Modi & Secularism:
India’s Foundation in the Balance
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From the moment results came out on May 16, 2014, people knew the day would go down in history: for the first time in thirty years, a single Indian political party had won enough votes to govern the country without the support of any coalition partners. The Guardian proclaimed, “Narendra Modi’s landslide victory shattered Congress’ grip on India,” while the BBC said that Modi’s Bharatiya Janata Party (BJP) had “risen like a phoenix from the depths of despair.” However, the day that allowed the BJP to form one of the largest coalition governments in living memory will also be seen by critics as the beginning of the end for one of India’s founding values, enshrined in the preamble to the Indian Constitution: secularism.

Almost six years later, protests are happening daily across India over the passing of the Citizenship Amendment Act, a law that divides those applying for citizenship into groups based on religion and therefore threatens to violate the Constitution’s promise to guarantee equal protection for all people in India. Combined with the controversial announcement to register all citizens for the first time under the newly expanded National Registry of Citizens, the Modi government threatens to divide citizens in a way not seen since 1947, when the British colonial government divided the British Raj into India and Pakistan through the events of Partition.

The story of Narendra Modi and the BJP dates back to the founding of the Rashtriya Swayamsevak Sangh (RSS), commonly known as the RSS and translated roughly as the National Volunteer Organization. Founded as an anti-British organization, the RSS focused its efforts on both protecting and strengthening Hindu society through its paramilitary activity and promotion of “Hindutva.” In an interview with the Globalist, Felix Pal, a Fox Fellow at Yale University’s MacMillan Center and a Ph.D. candidate at the Australian National University, described Hindutva as an ideology which “holds that India is fundamentally Hindu and that non-Hindus cannot be Indian.” More generally, Hindutva promotes the idea that India is a Hindu state, and forms the foundation of Hindu nationalism in Indian political discourse.

The Hindutva agenda came into political being through the RSS’ founding of the Bharatiya Jana Sangh, a BJP predecessor, in 1951. The BJP as known today was founded in 1980, after several mergers and splits in the late 1970s. Currently, about half of the BJP-affiliated members of Parliament in the Lok Sabha and around 70 percent of BJP central government cabinet ministers are members of the RSS.

As a child, Modi attended RSS training sessions and became a full-time campaigner for them in his 20s. During “The Emergency” from 1975 to 1977, Modi went into hiding while Prime Minister Indira Gandhi jailed and disbanded opposition groups, but continued his work protesting against the government, creating a network of safe houses for those wanted by the government, and fundraising for political refugees and activists. In 1985, he was assigned by the RSS to the BJP, where he was praised for his political prowess in organizing election efforts. Modi rose through the party’s leadership rankings until becoming the BJP’s General Secretary in 1991, then the Chief Minister of Gujarat, a state in Western India, in 2001.

Modi’s ministership was marred by political and religious violence, most notably in the 2002 Gujarat Riots. After a train was set on fire in Gujarat, killing almost sixty Hindu pilgrims, Modi declared the incident a Muslim-planned and organized terrorist attack. After this and a right-wing Hindu militant organization called for a statewide strike, anti-Muslim violence swept Gujarat, killing thousands of people, and displacing over 150,000. While supporters called him a Hindu Hriday Samrat, or an Emperor of Hindu Hearts, Modi was accused of failing to stop the massacre, with University of Chicago Professor Martha Nussbaum and...
other academics going as far as to call it “ethnic cleansing” “persecuted,” and “carried out with the complicity of the state government and officers of the law.”

M. Modi submitted his resignation to the BJP in April 2002, but it was not accepted. The state assembly was dissolved, and in new elections in December, a mix of anti-Muslim rhetoric and religious polarization among voters gave the BJP 70% of seats in the State Assembly. As a result, Modi was elected and sworn in for a second term as Chief Minister. His second term focused mostly on economic growth, and Gujarat’s economy achieved an impressive 16.5% annual growth rate from 2000 to 2010. It was this economic performance, along with a return to Hindu nationalist rhetoric, that won him and the BJP the 2014 general election.

Muslims in India and under Modi

Hindu-Muslim relations have been fraught throughout modern Indian history, mostly for one reason: Partition. In 1947, as part of a compromise between the All-India Muslim League and the Indian National Congress, the British announced that they would split the British Raj into two independent states: a majority-Muslim state of Pakistan (covering modern-day Pakistan and Bangladesh), and a majority-Hindu but secular state named India. The ensuing chaos and violence as people clamored to be on the right side of the border killed over one million, and displaced over fifteen million people. Since then, sporadic large-scale violence has occurred, partially from old wounds and the ideologues of Hindu nationalism and Islamic extremism. As the spokesperson for Hindu nationalism, the BJP has amplified right-wing, Hindu-dominated narratives. This came clear through the destruction of the Babri Mosque in 1992 by Hindus who believed it was built over the birthplace of the ancient deity Rama; the resulting religious riots caused at least 1,200 deaths.

