

Pluralism and Democracy in India: Debating the Hindu Right. Edited by Wendy Doniger and Martha C. Nussbaum. Oxford: Oxford University Press, 2015. Pp. 400. \$35.00 (paper). ISBN: 978-0195395532.

The twenty essays collected in *Pluralism and Democracy in India: Debating the Hindu Right* focus on the impact of the rise of the Hindu Right in India on specific democratic values, pluralism, and fundamental rights, as well as the implications of their ascendance for the country's democratic future. The collection is based on a conference at the University of Chicago Law School in November 2005, held in the aftermath of the horrific Gujarat riots in 2002, when Narendra Modi was the state's chief minister, and shortly after the 2004 defeat in national elections of the Bharatiya Janata Party (BJP, Indian Peoples Party), the political wing of the Hindu Right. Most of the essays are located within an earlier space of optimism rather than alarm; however, the introduction includes a mention of the mammoth electoral victory of the Hindu Right in 2014 under the stewardship of Modi, a Hindu nationalist, and worry over what the future holds looms in the background. Edited by Wendy Doniger and Marth Nussbaum, the book draws together the views of economists, philosophers, political scientists, journalists, and scholars of religion.

Several contributors focus on the critical role of history and how it informs the contemporary moment. Amartya Sen forcefully argues in favor of pluralizing history—the idea that there is never just one (Eurocentric) narrative, but many and more histories, and drawing on the liberal values inherent in an Indian past as a way to counter the narrow sectarian view of the Hindu Right. Akeel Bigrami revisits Gandhi's critique of liberal enlightenment, arguing that he was neither against Enlightenment values nor irrational, but against utilitarianism, drawing on a tradition of radical enlightenment in which spirituality had a productive role in the democratic polity. Similarly, noted novelist Gurcharan Das argues in favor of reclaiming the great texts of India's past to counter the association of these with right-wing ideology and its increasing monopoly over the interpretation of these texts. The role of the media in shaping the politics of speech and disseminating a majoritarian and masculinist agenda is discussed in chapters by Malini Parthasarthy, Arvind Rajagopal, and Antara Dev Sen, conveying an overall sense that the media has allowed itself to be manipulated and implicated in the propagation of a politics of hate.

Others take up the role of violence against minorities, including women, and how this has been enabled by the Hindu Right's ideological agenda. Of particular note is the role of women as active agents of violence detailed by the reputed historian Tanika Sarkar. The contributions by U.S.-based scholars Paul Courtright and Wendy Doniger, who have both been targeted by the Hindu Right for their efforts at pluralizing and complicating Hindu traditions, reveal the inclusive and variegated features of these traditions. These include variations on the performance and experience of gender and sexuality that expose the narrow and more modernist account of Hinduism by the Hindu Right in the contemporary moment. The overall emphasis of the volume is that the ascendance of the Hindu Right has been enabled not only through the neglect by secular forces of faith, sentiments, and religion, a feature that is intimate and hugely significant in the daily lives of most Indians, but also through the privileging of scientific rationality in the public realm at the cost of emotions, as brought out most clearly in the contribution by Martha Nussbaum. The argument is that this gap has enabled the rise of the Hindu Right, which has been able to fill this void.

As a whole, the volume seeks to position the Hindu Right as a movement and ideology that is located in opposition to democracy, the rule of law, and pluralism. Yet this thesis, while

popular, tends to marginalize two important features of the politics of the Hindu Right in a way that diminish the potential for this collection to shape the field in this arena in more productive or critical ways. The first is the familiar notion that Indian politics has always been informed by a current of populism and religious flair that involve deal making and negotiations with a range of political actors and produced a vibrant form of coalition politics at the regional and national levels. And this feature has been central to the development of a dynamic democratic politics in India.

