

**Understanding Modi and Minorities: the BJP-led NDA  
Government in India and Religious Minorities**

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This is the accepted version of a forthcoming article that will be published by Taylor & Francis in *India Review*: <http://www.tandfonline.com/loi/find20>

Accepted version downloaded from SOAS Research Online: <http://eprints.soas.ac.uk/24476/>

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### **Abstract**

In the May 2014 general elections in India the Bharatiya Janata Party (BJP) emerged as the majority party. The BJP has formed a coalition with regional parties (the National Democratic Alliance), but many view the event as a “critical election,” presaging the realignment of Indian politics along Hindu nationalist values. This article reviews the approaches used to understand the BJP-led NDA government’s policies towards religious minorities, and argues that far from marking a radical departure there are more continuities than discontinuities in these policies with previous administrations.

### **Keywords**

religious minorities; equality of opportunity; Narendra Modi

## Introduction

The May 2014 *Lok Sabha* (Lower House) elections marked a major turning point in post 1947 Indian politics: the Bharatiya Janata Party's (BJP) success, which secured 282 of the 336 seats won by National Democratic Alliance (NDA) parties, signalled a dramatic defeat of the Indian National Congress (hereafter Congress). With 31 percent share of the vote, the BJP became the first party with an outright majority since 1984, and formed a coalition government with its NDA partners. Narendra Modi, an Other Backward Class (OBC, a socioeconomically disadvantaged caste) member, and who had served as Chief Minister of Gujarat during the 2002 anti Muslim riots, was installed as Prime Minister. Although the BJP's victory has been attributed to Modi's charismatic leadership, and the popularity of his agenda for development with India's youth, ideologically the party is committed to the promotion of *Hindutva* (primacy of Hindu values) that threatens to undermine the accommodation of religious minorities, particularly 180 million Muslims. This outlook is reflected in the party's disdain for state secularism (that is often described as "pseudo secular" in privileging the interests of religious minorities but marginalizing the claims of the majority Hindu population), opposition to article 370 of the constitution, which gives special status to Jammu and Kashmir, the demand for a Uniform Civil Code – that would abrogate Muslim personal law – and commitment to build a temple dedicated to deity Ram at the site of the Babri Masjid in Ayodhya (demolished in 1992). In short, the BJP and the *Sangh Parivar* (its associated organizations such as Rashtriya Swayamsevak Sangh (RSS), Vishwa Hindu Parishad (VHP),

and Bajrang Dal) have the programmatic objective of building a Hindu *rashtra* (a Hindu state).<sup>1</sup>

Although the BJP's manifesto formally acknowledged the need for equality of opportunity for all,<sup>2</sup> in the last three years its policies on religious minorities – and the actions of its associated organizations – have raised concerns about intolerance and discrimination. Efforts have been made to reconvert disadvantaged Muslims and Christians to Hinduism; an aggressive “cow protection” movement has been launched directed primarily at Muslims and lower caste Hindus; anti conversion legislation has been used to undermine religious freedom; and there have been notable episodes of violence against religious minorities, especially in states with pending elections.<sup>3</sup> Traditionally, the BJP and its associated organizations have made a distinction between religious minorities for whom India is “not only a fatherland but a holyland” (Buddhist, Jains, and Sikhs), and others (Christians and Muslims) whose “holyland” is elsewhere.<sup>4</sup> Accordingly, its ideological approach seeks to *assimilate* the former within the broader pantheon of Hinduism and politically and socially *exclude* the latter as alien to India. But overall these approaches are set within the context of primary of Hindu values: as one Cabinet Minister stated after May 2014, “all Indians are Hindus, and there is nothing wrong with the term Hindu being applied equally to all citizens.”<sup>5</sup>

This article has two objectives: to assess the BJP-led NDA government's policies on religious minorities, and secondly, to reflect more broadly on how the change in policy can be conceptualized. Therefore, we examine the argument that BJP's victory signals the emergence of India's “second republic”, or offers a new accommodation for religious minorities. We also assess whether the conventional coding of the BJP as an anti system ideological party that is

twintracking – seeking to effect a cultural revolution while operating within the framework of liberal democracy – offers a more appropriate framework for evaluating the government’s policies and actions. Finally, we assess the merits of historical path dependence that highlights the *continuities* between the BJP and Congress in managing religious diversity in India.

### **The making of a “new republic”**

Sanjaya Baru, the ex-media advisor to former Prime Minister Dr. Manmohan Singh, is adamant that the social and political change that underpinned the BJP’s electoral success is the precursor of India’s second republic, one that is less beholden to the legacy of colonialism and Partition. According to Baru,

I firmly believe this era with Narendra Modi at the helm is the birth of India’s second republic. Lok Sabha 2014 marked the end of the “Nehruvian” dynasty. Our nation’s first phase of being a republic lasted from 1950 to 2014, the second phase has begun and we are yet to see how it will grow and flourish. I don’t see any constitutional changes but the political processes in the country have already begun to change.<sup>6</sup>

Although Baru emphasizes the drive towards economic development, the template for this “new republic” is being fashioned not by the emergence of a right-of-centre conservatism that is promarket, or in tune with India’s cultural diversity, but the familiar icons of *Hindutva*. On his first day in office, for instance, the Minister of State for the Prime Minister’s Office, Jitendra Singh, announced that the government had already started discussion on the

abrogation of article 370 of the constitution. Despite the ensuing controversy, the minister was backed by senior BJP leaders, and subsequently he has often repeated his support for the repeal of article in public.<sup>7</sup> Similarly, on the Ram temple in Ayodhya, Amit Shah, the BJP's president, has expressed full support for its construction. The issue once gained centre stage in Uttar Pradesh (UP) ahead of state elections, being exploited by BJP Members of Parliament (MPs) and the *Sangh Parivar* as a symbol to mobilize support in a state that sends 80 MPs to the Indian Parliament. Sakshi Maharaj, a BJP MP from UP, has reasserted the party's commitment to the temple, declaring that the site is "a spiritual centre for Hindus around the world."<sup>8</sup> Subramanian Swamy, a former Union Minister and member of the Planning Commission, has demanded a special meeting of the party to expedite the efforts to build the temple before the next general elections, and has filed a petition in the Supreme Court requesting the Court's intervention. In November 2016, the Minister of Tourism stoked a major controversy by announcing his plan to visit Ayodhya for the purpose of inspecting the disputed site for building Ramayana museum.<sup>9</sup>

The government appears to have adopted a similar approach to the proposals for Uniform Civil Code, with the Law Minister supporting its implementation. In October 2016, at the government's prompting, a questionnaire was submitted by the Law Commission of India seeking public consultation on the proposal. The questionnaire was issued on the same day the government filed an affidavit in the Supreme Court opposing the Islamic practice of triple *talaq* – which allows a Muslim man to part from his wife by saying or writing the word "talaq." Ostensibly, these changes were portrayed as necessary to implement reforms that have already been undertaken in some Islamic countries such as Pakistan and Indonesia. However, the manner in which the procedural manoeuvres were effected suggests that the BJP is determined to establish a Uniform Civil Code by the "back door" while undermining the

autonomy of Muslim Personal Law or its ability to reform itself. The issue has been further politicized at the state level following the election of Yogi Adityanath (BJP) as the Chief Minister of UP. The party has astutely exploited the differences between the All India Muslim Personal Law Board (AIMPLB), which is the custodian of Muslim Personal Law, and the victims of triple *talaq*, ostensibly in the name of promoting modernization.<sup>10</sup>

Thus, the “new republic,” if it is emerging, threatens to undermine the existing rights of some religious minorities. Modi’s declaration, following attacks on Christian minorities, that the constitution is his “holybook,”<sup>11</sup> sits uneasily with the BJP’s and the *Sangh Parivar*’s interpretation of the constitution that is eroding minority rights such as personal law, or dietary practices, and the right to exercise freedom of religion.<sup>12</sup> At this stage, unlike the previous BJP-led NDA government (1998-2004), there has been no proposal for a new constitutional commission, but loud voices within the BJP and the wider *Sangh Parivar* have been calling to *Indianize* the constitution.<sup>13</sup> Although at times the BJP has needed support from its coalition partners, for example in the *Rajya Sabha* (Upper House), its “core agenda” has remained unchanged: *Hindutva* is the ideology around which Baru’s “second new republic” is being fashioned.