While the Constitution mandates that India is a secular state, the wave of Hindu nationalism that Modi rode to victory in 2014 has only become more overwhelming since his election, and calls to declare India a Hindu state have increased dramatically. With those calls came violence against Muslims; over 90% of religious hate crimes in the last decade have occurred since Modi came to power in mid-2014. According to Hate Crime Watch in 2018, even though Muslims only make up 14% of India’s population, they were the victims in 62% of cases of religious violence recorded by the group. Many of the attacks have religious tones, whether it be Hindus forcing Muslims to recite chants glorifying Hindu deities, or attacks based on dubious allegations of cross-killing—an action considered sinful in Hinduism. With dog whistle election politics and lack of action in the face of religious violence, Modi has only continued to embolden those who carry out these attacks.

The Citizenship Law & National Registry of Citizens

In the spirit of Hinduva, during the 2014 Indian general election, the BJP offered to provide a “natural home” for persecuted Hindu refugees. In 2016, the government legalized refugees belonging to religious minorities from Pakistan and Bangladesh—specifically Hindus, Sikhs, Christians, Jains, Parsis, and Buddhists. While these moves did not raise a lot of questions, 2016 ended on much more controversial notes as the BJP introduced a bill in Parliament to amend the Citizenship Act of 1955 to provide a pathway to citizenship for illegal immigrants who had arrived before December 2014. All major faiths in India that were listed above were included in the CAA, however, those who had fled from religious persecution due to their Islamic faith would continue to be prosecuted for illegal migration. By dividing people into groups based on faith, critics say that the bill is attempting to apply the Constitution, specifically its guarantees to secularism and the equal protection and treatment under the law to all people in India, regardless of immigration status. Legal analysts say it is unclear what rationale the government will provide for treating migrants differently based on their faith.

The NRC was first created in 1951 to determine who was born in Assam, and who might be a migrant from Bangladesh. 2016 was the first time that the NRC has been updated since it was first created, and people are required to show documentation to prove their lineage and maintain their citizenship. The renewal efforts were completed in August 2019, and when the register was made public, the results were shocking: approximately 1.9 million residents, or approximately 6% of the population, were not on the list and therefore in danger of losing their citizenship. Citizens had 120 days to appeal against their exclusion on the list, but those who lose their appeals could be detained and expelled from India. Furthermore, the courts set up to deal with these cases have been non-transparent and been accused of bias. Journalist Rohini Mohan analyzed more than 500 cases in one district court and calculated an 82% conviction rate, with 78% of decision being delivered without the accused ever being heard, and more Muslims being declared foreigners than any other group. In November 2019, Home Minister Amit Shah announced efforts to expand the NRC nationwide, to widespread criticism. Those from poor and marginalized communities will certainly bear the burden of proving their citizenship. While there is no official link between the CAA and the NRC, the closely-timed announcements of their implementation touched a nerve with parts of the populace who have not agreed with Modi’s Hindu nationalist stance. Experts worry that the CAA could be used to protect non-Muslims from deportation under the NRC, essentially removing Muslims to further solidify the Hindu demographic majority in the country.

Response in India

After the CAA was approved, Modi celebrated on Twitter: “A landmark day for India and our nation’s ethos of companionship and brotherhood! This bill will alleviate the suffering of many who faced persecution for years.” Meanwhile, many others saw this as a turning point and a threat to the foundation of the Indian state. In an interview with the Globalist, Yale student Vaibhav Sharma said that “once CAA was passed, people started saying that if we don’t protest this right now, if we don’t speak up against it now, there is no way to go back.” Sharma said that on a more personal level, from his family and friends’ observations in Delhi, “urban youth have seemed pretty angry about it, especially because we all have Muslim friends and know Muslim families, and we all know that this is something that affects them.”

According to Protest Monitor, part of India’s first dedicated Fact Checker Initiative, 580 protests have been held over CAA and NRC as of early February, with just over 300 of these being against their implementation. Certain protests such as the women-led Shaheen Bagh protest in Delhi have gained press coverage for their 24/7 sit-in since December 16th, but other protests made international headlines for far more violent reasons. Jamia Millia Islamia University students marching to Parliament were prevented by baton and tear gas-equipped policemen from continuing; after a violent standoff, thousands of students came back two days later to protest. During the night of December 15th, hundreds of police officers forced their way into the campus, beating and arresting over 100 students. In the week after, over a thousand protesters around Delhi were detailed by the police, including politicians; bars on public gatherings were instituted, and metro stations and roads were closed. Violence on campuses continued into January, when a masked mob of up to 100 people attacked Jawaharlal Nehru University, assaulting students and vandalizing buildings while police allegedly stood by. So far, at least thirty deaths have been reported from CAA/NRC protests across India.

