed a significant number of the detainees and reinstated internet services. However, they have heightened their suppression of media outlets and civil society organizations, often employing counterterrorism and public safety laws more frequently.

Since then, the authorities have freed a significant number of the detainees and reinstated internet services. However, they have heightened their suppression of media outlets and civil society organizations, often employing counterterrorism and public safety laws more frequently. Around 35 journalists in Kashmir have encountered police interrogations, raids, threats, physical assaults, constraints on their freedom of movement, or fabricated criminal accusations due to their reporting. In June 2020, the government introduced a new media policy that facilitated easier censorship of news by the authorities in the region (HUMAN RIGHTS WATCH, 2022).

The change in the special status of Kashmir is representative of an authoritarian turn in India precisely because it combines human rights violations with a clear weakening of democracy. As presented in the first chapter, I understand democracy, following Dahl's framework (1971), as a political regime that allows individuals to participate and engage in the governance process through contestation. As emphasized by Dahl, a crucial aspect of democracy lies in the opportunities it provides for expressing political preferences, organizing, and representing diverse and divergent interests.

From the above, it is possible to argue, with the case of Kashmir, that democracy has weakened in India. Furthermore, I argue that there has been an authoritarian turn precisely because the two essential dimensions for a polyarchy, namely 'participation' and 'opposition,' cannot be found in the Indian case. As mentioned, the government detained numerous political leaders, imposed extensive limitations on freedom of movement, and prohibited public gatherings - clear examples of impeding contestation. Moreover, the measures facilitating censorship support the argument that the Indian government, led by the figure of Modi, is acting in an authoritarian manner in Kashmir.

3.2. India's Supreme Court verdict on the Ayodhya disputed site

As previously mentioned in this chapter, Ayodhya is historically considered the ancestral home and principal city associated with the god-king Lord Rama. Legend held that this location once accommodated a temple dedicated to Rama until the sixteenth century when Babur, the inaugural Mughal emperor, ordered its demolition, replacing it with a mosque recognized as the 'Babri Masjid'. In 1992 the mosque was demolished by hindu activists under the VHP and other organizations.

The contested site sparked to a legal dispute in the Indian High Court after three suits: one in 1959 by the Nirmohi Akhara, a Hindu organization - one of the fourteen akharas under the Akhil Bharatiya Akhara Parishad -, that claimed as the rightful manager of the Lord Rama temple; other in 1961 by the Sunni Waqf Board, an Islamist organization that affirmed possession of the mosque; and the later in 1989 by Deck Nandan Agarwal, a senior advocate and retired Allahabad High Court judge, who died in 2002 and filed a suit on behalf of Lord Rama (HINDUSTAN TIMES, 2020; TIMES OF INDIA, 2010; TIMES OF INDIA, 2019; SUPREME COURT OBSERVER, n.d.).

As stated earlier, the Ayodhya movement was central to the rise of BJP and RSS in India's political arena, as the Gujarat riots that came later. For this reason, the legal dispute was closely observed by the BJP politicians and *Hindutva* activists.

Following the three suits, the court issued its judgment on November 9th, 2019. It granted the title to the deity, Lord Rama, and instructed the State to allocate an alternative site in Ayodhya to the Sunni Waqf Board for the mosque's construction. In India, Hindu deities are a juristic person who can sue and be sued, which made possible the verdict (SUPREME COURT OBSERVER, n.d.). It is interesting that even with the secular aspect of India's constitution, religious figures are understood by law as juristic persons, able to win judicial processes over citizens and institutions, as were the case here, that the Lord Rama won over the Sunni Waqf Board.

On behalf of this juncture, it is important to reflect on the secular characteristic of Indian judiciary. As Jaffrelot (2021) argues, and I agree, there was an institutional shift away from secularism, and the Ayodhya case represents it very well. India's Constitution names the country as a **sovereign socialist secular democratic republic**, but still the country's judiciary made a judgment arbitrarily and prioritized the interests

of a majority religious community - namely, the Hindu community - over a minority -
namely, the Muslim community.

