THE AMENDMENT IN CITIZENSHIP ACT AND THE RISE OF ILLIBERAL DEMOCRACY IN INDIA

Thesis submitted in partial fulfillment for the award of the degree

BACHELORS OF SCIENCE

in

INTERNATIONAL RELATIONS

By

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SCHOOL OF POLITICS AND INTERNATIONAL RELATIONS

QUAID-I-AZAM UNIVERSITY, ISLAMABAD

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APPROVAL CERTIFICATE

The thesis titled ―The Amendment In Citizenship Act And The Rise of Illiberal Democracy In

India" is written under the supervision of Dr. Raja Qaiser Ahmed.

Dr. Raja Qasier Ahmed
Supervisor

Dedicated to

Dedicated to my beloved mama and baba who have been my constant source of inspiration, and who continually provide moral, spiritual, emotional and financial support, to my siblings and Bhabhi who have always encouraged me, to my teacher Mr. Faheem Ullah Khan who has been a great mentor throughout my journey of four years and to my friends, Mir, Areej, Nishat, Anas and Ashhad, who gave me strength everytime I thought of giving up and to whom I owe a great deal for my intellectual growth.

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ABSTRACT

India of the past, enamored by its secular polity and democratic outlook has been embittered by Modi's onslaught on Indian statecraft and the introduction of Hindutva in Indian polity. In a string of events, Modi began with curbing individual, judiciary and media freedom in his first term and capitalizing the ancient primordial impulse, ever existent in the common Hindu thought. This set the tone for his other syncretic changes that sought to change India's secular polity and composite culture. First came the revocation of article 370 from the constitution which scrapped Kashmir's special status. Afterwards it was the Citizen Amendment Act which was India's first legal act on the basis of sectarianism. More such incidents including but not limited to the Babri Mosque verdict and acquittal of BJP members guilty of demolishing Babri mosque in 1991 has posed a grim question - has India has turned into an illiberal democracy?

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INTRODUCTION

The region of South Asia, viewed by the world as precarious and theocratic, has an exception of a country like India, that has proven itself over the course of time as a strong, secular and a democratic nation. Over the years India has absorbed and crystallized cultures, values, norms, politico-economic systems of diverse religions and civilizations and made it a part of the Indian culture. However, while digging into the recent events taking place in India, the exceptional impression is far from the truth. The discriminatory actions and policies that have been affecting the minorities have brought the country's illiberality to the fore and its true image is shown to the world. One such practice is the recent promulgation of the Indian Citizenship Amendment Act by the parliament on 11 December, 2019. The passage of this act questions the constitution of the true Indian identity which has set the country's secular and democratic notions on fire as they are in complete contrast with the amendment. The Bharatiya Janata Party (BJP), which has been ruling the country since 2014, has endorsed this act on grounds of preserving the Hin#du identity, a motive that has long been running in the party since its inception. This amendment can be seen as a step to legalize the political aspiration adhering to provision of India as a homeland for only the Hindus. The BJP is a right-wing group with an anti-Muslim narrative and aims at promoting Hindu values. It has never been reluctant to take any steps that can put the existence of Muslims into jeopardy. Therefore, this action holds a great significance to prove itself to be detrimental to religious freedom and the secular values prevalent in India of the past.

Prime Minister Modi has a fundamentalist mindset influenced by the Rashtriya Swayamsevak Sangh (RSS), a Hindu far right movement, and is a strong proponent of the Hindutva Ideology. The doctrine demands all those who have resided in India to either leave the country, bow down to the Hindu norms or convert to Hinduism. The Citizenship Amendment Act is a reflection of

this fundamentalist doctrine. The study focuses on the aftermath of the CAA impinged upon the security of minorities leading to the emergence of an illiberal democracy in India. With the changing landscape in Politics, the use of fundamentalist notions and the recent amendment in the Citizenship Act, the prospects of democracy in India have been worsened. Though the CAA was initially introduced to provide an easy pathway for those minorities who had faced religious persecution and fled to India, however, it is merely a stunt to deprive the Muslim minorities of their citizenship rights. It violates the secular spirit of democracy in India. The term illiberal democracy was used by ―Farid Zakaria‖ who stated that constitutional liberalism is the main essence of democracy and without it, the country succumbs to ethnic competition, disintegration of liberty, disputes and war. The concept of secularism had underhandedly been added to the preamble of the Indian Constitution by Prime Minister Indira Gandhi in 1976.Secularism had been although not been made a part of the constitution, it was present in the Indian political thought and the forefathers always believed in an India that safeguarded people's liberties. The Indian court has held the principle of secularism as the foundational structure in the functioning of the statecraft.

However, in recent times, secularism in India has lapsed into ignominy, giving rise to a debate on the core functioning of its democratic principles. The Hindu right-wing, consisting of RSS and BJP have rapidly risen to power in the recent years. They won with a major victory, using an anti-Muslim rhetoric, in the elections of 2014 and 2019. They have been very open in endorsing the abandonment of secularism and the promotion of Hindutva. The abrogation of the article 370, which gave a special constitutional status to the Muslim majority state of Jammu and Kashmir, is yet another hallmark of the endangerment of the minorities in India.

This paper examines the provisions of the Amendment in Citizenship Act as one of the many

incidents that have made Modi's India into an illiberal democracy. Modi's capitalization on the Primordial impulse of the Hindu majority, using the Hindu Nationalistic discourse and creating fissures in the cultural formation of India will also be dissected. Furthermore, Modi flaunting Indian democratic values, restricting people's freedoms and curbing Media and Judiciary's capacity to operate freely will also be discussed. Lastly, the impact of these undertakings on Indian democracy and the effective rise of illiberal democracy in India will be analyzed with strict adherence to theoretical and historical mainframes.

Problem Statement

India has traversed from being a state keeping neutrality for religious affiliations in the society, to a state involved in Hinduization of the polity. It has been done at the state level by BJP through various reforms and discriminatory policies. Secularism and Hinduism share a proximity, rather the former used for religious equidistance. The Hinduization by the BJP stems from the perception that the Non-Hindu citizens are less Indian than Hindus, and therefore, calls for pure Hindu homeland. However, this preface is not new and has been previously written in the history tracing back to the time even before 1947.

Research Question

My research, after marshalling through the empirical evidence and using the theoretical pretext focusing on primordialism, will try to answer the following question,

Q: Despite absorption of religious, social, cultural and political values of diverse civilizations and religions; despite Indian culture having a functional and composite nature, Modi has thrusted India to a perennial path. The unsolicited use of primordial impulse and the ensuing Hinduization of the Indian polity is reminiscent of an Illiberal Democracy. Has India embarked on an illiberal path or are these mere speculations?

Literature Review

This research paper ―Dismantling Democracy; The 2019 Indian General Election and the Formation of the BJP System", is written by ―Nakamizo Kazuya"[1]. In this article, the writer has taken down the institutional inferiorization of Muslim minorities by BJP. The party has allowed for violent practices including the suppression of minorities by vigilante organizations. The writer makes a comparison with the Congress, and concludes that its political arena was very moderate. The party believed in the unification of India as a composite homeland for all religions and ethnicities and allowed for free competition among the factions. The BJP, on the other hand, is involved in spreading Hinduism across the country to ensure a pure land for Hindus. There is no consensus of politics, leading to a complete tyranny where Muslim minorities are not heard properly, creating circumstances compelling them to leave the country.

My research also seeks to answer that the government of Modi, with its recent practices, has thrusted the state towards Hindu nationalism, and created a hostile space for the Muslims to live. The lack of political consensus puts the ever-championing democracy of India into crisis. This is coherent with the writer's research. However, I do not quiet agree with the later part where the writer sketches a positive image of the congress. According to a report of the U.S Commission, the minorities under the rule of both BJP and Congress have faced persecution and discrimination.

The article ―Why India's Democracy is Not Dying" is written by ―Akhilesh Pillalamarri"[2]. In this article the writer refutes the notion that the democracy in India is at risk. The policies adopted by BJP compels one into thinking that government has resorted to fascist tendencies, threatening the fundamental rights of the minorities. The writer also makes a striking comparison

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[1] ―Dismantling Democracy: The 2019 Indian General Election and the Formation of the _BJP System.'"
[2] ―Why India's Democracy Is Not Dying."

between democracy and liberalism, and believes that the two need to be differentiated. The dominant feature in democracy is the free and fair election, and BJP has contended a repute of a party with a significant majority in the Parliament. He then further defends by pointing out the victory of BJP in two consecutive tenures, which is reminiscent of the democracy and people's choice in India.