### **A “new zone of consensus”**

For some, under the BJP-led NDA, India’s democracy has entered a new phase, one characterized by post Congress governance of minorities. According to Wright, the new government epitomizes the dilemma for religious minorities in a multiparty, multiethnic democracy where one or more of the “majority parties appear to be hostile to the interests or

even survival of the minority group.”<sup>14</sup> As in Nazi Germany<sup>15</sup> or for the Tamil ethnic minority in Sri Lanka, this dilemma requires minorities to radically reassess their strategies *vis-à-vis* the dominant party: that is, whether to oppose or cooperate, to work with united fronts, or consolidate minority vote banks. Wright, nonetheless, suggests that Modi’s and the BJP’s approach is that of a right-of-centre party that offers a “new zone of consensus” which can be extended to “incorporate the right wing, as left wing was incorporated much earlier in Kerala and West Bengal.” This accommodation, he argues, might be achieved “without the Muslim minority having to pay a disastrous price.”<sup>16</sup>

Since May 2014, the government has made efforts to recognize the cultural identity of *some* religious minorities. In March 2016, a major exhibition exploring the cultural history of Zoroastrianism was launched in Delhi, cocurated by School of Oriental and African Studies (University of London), the British Library, and UNESCO Parzor (Parsi Zoroastrian Project) that was sponsored by the Ministry of Minority Affairs (MoMA) under its scheme *Hamari Dharohar*. The event is significant as the first of its kind funded by MoMA which has been criticized as incompetent in its role to make direct engagement with religious minorities. Acknowledging the Parsi contribution to India’s industrialization and educational advancement, the Minister of Minority Affairs admitted that “it is time we did something before the Parsi community gets lost in the pages of history.”<sup>17</sup> Likewise, following expressions of dissatisfaction by its coalition partner, the Shiromani Akali Dal in Punjab, a turbaned Sikh (Surendrajeet Singh Ahluwalia, MP from Darjeeling) was inducted into the Cabinet, though he is from Bihar.<sup>18</sup> Interestingly, accommodation and recognition of cultural identity of religious minorities was further extended by granting minority status to Jewish community in Maharashtra.<sup>19</sup> At the same time fulsome overtures were made on the occasion of the 125<sup>th</sup> anniversary of B.R Ambedkar’s death to ingratiate the BJP with India’s large

Buddhist population of Dalits who recently have been victims of atrocities committed by *Hindutva* activists.<sup>20</sup> Yet overall, these measures have been largely symbolic, without substantive commitment to equality of opportunity for religious minorities or additional resources. Most significantly, they have excluded the largest minority in India – Muslims.

Politically, the marginalization of Muslims is evident in the decline in community's representation in Parliament from 34 (7 percent) in the 14<sup>th</sup> *Lok Sabha* (2004), and 30 (6 percent) in the 15<sup>th</sup> (2009) to 22 (4 percent) in the 16<sup>th</sup> (2014) – the lowest number of Muslim MPs since independence.<sup>21</sup> Only 7 of the BJP's 482 candidates were Muslim, and not one of them secured a seat. Parliament has no Muslim MPs from UP or West Bengal, the two states with the largest Muslim populations (Census 2011); the only Muslim MPs are from West Bengal (eight), Bihar (four), Jammu and Kashmir (four), Kerala (three), Assam (two), Andhra Pradesh (one), Tamil Nadu (one), and Lakshadweep (one). Of the 151 ministers in the 9 BJP-ruled states, only one is Muslim. Remarkably, this contrasts with 52 Muslim ministers in 13 non BJP-ruled states.<sup>22</sup>

Much more striking has been the rhetoric and policies of the BJP-led NDA government towards Muslims and Christians. According to Najma Akbarali Heptulla, the former Minister of Minority Affairs, "Muslims are not minorities. Parsis are."<sup>23</sup> For her, Muslims' concerns about security arise primarily out of a "fear psychosis" that has gripped the community.<sup>24</sup> She also supported the BJP line which opposes affirmative action provisions for Dalit Christians and Muslims on the grounds that they are unconstitutional. Thawar Chand Gehlot, a Dalit, and the Minister for Social Justice and Empowerment, has also opposed this demand because, according to him, backward communities among all religious groups are covered under the OBC category.<sup>25</sup> Sanjay Paswan, secretary of the BJP's Scheduled Caste Cell, candidly

professed that if poor Muslims and Christians who had converted from Hinduism to these faiths “want [the] benefits of reservation, let them get converted back to Hinduism and accept *ghar wapsi* (literally “return home”).”<sup>26</sup>

In terms of policy, the BJP-led NDA government has steadfastly refused to implement the recommendations of the Sachar Committee Report (2006)<sup>27</sup> that identified a series of positive actions targeted at minorities and Muslims in particular to improve the community’s socioeconomic and educational conditions. The findings of the Post Sachar Evaluation Committee, established by MoMA during United Progressive Alliance (UPA, 2004-14) government to evaluate the implementations of the Sachar Committee Report recommendations, have not been tabled for further discussion. Rather, both the Sachar Committee Report and the Post Sachar Evaluation Committee’s findings have been challenged for the quality of their analysis and data. Indeed, the framework of equality of opportunity promoted by the UPA government which included, among other things, setting up a general equal opportunities commission and the inclusion of Dalit Christians and Muslims in the reservations for employment and education, as we noted above, has been officially disapproved of by Cabinet Ministers on the grounds that these proposals are unconstitutional.