The Supreme Court, despite affirming that the Babri Masjid was illegally demolished by
Hindu militants associated with the VHP and RSS, did not take this fact into
consideration when delivering the verdict, nor did it hold those responsible for its
demolition accountable. The justice system chose to prioritize the faith of Hindus, who
believe that at some point there was a temple to the god Rama, rather than ensuring that
something unlawful - the demolition of the mosque - be punished or at least remedied.
The Hindu community claims it as the birthplace of Lord Rama, but "the Babri Masjid
was not a claim but a building" (JAFFRELOT, 2021, p. 433).

The Court also argued that it was not possible to divide the land, as it would not end the
religious communities' disputes. Therefore, according to the court, the most appropriate
action was to ensure the site for the Hindus for the construction of the temple for the
god Rama and allocate another space for the construction of the mosque. Jaffrelot
(2021, p. 435) argues that "the recognition of the Hindus' religious sentiment as the
main reason why the court permitted the construction of a Ram temple on the remnants
of the Babri Masjid prepared the ground for majoritarian justice". This context reflects a
shift away from secularism, because the justice system's decisions intersect with
religious sentiments, and also reflects a weakening of democracy while prioritizing a
major community over a minority in legal and judicial aspects.

The verdict points not only to the desecularization of the Indian institutions, but also to
the saffronisation[7] of them. According to Khan and Lutful:

> The Indian Supreme Court basically succumbed to the pressures from the
> *Hindutva* forces. However, in the process, it also dealt a huge blow to the
> legitimacy and political independence of the Indian judiciary. Muslim
> minorities now fear that the Indian courts would rather rule according to Hindu
> mythology than historical and legal facts (2021, p. 7-8).

The saffronisation of institutions questions the secularism and democracy entailed in the
Constitution. This is because, as argued previously, the Supreme Court, for example,

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[7] Saffronisation refers to the policies of *Hindutva*, and the word comes from the association of saffron
color with Hinduism.

took into account matters related to faith as opposed to empirical evidence when making the decision, and furthermore, the verdict raises doubts about the extent to which Indian institutions, which are supposed to be independent, truly are. It is argued by Heller (2021), Jaffrelot (2021), and Khan and Lutful (2021), for instance, that Modi's and the BJP's Hindu nationalist agenda is already present in institutions, and the decision on the Ayodhya dispute is an example of this. As consequences, as argued before, we witness desecularization, the weakening of democracy, and an authoritarian shift that favors the will of a majority defined by religious boundaries.

3.3. The saffronisation of history, memory and names

One important movement to be analyzed in the context of the emerging *Hindutva* and the authoritarian turn in India is related to the saffronisation of history, memory, and names.

According to Apoorvanand (2023, n.p.), one crucial objective of the *Hindutva* agenda is to depict India as a "historically Hindu-only land." The way this has been accomplished is primarily through the erasure of significant historical facts that have some connection to the Muslim presence in the country in school textbooks. Apoorvanand argues that pages about the Mughal rulers and the Delhi Sultanate have been systematically removed from textbooks of different classes. Recent history concerning the assassination of Mahatma Gandhi by Nathuram Godse, which links the killer with the RSS, has also been omitted. The Gujarat riots and the mass killings of Muslims are also no longer present in the textbooks (APOORVANAND, 2023).

This historical purge aligns with *Hindutva*'s agenda as it legitimizes its motto that India is historically a Hindu nation. Furthermore, it reinforces the idea that Muslims are not part of the Indian community, thus strengthening the proposition that they are outsiders who need to be eliminated, ensuring the "purity" of the nation. This not only distorts historical accuracy but also puts the memory of diverse communities in danger, risking the erasure of their contributions and narratives from the collective history of the nation. In doing so, it perpetuates a narrow and exclusionary understanding of India's rich and pluralistic heritage.

