

## DEBATING CONVERSION, SILENCING CASTE: THE LIMITED SCOPE OF RELIGIOUS FREEDOM

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### ABSTRACT

Critics argue that the politics of religious rights creates the problem of religious minorities instead of resolving it. The history of debate over conversion in India reveals that appeals to religious freedom can obscure and even suppress struggles against inequality and injustice.

**KEYWORDS:** Religious freedom, conversion, India, Arya Samaj, caste, human rights

It is generally agreed that one important virtue of secularism—and of the key secularist principle of religious freedom—is protection of the rights of religious minorities. The guarantee of religious freedom nationally and internationally, in constitutions and in human rights law, is widely understood to ensure the rights of religious minorities to observe their traditions and to participate equally in civic life. Yet critical reflection challenges this consensus. Considering the legal and political efforts to implement religious freedom in colonial and postcolonial contexts, scholars have raised the question of whether extending protections specifically to *religious* rights might not have the opposite effect of kindling religious conflict. According to this argument, the politics of religious rights in fact *creates* the problem of religious minorities: by crystallizing religious identities and hardening the social boundaries of religiously marked difference, it fosters group identities that are conceived as separate from the national communities in which they reside.<sup>1</sup>

This essay considers the political repercussions of the discourse of religious freedom in light of contemporary and historical debates in India concerning religious proselytizing and conversion.<sup>2</sup> In India today, many people have come to reject established understandings of religious freedom law that would extend protection to proselytizing. Many contend that the established interpretation of religious freedom rights reflects Western attitudes toward religious affiliation that are out of place on the subcontinent.<sup>3</sup> They argue that to extend the protection of religious freedom to proselytizing in the Indian context is to invite religious conflict and violence.

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1 Shabnum Tejani, *Indian Secularism: A Social and Intellectual History, 1890–1950* (Bloomington: Indiana University Press, 2008); Saba Mahmood, “Religious Freedom, the Minority Question, and Geopolitics in the Middle East,” *Comparative Studies in Society and History* 54, no. 2 (2012): 418–46.

2 For a full treatment of these historical debates, see C. S. Adcock, *The Limits of Tolerance: Indian Secularism and the Politics of Religious Freedom* (New York: Oxford University Press, 2013).

3 Examples include T. N. Madan, “Freedom of Religion,” chap. 2 in *Images of the World: Essays on Religion, Secularism, and Culture* (New Delhi: Oxford University Press, 2006), 29–52, and Arvind Sharma, *Problematizing Religious Freedom* (Dordrecht: Springer, 2011), 197–212, 255–57. For further discussion see Ronald W. Neufeldt, “To Convert or Not to Convert: Legal and Political Dimensions of Conversion in Independent India,” in *Religion and Law in Independent India*, ed. Robert D. Baird, 2nd ed. (New Delhi: Manohar, 2005), 381–99.

In their refusal to accept the virtues of religious freedom as advertised, these arguments out of India seem to echo the conclusions of the critical scholarship, at least at first glance. But in fact they repeat the framing logic of religious freedom: they have similar political effects and are subject to the same critique. In India, arguments against proselytizing have functioned historically not to protect but to produce national minorities defined by religion. The history of debate over conversion in colonial and postcolonial India illustrates that religious freedom can serve the politics by which religious majorities and minorities are made in surprising ways. During the 1920s, arguments against proselytizing that appeared to denounce the divisive politics of religious rights served to reinforce the boundary of Hindu-Muslim religious difference; arguments that appeared to defend Indian Muslims against Hindu intolerance helped secure their status as a political minority.

### THE SECULARIST CRITIQUE OF PROSELYTIZING

Antipathy toward proselytizing in India has given rise to legislation in several Indian states that severely restricts religious conversion. The so-called Freedom of Religion Acts are ostensibly designed to prevent conversion by force, fraud, or inducement.<sup>4</sup> But as many have remarked, the Acts are effectively if not openly discriminatory, imposing disproportionate hardships on non-Hindus and low castes.<sup>5</sup> Although proponents argue that the Acts safeguard religious freedom by prohibiting coercive means of proselytizing, the legislation's vague definitions of force and fraud make it impossible to ascertain when conversion will be legitimate in the eyes of the state.<sup>6</sup> In short, this anti-conversion legislation has clear majoritarian tendencies that render its claims to protect religious diversity deeply contestable. Its loudest supporters have been Hindu Nationalists, whose organized violence has increasingly threatened Muslim and Christian minorities in India since the 1990s.<sup>7</sup> Inasmuch as the Acts appear to sanction rumors that religious minorities use violent or coercive methods in their pursuit of converts, there is good reason to fear that the legislation might justify retributive violence by Hindu Nationalists.<sup>8</sup>

Yet it is not only Hindu Nationalists who look upon proselytizing as socially disruptive. Many Indians consider proselytizing to conflict with secularist objectives in India.<sup>9</sup> In 1971, one former

4 Neufeldt, "To Convert or Not to Convert," 389.

5 South Asia Human Rights Documentation Centre [hereafter, SAHRDC], "Anti-Conversion Laws: Challenges to Secularism and Fundamental Rights," *Economic and Political Weekly*, January 12, 2008, 63–73; Laura Dudley Jenkins, "Legal Limits on Religious Conversion in India," *Law and Contemporary Problems* 71, no. 2 (2008): 109–27; Pratap Bhanu Mehta, "Passion and Constraint," *Seminar*, no. 521 (2003), <http://www.india-seminar.com/2003/521/521%20pratap%20bhanu%20mehta.htm>.

6 SAHRDC, "Anti-Conversion Laws," 64.

7 Among the most infamous episodes in India since independence are the destruction of the Babri Mosque in Ayodhya in 1992; the targeting of Christians in Dangs, Gujarat, in 1998; the killing of Christian missionary Graham Staines in Orissa in 1999; and the orchestrated violence against Muslims in Gujarat in 2002.

8 SAHRDC, "Anti-Conversion Laws," 69. Jenkins notes that government inquiries have shifted their attention from those responsible for violence against religious minorities to the motives of Christian converts, implying that illegitimate conversions might be reasonable grounds for retribution. She refers specifically to the Justice D. P. Wadhwa Commission of Inquiry, organized by the Orissa state government to investigate the murder of Graham Staines (see note 7). Jenkins, "Legal Limits," 117–18.

9 Anti-conversion legislation has been passed by Congress Party governments and enjoys the support of many progressive Indians. SAHRDC "Anti-Conversion Laws," 63; Sumit Sarkar, "Christianity, Hindutva, and the Question of Conversions," chap. 8 in *Beyond Nationalist Frames: Postmodernism, Hindu Fundamentalism, History* (Bloomington: Indiana University Press, 2002), 217–18.