While limited in its use as an indicator, most social media coverage and polling has been against the implementation of CAA and NRC. India Today, one of India’s leading magazines, found 16 THE YALE GLOBALIST | CONTROL 17 THE YALE GLOBALIST | CONTROL
in January 23rd poll that 43% of people believe that the implementation of CAA and NRC are attempts by Modi’s government to divert attention from serious economic issues like unemployment, and that a majority believe that minorities feel unjustly insecure about the implementation of CAA and NRC. At least nine states are refusing to implement the CAA and/or the NRC, and are currently fighting with the Ministry of Home Affairs regarding the legality of the acts. Chief Minister of Kerala State Pinarayi Vijayan was quoted as saying, “It is clear that NPR and NRC are traps [...] which clearly target the Muslim community.”

Response in the United States
There has been widespread condemnation of the CAA on local and national scales across the United States. The Congressional Research Service, the United States Congress’ independent research wing, released a report on December 15th, 2019, that said: “in tandem with a National Register of Citizens (NRC) planned by the federal government, the CAA (Citizenship Amendment Act) may affect the status of India’s large Muslim minority of roughly 200 million.” The report went further to say that CAA’s provision to give religious minorities a path to citizenship while excluding Muslims may violate Articles of the Indian Constitution, and that it is not clear why “suppressed Muslim minority communities such as Pakistan’s Ahmadias and Shia enjoy no protection under the CAA.”

The United States Commission on International Religious Freedom, called for sanctions against Home Minister Amit Shah and other “principal leadership,” while the House Committee on Foreign Affairs noted that “any religious test for citizenship undermines the most basic democratic tenet.” On a local level, the Seattle City Council voted on February 3rd to urge India’s Parliament to repeal the CAA and stop the NRC, and many communities across the United States are considering similar measures of support.

College campuses across the United States have been home to one of the most vocal proponents against the implementation of CAA and NRC. Students Against Hinduism started with an open letter to Congress, urging them to support House Resolution 745 which urges India to end restrictions and mass detentions in Jammu and Kashmir and to preserve religious freedom for all residents. In an interview with the Globalist, Students Against Hinduism founder Shreya Singh said that the “organization’s short term goal is to signal solidarity with the protesters around the Citizenship Amendment, but in the long term to form a resistance against Hinduism in the United States.” She remarked that the Indian diaspora has been integral to political independents since the 1940s, from the first seeds of the independence movement to the funding of the BJP and that it was time to continue that impact through “signaling that the diaspora stands behind the actions and resistance of those on the front lines.” Since its founding at Yale University in December 2019, the organization has expanded to over thirty college campuses and plans to hold a nationwide protest on March 5th named Hol Against Hinduism.

What Now?
Over 140 petitions have been filed in the Supreme Court of India regarding the Citizenship Amendment Act. On January 9th, the Supreme Court refused to rule on a plea for the CAA to be declared “constitutional,” saying in a statement that the country is “going through difficult times.” A little under two weeks later, on January 22nd, the Court refused to stay the implementation of the CAA, giving the government four weeks to respond to the petitions. The Court will not rule on the issue until the government puts forth its argument and how it plans to implement both the CAA and NRC.

In the case that the CAA and NRC are implemented, Pal believes of the biggest questions regards what will happen to a Muslim if and when they are declared a non-citizen. Detention centers are currently being built across India to house illegal migrants, who will most likely be Muslims. Detention centers will be made harder by the fact that India does not have all the bilateral agreements in place to deport migrants from surrounding countries, notably Bangladesh. As a result, will people who are stripped of their citizenship be left in camps indefinitely? No one knows.

With the enactment of the CAA and NRC, “taken alongside the anti-minority vitriol being used by the Hindu right, that routinely dehumanizes Indian Muslims as a ‘virus’ or as ‘termites,’ raise genuine concerns about the possibility of large-scale genocidal violence in India against Muslims,” says Pal. Regardless, the damage may have already been done, exposing new and deepening old cleavages in Indian society.

“If this kind of law gets passed, then what laws are they going to pass in the future? What direction are you letting them go in, and how far will they go?” Sharma said. By passing the CAA and the expansion of the NRC, Modi’s government has shown that they are fully in control of the national legislative agenda going forward, and have no issue with using it to reinforce ideals of Hindu nationalism, regardless of the consequences.