Following Amartya Sen (2015), this process of an artificially narrow *Hindutva* reading of India's past, diminishes the significance of alternative sources of Indian traditions, and overlooks the positive exchanges between diverse communities that contribute to the cultural and social diversity present in modern India. As the author points out, this process of rethinking the country's history is embedded with a growing trend of employing legal threats to suppress alternative historical interpretations by intimidating publishers with lawsuits. I understand this context as part of the authoritarian turn, led by Modi and the BJP, because it represents a significant threat to intellectual freedom overall in India, and especially to an unbiased comprehension of history.

As Dahl (1971) indicates, and I emphasized in the first chapter, the polyarchy have some core institutional characteristics that are not being followed by India, as this example shows, such as: freedom of expression and alternative sources of information, as features that are essential for public contestation - so necessary to a democratic regime.

Alongside this, another relevant phenomenon is the renaming of cities, roads, and railway stations that have some connection with names of Muslim figures from the country's history or simply sound Islamic, or are of Urdu origin – the language spoken by the majority of Muslims in India. The historically named city of Allahabad, designated as such by Muslim Mughal rulers in the 16th century, is now called Prayagraj (AL JAZEERA, 2018). Aurangabad has been changed to Chhatrapati Sambhaji Nagar, and Osmanabad is now known as Dharashiv (APOORVANAND, 2023).

In 2015, numerous street signs in New Delhi, carrying Urdu/Muslim names, including Aurangzeb Road named after the sixth Mughal emperor, were painted black by Hindu militants. In the subsequent months of that year, the governing BJP officially changed the name of Aurangzeb Road to A. P. J. Abdul Kalam, a former pro-BJP President of India (AHMAD, 2018).

Renaming means much more than just changing a word on a street sign, they are important elements of the local culture, which reflects heritage and identity. The Muslim heritage and identity, though, is being erased from India and the connection between the

Muslims with the Indian identity is also being threaten. It is also relevant to stress that these changes become a divisive force, helping to accentuate political, social and historic divisions within the community.

More recently, during the Group of 20 (G20) summit, held this year in India, Modi's government started referring to the country as "Bharat" on official invitations, the Sanskrit[8] name to the country. Following Al Jazeera (2023), India is referred to as both India and Bharat in its constitution. Additionally, Hindustan, meaning "land of the Hindus" in Urdu, serves as another term for the nation. These three names are officially and commonly used interchangeably by the public.

However, for the members of the BJP, changing the name to Bharat would signify putting an end to the colonial past and a movement that would praise Hindu superiority:

> "Naresh Bansal, a BJP member of parliament, said the name 'India' is a symbol of 'colonial slavery' and 'should be removed from the constitution'. 'The British changed Bharat's name to India,' Bansal said in a parliamentary session. 'Our country has been known by the name 'Bharat' for thousands of years. … The name 'India' was given by the colonial Raj and is thus a symbol of slavery.'" (AL JAZEERA, 2023).

All these movements by the Modi government, influencing the teaching of a specific history of the country in schools, changing the names of public places and cities, as well as referring to India as Bharat, demonstrate an effort by *Hindutva* forces to saffronize the history, names, and memory of the country. The erasure of references to Muslims and even British colonization - by preferring to use Bharat over India - is a clear homogenizing effort to establish a unique history and culture centered on the Hindu civilization's culture, language, and history.

This cultural purge is extremely productive for the popularity of the BJP and for *Hindutva* itself. According to Amartya Sen (2015), a significant portion of Modi and BJP voters do not support hate speech and violence against Muslims but are won over by speeches promoting Hindu cultural pride and superiority. Therefore, it is possible to

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[8] Sanskrit is the sacred language of Hinduism, the language of classical Hindu philosophy, and of historical texts of Buddhism and Jainism.

say that the BJP and Modi anchor themselves in these cultural issues not only to undermine and weaken the identity, history, and memory of the Muslim population in the country but also to seek approval from a larger portion of the Hindu population for their policies of marginalizing the Muslim community through Hindu cultural pride.