However, a second, more important feature that remains peripheral to this collection is how the Hindu Right has used liberal democratic values including the rights to freedom of religion, gender equality, and secularism to advance its specific agenda. I note this aspect of the argument as it constitutes a central component of the right wing's agenda to advance its arguments in and through the discourse of rights in order to make itself come across as reasonable, logical, liberal, and democratic. The Hindu Right quite specifically uses the discourse of secularism and its various components to advance a religious majoritarian agenda while simultaneously representing religious minorities, quite specifically Muslims and Christians, as undemocratic, non-secular, and, more generally, illiberal. While considerable attention is given to how the Hindu Right has advanced its agenda through the media, history, and education policy (see, for example, the chapter by Mushirul Hasan), inadequate attention is afforded to the background norms that have shaped the discourse of the Hindu Right and enabled its success. Liberal or left-leaning intellectuals of the kind represented in this volume have continuously fallen short of sufficiently problematizing the ways in which liberal values may be implicated in advancing the claims of the Hindu Right's majoritarian agenda. Instead these values are set up in opposition to the Hindu Right's vision, and they fail to trouble the role of liberal rights in this endeavor. Critiquing liberal values should not be equated with jettisoning them or falling into the trap of cultural nationalism or an us/them divide, but an endeavor to draw attention to the dark side that they harbor.

Doniger and Nussbaum express alarm at the Hindu Right's 2014 electoral victory and what they describe as the sudden ascent of Modi. However, the emergence of Hindu Right has been steady and persistent since its emergence in the 1920s as part of the Hindu Nationalist movement seeking to end colonial rule. Hindutva, the ideological lynchpin of the Hindu Right receives little attention in this collection, its meaning assumed rather than fully elaborated upon, even though it is central to the Hindu Right's agenda (see the chapter by Tanika Sarkar). Inspired by the Rashtriya Swayam Sevak (RSS, National Volunteers' Organization), the Hindu Right's ideological wing, Hindutva is associated with the political philosophy of Vir Savarkar, and M. S. Golwalkar, two early twentieth-century RSS thinkers who shaped the organization's political agenda. While Hindutva initially served mainly as a strategy of resistance to British colonial rule and cultural domination, in the 1930s and 1940s, it acquired communal overtones in the writings of Savarkar and Golwalkar, who sought to establish a Hindu *Rashtra* (Hindu Nation) that would subjugate all non-Hindus to a proclaimed master race.

While the editors define Hindutva as an extreme view of Hinduism (Doniger, 310) this foundational assumption is problematic. Conflating Hindutva with Hinduism in fact speaks to the success of Hindutva that has also been reflected in various judicial pronouncements. For example, the Indian Supreme Court has famously declared that Hindutva is nothing more than "a way of life of people of the subcontinent rather than an attitude hostile to persons practicing other religions or an appeal to religion," and that it is "difficult to appreciate how ... the term 'Hindutva' or 'Hinduism' per se ... could be assumed to be equated with narrow fundamentalist Hindu religious

bigotry.”¹ The case involved a challenge to the speeches by Hindu Right parties in election campaigns that appealed to Hindutva, which the Court found was merely intended to “promote secularism or emphasize the way of life of the Indian people and the Indian culture or ethos and to criticize the policy of [a] political party as discriminatory or intolerant” and therefore were meant to challenge religious discrimination rather than advocate it.² This position thus aligns with the claim made by the exponents of Hindutva, including the curious contribution to this volume by Ved Nanda, head of the Hindu Swayamsevak Sangh (Hindu Voluntary Council) in the United States, who states that the Hindutva label does not connote exclusiveness and intolerance, but is merely an adjective that simply means “‘Being Hindu’ and there is nothing pejorative about it” (Nanda, 360).

The failure to distinguish the two produces highly generalized claims of the kind made, for example, by Nussbaum, who suggests that progressive young people in India associate religion with the Hindu Right and thus “with the hatred of Muslims and Christians, with traditionalism about women’s roles, and even with support for the caste hierarchy” (Nussbaum, 52). This, in turn, leads to an argument in favor of reclaiming a “Gandhian religion” that has been all but eschewed in the present. Nussbaum is right to state that the idea of religion is unmentionable in progressive circles, but this has less to do with religion or Hindutva, and more to do with a model of secularism that has been adopted in India. By posing the problem in terms of an opposition between Gandhian religion and Nehru liberal, rational, scientific thought, that included his “personal distaste for religion” (Nussbaum, 61), misses this crucial point. In fact, the deeper discursive aspects of rights and democracy remain critical for not only understanding the role of the Hindu Right in liberal democracy, but also problematizing that which is seen as the solution—a reassertion and reaffirmation of liberal values.