Chief Justice suggested that “deliberate attempts at conversion are inappropriate in a truly secular society.”<sup>10</sup> And in 1977, the Supreme Court ruled that the Indian Constitution’s guarantee of “freedom of conscience and the right freely to profess, practice and propagate religion” does not extend to proselytizing. Claiming that “to insist on the right to convert is to impinge on the freedom of conscience . . . guaranteed by the Constitution,” the ruling dispensed with any appeal to conventional understandings of religious freedom.<sup>11</sup> Whether or not they interpret the Indian Constitution faithfully, such arguments derive from a long tradition of Indian secularist thought. Since the early twentieth century, the Gandhian political ideal known as *Tolerance* has defined Indian secularism by contrast with proselytizing religiosity, which it has portrayed as both intolerant and politically destabilizing. If today Hindu Nationalists twist these secularist arguments to serve clearly majoritarian ends, it might still be argued that the *Tolerance* critique of proselytizing in unadulterated form—or in the right hands—preserves and protects religious diversity and interreligious harmony in India. Mahatma Gandhi’s first deployment of the *Tolerance* ideal during the 1920s would seem to provide historical confirmation of this view. Historical accounts often portray Gandhi’s condemnation of proselytizing in this decade as a clear victory for Indian secularism over both sectarian violence and majoritarian intolerance toward religious minorities.<sup>12</sup>

Gandhi advanced the *Tolerance* ideal at a time of escalating Hindu-Muslim conflict amidst active competition for converts pursued in the name of religious freedom. Unlike today’s Freedom of Religion Acts, which target minorities, Gandhi aimed his critique of religious proselytizing at Hindus: specifically Hindus of the reform organization, the Arya Samaj, and the Shuddhi Movement they initiated in 1923. *Shuddhi*, literally “purification,” was a rite used to admit people to Vedic ceremonial and to intercourse with their Hindu caste fellows after perceived breaches of social or ritual etiquette. The Shuddhi Movement of the 1920s is infamous for targeting the Muslim Malkanas, and *shuddhi* is generally described as a rite of conversion. In conventional understanding, by condemning *shuddhi* together with all religious proselytizing the secularist ideal of *Tolerance* answered the two needs of the hour: to subdue interreligious violence and to reaffirm the inclusive nature of nationalist politics.<sup>13</sup> It lay the foundation for a secularism that would be truly suited to Indian society.

Gandhi’s critique of proselytizing has been extolled for rising above and providing a resolution of the 1920s’ combative appeals to religious rights.<sup>14</sup> I will show that to the contrary, the *Tolerance* ideal reasserted the politics of religious freedom. The making of a Hindu majority in India depended on the successful incorporation of Untouchables.<sup>15</sup> The *Tolerance* critique turned a

10 P. B. Gajendragadkar, *Secularism and the Constitution of India* (Bombay: University of Bombay, 1971), 72, quoted in Neufeldt, “To Convert or Not to Convert,” 382n5.

11 Neufeldt, “To Convert or Not to Convert,” 397. Critics have argued that the Constituent Assembly Debates clearly indicate that the Constitution’s reference to “propagation” was intended to encompass the active pursuit of converts. See *ibid.*, 383–88; SAHRDC, “Anti-Conversion Laws,” 66–67.

12 Scholars’ critiques of the political discourse of *Tolerance* have focused on the 1930s and after. For examples, see William Gould, *Hindu Nationalism and the Language of Politics in Late Colonial India* (Cambridge: Cambridge University Press, 2004); Susan Billington Harper, *In the Shadow of the Mahatma: Bishop V. S. Azariah and the Travails of Christianity in British India* (Grand Rapids, MI: William B. Eerdmans / Curzon Press, 2000); Sebastian C. H. Kim, *In Search of Identity: Debates on Religious Conversion in India* (New Delhi: Oxford University Press, 2003).

13 See David Hardiman, “Fighting Religious Hatreds,” chap. 7 in *Gandhi in His Time and Ours: The Global Legacy of His Ideas* (New York: Columbia University Press, 2003); Neera Chandhoke, “Re-Presenting the Secular Agenda for India,” chap. 2 in *Will Secular India Survive?*, ed. Mushirul Hasan (Gurgaon, India: ImprintOne, 2004), 56.

14 For a discussion, see Gyanendra Pandey, *The Construction of Communalism in Colonial North India* (Delhi: Oxford University Press, 1990), 235–38.

spotlight on religion and suppressed the problem of caste. In so doing, it deflected attention from Untouchables' uncertain religious identity, anticipating the Pune Pact of 1932 that settled Untouchables' status as Hindu. Although it appeared to defend the religious rights of Muslims from Hindu aggression, the Tolerance critique of religious proselytizing in the Shuddhi Movement helped establish a Hindu constitutional majority, ensuring that Muslims would be a political minority.

During the 1920s debates over religious freedom, Tolerance cast *shuddhi* unequivocally as a practice of conversion. Scholars have generally followed suit, treating *shuddhi* as a self-evidently religious practice. Only by attending to what the framing perspective of religious freedom discourse excludes can we understand its political repercussions.

### RELIGIOUS FREEDOM DEBATES OF THE 1920S

When Arya Samajists launched the Shuddhi Movement in 1923, the nationalist unity of the preceding years was giving way to political infighting, bitterness, and a rapid escalation in Hindu-Muslim violence.<sup>16</sup> Anti-Muslim rhetoric was on the rise, and Hindu Nationalist politics was taking definite shape both ideologically and institutionally.<sup>17</sup> Against this background, the Arya Samaj announcement of a *shuddhi* initiative among the Malkana Rajputs of Punjab and U.P.<sup>18</sup> raised considerable alarm, for it suggested an organized campaign to convert Indian Muslims into Hindus. Muslim leaders condemned the initiative as a campaign for apostasy and launched their own campaigns of *tabligh* ("propagation").<sup>19</sup> Muslim counteraction helped to funnel orthodox Hindu support for *shuddhi* activities that had hitherto been largely confined to the reformist Hindus of the Arya Samaj, resulting in an expanded Shuddhi Movement and reinforcing the impression of a united Hindu attack on Muslim religious loyalties. Both at the time and since, Arya Samaj *shuddhi* was among the major contributing causes cited for deteriorating Hindu-Muslim relations during the 1920s.<sup>20</sup>

Mahatma Gandhi advanced his critique of *shuddhi* while reflecting on "Hindu-Muslim Tension: Its Cause and Cure" in the pages of *Young India* on May 29, 1924. In so doing, he articulated the

15 I follow Mendelsohn and Vicziany in using the term *Untouchable*, although few would use the term for themselves, because it keeps the subordinated condition of the persons named clearly in view, but without reflecting the specific political positions of alternate terms like "Harijan" or "Dalit." I also follow their lead in capitalizing the term in order to indicate that it refers to the subjects of subordination and not to any polluted state that might be imputed to them. Oliver Mendelsohn and Marika Vicziany, *The Untouchables: Subordination, Poverty and the State in Modern India* (Cambridge: Cambridge University Press, 1998), 2–5.

16 Contributing causes included the collapse of the unprecedented anti-colonial mobilization of the Khilafat-Noncooperation movement of 1919–1922 and new forms of political competition engendered by the constitutional reforms of 1919.