3.4. The Citizenship Amendment Act

As stated in the previous chapter, the Citizenship Amendment Act (CAA), an amendment to the Citizenship Act of 1955, is the main guideline for granting Indian citizenship to foreigners. The Act facilitates the process for non-Muslim immigrants originating from Muslim-majority Afghanistan, Bangladesh, and Pakistan to pursue and attain Indian citizenship. Essentially, the legislation designates individuals from specific non-Muslim communities in these nations as refugees in India, while exclusively categorizing Muslims as "illegal migrants":

> "Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014 (…) shall not be treated as illegal migrant for the purposes of this Act;" (THE GAZETTE OF INDIA EXTRAORDINARY, 2019).

The main problem surrounding this Act is that, for the first time in Indian history, regarding citizenship (HUMAN RIGHTS WATCH, 2020a), religion emerged as a criteria, and notably, despite being one of the predominant faiths in the country, Muslims were the only group overlooked. This highlights a pronounced Islamophobic bias, contradicting the principle of freedom of religion.

I argue that the law challenges the equality and secular values of the Indian Constitution, while it aligns with the Hindu nationalist agenda by challenging the Indian identity established at independence, which was not supposed to take religious markers into account. As discussed in the first chapter, Nehru endeavored to build an image of the nation and Indian identity that wasn't reduced to a single religion, aiming to mitigate ethnic and religious conflicts. This is evident in his speech on the day of independence proclamation:

> "We are citizens of a great country, on the verge of bold advance, and we have to live up to that high standard. All of us, to whatever religion we may belong,

are equally the children of India with equal rights, privileges and obligations. We cannot encourage communalism or narrow-mindedness, for no nation can be great whose people are narrow in thought or in action." (NEHRU, 1947, n.p).

According to the United States Commission on International Religious Freedom (2020), Numerous political parties, non-governmental organizations, and religious groups submitted petitions to the Supreme Court, contesting the constitutionality of the CAA. They argue that it violates Section 14 (equality before the law) of the Indian Constitution. Several chief ministers, such as those in Kerala, Punjab, and West Bengal, declared their intention to resist the law's implementation in their states. Additionally, the Kerala government took the step of challenging the law in the Supreme Court.

In reaction to the CAA, demonstrations erupted in Delhi from February 23 to 27, fueled by concerns that the legislation, coupled with a proposed nationwide verification process targeting "illegal migrants," might threaten the citizenship rights of millions of Indian Muslims (HUMAN RIGHTS WATCH 2020b). Violence around the protests broke out and, following Dutta and Tewari (2020), the four days of violence led to the deaths of 53 people (38 Muslim victims and 15 Hindus) and left hundreds injured.

The confrontations between BJP supporters and demonstrators opposing the citizenship law quickly evolved into Hindu mobs rampaging through northeast Delhi, resulting in the deaths of Muslims and the destruction of their homes, shops, mosques, and property. While a number of Hindus also lost their lives, including a policeman and a government official, the majority of the violence disproportionately affected the Muslim community (HUMAN RIGHTS WATCH 2020b).

The Human Rights Watch (2020b) accuses the police response as insufficient, and that at times, they were complicit in these assaults. They argue that authorities have not conducted impartial and transparent investigations into the violence. Subsequently, the authorities began arresting protesters, including students and activists, and levying charges of sedition, murder, and terrorism under the Unlawful Activities (Prevention) Act (UAPA), alleging their involvement in a "conspiracy" to "defame the country in the international arena".