The Hindu Right has advanced its sectarian and conservative agenda in and through the discourse of liberal rights, quite specifically in the context of secularism. The presence of religion in secular law is not a new one. As Talal Asad has argued, religion is a historical category that emerged in Europe, which subsequently became a transhistorical phenomenon conceived of as a distinct space of human practice and belief, and as having an autonomous essence.³ European scholars developed the category of world religions, including “Hinduism” and “Buddhism,” modeled on a distinctly Christian epistemology and ontology that included a belief system, a central scripture or text as key components, and was combined with the secular idea that political power and religious authority could be separated. The entire construction of the category of religion is thus not only thoroughly modern, but it is also limited, exclusive, and based on an Abrahamic genealogical schema. And this schema informs the ways in which religion is taken up in law, both in India and other liberal secular democracies. The increasing alignment of Hindu identity with national identity has been a key feature in post-independence India, and the discourse of secularism has been a major cite for forging this alignment.

In India, two very different understandings of secularism have competed for ideological dominance. The first is based on the idea of the separation of religion from the state and state neutrality in the sphere of religion (state neutrality, *sarva dharma nirpekshtha*) that prohibits state involvement in the sphere of religion, and a model supported by Jawaharlal Nehru. The second model is based on the idea of equal treatment of all religions (tolerance, *sarva dharma sambhava*) within

1 Dr. Ramesh Yeshwant Prabhoo v. Shri Prabhakar Kashinath Kunte and Ors., (1995) SCALE 1, para. 22.

2 Ibid., para. 38.

3 Talal Asad, *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (Baltimore: John Hopkins University Press, 1993).

both the public and private spheres, as propounded by Mahatma Gandhi. Both models emanate from a commitment to equality and nondiscrimination as well as to ensure freedom of religion for all Indian citizens, values that are also enshrined in the Indian Constitution. The Gandhian vision of secularism was not based specifically on a “religion,” but on tolerance and the equal treatment of all religions, rather than the state neutrality that came to take root in Indian legal and political thought. It is this failure to appreciate that secularism in India has not been about the separation of religion and state, as claimed by Gurcharan Das, who is adamant that that the spiritual and temporal are two distinct orders (Das, 209, 214), that pervades liberal intellectual thought.

The Hindu Right has successfully mobilized the discourse of secularism not only to target religious minorities in India, but as this volume correctly points out, has posed a serious challenge to India’s long history of religious pluralism, Hindu and non-Hindu, through the articulation of a robust, homogenous, monotheistic, Brahmanical, Hindu religion. The role of liberal rights as one site for the emergence of this claim is critical for understanding how they are a part of the problem rather than the ultimate solution. The Hindu Right is committed to promoting the ideology of Hindutva, which posits Hinduism not simply as a religion, but as a nation and a race that is indigenous to India. Muslims and Christians are relegated as outsiders to the history of the nation because their faiths are said to have originated outside of India. This logic has allowed the ideologues of the Hindu Right to construct Muslims and Christians as foreigners, aliens, and invaders and their religious presence in the country as a threat to the Hindu nation unless they agree to assimilate.

This ideological agenda is advanced partly in and through the central components of Indian secularism, in particular, tolerance, equality, and freedom of religion, rather than in opposition to these values. First, the Hindu Right has argued that, unlike Christianity and Islam, Hinduism is the only religion in India that is committed to the value of religious tolerance, because it does not aim to proselytize or gain converts. According to this logic, then, since secularism is about toleration and only Hindus are tolerant, then only Hindus are truly secular. There is nothing illiberal about this claim—tolerance is a central and embedded notion within the tenets of liberalism. This understanding is not just directed at Hindu majorities but also appeals to the liberal India in terms of its logic as well as reasonableness. Its persuasiveness lies in its appeal to liberal values, quite specifically secularism and its various components, not in its appeal to religion and hence a central claim in this volume that alienated Hindus have turned to Hindutva is only partially correct. In the prevailing political context, where intolerance has become the catch word of progressive groups, there is a need to recognize how the discourse of tolerance is very much a part of the vocabulary of the Hindu Right and to examine precisely how it is integral to its ideological argument.