The BJP’s reluctance to establish “zone of consensus” is further evident in its sponsorship of state level ban on cow slaughter, notably in BJP-ruled states, that is often used to target minorities (Christians and Muslims) and the lower castes involved in processing cow products. During the Haryana elections, for example, the party promised to increase the penalty for cow slaughter to life imprisonment. Under pressure from *Hindutva* activists the Himachal Pradesh High Court has directed the central government to consider enacting a law prohibiting the slaughtering of cows at the national level. Ironically, the court verdict came to

the conclusion on the grounds that “*secularism is one of the basic features of the Constitution of India [and hence] people should not hurt the religious sentiments of each other.*”<sup>28</sup>

Following this judgement, the VHP increased its street level agitation with the demand for national level legislation that culminated in the nationwide proliferation of *gau raksha* (cow protection) vigilantes. This agitation climaxed in a *de facto* national anti cow slaughter regulation when the Ministry of Environment invoked the Prevention of Cruelty to Animals Act (1960) to issue the Prevention of Cruelty to Animals (Regulation of Livestock Markets) Rules, 2017 with effect from May 23<sup>rd</sup>, 2017. This regulation bans the sale and purchase of cattle, including cows and buffalos, for slaughter at livestock markets.<sup>29</sup> The regulation has been vociferously opposed in the beef-eating states in northeast and the south. However, its most serious consequences are likely to be for Muslims who are engaged in the \$10 billion leather and meat production across India and related industries such as milk production, leather goods, and processing of dead animals that give livelihoods to large sections of the community’s poor.<sup>30</sup> The regulation is more than likely to further embolden the activities of *gau raksha* vigilantes who have unleashed a reign of terror against traders and consumers of beef, leading to high profile incidents such as the tragic death of a poor Muslim man in Dadri (UP) in 2015 and the assault on Dalits in Gujarat. In sum, the BJP’s policy to “reach out to poor Muslims” appears to be directly undermined in placating the demands of its *Hindutva* constituency.<sup>31</sup>

Equally noteworthy has been the BJP government’s silence in face of attacks on religious freedom of minorities until the external pressure, principally from the US,<sup>32</sup> has helped rein in the *Hindutva* activists who have headed the reconversion to Hinduism, known as *ghar wapsi*. The main targets of such campaigns are socioeconomically disadvantaged Muslims and Christians, considered by the BJP and its associated organizations as lapsed

Hindus. Since May 2014, there has been an intensification of nationwide *ghar wapsi* campaigns by *Hindutva* organizations. In the words of the VHP leader Pravin Togadia, “the whole world was once inhabited by Hindus...and [we] will strive to increase the population,” and “our target is to make India a Hindu *rashtra* by 2021. The Muslims and Christians don’t have any right to stay here.”<sup>33</sup> Although no official data is available, the *ghar wapsi* campaign has reconverted at least 200 Christians in Gujarat, 300 Muslims in Agra, and more than 100 Christians in Kerala.<sup>34</sup> There are also claims that these activists have reconverted Christians to Sikhism in Punjab, but these were denied by Sikh organizations.<sup>35</sup> Sometimes such conversions have been encouraged by government officials with threats to cancel the Below Poverty Line cards, a vital resource that grants poor Muslims and Christians access to government welfare schemes. *Ghar wapsi* was somewhat reined in following concerns expressed by US lawmakers,<sup>36</sup> a message strongly reinforced during President Barack Obama’s visit to India in January 2015 (see below). However, despite this moderation, calls for a national anti conversion legislation in the guise of freedom of religion act remain strong within the BJP and its associated organizations. Support for this measure has also been strongly expressed by the Union Home Minister.<sup>37</sup>

Yet more striking are incidents of hate speech and communal violence against Christians and Muslims since 2014. According to data cited in Parliament, there were 751 incidents of riot in 2015 against 644 in 2014, with an increase in the number of casualties from 95 dead and 1,921 injured in 2014, to 97 dead and 2,264 injured in 2015. Of the states that erupted most frequently into violence, communal incidents have been reported in UP (155) and Karnataka (105), ruled by the Samajwadi Party (until March 2017) and Congress respectively, but Maharashtra (105), Madhya Pradesh (92), Rajasthan (65), and Gujarat (55) – all have BJP governments. Bihar has experienced 71 incidents (an increase from 61 in 2014),

and West Bengal has seen a 100 percent increase in the number of communal incidents (16 in 2014, 32 in 2015).<sup>38</sup> Unsurprisingly, riots have been concentrated in states with substantial Muslim minorities – UP and Maharashtra – or where elections are scheduled.<sup>39</sup> At the same time, the victims of such communal incidents, more often than not, Christians and Muslims, have suffered further due to inaction or complicity by the state and police, as seen during the Hindu-Muslim clashes and attacks against Christians in Delhi in 2014-15.<sup>40</sup>

### **Twintracking: from a minority anti system party to a majority anti system party**

Like the main communist parties of India (Communist Party of India (Marxist) and Communist Party of India), the BJP (and its predecessors) are often viewed as anti system parties that pursue an ideological revolution with cadre-based associated organizations (RSS, VHP, *Sangh Parivar*).<sup>41</sup> Such parties function in two political zones: the party's ideological frame of reference and the constraints of the Indian political system – constitutional and political – that it seeks to transform. Resembling the Indian communist and Euro-communist parties that have functioned in liberal democracies, the party, it is argued, “twintracks” to build the conditions for its success in order to effect a political revolution. Whilst the *Hindutva*-centric electoral agenda has enabled the BJP to consolidate the Hindu vote, once in government, historically the BJP has moderated its ideological stance. Thus, after the difficulties faced by the first Janata Party coalition government (1977-79), the BJP's predecessor, the Jan Sangh, sought to better manage risks in a coalition government. This strategy has enabled subsequent BJP-led coalition governments to function without substantially compromising their Hindu ideology. A comprehensive review of the BJP-led NDA government (1998-2004) argues that minority interests were accommodated “with a

demonstrably Hindu bias rather than the dissolution of their distinctive identities.”<sup>42</sup> This was achieved by placing the contentious issues of the BJP’s ideological agenda – abrogation of article 370, a Uniform Civil Code and the construction of a Hindu temple in Ayodhya – on the backburner while state power was used liberally to promote cultural nationalism. Thus, that government is remembered for its strident efforts to Hinduize the school and university curricula, promote anti cow slaughter legislation in the states, and encourage the passing of “freedom of religion” legislation which in fact limited the capacity to convert.<sup>43</sup> At the same time executive power was used to pack prestigious institutions, such as the Indian Council for Historical Research and the National Council for Educational Research and Training, with *Hindutva* ideologues; and despite being a minority party in broader coalition, the BJP national leadership was able to absorb the serious shock of the anti Muslim pogroms in Gujarat in which 2,000 Muslims were killed and further 150,000 displaced.<sup>44</sup>

However, May 2014 transformed the BJP from a minority anti system party to a majority anti system party, albeit one that does not command the overwhelming majority to reshape the constitution in its image. As a result, this has vastly extended state patronage to the *Sangh Parivar* to further the *Hindutva* agenda while being at arm’s length from the government, and better resourced and organized to undertake such activities.<sup>45</sup> These resources have been strategically deployed ahead of state elections: the *ghar wapsi* campaigns, for instance, were launched before the state elections in Haryana, Maharashtra and Jharkhand, in each of which the party was able to form governments. In the highly prized state of UP, where state elections took place in 2017, the *Hindutva* organizations have been implicated in fomenting communal violence, while BJP ministers have provided strong symbolic support for the construction of temple in Ayodhya<sup>46</sup> and for the families of those accused in the Dadri beef eating case.<sup>47</sup> Following the appointment of Yogi Adityanath, a founder of the Hindu

Yuva Vahini – a militant Hindu youth organization which has been often involved in communal incidents – as a new Chief Minister of UP, a clear message was sent to the supporters of majoritarian Hinduism within the BJP and much more broadly. Not surprisingly, under Adityanath’s government, there have been political moves to divide Muslims over triple *talaq* and rein in the development policies of the previous Samajwadi Party government aimed at religious minorities.<sup>48</sup> Indeed, under the current BJP government, there appears to be open collusion between the state and forces of *Hindutva*. While the programme of promoting cultural nationalism has been further extended from schools to colleges and universities, the RSS chief Mohan Bhagwat’s annual address to his organization was broadcast live on the state tv network Doordarshan.<sup>49</sup> Following the “surgical strike” against Pakistani supported militants across the Line of Control in Kashmir, moreover, the armed forces have also been used to inculcate nationalism and patriotic virtue against what are viewed as anti national and seditious tendencies.<sup>50</sup> In short, the cultural nationalist agenda of the Modi government is less constrained than the previous minority BJP-led NDA governments, with close cooperation between government and the BJP’s associated organizations. This perhaps better explains the unfolding nature of the organized political and street level confrontations between the BJP and its opponents, including minority religious groups.