The writer was very right in pointing out the fact that often democracy and liberalism are falsely mixed. The two need to compared before asserting the quality of democracy in any state. The two, however, are not same but they do share a common understanding. Democracy is a characteristic of Liberalism, pertaining to the will of the people. It is ensured by free and fair elections. The question then arises; how are elections free and fair? The very simply answer would be when people of the country are fairly made part of the political process. In India, BJP has suppressed the voices of Muslim minorities, and Hindus hold the major influence in elections. The carrying out of mere elections, without civil and political liberties to the citizens does not ensure the functioning of democracy.

The research article ─Antidemocratic populism in power: comparing Erdoğan's Turkey with Modi's India and Netanyahu's Israel" is written by ─Julius Maximilian Rogenhofer"[3]. In this article, the writer stated that the populist leaders in India, Turkey and Israel have taken control. These countries have an already divided society with diverse ethnic, religious and social groups. The writer focuses the research on the effects of populism on democratic choices in deeply split up societies. The research sums up the query with an in depth analysis revealing the gradual decay of democracy in these countries, with a populist handbook of policies as exercised, and the subsequent dismantling of the political systems, specifically those societies with a divided

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[3] Rogenhofer and Panievsky, ─Antidemocratic Populism in Power," November 16, 2020.

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internal structure.

The deconstruction of democratic functioning of countries run by populist leaders through the lens of populism makes a great deal of sense, particularly in countries with ethnic divisions. The writer was very right in asserting the decay of democracy in these societies as the main essence of democratic polity lies in the fact that it is a representative of all people and not just a fraction of a diverse electorate[4]. However, Modi has also exploited the primordial impulse, that was long being rooted in the Indian society, even before the partition, which stands on the belief that the identities are already given, and cannot be engineered politically.

The article ―Why India‘s Citizenship Amendment Act Does not Discriminate on the Basis of Religion", is written by ―Parth Parihar"[5]. The writer come ups with the most plausible justifications on the critiques of CAA. The article aims at understanding the major provisions of the passage of CAA, with its implications, and traces the basis of this legislation to the political history. First, according to the writer, Muslims in Pakistan, Afghanistan and Bangladesh are less vulnerable as compared to the Hindus, Christians, Sikhs and Jains. Therefore, exclusion of such a group is not discriminatory. Second, the legislation does not in any way, prohibits the future generations of Muslim asylum seekers, and even those currently residing in India continue to have all the pathways to acquire citizenship. Third, Shias and Ahmadis assisted Pakistan when it declared itself to be an Islamic Republic, so they are not in a position to demand favours from India.

I agree that the government made an attempt to save the most vulnerable factions, but being a secular state, selecting a group of immigrants on the basis of religion does not really complement the secularist vision. If they claim that the amendment is no way about religions, then why does

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[4] ―Is Populism Really a Problem for Democracy?"
[5] Parihar, ―Cutting through Ca-CAA-Phonies — Part I," December 31, 2019.

India's Law Minister Ravi Shankar Prasad when questioned by the journalist about the exclusion of a whole group of minorities who equally face religious persecution in these three countries, countered on the grounds that the religious persecution of Hindus and Christians in Pakistan and Afghanistan is much more, and therefore they need to be protected first[6]. The secularist principle loses its true essence if constitutional decisions are reflective of religious discrimination and therefore endangers the constitution of the state. Such has been the case of secularism in India, in the aftermath of CAA.

Hypothesis

The lynching of Muslims by hoodlums, the dispute of Ayodhya, the abrogation the article 370 and at last the Amendment in the Citizenship Act are symptomatic of the religious discrimination at the state level. Although, contrary to the mass perception, the passage of CAA endorsing the discriminatory approach towards Muslim migrants, is not a phenomenon of the recent time, but this paper will argue that the conditions which were prevalent at the time of partition were different and CAA is unconstitutional by the current standards heading India towards an Illiberal democracy.

Significance of the Research

The main aim of the research is to study the operationalization of the current Indian polity under BJP in order to challenge the competing discourses that contend the ideal notions of democracy. Since, India has been a flagbearer of democracy, and many states have looked upon it as a model, any decay in the functioning of its democratic statecraft might affect the democracies in other states. The research, therefore, also holds a futuristic significance, predicting the emerging contours of the state and the orientation of the polity.

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[6] Hebbar, ―CAA Is Perfectly Legal and Constitutional, Says Law Minister Ravi Shankar Prasad," December 29, 2019.

Research Methodology

The research is purely based on the qualitative method, ensuring the use of secondary and tertiary uses. Unfortunately, the use of primary sources could not be made possible. Different books, articles, journals, newspapers, and theses for this research have been consulted. The relevant data from the second-hand interviews of some Indian leaders were also used.

Organization of the Research

The paper is structured in a chronological manner comprising of three chapters. The first chapter is a theoretical and historical pretext of the Indian Nationalism. The second chapter is a detailed description and analysis of both the tenures of Modi and the Changing landscape of India. The third chapter starts with the introduction of the illiberal democracy and extends towards the supporting arguments in favour of the rise of Illiberal democracy in India.

CHAPTER 1

INDIAN NATIONALISM: A THEORETICAL AND HISTORICAL PERSPECTIVE

1.1   Introduction to Nationalism

An academic discourse discerning the definition and explanation of nationalism focuses on the categorizations of nationalism – whether it be an ethnic or civil nationalism or has more jingoistic features. However, a true definition of nationalism seeks to elucidate the core meaning behind the term, which to my academic sense is established as an affectation, a feeling of loyalty and service, an ideology that promotes devotion and allegiance to one's Nation. This ideology instigates the eminence of contrasting values of nation before individual and individual's desires. Further elaboration of Nationalism requires a theoretical perspective and in that Cristophe Jaffrelot in his ‗For a theory of Nationalism'[7], concludes that there are three distinctive paradigms of Nationalism under whose umbrella lie theories of Nationalism. The first perspective is that of those theorists that believe nationalism to be given i-e the Primordialists and Socio-biologists. The second type of theorists believe Nationalism to be a constructed phenomenon and attach instrumentalism to its meaning. Whereas the third see nationalism as an ideology whether it be diffused from forefathers or it be propagated for goals and as policy means of the state.

Another important mechanism to understand the concept of Nationalism is by understanding the historical eminence of nationalism as both an ideology and a sentiment. The modernist conception of Nationalism links Modernization as the back-burner behind the concept of

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[7] Jaffrelot, ‗‗For a Theory of Nationalism."

Nationalism8. They believe that nationalism emerged as a result Renaissance and Industrial revolution which thrusted the state from a traditional to a modern society. Modernization led to bureaucratization, secularization, and territorial sovereignty which inevitably were precursors to nationalism. When the state had amassed enough wealth, had had securitized its borders, there was a need for a unifying factor and Nationalism came to the help. On the other hand, Treaty of Westphalia is often believed as the precursor to Nationalism whereby modern nation states, based on ethnic and national values were envisaged and apparently led to nationalism. Another contrasting proof of nationalism is presented by the primordialists, whose perennial thinking elucidates that Nationalism had always been present as it was inherent in humans and ever since the creation of nations, nationalism has been existing9. These generalizations prove to be good heuristics for understanding Nationalism as they provide the essential tool to not only identify the different types of nationalism prevalent in the state under study but also provides a theoretical perspective to delineate the essentials of statecraft and polity.

1.2   Theoretical categorization of Nationalism

Essential to the study of Nationalism, theoretical discourse on Nationalism can be summarized into broader categories which helps in elaborating the theories better. The first of these distinctions is the theorists who believe Nationalism to be a given and lie in the Primordial and socio biologist thinking. The second attach meaning to nationalism by stating that it serves the broader interests of the state or power group within the state and include the instrumental and functionalist thinking. The last believe Nationalism as an ideology having either been diffused from forefathers or being used as a policy means whereby employing the modernist conception of Nationalism.

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[8] Liah Greenfeld, ̶Nationalism and Modernity."
[9] Williams, ̶Nationalism."

1.3   Primordial and socio-biological Nationalism:

The primordial and Socio-biological conception of Nationalism, primarily the work of Anthropologists suggests that certain attachments, affectations and loyalties to one's blood, race, nation, culture and language are present in group identity and are unmalleable. These affectations are a result of years of crystallization and are a part of the ethnic identity to an extent that they are regarded as given. Socio-biological conception of nationalism goes one step further and states that these identities then become a part of the biological presence of the individual. A primordial nationalist perspective tells the onlooker that their histories, their identities and their beliefs are all ancient and are fixed. Any changes made to the basic mainframe are null and thereby the statecraft, values and prescribed notions of polity must adhere to the age-old norms[10]. The primordial approach is different from the perennial approach in it that primordial approach fails to include diversity and changes in the national thinking accumulated over time. Mostly, primordial identities are when politically engineered i-e when a state such as India having collective and composite culture shifts to a primordial identity by the directive of Political elite, it will essentially have a coercive nature for the minorities and may have racist tendencies.