17 V. D. Savarkar's *Hindutva: Who is a Hindu?* (New Delhi: Hindi Sahitya Sadan, 2003) was published in 1923, while the Hindu Mahasabha was resuscitated in 1922 as a platform for Hindu political interests in U.P. (see note 18) and Punjab.

18 U.P., or the United Provinces of Agra and Oudh, was roughly equivalent to the modern states of Uttar Pradesh and Uttarakhand.

19 Yoginder Sikand, "Arya *Shuddhi* and Muslim *Tabligh*: Reactions to Arya Samaj Proselytization (1923–1930)," chap. 5 in *Religious Conversion in India: Modes, Motivations and Meanings*, eds. Rowena Robinson and Sathianathan Clarke (New Delhi: Oxford University Press, 2003), 104–05.

20 An important contemporary document to point the finger at Arya Samaj *shuddhi* was the Kanpur Report, which was authored by a special committee appointed to investigate the severe Hindu-Muslim violence that shook the city of Kanpur in the United Provinces in March 1931. The report is reproduced in N. Gerald Barrier, *Roots of Communal Politics* (New Delhi: Arnold-Heinemann, 1976).

secularist ideal of Tolerance through a contrast with proselytizing religion: “In my opinion there is no such thing as proselytism in Hinduism as it is understood in Christianity or to a lesser extent in Islam. The Arya Samaj has I think copied the Christians in planning its propaganda. . . . The real Shuddhi movement should consist in each one trying to arrive at perfection in his or her own faith.”<sup>21</sup> Gandhi identified *shuddhi* as religious proselytizing, a movement to convert Muslims to Hinduism. He addressed the damage *shuddhi* caused to interreligious relations. And he described *shuddhi* as a problem with specifically religious origins, derived from false understandings of Hindu religious teachings. Gandhi’s critique framed *shuddhi* decisively as a *religious* problem.

The Tolerance critique of *shuddhi* was an intervention into debates over religious freedom. When the effects of the Shuddhi Movement on Hindu-Muslim unity became the focus of nationalist censure in the press, Arya Samaj papers defended *shuddhi* as a religious right. Arya papers insisted that “right thinking people among Muslims” recognized that “[l]iberty to reclaim and even to proselytize is the golden right of every religious [*sic*]. This is the main part of religious liberty which the movement for Swarajya [Self-Rule] to be real should safeguard.”<sup>22</sup> Rejecting the criticisms of concerned nationalists, Arya Samajists protested that it was unfair to urge that the movement be stopped in the interest of Hindu-Muslim unity.<sup>23</sup> Arya Samajists either defended *shuddhi* as a religious pursuit that was irrelevant to nationalist politics or made the stronger argument that *shuddhi* was precisely the kind of religious right that nationalists ought to defend. While Arya Samajists appealed to religious freedom, critics labored to show that *shuddhi* could not legitimately be claimed as a religious right. Gandhi’s critique denied legitimacy to the entire approach to religiosity—proselytizing religiosity—that Arya Samajists sought to defend.

It is true that in these debates Arya Samajists themselves described *shuddhi* as a religious practice of proselytizing and invoked religious freedom in its defense. Yet the possibility of an alternative representation of *shuddhi* hints at the complexity of the practice and suggests that the translation of *shuddhi* into the language of religion was far from inevitable. At the same time that Arya Samajists invoked their right to proselytize, they also made a contradictory claim: that *shuddhi* was not a form of proselytizing.<sup>24</sup> “What some of our Muslim brothers are pleased to call re-conversion is nothing more than the removal of untouchability in a particular form.”<sup>25</sup> With such statements, Arya Samaj elites portrayed the aim of *shuddhi* to be the eradication from Hindu society of the exclusive practices of caste. Arya Samajists’ suggestions that the aim of *shuddhi* was to eliminate forms of untouchability are not easily dismissed as disingenuous. For although scholars’ analyses of the Shuddhi Movement have foregrounded the Hindu campaign for *shuddhi* among the Muslim Malkanas, the 1920s also saw an aggressive pursuit of *shuddhi* by Untouchable castes.

21 Mahatma Gandhi, “Hindu-Muslim Tension: Its Cause and Cure,” in *Young India, 1924–1926* (New York: Viking Press, 1927), 51.

22 “Editorial Reflections: Reclamation of Malkana Rajputs,” *Vedic Magazine* (Kangri), April 1923, 617.

23 *Abhyudaya, Selections from the Vernacular Newspapers of the United Provinces* [hereafter *SVNUP*], no. 17 of 1923 (May 5, 1923), 2.

24 “Aggressive Hinduism,” *Vedic Magazine*, May 1923, 667–70.

25 “Malkana Rajputs and Our Duty,” *Vedic Magazine*, May 1923, 688.

THE CASTE POLITICS OF *SHUDDHI*

Reports by the Criminal Intelligence Department in U.P. indicate that Arya Samaj *shuddhi* initiatives were very active among Untouchables, particularly among the castes designated “Chamar,” from the very start of the Shuddhi Movement in 1923.<sup>26</sup> Chamars of Punjab and U.P. had been connected with the Arya Samaj for some time; the 1921 Census for U.P. reported a significant increase in Chamar members of the Samaj since 1911—from 1,500 to 6,000—and this was supposed to be a low estimate.<sup>27</sup> A substantial leap in Arya Samaj numbers in Punjab at the same time was attributed to *shuddhi* work among Chamars.<sup>28</sup> Although scholars have emphasized the role of upper-caste Hindu “proselytizers,” Chamars and other Untouchables often pursued *shuddhi* actively.

Scholars have treated *shuddhi* as religious conversion. But what did it mean for a person deemed “untouchable” to undergo the *shuddhi* rite? Certainly one effect was to admit such persons to membership in the Arya Samaj. But is *shuddhi* best understood, regardless of historical circumstances, as a technique for making people Hindu? Attention to how Untouchables and other non-elites used *shuddhi* in the decades before 1930 indicates the analytical limitations of efforts to describe this Arya Samaj practice as religious proselytizing or conversion. And once the characterization of *shuddhi* as proselytizing is no longer regarded as self-evident, it is possible to examine the political consequences that followed when the Tolerance critique framed *shuddhi* in exclusively religious terms.

In Arya Samaj usage, *shuddhi* referred to a reformed variation on the orthodox Hindu ritual of *prāyashcit*, which was a form of purification or expiation for deviations from prescribed practice. In Dharmashastra literature, *shuddhi* was defined as “the state of being fit or capable of performing the rites that are understood from the Veda,”<sup>29</sup> Literally, *shuddhi* referred both to a state of purification associated with the individual who was free from error because observing dharma and to the pure state that was required for performing dharma. But because the Vedas were restricted to upper-caste Hindus, in the Shastras, *shuddhi* was a “state of purity” that only the upper castes could achieve. The Shastras prescribed *prāyashcit* rituals for individuals who deviated from correct practice: for example, for the student of the Vedas who broke his vows or otherwise failed to perform his daily duties and obligations (to perform the Vedic *sandhyā* prayer daily, to wear the *yajñopavit* or sacred thread of the Vedic initiate) or who indulged in things forbidden to him (gambling, sexual intercourse).<sup>30</sup> In a major departure from the interpretation of the Shastras then predominant, after 1900 many Arya Samajists<sup>31</sup> began to use *shuddhi* to prepare those who were not upper caste Hindus—including Muslims, Christians, and Untouchables—for Vedic practice.