Arguably the twintrack approach – of working towards a cultural revolution while operating within the constraints of the existing political system – is also apparent in the ambivalent rhetoric of Modi. Professions of tolerance of religious diversity and harmony have been accompanied by studied silence in the face of “inflammatory provocations from the Hindu Right.”<sup>51</sup> Only when public criticism of silence has become deafening, has Modi been moved to offer a fulsome declaration of his commitment to religious diversity. Thus, it was following the attacks on churches in Delhi that in a highly symbolic move Modi conceded that

“my government will give equal respect to all religions and will not allow any form of violence against any religion.” “We consider,” he further added, “the freedom to have, to retain, and to adopt, a religion or belief is a personal choice of a citizen.”<sup>52</sup> A similar approach was deployed when the US President Barack Obama expressed concerns about religious intolerance during his visit in January 2015, and reemphasized this at the National Prayer Breakfast in Washington DC.<sup>53</sup> In response, Modi symbolically chose a function hosted by a Christian group to state that:

My government will not allow any religious group, belonging to the majority or the minority, to incite hatred against others, overtly or covertly... We cannot accept violence against any religion on any pretext and I strongly condemn such violence. My government will act strongly in this regard. With this commitment, I appeal to all religious groups to act with restraint, mutual respect, and tolerance in the true spirit of this ancient nation which is manifest in our Constitution and is in line with the Hague Declaration.<sup>54</sup>

In another statement in the *Lok Sabha* in the wake of communal attacks against Christians and Muslims, Modi stated that “my government’s only religion is ‘India first’” and “the only religious book is ‘Indian Constitution,’ our only prayer is ‘welfare of all’.”<sup>55</sup> Such after-the-event melodramatic rhetoric was also evident in the aftermath of violence by cow protection vigilantes against Dalits in Gujarat. The incident, which has the huge potential to undermine the BJP’s Dalit votebank, brought forth the plea from the Prime Minister that “attack me, shoot me if you want, but don’t attack Dalits.”<sup>56</sup> Although Modi has shown some contrition as a result of these acts, and has named some welfare schemes after Christian and Muslim

icons,<sup>57</sup> the sincerity of the Prime Minister's statements continues to lack strong conviction among large sections of India's religious minorities.

The twintrack approach is not without its dilemmas. The promotion of *Hindutva*, even for elections, also requires that the party insulates its leadership from more vitriolic rhetoric of second rung leadership that rarely conceals its disdain for minorities. The dividing line between senior leadership and right wing activism is both thin and permeable: for instance, Giriraj Singh, who in the run-up to the 2014 general elections called Modi's critics to be "sent to Pakistan," was subsequently appointed to a ministerial position. He continues to make inflammatory speeches targeting particular religious communities, most recently stating that minority religious groups should have no more than two children, in order to "keep [Hindu] daughters safe."<sup>58</sup> Even if this rhetoric can be tempered, the substantive issue remains: religious minorities, especially Christians and Muslims, have voted with their feet against the dominant ruling party in India and remain unconvinced of its public pronouncement to promote and protect India's rich tradition of religious pluralism.<sup>59</sup>

### **Historical institutionalism and path dependence: towards an alternative understanding of Modi and minorities**

The approaches to the BJP-led NDA government's policies on religious minorities that we have examined so far all fall short in significant measure. The journalistic offerings of Baru, for example, provide few insights into the political processes that are in making the "second republic" which, in any case with its market orientation, is likely to undermine the provision of public goods that can benefit disadvantaged religious minorities. Similarly, the *prima facie*

conditions for a centre-right political party à la BJP to accommodate religious minorities seem to have been undermined by that party itself in its relentless drive towards hegemony in the Indian political system. Ideological accounts centred on the BJP also suffer from overemphasis on the distinction between Congress' secular nationalism and the BJP's Hindu nationalism: they overlook the essential interchangeability between the two species which have nestled within Congress since preindependence.<sup>60</sup> Doubtless the BJP's policies and actions towards some religious minorities since 2014 are more strident, confrontational and overt, but arguably the difference in approach towards religious minorities between the Congress and the BJP is not one of *kind* but of *degree* because the long period of postindependence governance under the Congress was also marked by periodic outbursts of high level communal violence against minorities and secular decline in the socioeconomic status of the largest minority. The rise of the BJP, which has been facilitated by the alignment of main cultural force in Indian society (Hinduism) with political power, is not unconnected with institutional structures established at Independence that have created a "caste-iron" democracy.<sup>61</sup>

Historical institutionalism and path dependence enables us to make better sense of why *all* Indian governments have struggled to develop effective policies for religious minorities. The framework of rights established for religious minorities at Independence continues to limit government – whether Congress or BJP – policymaking for religious minorities, especially Muslims. Historical institutionalism is concerned with "how political struggles are mediated by the institutional setting in which [they] take place."<sup>62</sup> Inevitably, the approach takes the "weight of the past" at the centre of analysis and political actors as agents of history operating within a framework of institutions. The historical institutionalist approach suggests that new institutional arrangements created during "critical junctures" can have a longterm

impact by creating a path that can become self-reinforcing and reproducing through a positive “feedback loop”, or “increasing returns.”<sup>63</sup> Once the institutions are established, it creates a particular path and once viable option can become increasingly remote with switching cost increasing further down to the path.<sup>64</sup> Therefore, institutions become “locked in” in a particular path, resulting in what is called “institutional stasis.”<sup>65</sup> In this process, the importance of “critical juncture” cannot be overemphasized because this is the time that those in power, using their political authority, can institutionalize their advantage and impose their preference on less powerful actors. As an attempt at changing “rules of the game”, who owns political authority at the time of “critical juncture” will determine the nature and direction of public policies – “the main mechanism for institutionalizing advantage” – and the outcome is imposed on the less powerful with no “viable exit option.”<sup>66</sup> If the outcome of decision is the particular constitutional provisions, for instance, it will work in a way to “durably advantaging particular actors by creating supermajority requirements for revision.”<sup>67</sup> Therefore, more often than not, another “critical juncture” is required for a radical policy change.<sup>68</sup>

In this sense, the constitution-making process in India (1946-49) is not only an ideal exemplar of a critical juncture but a good case of institutional stickiness by design because the amendment process requires consensus from majorities who have a built-in bias against change.<sup>69</sup> Thus, Kim<sup>70</sup> has argued that the distinction between caste and religion established at independence in the provision of reservations for socioeconomically disadvantaged castes has “locked in” a form of path dependence that has led to the increasing expansion of policies of compensatory reservations for Scheduled Castes (SCs), Scheduled Tribes (STs) and OBCs. At the same time, disadvantaged religious minorities, principally Dalit Christians and Muslims, have become relatively marginalized because they have struggled to overcome the institutional resistance to inclusion in the category of backward classes. Such institutional resistance can

also be found in the effective provision of public sector service delivery and basic security for some religious minorities, particularly Christians and Muslims.<sup>71</sup>