This is a clear example that shows how the institutions are being saffronised: instead of prosecuting those responsible for the violence, mostly from the Hindu community, authorities are instead processing and arresting the protesters. This demonstrates a clear attack on freedom of expression and the right to dissent. As previously discussed, using Dahl's (1971) framework, I understand democracy as a political system that enables individuals to participate and engage in the governance process through dissent. In this sense, the Citizenship Amendment Act (CAA) not only shows a desecularization of India but the protests also shows a democratic backsliding, as contestation is not guaranteed.

More than just regulating the registration of migrants, the CAA and its consequences contribute to the argument that the Indian Muslim community, even though the CAA does not challenge its status, can no longer be understood as de facto citizens of the country. Nyers (2017, p. 118) provides a definition of citizenship:

> "To be a citizen is not only to belong to a political community, but it implies that one is capable of being a political subject. Citizens can be expected to express themselves politically, to claim rights, perform duties and be active, visible and vocal members of society. These political practices are both the normative expectations and the constitutive enactments of citizenship"

How can we still categorize Muslims in India as citizens when they are neither seen nor treated by institutions and the majority of the population as political subjects? The violence and police repression by the Hindu majority that followed the protests against the CAA demonstrate how the Muslim community struggles to express itself politically, advocate for rights, and be active, visible, and vocal members of society. In this sense, Indian Muslims "were effectively marginalized as mere objects of state power rather than as citizens of [Indian] state" (WALKER, 2006, p. 66).

The *Hindutva* agenda gains significant momentum by mobilizing fear through the differentiation between us, the Indians - Hindus - and the others, non-Indians - hence non-Hindus, specifically Muslim invaders. This differentiation is further strengthened by the CAA, which marks this distinction historically present in the *Hindutva* discourse through a migrant registration law. I say this because "we often find that migrants, refugees and asylum seekers are cast as figures that pose a threat to an otherwise 'native' community" (HYNDMAN, 2000; RAJARAM, 2007; SQUIRE, 2009, cited in

STEPHENS, p. 78, 2013). The native, Hindu community needs to be protected from this external, Muslim threat - and the CAA serves that purpose.

Not only the CAA but also the change in the special status of Kashmir, India's Supreme Court verdict on the Ayodhya disputed site, and the saffronisation of history, memory and names, as previously argued in this chapter are examples of democratic backsliding in Indian politics. It is important to stress that these cases show how India's policy making has shifted away from the secular and democratic traditions of a **sovereign socialist secular democratic republic, as India's** Constitution names the country.

BIRTH OF A HINDU *RASHTRA*?
Final considerations

During these chapters, I sought to argue how democracy and religion are articulated in India's policy making. Democracy and religion are, thus, tension points in this work. I start from a common and defining point: the Indian Constitution. This names the country as a **sovereign socialist secular democratic republic**. Here, the important thing is to understand the realm of a "secular democracy". And understand this as tensioned points by another project of nation, distant from the one that the Constitution entails: a Hindu *Rashtra*.

As extensively discussed, in the last years India has been through important political transformations. With the emergence of the RSS and the BJP, *Hindutva* has become popularized and gained strength. The project of building a Hindu nation - a Hindu *Rashtra* - tensions the democratic and secular elements of Indian Constitution.

Taking the CAA as an example, understanding it as part of the *Hindutva* agenda, religion has emerged as a criterion in the main guideline for granting Indian citizenship to foreigners. The CAA is the materialization of exclusion: it draws a line that delineates who is outside and who is inside the dimension of Indian citizenship - Muslims, certainly, are those who are outside. But this delineation, this dividing line, was already established. *Hindutva*, its agenda, its discourses, its literature, and its followers had already drawn this line, had already defined the Muslim as the other, as someone who must be outside the dimension of citizenship. And, more than that, this division, and the determination of the Muslim as the other who is outside, is necessary to ensure that Hindus are the ones who are inside.