The Arya Samaj was one of the most influential reformist Hindu organizations of north India, established in the provinces of Punjab and U.P. in 1877 and 1878. The organization’s first objective

26 See also Ramnarayan S. Rawat, *Reconsidering Untouchability: Chamars and Dalit History in North India* (Bloomington: Indiana University Press, 2011), 137, 145.

27 E. H. H. Edey, *Census of India, 1921*, vol. 16, pt. 1—Report, *United Provinces of Agra and Oudh* (Allahabad: Government Press, 1923), 153.

28 L. Middleton and S. M. Jacob, *Census of India, 1921*, vol. 15, pt. 1—Report, *Punjab and Delhi* (Lahore: Civil and Military Gazette, 1923), 181.

29 Pandurang Vaman Kane, *History of Dharmashastra (Ancient and Medieval Religious and Civil Law in India)*, vol. 4 (Poona: Bhandarkar Oriental Research Institute, 1953), 267. The Vedas are the ancient texts of the Hindus.

30 *Ibid.*, vol. 2, pt. 1 (Poona: Bhandarkar Oriental Research Institute, 1941), 374–75.

31 This was a matter of dispute within the Arya Samaj. My discussion focuses on the Gurukul Party of the Arya Samaj in Punjab and U.P.

was to reinstate the knowledge and practice of the Vedas. Arya Samajists held that all humanity had once been united in Vedic practice; if Hindus alone still revered the Vedas, in the Arya Samaj understanding they no longer understood or followed them correctly. The Arya Samaj's second objective was caste reform: the Arya Samaj rejected the teaching that the Vedas should be restricted to the Hindu upper castes. Whereas orthodox teachings enjoined that any Untouchable who heard the sound of the Vedas should be punished, Arya Samajists enjoined Vedic observance upon everyone, including Untouchables and other non-Hindus. At first, adherents of the Arya Samaj derived almost exclusively from the Hindu upper castes, who would continue to comprise the leadership of the organization. But owing in part to the universalist message of the Arya Samaj and in part to the Arya Samaj use of *shuddhi*, membership expanded after 1900 as non-elites began to appropriate the reformed practice of the Arya Samaj into their own campaigns against the discriminations of caste.

Because social hierarchy in colonial India was structured in part by forms of Vedic performance, many of the practices that scholars are accustomed to treating as *religious* signified within a politics of caste.<sup>32</sup> The reformed Vedic practice promulgated by Arya Samajists worked to challenge or resignify the everyday practices that constituted relations of power and subordination between castes in north India. Boundaries between low and high were marked not only by distinctions in ceremonial, but also by the practices of social discrimination known as *chūt* or untouchability.<sup>33</sup> *Chūt* included restrictions on commensality, marriage, and social proximity, and it organized everyday displays of superiority and deference. Lowly groups were prevented from adopting the sartorial style or ceremonial of locally superior castes, were required to show prescribed forms of deference in their posture and forms of greeting, and were often excluded from equal access to common spaces. Both Hindu and Muslim elites marked their distinction by discriminating against the "laboring classes," as well as against groups they judged to be "low," "common," or "Untouchable," whatever their religious affiliation was understood to be.

In low castes' protest movements, distinctions in the performance of rite and ceremony and the everyday practices of *chūt* "untouchability" were *loci* of resistance. Other sites of resistance included restriction from use of common wells and vessels; exclusion from common schools or access to education; debarment from owning land; forced obligations to perform polluting or otherwise demeaning menial tasks; and unpaid labor (*begār*). In the course of the nineteenth century, many groups on the receiving end of discrimination initiated movements for purification and self-fashioning in which they asserted their right to respectability by revising or refusing the practices of *chūt*; some pursued this end through the Arya Samaj. These movements—like the experience of caste subordination itself—were not the special preserve of "Hindus."<sup>34</sup> Muslims, Christians, and persons of indeterminate religious affiliation also fought caste discrimination.

When non-elites appropriated the reformed practice of the Arya Samaj in the decades between 1890 and 1930, they did so as part of their efforts to transform, reorient, and refuse the complex of practices that rendered them subordinate to Hindu and Muslim (or Sikh) elites. Arya Samaj

32 Susan Bayly, *Caste, Society and Politics in India from the Eighteenth Century to the Modern Age* (Cambridge: Cambridge University Press, 1999); Nicholas B. Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (Princeton: Princeton University Press, 2001).

33 The term translates literally as "touchability," and refers to forms of distinction practiced among upper caste Hindus, by Hindu and Muslim elites toward lowly castes and Untouchables, and by upper caste Hindus toward Muslims and other non-Hindus.

34 The Julahas of eastern U.P. provide one example of a Muslim campaign for respectability through self-purification. Gyanendra Pandey, "The Bigoted Julaha," chap. 3 in Gyanendra Pandey, *The Construction of Communalism in Colonial North India* (Delhi: Oxford University Press, 1990), 83–84, 88.

practices of reform, inasmuch as they were directed to bringing about universal access to the Vedas, were available to the politics of low-caste assertion. *Shuddhi* was one such practice. But only when we acknowledge the forms of low-caste assertion with which *shuddhi* was conjoined can we appreciate how transgressive it could be. Upon undergoing *shuddhi*, low castes donned the sacred thread and adopted Vedic ceremonies that were restricted to the Hindu upper castes, signaling their refusal to accept consignment to low-caste status. They combined this provocation with others: abandoning deferential forms of address for the upper classes, refusing to perform unpaid labor on their behalf, claiming access to wells reserved for Hindu and Muslim elites, and insisting on the right to education. These efforts to usurp the prerogatives of upper castes were regularly met with suppressive violence. They constituted significant transformations of power relations in their own right.

To characterize the use of *shuddhi* by Untouchables and other non-elites prior to 1930 as religious conversion is inadequate for several reasons. It is often suggested that lower castes who were influenced by the Arya Samaj were distracted from real material concerns by a pursuit of “spiritual, otherworldly equality,” evidenced by a preoccupation with “Sanskritized” caste names and Vedic ceremonial.<sup>35</sup> Yet to describe Vedic ceremonial as an “otherworldly” concern hardly does justice to the relations of status and power, humiliation, and subordination that it organized in the first decades of the twentieth century. Furthermore, the forms of protest and assertion with which *shuddhi* was conjoined by Untouchables and other non-elites cannot readily be described in terms of a distinction between “religious” and “secular” practices. The struggles of these non-elites defy any analytical distinction between “symbolic” and “material” practices; they cannot adequately be described as merely “religious” in this sense.<sup>36</sup> Finally, to describe *shuddhi* as conversion suggests that it involved a clear change in religious identity. Use of *shuddhi* among Untouchables complicates this view. Moreover, the religious identity of Untouchables was extremely uncertain in the decades before 1930.