In the period from the 1980s to the 2000s, some religious minorities (Christians, Muslims and Sikhs) mobilized to challenge the constitutional framework of minority rights limited to religious and cultural spheres. However, the attempt to create a new “critical juncture” through political mobilization by these minorities instead provoked a counter response from the forces of *Hindutva*, reinforcing the cleavage defined by caste between the “majority” and the “minorities.”<sup>72</sup> The UPA government introduced a number of policy initiatives to improve the socioeconomic conditions of disadvantaged Muslims,<sup>73</sup> which had potential to create another “critical juncture,” but most of these measures were not legislated upon or remained unimplemented as the government resorted to symbolic and promotional policies. During the UPA administration, opposition to policymaking for religious minorities came from three constituencies: the institutionalized SC, ST and OBC lobbies that view themselves as the guardians of these caste groups’ interests and considered the extension of reservations for Christian and Muslim Dalits as dilution of their rights and institutional structures; the civil service and judiciary, which have interpreted minority demands as “religious” in a secular state; and the BJP and its *Hindutva* organizations on the grounds that such policies undermined the hegemonic nationalist framework that prioritizes social justice primarily directed at socioeconomically disadvantaged Hindu castes.<sup>74</sup> Coincidentally, these voices were also present within the Congress.<sup>75</sup> Although the Congress has traditionally been viewed as prominority, as we have seen above, successive Congress governments’ record in addressing the concerns of religious minorities remains highly compromised. This needs to be viewed against the background that Hindu majoritarian sentiment was clearly present within the Constituent Assembly Debates on minority rights and continued to linger within the

Congress.<sup>76</sup> Thus, the National Commission for Minorities, which monitors minority rights, was established by a non Congress government in 1978. Three years later, when the Congress returned to power, Indira Gandhi's government discarded the Commission without a formal announcement, appointing the Gopal Singh Panel.<sup>77</sup> Subsequently, the Panel's report was suppressed because its findings were at jar with government's view on minorities. Almost 24 years later this pattern was repeated by the Congress-led UPA government in its reluctance to release the report of the National Commission for Religious and Linguistic Minorities (2007) – which proposed reservations for Dalit Christians and Muslims – for fear of a political backlash.

There is a clear difference in the ideological rhetoric of the Modi government and its Congress predecessor on the policies on religious minorities. However, whilst this rhetoric, or what Bajpai<sup>78</sup> calls “legitimising vocabularies,” are important, the implementation of these policies shows demonstrable continuities. These are reflected in the denial of religious minority political demands, or challenging some of the claims as “contentious”, or still, offering symbolic or rhetorical accommodation. It is also evident in protecting the interests of Hindu OBCs, SCs and STs against the extension of affirmative action provisions, or opposition to extending the special legislation – against violence, for example – that applies to religious minorities such as Christians and Muslims. Most seriously, they are evident in the significant gap between the rights and programmes directed at religious minorities and the shortfall in implementation. Thus, the BJP-led NDA government has, for example, responded promptly to passing the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 that introduces tough new measures to tackle caste-based atrocities against Dalits and strengthens security for SCs and STs. In contrast, no effort has been made to provide new legislation to curb communal violence against minorities. The Communal

Violence Prevention Bill, for instance, initiated by the UPA, and then described by Modi as “ill conceived, poorly drafted and a recipe for disaster,” remains a dead letter. Even the UPA only promoted the measure only “up to a point.”<sup>79</sup> Equally, the UPA’s efforts to address the minorities’ “development deficit,” particularly of Muslims, was predicated not on the allocation of additional resources but the utilization of existing schemes in various ministries that were centralized under MoMA.<sup>80</sup> In the same fashion, the BJP-led NDA government has neither reduced MoMA’s overall budget allocation, nor increased it substantially, but rather expressed its policy preferences both at the national and state level through implementation, where the record varies from virtual non implementation to partial implementation, subject to the availability of funds.<sup>81</sup> Yet, perhaps the most interesting development, following the UP elections, which saw the BJP attract significant support among Dalits, is the attempt to further strengthen the pro-poor Hindu caste institutions of affirmative action. This has resulted in the proposal to disband the existing National Commission for Backward Classes and replace it with National Commission for Socially and Educationally Backward Classes with constitutional status. Critics argue the proposal is designed primarily to limit the power of the states to determine the list of OBCs for whom reservations can be made. It also opens the way to include higher castes who might also be socially and educationally backward.<sup>82</sup> Overall, though at this stage in the government’s tenure, when it is midway through its term, it is difficult to undertake a systematic analysis of the BJP administration’s policies on religious minorities, but the evidence which is emerging suggests that despite the ideological shift to the right there are more *continuities* in the policies with previous governments than radical *discontinuities* defined by the *Hindutva* agenda.

## Conclusion

The election of the BJP-led NDA government with an overt ethno nationalist *Hindutva* agenda has renewed interest in the management of religious diversity in the world's largest democracy. This has been further reinforced by the BJP's landslide victory in the state assembly elections in UP in February-March 2017. As the most populous state in India, the victory significantly strengthens the BJP's ability to return to power in the national elections in 2019 as well as demonstrating the electoral appeal of *Hindutva*. The BJP's policy of managing India's religious diversity is often contrasted with Congress' civic conception of nationhood that has tied a secular state with multiculturalism.<sup>83</sup> However, the radical critique of Indian state secularism which emerged in the 1990s following the demolition of the Babri Masjid in Ayodhya (1992) questioned this distinction on the grounds that historically there has been significant modularity between the two political traditions that dates from the preindependence period.<sup>84</sup> This modularity is best reflected in the sharing of the common nationalist hegemonic discourse towards religious minorities during India's constitution making with limited efforts to "accommodate" these minorities which is symbolized in the unusual character of Indian state secularism as *sarva dharma sambhava* (equality respect for all religions). We can better understand this continuity today in the emergence of the BJP as *the party of government*.

These continuities, we have argued, can be better understood if we draw on historical institutionalism and path dependence in assessing the BJP-led NDA's policies on religious minorities. There are clearly significant rhetorical and ideological differences on the subject between the BJP-led NDA and its predecessor, Congress-led UPA. However, both have struggled to generate appropriate "legitimising vocabularies" that can underpin their distinctive approach towards the governance of religious diversity in contemporary India. In

this respect, paradoxically the BJP's "anti minorityism" and the Congress' multicultural "inclusivism" have more in common in producing general inertia in this critical area of social policy.

Finally, it needs to be acknowledged that whilst the policy responses of the BJP-led NDA government and its associated organizations appear to mark a radical break with the traditional governance of religious diversity in India, the post 1966 period of Congress rule suggests that its record of violence against religious minorities and toleration of high levels of institutional discrimination is not unblemished. Even Dr. Manmohan Singh's UPA government struggled to control communal riots, and its executive actions to improve condition of religious minorities remained largely symbolic.<sup>85</sup> Seen in this light, the BJP-led NDA's policies thus far have been judged primarily on the excesses of *Hindutva* followers on the accession of the BJP to power which have sometimes been marked by gratuitous actions. A realistic assessment, however, of how the BJP-led NDA government has so readily adjusted to the statecraft of managing India's religious diversity without a significant opposition remains to be undertaken. Seriously perused, such an assessment would draw on historical institutionalism and path dependence to probe why after 70 years of independence, for both the Congress and the BJP, Christians and Muslims have become, in the words of George Orwell, "inconvenient minorities" in India.<sup>86</sup>

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<sup>1</sup> For background to the Hindu nationalist movement, see Christophe Jaffrelot, *The Hindu Nationalist Movement in India* (New York: Columbia University Press, 1993).