Neo Primordialism on the other hand sets that ethnic consciousness – the primordial impulse, or the belief that we should go back to our old cultural ways is triggered when the group identity is threatened. The threat may have a political, social or cultural impact on the nation as a whole which triggers certain perennial thoughts in the individual and the state regresses into the norms set previously by the founding fathers of the nation[11]. In India's case, although Indian culture as well as Indian identity is under no social, political and cultural threat as the world of today has an inclusive and pluralist thrust. However, the hardliner RSS and Hindutva ideology victimizes

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[10] Comaroff and Stern, ―New Perspectives on Nationalism and War."
[11] Coakley, ―Primordialism‘ in Nationalism Studies."

Hindus and says that previously the Muslim rule had changed much of Hindu culture and repressed the people, whereas British by using Modernization imparted their own culture values. In this manner, the current India has both a Primordial as well a Neo-Primordial nationalism prevalent.

1.4 Constructivist – Instrumental and Functionalist Nationalism

Constructivism, the belief that social reality has been constructed by the individual to make sense of the world that they live in – that reality is subjective and various conceptions of the world including identity, religion, values, norms, cultures and polity differs geographically and geo-spatially. In it, nationalism seems to take an instrumental and a functionalist mode. Instrumental Nationalism is the belief that group identities are created, molded and shaped to serve the broader interests of the state and the political elite. National identity then is flexible and there are no porous boundaries. Similarly, ethnic boundaries and values are also subjective to change on the behest of political policies of the elite. Ethnicity itself is considered to be flexible and subject to change in case of social, political and economic scenarios. The focus of instrumental approach is on organization, unity and shared beliefs rather than defining ethnic markers and boundaries.

On the other hand, the functionalist approach, or the Gellner's Theory of Nationalism, although having the same overture departs slightly from the instrumental approach such that where instrumental approach has wide applicability and may be used for any purpose by the political elite, the functionalist approach regards nationalism as only as serving the functions of the state12. The functionalist approach argues that group identities are created and shaped to serve state functions such as adhering to an ideology, promulgating a specific policy or even getting independence. Functionalism had been the major story in colonial societies as the political elites

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[12] Kumar, ‒Gellnerian Theory of Nation and Nationalism."

used it to engineer an identity whereby collective values, norms and doctrines were exalted so to create a jingoistic identity in the populace to fight for their independence13. In India's case, the political elite mastered an identity, roused nationalist sentiments to increase popular fervor against the British so to claim independence from them. Furthermore, post-colonial societies also used functionalist nationalism in order to maintain the status quo as well as maintain unity in the state.

1.5   Modernization theory of Nationalism

This diffusionist progressivist and highly Europeanist approach limits nationalism as arising due to modernization. Scholars from this stratum believe that nationalism is a by product of events such as renaissance, enlightenment and the scientific revolution. They propose that nation had existed prior to Nationalism, however, nationalism wasn't a popular discourse until the Mid Eighteenth century when French Revolution and shortly afterwards the American Revolution created this unifying paradigm to ward off foreign as well as unwanted forces 14. Certain processes, i-e communication, politico ideological and economic led to the creation and use of Nationalism. Communication between the masses increased due to industrial revolution which led the masses to travel, and be aware of the people, shared language, shared cultures and values of the masses living in the same nation. This eventually led to them feeling a sense of a primordial connection with each other and hence staying together. On the other hand, modernization also led to an increase in economic and social disparities which eventually for both Marxists and non-Marxist scholars is a unifying goal. Thereby when the working class sees exploitation, it feels a sense of attachment with their equals. Lastly, in terms of Politico Ideological values, modernization happened as a result of a political tussle between the masses

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[13] Kitching, ―Nationalism.‖
[14] Liah Greenfeld, ―Nationalism and Modernity.‖

and religion in the west. Furthermore, the political elite used public sentiments to stay in power or to promulgate policy options. Moreover, the political elite got more powerful due to modernization as they held the means of production and as a result their ability to make decisions, create identities and shape national thinking also increased. Thereby, nationalism is a by-product of modernity and its various processes. In the case of India however, this approach doesn't hold true as India is a non-western and third world state.

1.6   Composite Indian culture and the advent of Hindu Nationalism

Heterogeneity was at the core of Indian Culture till the British arrive and India was subjected to colonial rule. India which had been a birthplace of four religions including Hinduism, Jainism, Buddhism and Sikhism was regarded as the most diverse nation in the world with many ethnicities and religions being present. For 7 centuries, Muslims had ruled India and the Indians had not only absorbed the cultural, moral, artistic and religious values in them but also collaborated with them to create a composite Indian culture. The Indian culture during the Mughal era was at zenith with imprints from Turkish, Persian, Arabic, Central Asian and Indus civilization's cultural values. Politics and religion were separated and every member of the community was respected as well as given equal opportunities to be a part of the statecraft15.

The advent of British changed the equation drastically. It first began with the Muslims boycotting British education and gradually the Hindu – majority – taking over local Indian polity. This disparity and alienation of the Muslims led to demands of equal opportunity and equal representation which culminated in the creation of a separate state for the Muslims in the Indian Subcontinent. Shortly after, what had been seen as a composite and a heterogenous Indian

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[15] Pande, ―Interaction of Islamic and Indian Culture."

Culture had failed to accommodate the Muslims and India was dissected into two states on the basis of religion After Independence of India, the major problem was that of accommodating the Muslims left in India. Indian political Elite decided to create a federalist and a liberal form of democracy which would give equal representation to every ethnic and religious group16. This formula worked till 2014 with minor skirmishes between ethnic and religious groups present in India, but the Primordial impulse regressed India to times of old and Hinduization of Indian State and polity began.

Previously, A functional Indian Nationalism was created by the Congress and Political Elite of India to gain independence. Nationalistic fervor was roused by the political elite to gain more support from the masses to protest against the British rule. Furthermore, adding values such as maa – motherland to India, glorifying Indian and not Hindu past, as well as reproaching the British for social and economic decay of India were popular methods of the political Elite. This Nationalism although had a primordial impulse but it was largely instrumental – functionalist i-e to serve the function of contesting against the British and demanding freedom. However, certain factions of the Sangh Parivar, including the founder of Hindutva political ideology Vinayak Damodar Savarkar and the volunteer group Rashtriya Swayamsevak Sangh had been present since 1923 and were active proponents of hardline Hindu Nationalism17. Indian National Congress although claimed to be a party of all the ethnicities and minorities in India, however, it had Hindu Nationalistic temperament. The 1937 Congress rule in Sub continent, where Muslims were highly disavowed and discriminated as well as the protests of Congress against any potential step for the equal and separate representation of Muslims are all but examples of a Hindu Nationalism.

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[16] Ansari, ―Making of a Composite Culture.‖
[17] Chatterjee, *The Nation and Its Fragments*.

"While this initial moment is best analyzed through theories of nationalism related to the ideology-making process, it covers only one phase, that of crystallization of ideas and sentiments. But nationalism exists only when it assumes the dimensions of a popular movement"18 – Christophe Jaffrelot

While Hindu nationalism had existed before Hindutva, it only got its popular fervor and political manifestation when BJP rose to the power. The Saffron tide, whereby BJP rose to power using religious sentiments and fermenting Hindu nationalism marks the politicization of Hindutva. It capitalized on the demolition of Babri mosque in 1991, followed by communal riots, in which BJP favored a highly bigoted opinion of defending the Hindus. The BJP thrusted into a Primordial Impulse and regressed back to Hindu Nationalism. They believed that the Muslim rulers had economically, socially and culturally exploited the Hindus, whereas the British took out resources from India, modernized it and imparted their values in India which was not only detrimental to Hindu values but also bad for the economy19. Modi in his first term had a softer Hindutva outlook but in his second term, by Amending the Citizen Act, abrogating article 370, endorsing NRC in Assam and striving for such action in all of India which could potentially leave millions of people state-less and may also be used against the Muslims; these actions have directed India towards a regressive, primordial, coercive and an illiberal path. Modi's first and second term need to be dissected in order to understand how illiberal democracy, puritanism and primordialism have held sway in India.

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[18] Jaffrelot, ―For a Theory of Nationalism." Pg-44
[19] Ahmed, ―Hindu Nationalism, Modi Factor and the Ideology Matrix in Contemporary India," September 10, 2020.