Second, they argue that inasmuch as secularism requires that all religious communities be treated equally (in other words, the same), the various laws that protect minority rights are evidence of the “special treatment” the state accords them and therefore constitute a violation of the constitutional mandate to treat all citizens equally, which is summed up in their popular slogan: “Justice for All. Appeasement for None. This is our true secularism.” This strategy is once again both logical and persuasive, and has come to constitute part of general common sense because it is based on a liberal thesis. The discourse of equality, based on formal equal treatment, allows the Hindu Right to attack minority rights and through this redefine the relationship between religion and politics in Indian society. By embracing a policy of assimilation and erasure, partly through, for example, supporting the enactment of a Uniform Civil Code, where the emphasis on the formal equality of all religions operates as an unmodified majoritarianism, the majority Hindu community becomes the norm against which all others are to be judged and treated. And if a community refuses to surrender their “special favors” under the constitution, it is indicative of their refusal to comply with the

basic tenets of secularism, and puts their loyalty to the motherland into question. And this in turn opens up space for perpetuating violence against Muslims, most evident of course in the 2002 Gujarat riots, justified as an expression of self-defense against a Muslim threat to the (Hindu) identity of the Indian state.

A third move concerns the content of the right to freedom of religion, which has increasingly devolved into what India's secular courts determine it to be. Through a series of decisions on the right to freedom of religion under Article 25 of the Indian Constitution, the Supreme Court has developed a test based on the "essential character of the religion." While initially the essentiality was tested on the basis of a community's own beliefs and popular practices, over time the Court established itself as the gatekeeper of religion and took upon itself the role of determining what was "real" religion as distinct from mere superstition or inessential. Religion takes a "textual turn" in law and this turn becomes a central feature of liberal secularism in postcolonial India. In relation to Muslims, the Court increasingly restricts the protection of Article 25 to the Quran, and rejects anything not specifically stated in the Quran as not being essential to Islam and therefore, not within the protective sphere of Article 25. In the case of Hindus the shift is more dramatic in two respects. First, core religious practices come to be identified as based on foundational documents and construction of a common Hindu belief and culture. In the process, Hinduism comes to be cast in the same framework as Semitic religions. Secondly, there is an increasing convergence between notions of nationalism and Hindu majoritarianism in and through the discourse of secularism in judicial pronouncements. This suturing together of a hegemonic understanding of Hinduism with Hindu majoritarianism and nationalism becomes explicit in the legal decisions concerning the dispute over Ayodhya, where the Babri mosque once stood, destroyed by the mobs of the Hindu Right in 1992. The role of the courts, as well as civil society and democratic institutions, have thus been implicated in the sustained campaign by the Hindu Right in Ayodhya and ultimately served as conduits for the 2002 violence in Gujarat (Amrita Basu, 153).

The refusal of feminist and other progressive forces to engage with religion and the politics of religion has ceded the power to define the substance and content of religion to the Hindu Right along its own ideological terms. As several contributors to this volume have suggested, this gap has produced a very narrow and specific understanding of Hinduism. Yet more than a reassertion of democratic values and pluralism is required to push back the rising tides of majoritarianism. The contribution by Ved Nanda illustrates how the Hindu Right is perfectly capable of using democratic and liberal values to advance its agenda in a manner that sounds moderate, reasonable, and persuasive. Far from demonstrating the liberal credentials of the editors, which appear to have motivated the decision to include this piece, the Nanda essay is illustrative of how and why the Hindu Right has been so successful in convincingly appropriating these very values. The pushback requires much more including refusing the binary between liberal rights and Hindutva, a strategy that has not gained much traction and is unlikely to do so. This very refusal by the Hindu Right has been intrinsic to its success. Developing a more nuanced and complicated politics that does not shy away from the dark side of the liberal script seems critical to any future analysis and challenge of the Hindu Right.

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