<sup>2</sup> Bharatiya Janata Party, *Ek Bharat, Shreshtha Bharat. Sabka Saath, Sabka Vikas: Election Manifesto, 2014*. p. 17. Accessible via [www.bjp.org](http://www.bjp.org).

<sup>3</sup> Manjari Katju, "The Politics of Ghar Wapsi," *Economic and Political Weekly* Vol. 5, No. 1 (2015), pp. 21-4; Bharti Jain, "India Sees Rise in Communal Violence, UP Leads States," *The Times of India*, February 24, 2016; "Gujarat: Pregnant Dalit Woman, Family Attacked for Refusing to Remove Cow Carcass, Six Arrested," *The Indian Express*, September 26, 2016.

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<sup>4</sup> Vinayak Damodar Savarkar, *Hindutva: Who is a Hindu?* (New Delhi: Hindi Sahitya Sadan, 2003), pp. 110-13.

<sup>5</sup> Zia Haq, "Nothing Wrong in Calling Indians Hindu: Heptulla," *Hindustan Times*, August 29, 2014.

<sup>6</sup> "Birth of 2nd Republic under Modi: Sanjaya Baru," *The Times of India*, July 27, 2014.

<sup>7</sup> "BJP Hasn't Abandoned Stand on Repeal of Article 370: Union Minister Jitendra Singh," *NDTV*, June 1, 2015.

<sup>8</sup> "Ram Temple will be Built during BJP Rule: Sakshi Maharaj," *The Economic Times*, June 7, 2015.

<sup>9</sup> "Lord Ram to Get Museum in Ayodhya," *The Hindu*, October 18, 2016.

<sup>10</sup> "Muslim Law Board for Triple Talaq, against Uniform Civil Code," *NDTV*, November 20, 2016; "After Triple Talaq over Phone, Uttar Pradesh Woman Meets Yogi Adityanath for Justice," *Hindustan Times*, April 12, 2017.

<sup>11</sup> "PM Modi: My Govt's Only Religion is 'India First', Holy Book is Constitution," *The Times of India*, February 27, 2015.

<sup>12</sup> South Asia State of Minorities Report Collective, *South Asia State of Minorities Report 2016: Mapping the Terrain* (New Delhi: Books for Change, 2016).

<sup>13</sup> Ashtosh Varshney, comment made at the South Asia Centre public discussion, "India's Democracy: Electoral Vibrancy, Liberal Deficits," at London School of Economics and Political Science, November 4, 2016.

<sup>14</sup> Theodore. P. Wright Jr. "Modi and the Muslims: the Dilemma for the Muslim Minority in the 2014 National Elections," delivered at the European Conference on South Asian Studies, Zurich, July 23-6, 2014, p. 1.

<sup>15</sup> Wright Jr, "Modi and the Muslims," p. 1.

<sup>16</sup> Wright Jr, "Modi and the Muslims," p. 6.

<sup>17</sup> Pooja Singh, "A Peek into Parsi Life," *Livemint*, March 18, 2016.

<sup>18</sup> Nivedita Dash, "Energy, Expertise, Experience: Modi's Expanded Cabinet Gets 19 New Faces," *India Today*, July 5, 2016.

<sup>19</sup> "Maharashtra Accords Minority Status to Jewish Community," *The Indian Express*, June 22, 2016.

<sup>20</sup> Ashutosh Bhardwaj, "Searching for Dalits: A Yatra by Buddhist Monks Taking BJP to Dalits across UP," *The Indian Express*, July 31, 2016.

<sup>21</sup> "Fact Sheet: Muslim Representation in Parliament," *India Today*, March 10, 2014.

<sup>22</sup> "Elections 2014: Lowest Number of Muslim MPs since 1952," *The Times of India*, May 17, 2014.

<sup>23</sup> "Muslims are not Minorities, Parsis are: Najma Heptullah," *The Times of India*, May 28, 2014.

<sup>24</sup> Nistula Hebbbar, "My Most Important Task is to Create Confidence and Positivity: Najma Heptullah," *The Economic Times*, June 27, 2014.

<sup>25</sup> Subodh Ghildiyal, "Minorities 4.5 Percent Sub-Quota as Good as Dead?," *The Times of India*, May 28, 2014.

<sup>26</sup> Bhasha Singh, "Excluded from the Excluded," *Outlook*, April 18, 2016.

<sup>27</sup> Prime Minister's High Level Committee, *Social, Economic and Educational Status of the Muslim Community of India: A Report* (New Delhi: Government of India, 2006). Hereafter Sachar Committee Report, after its chairman. By recognizing the social and economic marginalization of India's Muslims, the report drew attention to the "development deficit" suffered by the community since Independence.

<sup>28</sup> Vijay Arora, "Consider Law Prohibiting Cow Slaughter: HC to Centre," *The Tribune*, October 15, 2015. Emphasis added.

<sup>29</sup> "Sale of Cattle for Slaughter Banned in Animal Markets," *The Tribune*, May 26, 2017.

<sup>30</sup> "More Indian Eating Beef, Buffalo Meat," *The Hindu*, October 29, 2016; Amiti Sen, "Cattle Trade Curbs: Commerce Ministry Looking at Meat, Leather Exporters' Concerns," *The Hindu Business Line*, January 6, 2017.

<sup>31</sup> Kumar Uttam, "Highlights: Reach out to Poor, Backward Muslims, Says Modi at BJP's National Meet in Odisha," *Hindustan Times*, April 16, 2017.

<sup>32</sup> The annual reports (2015, 2016) of the US Commission on International Religious Freedom named the BJP and the Hindu nationalist outfits with regard to communal incidents and religiously divisive

activities in the country. For the past several years, the Indian embassy in the US turned down the visa application of the members of the US Commission for their annual visit to India. U.S. Commission on International Religious Freedom, *Annual Report of the United States Commission on International Religious Freedom*, 2016; U.S. Commission on International Religious Freedom, *Annual Report of the United States Commission on International Religious Freedom*, 2015.

<sup>33</sup> Piyush Srivastava, “‘We will Free India of Muslims and Christians by 2021’: DJS Leader Vows to Continue ‘Ghar Wapsi’ Plans and Restore ‘Hindu Glory,’” *Dailymail*, December 19, 2014; Milind Ghatwai, “Want to Protect Hindus Today and 1,000 Years from Now: Pravin Togadia,” *The Indian Express*, December 22, 2014.

<sup>34</sup> “After Gujarat, VHP ‘Converts’ Christians in Kerala, State Govt Orders Probe,” *Firstpost*, December 22, 2014; KPM Basheer, “Why Kerala Dalit Christians are Ghar Wapsi Targets,” *The Hindu Business Line*, January 19, 2015.

<sup>35</sup> Chandra Suta Dogra, “In Punjab, Sangh Works for ‘Return’ to Sikhism as Well; SAD Fumes,” *The Indian Express*, December 22, 2014.