CHAPTER 02

BJP's HINDU MAJORITARIANISM AND THE CHANGING LANDSCAPE

2.1 Evolution

The history of Hindu Majoritarianism can be traced back to the 19th century, when members of the society of Arya Samaj manifested practices complying to the supremacist tendencies. V.D Savarkar authored a book in 1923, a century ago, by the name of Hindutva, which means Hinduness[20]. This book has a significant ideological influence even to this day among the Indian society. The author had been involved in the movements against British and Muslims during the colonial era. He was a also a part of an insurgent group that campaigned and fought against the British, but after being imprisoned by the colonial government, he reverted to only the Muslims, with the goal to unite the Hindus for a separate Hindustan. He then became the head of a Hindu Supremacist group, Hindu Mahasabha.

The Hindu nationalists run on the idea of a Hindu nation, which has its common race, culture, values and norms, as described by Savarkar in his book. They believe in a homeland purely meant for Hindus, and anyone who has ever converted to Islam or Christianity, does not belong to this fatherland, as their values are different from that of Hindus[21]. This idea of Hinduness is highly exclusive in nature.

Savarkar tried his best to incorporate the diverse sects of Hinduism, such as Sikhs, Jains and Buddhists, into the definition of a Hindu. The President of another Hindu Supremacist group, RSS, Golwalkar stated that the Non Hindus in the country must adopt the Hindu culture, values, norms, and language in order to sustain. They must respect the Hindu religion and revere the race and culture, subordinating themselves completely for the sustenance of the Hindu homeland. If

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[20] Jaffrelot, ―The Fate of Secularism in India - The BJP in Power.‖
[21] Misra, ―Understanding the Rise of the Bharatiya Janata Party.‖

they are part of this piece of Hindu land, they should cease to live as foreigners and expect no preferential treatment, not even the citizenship right22.

The current circumstances in India embody this ideology, as narrated by this RSS leader. BJP has been functioning on these nationalistic ideas and the roots go back to these supremacist group ideologies.

2.2   From BJS to BJP

The strategy to implement the supremacist claims has been under trial and error sequels since a century. After the assassination of Gandhi by one of the members of RSS, the group was banned by the state. However, marking it as first step to legalize their ideological motives into political motives, they established an Indian People's party known ―Bharatiya Jana Sangh" in 1951 and went on to contest the Elections23. But due to being tabooed as the murderer of Gandhi, the party was only able to obtain three seats. They tried their luck again in the year 1966 following the elections, using the card of cow protection, and were successful in mustering thousands of participants. This time, again, despite the declining phase of Congress, their strategy could only helped them gain 35 seats. The party met with the same fate until 1970's, when under Vajpayee, it was merged with the opposition to form Janata Party. In the period between 1970's to 1980's, the party was run by moderators and attempts to temper the supremacist claims were made and it led the establishment of BJP as a successor of BJS24.

In order to gain the mass support and strengthening coalition with the opposition, the party turned towards a moderate line of strategy, and rather focusing on the Hindu supremacist rhetoric, it participated in the anti-Congress movements. This approach to a victory in the general

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22 Chandrachud, ―Secularism and the Citizenship Amendment Act," May 3, 2020.
23 Patel, ―From BJS to BJP: The Road Travelled - Rediff.Com India News."
24 Lahiry, ―JANA SANGH AND BHARATIYA JANATA PARTY," 2005.

elections of 1977, and the party established its first administration. The party kept employing both the soft and hard strategies until their severe defeat in the Elections of 1984. This was when the entire focus switched towards pursuing the hardliner strategy. The party, established its strong foothold in the politics, in the mid 1980's, vocalising the Hindu Majoritarian stance, followed by the religious riots and mass mobilization in the Ayodhya dispute. It was exploited repeatedly in order to gain vote from Hindus, as almost 80% of the population in India comprises of Hindus. Subsequently, many largest riots erupted thereafter, killing thousands in the state of Bihar, during uproars in Bhagalpur. This rhetoric and endorsement among the public led the party win 120 seats in the general election of 1991.

The Babri Mosque was demolished in Ayodhya in 1992, followed by the deaths of thousand of Muslims in the anti-Muslim riots. This time again, the BJP, turned towards lowkey Hindu supremacism and secured the position of the single largest party in the elections of 1996. It formed a National Democratic Alliance with the other regional parties in 1998, which made BJP rise to power again. The party attained a robust victory when after the elections of 1999, Vajpayee became the Prime Minister of India. The history of such a party which cruised among different approaches, capitalizing on a Hindu Majoritarian ideology, remains significant.

The coalition, however, could not stand for a long time and lost the elections in 2004. The country was ruled by another coalition, the United Progressive Alliance formed by the parties under the Congress, for the next ten consecutive years. The BJP kept making electoral gains during the elections of 2004 and 2009, until finally it gained the majority in 2014.

2.3   The Start of BJP's Electoral Hegemony

2.3.1   Modi 1.0

In the election campaign of 2014, the emphasis of Modi was the Gujrat Model. After his victory in 2002 in Gujrat Assembly, he tilted towards the Softline approach, focusing mainly on the economy. Until 2014, the economic growth rate of Gujrat was higher than the rest of the average of India and therefore the manifesto of the party in the general elections centred around the economy. The stagnation in economy during the rule of UPA convinced the masses to try out the economic mandate of BJP.

The Hindu Supremacist ideology took a different shape during the first tenure of Modi. The massacre in Gujrat, where almost 2000 Muslims lost their lives and thousands sought refuge in camps. The government and institutions in Gujrat were equally involved in this brutal act. It was also when Modi came to the forefront, and was glorified by the Hindu community as a figure of fright. He was also banned for visas to U.S and U.K, and then realizing later that this hardliner approach would not help him sustain power for long, the focus shifted towards economy. This helped him a great deal in securing a reputation of a man who inspired the public with his hard work in governing Gujrat and presenting it as a model for the rest of India[25]. As a result, he became the Prime Minister in 2014.

In his first tenure, his manifesto rested on the idea of accommodating the middle class, unemployed youth and the Hindu traditionalists. Other than these, the party worked on the other issue areas of governance, economy, and national security. The ideological outlook was not side lined, rather it was still incorporated into the party's manifesto combined with other key areas. BJP reformed the manifesto into an amalgamation of its hardcore Hindutva ideology along with the issues of the statecraft. It is important to still not miss the fact that BJP was supported by

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[25] Ahmed, ―Hindu Nationalism, Modi Factor and the Ideology Matrix in Contemporary India," September 10, 2020.

RSS, which helped it run the electoral campaign through sponsored volunteers. This is reminiscent of the fact that a party, backed by a Hindu supremacist group, could not dissociate itself from the ideology as for the fear of losing a significant support. On the other hand, it could not centre around the supremacist outlook in the initial phase of rule, as it would leave a fascist image in the eyes of the public. He rather opted for a mild approach practicing Soft Hindutva, as the mention of Ram Temple was still there, but along with that he highlighted the other areas that needed attention by the government and engaged the business community, public, youth towards infrastructural developments, employment and governance.

Modi, during his first tenure, was very subtle in deploying his approach of instilling nationalism, in the backdrop of achieving the national security. The modernization of the defence sector, and the national security along with the alarming reminders of securing the national borders from China and Pakistan became the centre of attention. The strategy was well used by Modi after the Pulwama attack and launched surgical strikes against Pakistan prior to general elections of 2019. The rationality was overpowered by the personal inclinations and had almost drawn the two countries into a full-scale war.

Despite a moderate line of approach, the atrocities against the Muslims by the cow protection groups shortly after the return of BJP into power in the state of Bihar, could not stop26. It has not only created religious tension among the masses, but the state sponsored religious terrorism has side lined the Muslims, defying all the secular sentiments, and endangering the democracy in India.

2.3.2   Modi 2.0 and the Quarantine of Democracy

The pretence of mushrooming the economy and business in India, met with a downfall in the

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26 Khalidi, ―Hiduising India: Secularism in Practice: Third World Quarterly: Vol 29, No 8.‖

second tenure. The government, which in the previous tenure, worked on improving the economy along with strengthening the ideological bases, began with a stagnating economy. The high electoral support has prompted Modi and other leaders of BJP to institutionalize the ideological underpinnings, adopting a hardcore strategy of inculcating Hindutva.

The BJP has divided the Indian society ideologically, with a faction within the country supporting the liberal sentiments, while state institutions stand with the ideological aspirations of Modi. The accomplishments of BJP in the first year of second tenure, are evident of the anti-Muslim mindset27. First, the outlawing of Muslim husbands who abandon their wives without divorce is unjustified. Though this act is not appreciated, but the punishment excludes the Hindu husbands who are involved in the same crime.

Second, the abrogation of the article 370 of the constitution on 5th August 2019, is yet another hallmark of the BJP's undemocratic practices. The blockade on communication channels in Jammu and Kashmir have still not been fully lifted. The human rights are severely violated and the atrocities of the Indian Army on the Kashmiris have not stopped. This has created a more volatile environment for the entire region that had already been under a dispute since long. Next, the verdict of the Supreme Court on the issue of Ayodhya was highly pushed and influenced by Modi in his favour. This will enable the BJP to fulfil its long-standing promise of building the Ram Temple at the site where Babri Masjid was demolished by its leaders and supporters.