#### HINDU UNITY AND THE PROBLEM OF UNTOUCHABLES

Today, Untouchables<sup>37</sup> are considered Hindu in most common-sense understandings. Far from natural or self-evident, however, this understanding is a relatively recent outcome of deliberations over constitutional politics. These deliberations began several decades before independence, as the British slowly meted out real power to Indians beyond the merely “symbolic” appearance of representative politics that characterized colonial rule.<sup>38</sup> They began in 1871 when the British tried to conduct the first all-India census. Having set themselves the task of classifying the diverse population of the subcontinent according to what they considered to be its two major religious groupings, Hindu and Muslim, British census officials in India struggled with the impracticable task of

35 Christophe Jaffrelot, *India's Silent Revolution: The Rise of the Low Castes in North Indian Politics* (New York: Columbia University Press, 2003), 146; see also chap. 6.

36 Gyanendra Pandey has noted this categorial ambiguity: low caste movements regularly combined purifying practices with demands for the abolition of caste, rejection of the hierarchies implicit in Hindu temple worship with insistence on the right to own land, or adoption of the sacred thread with refusal to perform unpaid *begār* labor for the upper-castes. Pandey, *Construction of Communalism*, 88, 90–91. And see my discussion of “ritual-politics” in Adcock, *The Limits of Tolerance*.

37 On my use of this term, see note 15. The official designation today is “Scheduled Caste.”

38 On the colonial preference for symbolic representation see John Zavos, *The Emergence of Hindu Nationalism in India* (New Delhi: Oxford University Press, 2000).



establishing definitively who was and who was not a “Hindu.”<sup>39</sup> No idle question, the making of a Hindu majority in India hinged on how the boundaries of this community of “Hindus” would be drawn. Until the question of the religious status of Untouchables was settled in 1932, the religious identity of the castes deemed “untouchable” was ambiguous, and the question of how this ambiguity should be resolved was the focus of highly contentious debate.

In 1881 the British had settled on the makeshift solution of listing all persons who did not clearly identify as members of a different religion—Islam, Christianity, Judaism—under an inclusive category of “Hindu.” This included a large number of persons who were excluded from free social intercourse with (full-caste) Hindus: the so-called Untouchables. As representative politics in colonial India became linked to the social categories enumerated in the census, this solution was challenged. In 1906 a Muslim deputation to the Viceroy of India raised the possibility of adjusting this evidently flawed practice and increasing the political parity between Muslims and Hindus by enumerating Untouchables separately. In 1910, it became evident that officials were giving this proposal serious consideration when the “Gait Circular”—a memo sent by the census commissioner to the provinces—was leaked to the press. By 1911 the Gait Circular proposal had been dropped, but the possibility that the Hindu political constituency might be reduced by a stroke of the pen brought forcibly home to many upper caste Hindus the importance of creating the appearance of a united Hindu community that unequivocally encompassed the lowest castes.

Use of *shuddhi* among Untouchables was of uncertain advantage in Hindu elites’ efforts to gain recognition for a Hindu majority prior to 1932. The politics of Hindu unity continued to gain importance in upper-caste Hindu circles into the 1920s and 1930s, but it was far from uniform. To some, Hindu unity made it imperative to downplay the social distance of Untouchables from caste-Hindu society. Reformist Hindus of the Arya Samaj adopted a different approach to Hindu unity when they advocated use of *shuddhi* among the lowest castes: they sought to secure the active loyalties of the lowest castes by transforming the lived relations between Hindu elites and the castes they judged “untouchable.” Not only did this approach fly in the face of entrenched prejudice, but after the Gait Circular its efficacy for Hindu unity was ambivalent at best. As John Zavos has remarked, use of *shuddhi* to alleviate the most obvious forms of caste discrimination dramatized the boundary between Untouchables and caste Hindu society. It risked alienating non-reformist Hindus, and it provoked Hindu violence against low castes. Use of *shuddhi* among Untouchables threatened to bring into relief the very fault line that symbolic representation required should be papered over. It provided a ready argument for those who advocated counting Untouchables separately from Hindus, for as Zavos remarks, “[h]ow could such low-caste groups be converted or reclaimed, if they were already a feature of Hindu society?”<sup>40</sup> Especially, but not only, when appropriated for low caste protest, *shuddhi* highlighted Untouchables’ indeterminate religious identity.

The protest movements of Untouchables in north India in the late nineteenth and early twentieth centuries were not primarily addressed to the state, and they were not concerned with the politics of Hindu unity. This began to change as Untouchables entered the contest to shape how the British

39 For an introduction to colonial struggles to define Hinduism, see J. E. Llewellyn, ed., *Defining Hinduism: A Reader* (New York: Routledge, 2005).

40 John Zavos, “The Arya Samaj and the Antecedents of Hindu Nationalism,” *International Journal of Hindu Studies* 3, no. 1 (1999): 69. For example, the *Al Bashir* remarked: “the agitation of Hindus against the memorial of the Muslim League to the Census Commissioner was quite unjustifiable, seeing that in all social matters they treat the depressed classes as a separate community, as is evidenced by the fact that, like Muhammadans and Christian, they cannot be admitted into Hindu society without undergoing the *shuddhi* (purification) ceremony.” *Al Bashir* (Etawah), January 31, 1911, *SVNUP*, no. 3 of 1911 (January 21, 1911), 98.

distributed political representation. In 1906 the Muslim deputation to the Viceroy had requested—and in 1909 was granted—political representation for Muslims separate from the general electorate dominated by Hindus, to allow Muslims’ voices to be heard. By 1930 many Untouchable politicians in north India rallied behind B. R. Ambedkar to demand that Untouchables also be granted a separate electorate. But Gandhi and the Indian National Congress vigorously opposed what they described to be a division of the Indian body politic and the Hindu community. In 1932 Ambedkar was obliged to agree to the Pune Pact and to concede the winning hand to Gandhi. After the Pune Pact of 1932, the political category of Hindus encompassed Untouchables to form a clear majority, relegating Indian Muslims to the position of a minority.<sup>41</sup>

### SHUDDHI ACTIVITIES IN THE 1920S

Scholars’ analyses of the Shuddhi Movement of the 1920s have facilitated secularist criticisms of religious proselytizing as a sure provocation for interreligious conflict by foregrounding Hindus’ campaign among the Muslim Malkanas. Historical scholarship would seem to suggest that the focus of *shuddhi* efforts by Arya Samaj elites shifted in the 1920s from Untouchables to Muslims. But Untouchable castes in U.P. aggressively pursued *shuddhi* into the 1920s. Notwithstanding greater support for the Shuddhi Movement from non-reformist Hindus, Untouchables’ pursuit of *shuddhi* continued to provoke violent opposition from Hindu as well as Muslim elites.