<sup>36</sup> Varghese K George, “U.S. Lawmakers Urge Modi to Take Action on Religious Violence,” *The Hindu*, February 28, 2016.

<sup>37</sup> Anita Joshua, “Rajnath Pitches for Anti Conversion Law,” *The Hindu*, April 28, 2015.

<sup>38</sup> Jain, “India Sees Rise in Communal Violence, UP Leads States.”

<sup>39</sup> For the link between elections and communal violence see, Steven I. Wilkinson, *Votes and Violence: Electoral Competition and Ethnic Riots in India* (Cambridge: Cambridge University Press, 2004).

<sup>40</sup> “Church Vandalised Again, this Time in Vasant Kunj,” *The Indian Express*, February 3, 2015; Rupa Subramanya, “Crying Wolf: The Narrative of the ‘Delhi Church Attacks’ Flies in the Face of Facts,” *Firstpost*, February 17, 2015.

<sup>41</sup> Bruce D. Graham, *Hindu Nationalism and Indian Politics: The Origins and Development of the Bharatiya Jana Sangh* (Cambridge: Cambridge University Press, 1990).

<sup>42</sup> Kathrine Adeney and Lawrence Sáez, eds. *Coalition Politics and Hindu Nationalism* (London: Routledge, 2005), p. 87.

<sup>43</sup> Adeney and Sáez, eds. *Coalition Politics and Hindu Nationalism*, Chapter 12.

<sup>44</sup> Zoya Hasan, “Mass Violence and Wheels of Indian [In]justice,” in *Violence and Democracy in India*, eds. Amrita Basu and Srirupa Roy (Oxford: Seagull Books, 2006), pp. 201-02.

<sup>45</sup> Since the BJP formed the government at the centre in 2014, a number of incidents suggest that the *Sangh Parivar* has clearly enjoyed the state protection and patronage in pursuing Hindu nationalist agenda. For instance, Hindu mobs have mobilized on several occasions attacking places of worship of religious minorities, demanding closure of Jawaharlal Nehru University, actively promoting ‘Love Jihad’ and cow protection (*gau raksha*) campaign on the ground level. In particular, the violent campaign in the name of cow protection led to lynching and attacks on Muslims and Dalits in Gujarat, Jharkhand, Madhya Pradesh, Haryana, Jammu and Kashmir, Rajasthan, and New Delhi.

<sup>46</sup> Shahira Naim, “Mahesh Sharma’s Ayodhya Visit Reignites Ram Mandir Row,” *The Tribune*, October 18, 2016.

<sup>47</sup> See, “Dadri Lynching: BJP Demands Withdrawal of Compensation Paid to Akhlaq’s Family,” *The Indian Express*, June 2, 2016; Rajeev Deshpande, “Dadri Beef Lynching Changed India’s Political Conversation,” *The Times of India*, September 29, 2016.

<sup>48</sup> Lalmani Verma, “Collect Opinion of Muslim Women on Triple Talaq, will Inform SC: Yogi to His Ministers,” *The Indian Express*, April 13, 2017; Kumar Abhishek, “UP: Yogi Adityanath Scraps Akhilesh Yadav’s 20 Percent Minority Quota Scheme,” *India Today*, May 22, 2017.

<sup>49</sup> “Doordarshan Telecasts RSS Chief’s Speech Live, Stirs Controversy,” *The Times of India*, October 3, 2014.

<sup>50</sup> Gaurav C. Sawant, “HRD Ministry Proposes to Hire Army Veterans to Teach Patriotism in Schools,” *India Today*, March 17, 2016.

<sup>51</sup> James Manor, “A Precarious Enterprise? Multiple Antagonisms during Year One of the Modi Government,” *South Asia: Journal of South Asian Studies* Vol. 38, No. 4 (2015), p. 751.

<sup>52</sup> “To Retain or to Adopt any Faith is a Personal Choice: Modi,” *The Hindu*, February 17, 2015.

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<sup>53</sup> Office of the Press Secretary, “Remarks by the President at National Prayer Breakfast,” *The White House*, February 5, 2015.

<sup>54</sup> “PM Modi’s Speech at Conference Organised by Christian Groups: Full Text,” *NDTV*, February 15, 2015.

<sup>55</sup> “PM Modi: My Govt’s Only Religion is ‘India First’, Holy Book is Constitution.”

<sup>56</sup> Srinivasa Rao Apparasu, “Attack Me, Shoot Me if You Want, but Don’t Attack Dalits,” *Hindustan Times*, August 8, 2016.

<sup>57</sup> Vasudha Venugopal, “Modi Government to Commemorate Muslim and Christian National Icons Such as Ashfaqulla Khan and TM Varghese,” *The Economic Times*, May 5, 2015.

<sup>58</sup> Santosh Singh, “Giriraj Singh’s Latest: Fix Two-Kid Norm for All Religions to Keep (Hindu) Daughters Safe,” *The Indian Express*, April 21, 2016.

<sup>59</sup> The electoral victory of the BJP in 2014 was achieved with the support from upper caste (54 percent), OBCs (34 percent), SCs (24 percent), STs (38 percent), and 8 percent from Muslims. Upon this outcome, the RSS leader Ashok Singhal said that election can be won “without Muslim support” and the Muslims should learn to respect Hindu sentiments. In state assembly elections, in 2015, 77 percent of Delhi Muslims who traditionally supported the Congress, voted for Aam Aadmi Party, merely two percent supporting the BJP. In Bihar, Muslims expressed overwhelming rejection of the BJP, while 60 percent (including OBC Muslims) voted for Congress-Rashtriya Janata Dal alliance. In West Bengal, with the largest share of Muslim population next to Jammu and Kashmir and Assam, Muslim vote share for the All India Trinamool Congress steadily increased from 22 percent (2006), 35 percent (2011), to 51 percent (2016). It accompanied the gradual decline of Muslim support for the Congress – 25 percent (2006), 15 percent (2011), to 14 percent (2016). The BJP won no seat in Puducherry, while it became the majority party in Assam, with the Muslim vote share divided between the Congress and the All India United Democratic Front. In Tamil Nadu and Kerala, the BJP won no seat and only one respectively. In short, the results of state assembly elections since May 2014 indicate that the BJP has struggled to attract the Muslim vote. See, Hilal Ahmed, “Decoding the Data: Bihar’s Muslim Vote, Oscillating between Diversity and Uniformity,” *The Indian Express*, December 25, 2015; Samudra Gupta Kashyap, “More than 90 Percent Turnouts Mark Aggressive Muslim Voting in Assam,” *The Indian Express*, April 13, 2016; Julie Mariappan, “Muslims Split over 2 Dravidian Biggies in Tamil Nadu,” *The Times of India*, March 21, 2016; Shreyas Sardesai and Suprio Basu, “Poor Dump Left for Trinamool, Muslims Solidly behind Didi,” *The Indian Express*, May 22, 2016; Shreyas Sardesai, “77 Percent Muslims, 57 Percent Sikhs Voted AAP,” *The Indian Express*, February 12, 2015; M. Dinesh Varma, “Congress-DMK Alliance Storms to Power in Puducherry,” *The Hindu*, September 12, 2016.

<sup>60</sup> For this modularity, see Gurharpal Singh, *Ethnic Conflict in India: A Case-study of Punjab* (Basingstoke: Macmillan, 2000), Chapter 3.