Another hasty step taken by the government was the Amendment in the Citizenship Act. It proved to the last nail in the coffin, signalling the prevailing wave of Hindutva, depriving Muslims of their citizenship rights, and colluding a state level controversy against the Muslim minorities28. It was seen as a step towards making Rashtra, and thus challenging the secular

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27 Repucci, ―Democracy under Siege."
28 Kumar, ―Citizenship (Amendment) Act," December 15, 2019.

nature of the statecraft. The CAA holds a great significance in the Indian history, marking itself a first legal document reflective of the state's discriminatory posture towards minorities. It is important to know the passage of the CAA, before jumping into analysis.

2.4 The Amendment in Citizenship Act

The Amendment Bill was passed by the Parliament on 9 December, 2019. The bill, without subject to debate, became an act of law and it took only four days until it became effective. The amendment called for protests and strikes across the country. It was initially rejected by many Indian scholars on the grounds of discrimination. The Bill amends the Citizenship Act of 1955 to allow six religious groups which faced persecution in three countries, Pakistan, Afghanistan and Bangladesh, for claiming their citizenship[29]. Muslim minorities were excluded from this law, on the grounds that they are less vulnerable as compared to the other religious minorities.

Despite the fact that the bill is a positive gesture by the state, to provide safety to those who have been persecuted in the name of religion in their homelands, but further inspection of the bill holds in accountable for excluding Muslim minorities. The text of the bill shows a careful rumination of the BJP's nationalist endeavours. In the original draft of Citizenship Act 1955, the choice was given to the immigrants, after 1947, to either choose one of the two countries; Pakistan and India. The Act, later on, put a ban on any further migration and announced it mandatory to have the required documents for travelling. In 2019, the same act gave a legal permit of citizenship to Hindus and five other minority group immigrants, even with no valid documents, excluding the Muslim minority[30]. It is in direct contrast to the Human Rights Declaration which grants the right of citizenship regardless of religious discrimination.

The draft of CAA has been executed on the basis of NRC, which establishes the eligibility of

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[29] Javed, ─Indian Citizenship Act," January 15, 2020.
[30] Khan, ─The Citizenship Amendment Act, 2019," April 21, 2020.

people for the citizenship. Six non-Muslim communities with no legal documents, excluding the Muslims, were allowed to register themselves to the national register in order to further process of acquiring citizenship31. The NRC was first implemented in Assam where a significant proportion of people migrated for various reasons including work, security and religious violence32. The main features of CAA include:

-Six religious groups including Hindu, Christian, Parsi, Jain, Bodh and Sikh, with no documents, who have migrated from either of these three countries; Pakistan, Bangladesh and Afghanistan and prove themselves to be their citizens, are eligible to apply for the citizenship in India.

-The amendment excludes the undocumented Muslim immigrants from the provision granted to the above six religious groups.

-A period of 6 years stay in India is mandatory to qualify for the citizenship.

It can be carefully observed that this law excludes Muslims who make up 19% of the Indian population which is a worrisome indicator to segregate a substantial faction from the Indian society, thereby, paving the way towards making India a pure state of Hindu creation. This is not only a pondering situation for Muslims, but a threatening overture to the decay of democracy in India.

The justification of the amendment stands on the grounds that since these three countries are Islamic, therefore the persecution of non Muslims is more common in them. Even if the government makes a law of such discriminatory character, there should have been a proper course of action resting on valid and logical terms. The text has no use of existing statistics about the persecuted minorities in the states mentioned in the draft, leaving a gap about the exact number of immigrants before the year 2014. It can be inferred from the above loopholes that the

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[31] Maurya, ―Citizenship (Amendment) Act 2019.‖

government of India, not-withstanding the secular ideals, segregates the Muslims and shows its preference towards certain religions. The failure to stipulate a valid criterion to exclude a religious group is also notable of the fact that there was no involvement of the state interest, rather there were ideological interests.

2.5   Aftermath

The religious tensions will significantly increase pertaining to the involvement of government for providing a preferential treatment to certain religions over one. There will be a rise in Islamophobia across the country which will lead to the subsequent segregation of Muslims in India. The marginalized groups often, in turn, backfire with more extremist actions, as mass protests in India have been since the announcement of the amendment. The CAA may be legal according to the government, but the time at which it was introduced seems very scripted. It came at a time when India was being ruled under the hardcore strategy of Hindutva exercised by Modi and the other leaders of BJP. The waves of Hindu nationalism were taking down the country by storm. This act has further encouraged the supporters of Hindutva to steadily increase their acts of violence against the Muslims. The government itself used communal violence against the protestors of CAA. Later, when it failed at suppressing the voice of protestors, the government labelled them for spreading a Marxist/Islamist conspiracy and permitted their arrest33. The Modi government is most likely to glorify its accomplishment on repressing the democracy and creating an insecure space for the Muslims to live. Also, the neglect of an independent state institution like Supreme court over the issues of mass violence, protests, ban on the communication channels in Kashmir, and let alone the provisions of the CAA, is a changing landscape in the institutional dismantling of democracy. The violation of the article

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[33] Varadarajan, ―As the First Year of Modi 2.0 Ends, It's Clear That Democracy Has Been Quarantined."

370, unwillingness to release the political leaders in India, and creation of obstacles for the democratic functioning of the political activities, are evident of the rise of an authoritative form of democracy in India.

CHAPTER 03

ILLIBERAL DEMOCRACY AND THE EMERGING CONTOURS OF STATE AND POLITY IN INDIA

3.1   Introducing Illiberal Democracy

‗‗Liberal Democracy – a political system marked not only by free and fair elections, but also by the rule of law, a separation of powers, and the protection of basic liberties of speech assembly, religion and property[34]‗‗. – Fareed Zakaria

Illiberal Democracy is a political system where basic liberties of individual and groups aren‗t given, a system where one ethnicity is often favored over the other, under the guise of rule of law – the majority often controls the policies of the state on the detriment of others. In such a state, judiciary and media aren‗t free and there are curbs on freedom of expression and free speech. An illiberal government mostly has a religious nature and is pitted against reducing citizen‗s freedoms. Often, we see that in Illiberal governments, state enacts sedition and people are jailed for being critical of the Government. In India, there are widespread curbs on individual freedoms, press and judicial freedoms, moreover, due to religious sectarianism minorities don‗t feel safe anymore. As a result, India‗s democratic outlook ever since the advent of Modi has regressed so grossly that it has slid from 27th to 53rd rank in the Economist intelligent unit‗s democratic index[35].

In another instance of highlighting the urgency of the illiberal democracy, the author states,

‗‗Thus, the problems of governance in the 21st century will likely be problems within democracy. This makes them more difficult to handle, wrapped as they are in the mantle of legitimacy‗‗. –

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[34] Zakaria, ―The Rise of Illiberal Democracy."
[35] Biswas, ―Electoral Autocracy.'"

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Fareed Zakaria

An illiberal democracy is difficult to solve as its outlook feels that it is a democratic regime and everything is fine, whereas in reality the whole statecraft has an autocratic and fanatic outlook unsuited for the people. In India's case, although the electoral process seems fair, the real democratic ideals of free speech, media and judiciary; of secular polity and equality of opportunity; of coexistence and pluralism are all inexistent and have a problematic input. In the words of Jonah Blank

‗The first illiberal thrust was launched not against the hardware of democracy (the electoral system) but the software that enables it to operate—that is, an apolitical judiciary, a free press, and other elements of civil society[36]". – Jonah Blank

3.2   Curbs on Free speech, Media and Judiciary

The first attack on a liberal democracy is launched by undermining Individual freedoms and critical opinions. In that sense, India under has reinvigorated the draconian Sedition law. Article 124-A of the Indian Penal Code states that, ―Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law in India, shall be punished with imprisonment for life, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine[37]". Sedition law in India saw its first criminal application in 1973 under Indira Gandhi however the number of cases and people charged drastically increased in Modi's tenure. Of the 405 people charged for sedition for speaking against the government in the last decade, 96% were from Modi's Two terms. 144 were charged for speaking against Modi himself, whereas 105 people

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[36] Blank, ―India's Democracy Is the World's Problem."
[37] ―Section 124A in The Indian Penal Code."

were charged for speaking against Yogi Adityanath. This sedition law has often been used against the people who spoke against intolerance, or lynching, or had a pro Pakistan outlook. Moreover, some protestors protesting CAA and NRC were also charged for sedition[38]. Even people from media, entertainment and digital news networks were also charged for sedition. The colonial sedition law, although criticized by the Indian Supreme court is present in the Indian Penal Court and is used by the Modi Regime to dispel protestors and silence critical voices. Snatching the right of the people to have a free expression is the first indicator of an illiberal democracy and it is being widely implemented in India.