The division was already authorized - that's why I assert that the CAA is a mere materialization, it is the transformation of the division into politics. However, as I argued throughout the chapters, the CAA goes against the Indian constitution, precisely because of this Islamophobic, exclusive character. Nevertheless, as Walker (2006, p. 59) puts it, this delimitation of the other, who is outside, "generates logics of exceptionalism; that is, logics of politics at the limit of what is taken to be normal or legal." That's why the CAA is acceptable, it is the exception, which, in a context where

the boundaries of who is inside and who is outside are already so well defined, becomes legitimate.

Based on Dahl's (1971) reading, it is expected that, especially in large and ethnically diverse societies, the democratic arrangement should be able to address the accommodation needs of differences, serving as the means through which secular discourse would find expression in the form of institutional guarantees of freedom of expression (MAIA; OLIVEIRA, 2023). As Bajpai (2019) puts out, the Constitution of India has been recognized as a prescient example of multicultural integration, pioneering the recognition of cultural rights for minorities and implementing affirmative action for historically marginalized groups within a broadly liberal-democratic framework.

The exceptionalism embedded in the CAA, thus, indicates that democracy and the institutions it presupposes do not ensure that secularism is fulfilled in practice. Furthermore, the core institutional characteristics of a democratic regime, according to Dahl (1971), such as participation and representation, have not been guaranteed.

But what to do, then, when democratic institutions fail? Or, better yet, when the exception occurs within democratic institutions? Well, Modi was democratically elected, and the CAA was voted on by the Indian Parliament; decisions of the Indian High Court were made within legal parameters, etc. Nevertheless, tensions are evident. Of course, as demonstrated, there are also noticeable practices that I consider authoritarian per se, such as the repression of protests and the silencing of activists who denounce the practices of a transforming state.

Given this scenario of rising authoritarianism, authors like Roy (2020) and Hameed (2021) characterize Modi's India as a country experiencing the emergence of fascism. According to Hameed, the Indian government exhibits several similarities with the classical fascist regimes of Italy and Germany. In this context, Indian Muslims find themselves in a position similar to that of Jews in Nazi Germany and communists in fascist Italy.

However, I believe it makes more sense to think in terms of totalitarianism rather than fascism per se. Although it is too early to assert, the moment is ideal for making projections - although these conjectures are important in the debate, it is crucial to note that they are not the focus of this work but rather consequences and questions that arise for future research.

According to Hannah Arendt (2012), totalitarian movements go beyond tyranny, dictatorship, or the antithesis of democracy. Totalitarian leaders command and rely on mass support, just like Hitler and Stalin. Modi is popular among the masses, rose to power within the institutional framework like Hitler, and enjoys the majority's trust, much like Stalin.

Similar to Hitler's Nazism, Modi's *Hindutva* organizes the masses, not the classes. The strength of *Hindutva* lies in the magnitude of the Hindu majority, just as the "Aryan" majority empowered Nazism. However, as Arendt notes, these masses are politically neutral and indifferent – as discussed in the third chapter, a significant portion of Modi and BJP voters do not support hate speech and violence against Muslims but are swayed by speeches promoting Hindu cultural pride and superiority.

The process of saffronisation also allows us to see a homogenizing effort, an attempt to erase a plural history and transform India's history into a narrative of the Hindu community. The *Hindutva* ideology is coercive, and, as Arendt points out for totalitarian ideology, capable of internally terrorizing human beings. Furthermore, the revolutionary impulse and utopian character, common to totalitarianism, are present in *Hindutva*: the goal of building a pure nation, a Hindu *Rashtra*, points in this direction.

The brute force of the masses, an element highlighted by Arendt, is also evident in Modi's India – as Roy (2020) notes, lynching and mob killings are part of a deliberate attempt to remind Indian Muslims that they are at the mercy of the crowd; and that the police, the law, the government, and even vocal parts of society are not very concerned about them but are instead allies of the crowd.

Bearing this in mind, it is important that the Indian situation remains on the radar, and that the political transformations of the country continue to be analyzed through critical

lenses that problematize the authoritarian - and perhaps even totalitarian - turn of Modi's India.

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