<sup>61</sup> See Perry Anderson, *The Indian Ideology* (London: Verso Books, 2013), p. 112.

<sup>62</sup> G. John Ikenberry, “Conclusion: An Institutional Approach to American Foreign Economic Policy,” in *The State and American Foreign Economic Policy*, ed. G. John Ikenberry, David A. Lake, and Michael Mastanduno (Ithaca; London: Cornell University Press, 1988), pp. 222-3.

<sup>63</sup> Paul Pierson, “Increasing Returns, Path Dependence, and the Study of Politics,” *The American Political Science Review* Vol. 94, No. 2 (2000), pp. 251–67.

<sup>64</sup> Pierson, “Increasing Returns, Path Dependence, and the Study of Politics,” p. 252.

<sup>65</sup> Stephen D. Krasner, “Sovereignty: An Institutional Perspective,” *Comparative Political Studies* Vol. 21, No. 1 (1988), pp. 66-94.

<sup>66</sup> Paul Pierson, “Power in Historical Institutionalism,” in *The Oxford Handbook of Historical Institutionalism*, eds. Orfeo Fioretos, Tullia Gabriela Falleti, and Adam D. Sheingate (Oxford: Oxford University Press, 2016), p. 131.

<sup>67</sup> Pierson, “Power in Historical Institutionalism”, p.131.

<sup>68</sup> It should be noted that the historical path dependence approach is not without weaknesses. The idea of “increasing returns” over time begs the question of “diminishing” or “constant returns.” This approach does not fully capture the possibility or subtlety of reactive sequences in which the

emergence of particular institutions can influence actions by triggering unintended responses. Reactive sequences are characterized by “backlash processes that *transform* and perhaps *reverse* early events... [in] a chain of tightly linked reactions and counter-reactions.” Also, given its assumption that institutions are locked into a particular trajectory, this approach often overlooks the degree to which policies are contested, notwithstanding the costs involved in such contestation. James Mahoney, “Path Dependence in Historical Sociology,” *Theory and Society* Vol. 29, No. 4 (August 2000), pp. 526-7. Emphasis original; Kathleen Thelen, “Historical Institutionalism in Comparative Politics,” *Annual Review of Political Science* Vol. 2, No. 1 (1999), pp. 369-404.

<sup>69</sup> Terry Moe, “The Politics of Structural Choice: Toward a Theory of Public Bureaucracy,” in *Organisation Theory: From Chester Barnard to the Present and Beyond*, ed. Oliver E. Williamson (New York: Oxford University Press, 1990), pp. 116–53; Mark A. Pollack, “The New Institutionalism and EC Governance: The Promise and Limits of Institutional Analysis,” *Governance* Vol. 9, No. 4 (1996), pp. 429–58.

<sup>70</sup> Heewon Kim, “United Progressive Alliance (2004-14), Equality of Opportunity and Muslims: A Paradigm Shift or Political Pragmatism?” unpublished PhD, School of Oriental and African Studies, University of London, 2015.

<sup>71</sup> Sachar Committee Report.

<sup>72</sup> Dipankar Gupta, *Justice before Reconciliation: Negotiating a ‘New Normal’ in Post-Riot Mumbai and Ahmedabad* (New Delhi: Routledge, 2011), pp. 13-5.

<sup>73</sup> To name a few, based on the findings of the Sachar Committee Report, the UPA government attempted to improve the representation of Muslims in public sector employment, provide scholarship to disadvantaged religious minorities, increase the access to credit, and launched the Multi-Sectoral Development Programme to address the chronic underdevelopment of Minority Concentration Districts. See, Kim, “United Progressive Alliance (2004-14), Equality of Opportunity and Muslims,” Chapters 5 and 6.

<sup>74</sup> Kim, “United Progressive Alliance (2004-14), Equality of Opportunity and Muslims.”

<sup>75</sup> Zoya Hasan, *Congress after Indira: Policy, Power, Political Change (1984-2009)* (New Delhi: Oxford: Oxford University Press, 2012), pp. 173, 184-5.

<sup>76</sup> James Chiriyankandath, “Creating a Secular State in a Religious Country: The Debate in the Indian Constituent Assembly,” *Commonwealth & Comparative Politics* Vol. 38, No. 2 (2000), pp. 1-24.

<sup>77</sup> Syed Najiullah, *Muslim Minorities and the National Commission for Minorities in India* (Newcastle upon Tyne: Cambridge Scholars, 2011), p. 24; Tahir Mahmood, interview, February 13, 2013, Noida.

<sup>78</sup> See Rochana Bajpai, *Debating Difference: Group Rights and Liberal Democracy in India* (New Delhi: Oxford University Press, 2011).

<sup>79</sup> Zoya Hasan, *Congress after Indira: Policy, Power, Political Change (1984-2009)* (New Delhi: Oxford University Press, 2012), p. 184.

<sup>80</sup> Kim, “United Progressive Alliance (2004-14), Equality of Opportunity and Muslims,” Chapter 6.

<sup>81</sup> For instance, in Gujarat, there was 95 percent reduction in the allocation from central government to the state government for minority welfare schemes. The budget sought by the state government from the centre for minority scholarship scheme also reduced to one thirds in 2015-16. “95 Percent Cut in Central Grants for Gujarat’s Minorities,” *The Times of India*, March 16, 2016; “Centre Drastically Cuts Grant for Minority Scholarship in Gujarat,” *The Indian Express*, March 23, 2016.

<sup>82</sup> Ravish Tiwari, “Post-UP Debacle, Arch Rivals SP-BSP Join Hands to Corner BJP in Rajya Sabha,” *Economic Times*, March 29, 2017; Satish Deshpande, “Misreading Caste,” *The Indian Express*, April 12, 2017.

<sup>83</sup> Heewon Kim and Gurharpal Singh, “Between Hegemonic Domination and the Quest for Equality: the Challenges of Managing Religious Diversity in India,” in Andrew Dawson, ed., *The Politics and Practice of Religious Diversity: National Contexts, Global Issues* (London: Routledge, 2016), pp. 49-66.

<sup>84</sup> See Rajeev Bhargava ed., *Secularism and its Critics* (New Delhi: Oxford University Press, 2004); Prakash Chandra Upadhyaya, “The Politics of Indian Secularism,” *Modern Asian Studies* Vol. 26, No. 4 (1992), pp. 815-53.

<sup>85</sup> Kim, “United Progressive Alliance (2004-14), Equality of Opportunity and Muslims,” Chapter 7.

<sup>86</sup> “The point is that the relative freedom which we enjoy,” wrote Orwell, “depends of public opinion. The law is no protection. Governments make laws, but whether they are carried out, and how the police behave, depends on the general temper in the country. If large numbers of people are interested in freedom of speech, there will be freedom of speech, even if the law forbids it; if public opinion is sluggish, inconvenient minorities will be persecuted, even if laws exist to protect them.” George Orwell, “Freedom of the Park,” *Tribune*, December 7, 1945; see also, Heewon Kim, “A Vulnerable Minority? Hindu Nationalism, Sikhs and the Remaking of the Public Sphere in India Today,” in *Religion, Politics and Sikhs in an Age of Vulnerable Minorities*, eds. Pashaura Singh and Van Dusenbery (New Delhi: Oxford University Press, 2018), forthcoming.