After suppressing free speech, the next attack on democracy comes from restraining media, whether it be print, broadcast or digital media. On 25th February 2021, India launched a series of Digital Media control laws. The laws state that social media companies like Instagram, twitter and Facebook must install representative and grievance officers who will overlook complaints by the citizens as well as the government. Any post that is even alleged to spread false and misleading news, spreading hatred or inciting protests will be taken down, as well as the person who posted could be criminally indicted[39]. These set of laws come from India at a time when protests are taking place against the CAA and the NRC in Assam. Mostly social media is used as a medium by the protestors to be in contact with and to mobilize through social media. Furthermore, there are many digital media news websites that came under this law and have been served notices to appear before the court. In connection with sedition law, the digital rules endorse a media which is controlled and ran by the state[40]. Similarly Print and broadcast media also feel threatened because hardline Hindutva supporters often black mail them for not speaking or writing about anti state things. Lastly, Indian Entertainment industry has also bore the brunt of

[38] Purohit, ―Our New Database Reveals Rise In Sedition Cases In The Modi Era — Article 14.‖
[39] Iftikhar, ―Digital Media Rules Empower Indian Government to Censor Online News.‖
[40] Bharti, ―Censorship Is Plunging Modi's India into Darkness.‖

avid censorship by the government and many movies and tv serials have been stopped from airing. Such blatant censorship of the media, digital rules and sedition laws paint India as an Illiberal Democracy.

The most important pillar of an accountable and responsible state is Judiciary. If the judiciary is free, it amounts to an accountable regime and ensures that all are equal before the law. Some recent events in India, however portray a dismal image and indicate that the judiciary isn't as free as it is supposed to be. Recently, the Supreme court denied bail to the famous and well reputed journalist, critic and the foremost voice of the Dalit community in India - Anand Teltumbde. He was booked for sedition charges and despite multiple pleas for bail, he is still in jail awaiting justice[41]. Previously the supreme court in 2019 had given the land of Babri mosque to a Hindu litigant and acquitted the 35 members of the BJP involved in the demolition of Babri mosque in 1991. When the judgement came, there were chants and slogans of Jai Shri Ram in the largest court of India, and the atmosphere shrouded an air of Hindu Supremacist thinking in India. The judge that oversaw the case, and was also the judge in the Modi corruption case, later on was selected in Rajya Sabha. These post-retirement benefits as well portray how deeply the current BJP government has ingrained itself in the Judiciary. Moreover, in cases against Muslims regarding blasphemies, transgressions and sedition, their results are mostly a defeat for the Muslims[42]. These blatant misconfigurations by the Indian Judiciary point how deeply the Hindutva ideology has embedded itself in Indian Statecraft. In the end, it all paints a grim picture for India's democracy.

3.3   Hindustan and not India

India as envisaged by Modi and Nehru had a secular outlook and promoted a composite culture.

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41 Ayyub, ―The Destruction of India's Judicial Independence Is Almost Complete."
42 Ayyub, ―India's Supreme Court Endorses Right-Wing Vision Relegating Muslims to Second-Class Citizens."

Previously India had absorbed and crystallized values, norms, socio-economic models and political systems from diverse cultures and nations. Its population of over 130 million people allowed it to be termed as the largest democracy – the champion of democracy and a pluralist state. There had been Pan Hindu segments present in the Indian political thought but they hadn't been politicized till the late 20th century. The founder of Hindu Nationalist thought - Vinayak Damodar Savarkar, who in his pamphlet Hindutva: Who is a Hindu described the Hindu political thought and the prevalent Hindu Nationalism. According to Sarvarkar, the Hindu identity consists of three themes, the first being Jaati – Race, the second being Rashtra – Nation and last being Saskriti – culture. These three ideals together completed the Hindu National thought[43]. The concept of Rashtra then envisages a state where Hindus are dominant, where Hindu culture, religion, ideals, socio-economic and political systems are the dominant norms. This Rashtra however has a sectarian side to it, that is, all those that aren't Hindu aren't welcome, aren't ascertained in the policy and are constantly reminded that the India they live in is not India But Hindustan. Modi's has already arrived at his ideal of Rashtra – The Hindu state. Already, India has made triple talaaq a criminal offence, which has the same punishment as armed arson. Furthermore, laws on cow slaughter have been enacted, and mob lynching over cow slaughter has been the norm in India since 2015. Modi not only revitalized the hardcore Gau-Rakhsaks but with his bigoted policies has to an extent given them a legal free-by. The supreme court of India in the Babri mosque incident admitted that there was no proof of Mandir beneath the mosque, but this didn't reflect in the court's decision. Finally, the discriminating CAA is the final strike on the nail and completes the broader picture of Hindu Rashtra[44]. Structurally India has arrived at the Hindu Rashtra, only certain politico legal gaps remain, which if BJP remains in power will

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[43] Sharma, *Hindutva*.
[44] Patel, ‒Aakar Patel: ‗Structurally, We Have Already Arrived at a Hindu Rashtra.'"

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also be realized.

To complete the illiberal equation, Modi has largely Hinduized the Indian polity. State and religion have been merged the secular outlook of India is no more. The 2019 decision of the Babri mosque case in Supreme court of India in favor of a Hindu litigant was the beginning of legal erosion of secular polity in India. The court had admitted that there was no mandir under the mosque but it still gave the land to a Hindu over populist grounds. The judges based the decision on insubstantial grounds which showed how Hindutva had seeped into the political realm. Then come 2020, Indian government tried to amend the Citizen Act and legalized sectarianism. The amendment stated that any Hindu from Afghanistan, Pakistan and Bangladesh which had been residing in India since December 31st 2014 and was subjected to religious prosecution will be given citizenship. That in broader terms means that only Hindus and not prosecuted members of other nations will be given citizenship[45]. That meant that the Muslims prosecuted in Myanmar, Srilanka and China and the Hazaras living in Afghanistan had no prospects of becoming citizens of India. The NRC in Assam which rendered 1.9 million people stateless also saw support from the central government with vows to promote it in all of India. This move has been widely protested by Indian Muslims, religious minorities, 20% Hindus from lower Hindu castes and people with a liberal mindset. Only because these acts will in the longer run have the potential to render them stateless and go through religious genocide[46]. Democracy in India projects a grim picture – a combination of sectarianism, puritanism, illiberalism and blatant coercion.

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[45] Nizaruddin, ―Resisting the Configurations for a Hindu Nation."
[46] Tyagi and Talukdar, ―Why Modi's India Has Become a Dangerous Place for Muslims."

3.4   State and polity regressing to times of old

‒Hindu nationalism is depriving India of one of its main assets, at a time when countries around the world are struggling to cope with religious diversity" – Christophe Jaffrelot

India known for its secular polity, pluralism and the largest democracy has started to regress. After 7 centuries of living under but together with the Muslims, inseminating their religious, cultural and moral values, and crystallizing a composite culture, India under Modi now says that it wants to go back to the times of old where only Hindus existed, where Hindu culture was prevalent and where the political, social and economic systems had a Hindu character. The Hindutva ideology when implemented will revert all that the Muslim civilization has given to India, be it art, monuments, cultural values, political systems – everything[47]. Indian polity will seem like the one that was being exercised thousands of years ago. Similarly, Hindutva also has concerns with British trespasses and envisages a polity where all that British had done is to be revoked.

Years of equality, of equal representation and of fighting the caste system will also go to waste. The Hindutva ideology where incites sectarianism between religions, it also creates fissures inside the Hindu religion. 20% of the Hindu population belong to the lower castes and India. Hindutva snatches their rights, declares them inferior to other Hindu castes and promotes the culture of discrimination on the basis of caste – which therefore prescribes to Hindutva being harmful for the Hindus as well. As a result, Hindus from lower castes are slowly getting away from Modi's Nationalism, and were often seen in the anti CAA and NRC protests. Closing the economic and social fissures inside the Hindu caste was a slow and gradual process and took years of protests and infighting[48]. Modi has kept the biggest proponent of Dallit and the

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[47] Chatterji, Hansen, and Jaffrelot, *Majoritarian State*.
[48] Viswanath, ‒Modi's Religious Nationalism Hurts India's Hindus, Too."

untouchable rights activist and scholar – Anand Teltumbde – in jail and has constantly rejected his bail plea. A Hindustan that has Hindu politics, Hindu economic ideals, Hindu laws, Hindu caste system has emerged in India and portrays a grim picture for Indian democracy.