Arya Samajists who promoted *shuddhi* among the Chamars of U.P. included both Hindu caste elites (such as Arya Samaj leader Swami Shraddhanand) and leaders of Chamar background.<sup>42</sup> Large meetings of Chamars were reported in the 1920s in which resolutions were adopted to seek recognition for status equal with that of other caste elites, to refuse demeaning and coercive forms of unremunerated *begār* labor for caste elites, and to gain access to schools.<sup>43</sup> In Rohtak district, Punjab, Untouchable castes in the Arya Samaj were also claiming the right to landownership: Prem Chowdhry reports that from the mid-1920s “Arya Samaj conferences all over Punjab were passing resolutions in favour of the abolition of the 1900 [Land Alienation] Act” and the concession to Untouchables of the right to buy land.<sup>44</sup> In consequence, undergoing *shuddhi* and donning the sacred thread of the upper-caste Vedic initiate continued to be strong sources of provocation. In Rohtak Jat landowners boycotted members of the Arya Samaj from Untouchable castes who donned the sacred thread, together with any members of the Jat caste who helped them.<sup>45</sup> At Moradabad in U.P., orthodox Hindus were said to “resent” leading Arya Samajists’ taking food

41 On the consequences of the Pune Pact, see Shabnum Tejani, “Reflections on the Category of Secularism in India: Gandhi, Ambedkar, and the Ethics of Communal Representation, c. 1931,” chap. 1 in *The Crisis of Secularism in India*, ed. Anuradha Dingwaney Needham and Rajeswari Sunder Rajan (Durham, NC: Duke University Press, 2007), and Ramnarayan S. Rawat, “Partition Politics and Achhut Identity: A Study of the Scheduled Castes Federation and Dalit Politics in UP, 1946–48,” chap. 3 in *The Partitions of Memory: The Afterlife of the Division of India*, ed. Suvir Kaul (Delhi: Permanent Black, 2001).

42 Swami Shraddhanand toured the western districts of U.P. to address large meetings of Chamars in 1923 and 1925. Police Abstracts of Intelligence, Secret, United Provinces [hereafter PAI], July 28, 1923, Criminal Intelligence Department Records (Lucknow), 309; PAI, Oct. 27, 1923, 528; PAI, Oct. 3, 1925, 408. Prominent Arya Samaj leaders from the so-called “Chamar” castes included Sukh Lal and Thakur Das, the former of whom in particular was a regular feature at *shuddhi* meetings throughout the 1920s. PAI, June 30, 1923, 367.

43 Rawat, *Reconsidering Untouchability*, 133–35.

44 Prem Chowdhry, *Punjab Politics: The Role of Sir Chhotu Ram* (New Delhi: Vikas Publishing, 1984), 135–37.

45 *Ibid.*, 135–36.

from Chamars, while in Bareilly Chamars were beaten by Sanatanist Hindus after undergoing *shuddhi*.<sup>46</sup> There were also frequent reports of violence by Hindu and Muslim elites in connection with aggressive efforts by Arya Samaj Chamars to secure access to common wells.<sup>47</sup>

#### THE TOLERANCE CRITIQUE AND THE POLITICS OF RELIGIOUS FREEDOM

The deployment of Tolerance as a critique of *shuddhi* during the 1920s is often portrayed as a just and fitting solution to the problem of Hindu-Muslim violence. In fact the Tolerance critique paved the way for the political developments of the 1930s—including the integration of Untouchables into a general electorate dominated by Hindus after the Pune Pact.

Most historical assessments of the 1920s *shuddhi* movement accept certain core assumptions of the Tolerance critique: framing *shuddhi* as a religion problem, they have approached it as an assault on the religious loyalties of Muslims and focused their inquiries on the motivations of Hindu elites in the Shuddhi Movement. But *shuddhi* practice also encompassed low caste struggles against discrimination that were not in the first instance organized through the language of religion. Indeed the first deployment of the Indian secularist ideal of Tolerance importantly functioned to *confine and delimit* national debate over *shuddhi* to questions of interreligious harmony, tolerant religiosity, and religious freedom.

Addressing the “cause and cure” of Hindu-Muslim tension in 1924, Gandhi condemned the pursuit of *shuddhi* among the Malkana Rajputs in no uncertain terms. Inasmuch as he denounced all religious proselytizing as intolerant, Gandhi’s comments on *shuddhi* might be said to have defied the intransigent politics of conflicting Hindu and Muslim religious rights that afflicted public life in this troubled decade by providing an antidote to Arya Samajists’ appeals to religious freedom. But the Tolerance formulation also framed *shuddhi* decisively and exclusively as a religious matter. In so doing, Tolerance maintained a remarkable silence on caste. This silence had important political implications for the politics of majority and minority in India.

Gandhi addressed the two uses of *shuddhi*, among Muslims and among Untouchables, separately. When discussing Hindu-Muslim relations, he focused exclusively on the former. But in a second essay on the Arya Samaj published later in 1924, Gandhi hinted that he had more to say on the subject when he suggested that “Hinduism has a way all its own of Shuddhi.”<sup>48</sup> The fact that Gandhi elaborated on what this truly Hindu *shuddhi* might look like only later points to the sensitivity of the subject for Hindu-Muslim politics.<sup>49</sup> The fact that he did so when discussing untouchability and caste reform bears testimony to the importance of *shuddhi* in Untouchables’ politics.

46 PAI, Dec. 13, 1923, 580 (Moradabad); PAI, Oct. 20, 1923, 516 (Bareilly).

47 In 1923, Chamars’ pursuit of *shuddhi* under Arya Samaj auspices was reportedly causing tension with Muslims in Saharanpur, Moradabad, Bijnor, and Bulandshahr, particularly when it was combined with aggressive efforts to secure access to common wells. PAI, June 9, 1923, 332 (Saharanpur); PAI, May 5, 1923, 20–25 (Moradabad); PAI, June 28, 1924, 204; PAI, June 2, 1923, 320 (Bijnor); PAI, Aug. 11, 1923, 430 (Bulandshahr); Sept. 26, 1925, 400 (Bulandshahr). In Roorkee, Saharanpur district, Muslims turned out in force to prevent Arya Samajists from bringing Chamar Arya Samajists to a municipal well, and a police guard was posted to keep the peace. PAI, April 21, 1923, 265. At Sambhal and Amroha in 1924, police were again required to keep the peace. PAI, May 10, 1924, 157. In Rampur, Aryas were boycotted for their efforts on behalf of Chamars. PAI, April 21, 1923, 265.

48 Gandhi, “Hindu-Muslim Tension,” 42n.

49 Mahatma Gandhi, “Untouchability and Swaraj,” in *Young India*, 601–02; “Untouchability and Its Implications,” in *Young India*, 652.