The erosion of secular character, reversion to older times, curbs on freedom of expression, media and judiciary, reverting all the historical and cultural achievements, undoing the India made by its forefathers, Hinduization of the Indian polity and statecraft and Ethnic orientation of policy instead of Civic are all features of the Indian Democracy under Narendra Modi. India's slide to the 53rd position from 27th in a matter of 6 years is a proof of how Indian democracy under Modi is emerging to be not only a crisis on democratic grounds but on Humanitarian grounds as well.

CONCLUSION

India under Modi has regressed into a primordial polity whereby everything that the Indian state had so far absorbed from other civilizations will be chiseled out of the Indian culture at the behest of a staunch Hindutva ideology. That's not the biggest challenge for India and Indian democracy; the biggest challenge is the rise of an illiberal form of democracy in India and the subsequent sectarianism whereby all that aren't Hindu will be discriminated against and in most cases coerced to either leave India or convert their religious identity. These undertakings have slid India to 53rd spot from 27th in the economist's development index over the course of 6 years.

In our thesis, we discussed how Nationalism and its various discourses were at play in India, especially a primordial nationalism; whereby believing that identity is ancient and a given and all altercations must be revoked. This theoretical framework elaborated the concept of Hindutva. Afterward a description of Hindu Nationalism and its characteristics was done to understand the theoretical and historical thinking behind Modi's agenda. Then the evolution and the rise of BJP were put to the fore. The main theme of the thesis – CAA and Illiberal democracy were discussed in the following chapters, whereby promulgation of CAA was linked to the rise of Illiberal democracy and the Hinduization of Indian polity and statecraft. In the end, it was concluded that because Modi government had curbed freedoms and liberties of Individual, Media and Judiciary; because it had Hinduized the Indian Statecraft and eroded the secular charter of Indian constitution; because Indian polity's objective had changed from Civic i-e catering to all to ethnic i-e only the Hindus and because Modi was regressing India to polity and statecraft of older times, Indian democracy had become Illiberal.

In conclusion however, it is argued that BJP's altercation with the Indian composite culture and

the desperate attempt of Hinduizing it will not last due to the slow and historic crystallization of plural values in India. Like all populist leaders, Modi's ideology will also see its demise due to economic, social and political reasons. BJP and the prevalent Hindutva thinking behind it has failed to realize the potential that other ethnicities and religious diversity has to offer for India. 22% although doesn't seem like a large number, however it constitutes around 400 million people which makes up The Indian Minority. Furthermore, the already unstable Hindu caste system when further revitalized by the Hindutva policy will create mass protests in the region and lead to instability. Operationally to actually run a country where more than 400 million people are ignored, discriminated against and coerced will become a daunting task for Modi as already amending the Citizen act has seen mass protests and altering demands for a more secular polity. The already frail Indian economy, the bourgeoning cases of Covid-19, mass protests and outcry from Indian as well as enlightened people from abroad and the mounting world pressure will see either an end of Modi's politics and softening of its ideology. Till then, fingers crossed, the whole world is hoping that the India of old; where coexistence, plurality and cultural homogenization were common themes, arises in unison and stand tall against the Pan-Hindu thought taking over the once secular Indian polity and statecraft.

BIBLIOGRAPHY

Ahmed, Raja. ―Hindu Nationalism, Modi Factor and the Ideology Matrix in Contemporary India‖ XXIV (September 10, 2020): 44–53.

Anderson, Edward, and Arkotong Longkumer. ―‗Neo-Hindutva': Evolving Forms, Spaces, and Expressions of Hindu Nationalism.‖ Contemporary South Asia 26, no. 4 (October 2, 2018): 371–77. https://doi.org/10.1080/09584935.2018.1548576.

Ansari, Hamid. ―Making of a Composite Culture.‖ The Indian Express (blog), May 4, 2018. https://indianexpress.com/article/opinion/columns/making-of-a-composite-culture-5162541/.

Ayyub, Rana. ―The Destruction of India's Judicial Independence Is Almost Complete.‖ Washington Post. Accessed August 23, 2021. https://www.washingtonpost.com/opinions/2020/03/24/destruction-indias-judicial-independence-is-almost-complete/.

Ayyub, Rana. ―India's Supreme Court Endorses Right-Wing Vision Relegating Muslims to Second-Class Citizens.‖ Washington Post. Accessed August 23, 2021. https://www.washingtonpost.com/opinions/2019/11/11/indias-supreme-court-endorses-right-wing-vision-relegating-muslims-second-class-citizens/.

Bharti, Charitarth. ―Censorship Is Plunging Modi's India into Darkness.‖ East Asia Forum, June 1, 2021. https://www.eastasiaforum.org/2021/06/01/censorship-is-plunging-modis-india-into-darkness/.

Bhaskar, Rn. ―Judiciary: Is India a Democracy?‖ Free Press Journal. Accessed August 24, 2021. https://www.freepressjournal.in/analysis/judiciary-is-india-a-democracy.

Bhat, M. Mohsin Alam. ―The Constitutional Case Against the Citizenship Amendment Bill.‖ SSRN Scholarly Paper. Rochester, NY: Social Science Research Network, January 19, 2019. https://papers.ssrn.com/abstract=3367310.

Biswas, Soutik. ―‗Electoral Autocracy': The Downgrading of India's Democracy.‖ BBC News, March 16, 2021, sec. India. https://www.bbc.com/news/world-asia-india-56393944.

Blank, Jonah. ―India's Democracy Is the World's Problem.‖ The Atlantic, June 10, 2021. https://www.theatlantic.com/international/archive/2021/06/g7-india-narendra-modi-democracy/619144/.

Chandrachud, Abhinav. ―Secularism and the Citizenship Amendment Act.‖ Indian Law Review 4, no. 2 (May 3, 2020): 138–62. https://doi.org/10.1080/24730580.2020.1757927.

Chatterjee, Partha. The Nation and Its Fragments. Princeton Studies in Culture/Power/History, 1993. https://press.princeton.edu/books/paperback/9780691019437/the-nation-and-its-fragments.

Chatterji, Angana P., Thomas Blom Hansen, and Christophe Jaffrelot, eds. Majoritarian State: How Hindu Nationalism Is Changing India. Oxford University Press, 2019. https://doi.org/10.1093/oso/9780190078171.001.0001.

Coakley, John. ―‗Primordialism' in Nationalism Studies: Theory or Ideology?: ‗Primordialism' in Nationalism Studies.‖ Nations and Nationalism 24, no. 2 (April 2018): 327–47. https://doi.org/10.1111/nana.12349.

Comaroff, John L., and Paul C. Stern. ―New Perspectives on Nationalism and War.‖ Theory and Society 23, no. 1 (1994): 35–45.

Derné, Steve. ―Culture, Family Structure, and Psyche in Hindu India: The ‗Fit' and the ‗Inconsistencies.'‖ International Journal of Group Tensions 29, no. 3 (December 1,

2000): 323–48. https://doi.org/10.1023/A:1026577329543.

Editorial. ―The Erosion of Secular India.‖ The Economist, February 4, 2020. https://www.economist.com/the-economist-explains/2020/02/04/the-erosion-of-secular-india.

Hebbar, Nistula. ―CAA Is Perfectly Legal and Constitutional, Says Law Minister Ravi Shankar Prasad.‖ The Hindu, December 29, 2019, sec. National. https://www.thehindu.com/news/national/caa-is-perfectly-legal-and-constitutional-says-law-minister-ravi-shankar-prasad/article30424778.ece.

Hirashima, Shigemochi, Hisaya Oda, and Yuko Tsujita. ―Introduction: Inclusiveness in India — A Challenging Strategy for Growth and Equality.‖ In Inclusiveness in India: A Strategy for Growth and Equality, edited by Shigemochi Hirashima, Hisaya Oda, and Yuko Tsujita, 1–32. IDE-JETRO Series. London: Palgrave Macmillan UK, 2011. https://doi.org/10.1057/9780230304956_1.

Hosen, Saddam. ―Hindu Nationalism and the Rise of BJP in India: A Critical Review,‖ n.d., 8.

Iftikhar, Aliya. ―Digital Media Rules Empower Indian Government to Censor Online News.‖ Committee to Protect Journalists (blog), April 19, 2021. https://cpj.org/2021/04/digital-rules-indian-government-censor-news/.

Jaffrelot, Christophe. ―BJP and the Evolution of Hindu Nationalism: From Periphery to Centre - Christophe Jaffrelot, 2003,‖ August 25, 2021. https://journals.sagepub.com/doi/abs/10.1177/037698360303000232?journalCode=ihra.

Jaffrelot, Christophe. ―For a Theory of Nationalism.‖ SSRN Scholarly Paper. Rochester, NY: Social Science Research Network, June 1, 2003. https://doi.org/10.2139/ssrn.2290897.