Gandhi proposed his alternative to Arya Samaj *shuddhi* in an address to the Untouchability Conference in 1925, advocating the moral “self-purification” of upper-caste Hindus rather than the ritual purification of the so-called Untouchable castes:

It is not the untouchables whose *Shuddhi* [“purification”] I effect—the thing would be absurd—[b]ut my own and that of the Hindu religion. Hinduism has committed a great sin in giving sanction to this evil [of untouchability] and I am anxious—if such a thing as vicarious penance is possible to purify it of that sin by expiating for it in my own person.<sup>50</sup>

By rejecting what he saw as the assumption behind *shuddhi* that Untouchables were impure, Gandhi portrayed the *shuddhi* of the Arya Samaj as an aggressive and condescending effort on the part of upper-caste Hindu reformers. Gandhi also criticized Hindus’ motives in pursuing *shuddhi*, implying that their intent was to win Untouchables’ political allegiance. Gandhi presented his alternative as more sympathetic reform that truly acknowledged the equality of the lowest castes and pursued Untouchables’ advancement rather than Hindus’ political self-interest.

But Gandhi’s condemnation of *shuddhi* entailed criticism not only of the motivations of Hindu caste elites, but also of low-castes’ provocation. Gandhi ostensibly focused his criticism on the motivations and attitudes of upper-caste Hindu reformers, but it was low castes who frequently took the initiative by combining *shuddhi* with assertive gestures of defiance against caste inequality. Gandhi’s focus on the moral “purification” of upper-caste Hindus was situated within arguments for patience on the part of Untouchables, and the moderation of their demands:

[J]ust as I do not want the so-called touchables to despise the untouchables, so also I do not want the latter to entertain any feeling of hatred and ill-will towards the former. . . . Can Untouchability be removed by force? . . . The only way by which you and I can wean orthodox Hindus from their bigotry is by patient argument and correct conduct. So long as they are not converted, I can only ask you to put up with your lot with patience.<sup>51</sup>

Gandhi had made the abolition of untouchability a necessary step towards *swaraj* or self-government in 1921, side by side with Hindu-Muslim unity and subsistence for the poor. But as many have remarked, his conciliatory approach to meeting this objective meant a decidedly conservative approach.<sup>52</sup> The Tolerance ideal rested on an implied critique of *shuddhi* as a tool of low-caste politics and provocation.

Moreover, Gandhi treated untouchability as a problem facing the community of Hindus, not as a problem affecting the nation as a whole: “Untouchability . . . is an essentially Hindu question and Hindus cannot claim or take Swaraj till they have restored the liberty of the suppressed classes . . . . The sooner we remove the blot, the better it is for us, Hindus.”<sup>53</sup> Gandhi spoke of Untouchables unequivocally as Hindus: “I want to uplift Hinduism. I regard the Untouchables as an integral part of the Hindu community. I am pained when I see a single Bhangi [“sweeper,”

50 Gandhi, “Untouchability and Its Implications,” 651–52.

51 Ibid., 648–52.

52 Gyanendra Pandey, “Peasant Revolt and Indian Nationalism, 1919–1922,” in *Selected Subaltern Studies*, eds. Ranajit Guha and Gayatri Chakravorty Spivak (New York: Oxford University Press, 1988), 276–78; Jaffrelot, *Silent Revolution*, 25.

53 Mahatma Gandhi, “Presidential Address” in *The Encyclopaedia of the Indian National Congress*, ed. A. M. Zaidi and S. G. Zaidi, vol. 8, 1921–1924: *India at the Crossroads* (New Delhi: S. Chand, 1980), 341.

Untouchable] driven out of the fold of Hinduism.”<sup>54</sup> Yet untouchability could not be “an essentially Hindu question,” because the “absorption” of Untouchables into Hindu society had definite implications for Hindu-Muslim politics. The question of how Untouchables ought to be classified—whether they should be counted as part of the Hindu religious community, or as separate from it—had been a matter of open contention and debate since the Gait Circular of 1910. If Untouchables were counted as separate from Hindus, there would be immediate implications for the presumed Hindu majority, and Muslims and Hindus would find themselves on a more equal footing. Combined with the assumption that Untouchables were already Hindu, Gandhi’s proposal that the “real Shuddhi movement should consist in each one trying to arrive at perfection of his or her own faith” had definite political implications.<sup>55</sup>

Many would agree that by decrying Arya Samajists’ proselytizing as an assault on the religious loyalties of Muslims, Tolerance condemned Hindu intolerance and advanced a secular “principle . . . capable of holding together people who subscribed to different faiths.”<sup>56</sup> But the Tolerance critique of *shuddhi* during the 1920s also paved the way for an end to the struggle between Gandhi and B. R. Ambedkar over a separate electorate for Untouchables. When Gandhi undertook a “fast unto death” to prevent it, Ambedkar was forced to agree to the Pune Pact, which instituted a system of reserved seats but prevented the electoral separation of Untouchables. In the Pune Pact, Gandhi and the Congress won the battle for the symbolic representation of a unified community of Hindus that included Untouchables “on paper.” By encompassing Untouchables within the general electorate, the Pune Pact secured a Hindu majority and confirmed Muslims’ status as a democratic minority.

The Tolerance critique of the Shuddhi Movement paved the way for a politics of Hindu majoritarianism. By decrying use of *shuddhi* for “religious proselytizing” while remaining silent about use of *shuddhi* among Untouchables, Tolerance implied that Untouchables were not “converted” by *shuddhi* and thus were already Hindus. At the same time, Gandhi discouraged low-caste protest that dramatized the Hindu practices of *chūt* that excluded Untouchables. We find that even as Tolerance apparently defended the religious rights of the Muslim minority by decrying proselytizing as an act of disrespect toward Muslims’ religious loyalties, it helped to establish Hindus as a constitutional majority by deflecting attention from the uncertain religious identity of Untouchables. The deployment of the secularist ideal of Tolerance in the face of low-caste political initiatives during the 1920s can therefore be said to have prefigured Gandhi’s role in the Pune Pact of 1932.