Jaffrelot, Christophe. ―Project MUSE - India‗s Democracy at 70: Toward a Hindu State?,‖ August 25, 2021. https://muse.jhu.edu/article/664166/summary?casa_token=nRkeSPY3d2AAAAAA:tkn9 wHw8Pabstfy8wvkWgC0zsXWe5MO3Og0aJBKPAolWHAG-oKpi0Uy4QvJvu7lyePwAo2j05A.

Jaffrelot, Christophe. ―The Fate of Secularism in India - The BJP in Power: Indian Democracy and Religious Nationalism.‖ Carnegie Endowment for International Peace. Accessed August 23, 2021. https://carnegieendowment.org/2019/04/04/fate-of-secularism-in-india-pub-78689.

Jaffrelot, Christophe, and Gilles Verniers. ―A New Party System or a New Political System?‖ Contemporary South Asia 28, no. 2 (April 2, 2020): 141–54. https://doi.org/10.1080/09584935.2020.1765990.

Javed, Tariq. ―Indian Citizenship Act: Reality and Usage.‖ SSRN Scholarly Paper. Rochester, NY: Social Science Research Network, January 15, 2020. https://doi.org/10.2139/ssrn.3773693.

Kazuya, Nakamizo. ―Dismantling Democracy: The 2019 Indian General Election and the Formation of the ‗BJP System.‘‖ アジア研究 66, no. 2 (2020): 76–92. https://doi.org/10.11479/asianstudies.66.2_76.

Kazuya, NAKAMIZO. ―The 2019 Indian General Election and the Formation of the ‗BJP System‘‖ 66, no. 2 (2020): 17.

Khalidi, Omar. ―Hinduising India: Secularism in Practice: Third World Quarterly: Vol 29, No 8,‖ August 25, 2021. https://www.tandfonline.com/doi/abs/10.1080/01436590802528614?casa_token=aoe30N hB3bkAAAAA:rK0MsKpymxjLSwtPT1_ccEDH8cT9YKXkKZf9ui83JQoLlKHv12JXK

pNI-v6ZIRQqWmzOakawcOWE.

Khan, Taiyba. ―The Citizenship Amendment Act, 2019: A Religion Based Pathway to Indian Citizenship." SSRN Scholarly Paper. Rochester, NY: Social Science Research Network, April 21, 2020. https://doi.org/10.2139/ssrn.3665743.

Kitching, Gavin. ―Nationalism: The Instrumental Passion." Capital & Class 9, no. 1 (February 1, 1985): 98–116. https://doi.org/10.1177/030981688502500105.

Kumar, Alok Prasanna. ―Citizenship (Amendment) Act: An Unconstitutional Act." Deccan Herald, December 15, 2019. https://www.deccanherald.com/specials/sunday-spotlight/citizenship-amendment-act-an-unconstitutional-act-785638.html.

Kumar, Aloq. ―Citizenship (Amendment) Act: An Unconstitutional Act." Deccan Herald, December 15, 2019. https://www.deccanherald.com/specials/sunday-spotlight/citizenship-amendment-act-an-unconstitutional-act-785638.html.

Kumar, D.V. ―Gellnerian Theory of Nation and Nationalism: A Critical Appraisal." Sociological Bulletin 59, no. 3 (2010): 392–406.

Lahiry, Sutapa. ―JANA SANGH AND BHARATIYA JANATA PARTY : A COMPARATIVE ASSESSMENT OF THEIR PHILOSOPHY AND STRATEGY AND THEIR PROXIMITY WITH THE OTHER MEMBERS OF THE SANGH PARIVAR." The Indian Journal of Political Science 66, no. 4 (2005): 831–50.

Liah Greenfeld. ―Nationalism and Modernity" 63, no. 1 (1996): 3–40.

Liddiard, Patrick. ―Is Populism Really a Problem for Democracy? | Wilson Center," August 23, 2021. https://www.wilsoncenter.org/publication/populism-really-problem-for-democracy.

Llobera, Josep R. ―RECENT THEORIES OF NATIONALISM." University College London, 1999, 26.

Maurya, Divendya. ―Citizenship (Amendment) Act 2019: What Is It and Why Is It Seen as a Problem." The Economic Times. Accessed August 25, 2021. https://m.economictimes.com.

Misra, Satish. ―Understanding the Rise of the Bharatiya Janata Party." ORF, August 25, 2021. https://www.orfonline.org/research/44401-understanding-the-rise-of-the-bharatiya-janata-party/.

Nizaruddin, Fathima. ―Resisting the Configurations for a Hindu Nation." HAU: Journal of Ethnographic Theory 10, no. 3 (December 1, 2020): 726–33. https://doi.org/10.1086/711891.

Pande, Rekha. ―Interaction of Islamic and Indian Culture." Accessed August 23, 2021. https://www.academia.edu/3760946/Interaction_of_Islamic_and_Indian_culture.

Parihar, Parth. ―Cutting through Ca-CAA-Phonies — Part I:" Medium (blog), December 31, 2019. https://medium.com/@parihar.parth/cutting-through-ca-caa-phonies-part-i-e8aaf06bd059.

Patel, Aakar. ―Aakar Patel: _Structurally, We Have Already Arrived at a Hindu Rashtra.'" Frontline. Accessed August 24, 2021. https://frontline.thehindu.com/arts-and-culture/interview-aakar-patel-structurally-we-have-already-arrived-at-a-hindu-rashtra-book-on-hindutva-politics/article34006509.ece.

Patel, Aakar. ―From BJS to BJP: The Road Travelled - Rediff.Com India News," August 25, 2021. https://www.rediff.com/news/column/from-bjs-to-bjp-the-road-travelled/20200625.htm.

Pillalamarri, khilesh. ―Why India's Democracy Is Not Dying," August 23, 2021. https://thediplomat.com/2021/06/why-indias-democracy-is-not-dying/.

Purohit, Kunal. ―Our New Database Reveals Rise In Sedition Cases In The Modi Era — Article 14.‖ Article 14. Accessed August 23, 2021. https://www.article-14.com/post/our-new-database-reveals-rise-in-sedition-cases-in-the-modi-era.

Repucci, Sarah. ―Democracy under Siege.‖ Freedom House, August 25, 2021. https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege.

Rogenhofer, Julius Maximilian, and Ayala Panievsky. ―Antidemocratic Populism in Power: Comparing Erdoğan's Turkey with Modi's India and Netanyahu's Israel.‖ Democratization 27, no. 8 (November 16, 2020): 1394–1412. https://doi.org/10.1080/13510347.2020.1795135.

Shah, Jhalak, and Shantanu Pachauri. ―Section 124A in The Indian Penal Code.‖ Accessed August 23, 2021. https://indiankanoon.org/doc/1641007/.

Shah, Jhalak, and Shantanu Pachauri. ―An Analysis of Sedition Law in India‖ 1 (September 1, 2017).

Sharma, Jyotirmaya. Hindutva: Exploring the Idea of Hindu Nationalism. Penguin Books India, 2011.

Smith, Anthony D. ―Theories and Types of Nationalism.‖ European Journal of Sociology / Archives Européennes de Sociologie 10, no. 1 (May 1969): 119–32. https://doi.org/10.1017/S0003975600001764.

Tyagi, Harish, and Ruchira Talukdar. ―Why Modi's India Has Become a Dangerous Place for Muslims.‖ The Conversation. Accessed August 24, 2021. http://theconversation.com/why-modis-india-has-become-a-dangerous-place-for-muslims-132591.

Upreti, B. C. ―NATIONALISM IN SOUTH ASIA : TRENDS AND INTERPRETATIONS.‖ The Indian Journal of Political Science 67, no. 3 (2006): 535–44.

Varadarajan, Siddharth. ―As the First Year of Modi 2.0 Ends, It's Clear That Democracy Has Been Quarantined,‖ August 25, 2021. https://thewire.in/politics/as-the-first-year-of-modi-2-0-ends-its-clear-that-democracy-has-been-quarantined.

Viswanath, Sunita. ―Modi's Religious Nationalism Hurts India's Hindus, Too.‖ Foreign Policy (blog). Accessed August 24, 2021. https://foreignpolicy.com/2021/05/26/modi-hindu-nationalism-hindutva-hurts-hindus-too/.

Williams, Marc. ―Nationalism.‖ In International Relations in the Twentieth Century: A Reader, edited by Marc Williams, 42–77. London: Palgrave Macmillan UK, 1989. https://doi.org/10.1007/978-1-349-20081-8_2.

Zakaria, Fareed. ―The Rise of Illiberal Democracy.‖ Foreign Affairs 76, no. 6 (1997): 22 43. https://doi.org/10.2307/20048274.