## CONCLUSION

What can this historical account of early debates over religious proselytizing teach us about the politics of religious freedom in contemporary India? Critics generally raise three objections regarding the restrictions on proselytizing and conversion imposed in several Indian states by the Freedom of Religion Acts. First, it is argued that the Acts are based on a majoritarian view of conversion. In upholding the legality of this legislation, the Supreme Court ruled that the constitutional guarantee of a right to “propagate” religion does not extend to seeking converts. Critics argue that this reflects the view of the Hindu majority in India. The notion that religious rights can be satisfied by a narrow

54 Gandhi, “Untouchability and Its Implications,” 648–53.

55 Gandhi, “Hindu-Muslim Tension,” 51.

56 Chandhoke, “Re-presenting the Secular,” 57.

interpretation of propagation as mere “edification,” critics argue, reflects a Hindu perspective and willfully disregards the fact that active pursuit of converts is essential to some religions. Although this critique builds upon the logic of international human rights discourse, it should be noted that in the Indian context it has the problematic effect of reinforcing Hindu Nationalists’ portrait of a fundamental conflict between “indigenous” (Hindu) religions and “foreign,” “proselytizing,” “Semitic” (Christian and Islamic) religions. At worst, such arguments support a Hindu Nationalist perspective on national belonging and a Hindu Nationalist political agenda that undermines the citizenship rights of religious minorities in India. In a gentler form, these arguments lend support to the view that the established understanding of religious freedom has been shaped by Western bias and is unsuited to the subcontinent. Even when advanced by secularists, this line of critique easily yields to the claim that religious proselytizing and conversion tend to produce interreligious violence in a pluralistic society like India, and are therefore at odds with the spirit of secularism. So long as the first deployment of Tolerance as a critique of the Shuddhi Movement of the 1920s remains above critical reproach, established understandings of Tolerance as a solution to interreligious violence remain intact. Meanwhile, caste violence is not discussed.<sup>57</sup> In either form, this critique makes it possible to discuss the politics of conversion in India today without mentioning caste.<sup>58</sup>

Certainly, the politics of caste and conversion has changed a good deal since the 1920s. But critics have noted that the contemporary Freedom of Religion Acts betray a preoccupation with low castes, both imposing stricter penalties on those who proselytize among them and policing the conversions of low castes with extra rigor.<sup>59</sup> The legislation shows concern only for low castes’ conversions away from Hinduism, however.<sup>60</sup> Thus a second critical objection to the Acts is that in imposing unequal restrictions on conversions to Islam and Christianity, they extend special rights to the Hindu majority. In India today, the castes formerly known as Untouchable are held to be Hindu by religion. First put in place by the Pune Pact, the default Hindu identity of the lowest castes is now enshrined in the Constitution of India and in much common-sense understanding. The lowest castes often fight discrimination by rejecting this Hindu identity, sometimes through conversion. Although caste inequality exists among Indian Muslims and Christians—low castes can’t be said to “escape” discrimination by leaving Hinduism—it is not unusual for low caste critics to equate caste with Hinduism and vice versa. There is ample evidence of low castes pursuing conversion from Hinduism as part of their quest for dignity, respectability, and equal treatment: mass conversions to Buddhism following the example set by Ambedkar in 1956 are one famous example. When the lowest castes reject Hinduism, Hindu Nationalists exert themselves to bring converts back into the fold. They call their practice by many names—“reconversion” and *ghar vāpasi* (“homecoming”) among them. But they unequivocally deny that it is a form of conversion or proselytizing. Thus they ensure that the restrictions of the Freedom of Religion Acts apply only to conversions away

57 On this point, see Dilip M. Menon, *The Blindness of Insight: Essays on Caste in Modern India* (Chennai: Navayana, 2006).

58 For examples see S. N. Balagangadhara and Jakob De Roover, “The Secular State and Religious Conflict: Liberal Neutrality and the Indian Case of Pluralism,” *Journal of Political Philosophy* 15, no. 1 (2007): 67–92; Sarah Claerhout and Jakob De Roover, “Conversion of the World: Proselytization in India and the Universalization of Christianity,” in *Proselytization Revisited: Rights Talk, Free Markets and Culture Wars*, ed. Rosalind I. J. Hackett (London: Equinox Publishing, 2008), 53–76; Arvind Sharma, “Comment,” *Journal of Religious Ethics* 28, no. 1 (2000): 157–64.

59 Jenkins, “Legal Limits”; Mehta, “Passion and Constraint.”

60 Legislation passed in Rajasthan, Arunachal Pradesh, and Chhattisgarh excludes what it calls reconversion to “native faiths”; in other states too, the law is not brought to bear on Hindus. SAHRDC, “Anti-Conversion Laws,” 64.

from Hinduism.<sup>61</sup> These two objections against India's anti-conversion legislation fit easily into international critiques of religious freedom. They suggest that the secularist promise of religious freedom has been compromised in India by legislation that favors the Hindu majority over religious minorities. They overlap with wider discussions about theological biases in interpretations of religious freedom and about how best to achieve the secularist imperative of non-discrimination or equal treatment for all religious groups.

The third major objection against the legislation—that it demonstrates paternalism toward low castes—seems to part ways with wider discussions of secularism and religious freedom. Critics observe that, in order to cast doubt on the legitimacy of mass conversions by low caste groups, the legislation “skirts the question of judging individual volition on a case-by-case basis by condoning the assumption that certain groups are more easily tricked into conversion.”<sup>62</sup> Thus in combination with their broad definition of force or fraud, the laws' preoccupation with the lowest castes implies that these groups are particularly incapable of deciding for themselves in religious matters.<sup>63</sup> In addition to a Hindu majoritarian bias, therefore, the Freedom of Religion Acts are faulted for their paternalism and for reinforcing social hierarchies. While this criticism can make visible the complicity of political elites in the continued subjection of disempowered groups in Indian society, it seems to have little to offer to comparative reflections on the politics of religious freedom in national or international law. As the Indian debates are positioned in a global frame, the problems of caste are liable to be reduced to mere footnotes.

But historical perspective from the vantage point of the debates of the 1920s makes it clear that the paternalism of the contemporary legislation is not accidental to the politics of religious freedom in India. Nor is the Hindu majoritarianism of the contemporary take on religious freedom separable from the politics of caste. Historically, criticism of proselytizing religiosity helped to secure the practical reality of a Hindu majority that forms the political backdrop to disputes over religious conversion today, just as it helped to delegitimize and defuse low-caste self-assertion decades ago.<sup>64</sup> Like the *shuddhi* debates of the 1920s, contemporary debates over religious freedom in India frame the conflict as a *religious* problem, deflecting attention from the politics of caste. Assessments of the politics of religious freedom need to be attentive to what the framing perspective of religious freedom excludes.

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61 Today Hindu Nationalists use variations on the *shuddhi* rite first developed by the Arya Samaj, but it must be stressed that now that Untouchables are unequivocally regarded as Hindus, the political ambivalence and potential provocation of *shuddhi* is gone. It also bears emphasis that, unlike Hindu Nationalists today, Arya Samaj elites in the 1920s were not concerned to distinguish their own *shuddhi* activities from the proselytizing practices of Muslims or Christians. To the contrary, they insisted that religious freedom must include the right to proselytize. They continued to insist on this point during the Constituent Assembly Debates. Neufeldt, “To Convert or Not to Convert,” 388.

62 Jenkins, “Legal Limits,” 109.

63 Mehta, “Passion and Constraint,” 521.

64 The long and largely forgotten historical association between the politics of religious freedom and suppression of low caste rights includes exaggerated shows of concern for the legitimacy or authenticity of conversions by the poor. Rupa Viswanath, “The Emergence of Authenticity Talk and the Giving of Accounts: Conversion as Movement of the Soul in South India, ca. 1900,” *Comparative Study of Society and History* 55, no. 1 (2013): 120–41.