

ISLAMOPHOBIA IN INDIA AND THE RACIAL STATE

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Abstract: This article focuses on the relationship between nation-making and the emergence of Islamophobia in India. Studies on anti-Muslim violence and Islamophobia in India either tend to dismiss the concept or limit its deployment by identifying it within the actions of Hindu nationalist groups situating their rise as an exception to India's secular and multicultural trajectory. Premising on the idea that Islamophobia should be understood as the negation of Muslim political subjectivity this article argues that Hindutva is not an aberration. Rather, it is a continuation of the Indian nation-making project with the Muslim placed as the other of this project. Further, the article frames India as a racial state and this argument would include identifying its systemic nature by looking at the sections of the Indian constitutions and constituent assembly debates. Thus, the Indian state will be understood not as a mere facilitator but as an embodiment of Brahminical hegemony that generates racial conflict and divisions and attempts to exclude or eliminate Muslimness through homogenizing or marginalizing processes.

Keywords: Islamophobia, India, Racial State, Constitution, Hindu Nationalism, Muslims in India

Islamophobia in India and the Racial State

One would not be wrong to assume that a discussion on Islamophobia in India will revolve around Hindu nationalism, Hindutva and the violence they perpetrate against Muslims. In such narratives on Islamophobia, Hindutva is understood as a parenthesis of India's secular democratic trajectory, and apart from the odd instance of religious violence, Muslims overall fared well. With Hindutva's

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institutional entrenchment gaining ground on a daily basis and with the general elections approaching, well-intentioned commentators, media commentators, activists and thinkers constantly warn of a dystopian future for Muslims.¹ Studies that emphasize the Sangh Parivar are understandable due to its explicit nature, but it inadvertently posits Islamophobia or the disciplining of Muslims in a truncated genealogy that has serious ramifications for debates surrounding Muslim subjectivity and the secular nature of the Indian state.² Firstly, these narratives mask the systemic nature of Islamophobia and foreclose discussions on the plight of Muslims prior to the political ascendancy of Hindu nationalism and its affiliates. Secondly, this is a consequence of limiting the analysis of Islamophobia to hate speech and corporeal violence.

In contrast, this article will contest this notion of Islamophobia in India by looking at the discourses, specifically the constitutional discourse, to discern the racialized governmentality underlying the process of Indian state-building. In other words, the argument will be that the disciplining of Muslim subjectivity is not something that is unraveling now and one that will get progressively worse, but something that is tied to Indian state building and has existed institutionally since then. There is also a persuasive reason for looking at the analyses of the Indian constitution to demonstrate the nature of Islamophobia in India. One of the primary slogans of those opposing Hindutva and Islamophobia is “Save the Constitution”. The opposition secular Congress, the newly formed secular coalition of various political parties called INDIA and various anti-Hindutva activist forums and groups have this slogan displayed and explained on their websites – this slogan has become an anti-Hindutva rallying cry.³ Secondly, among the many injustices meted out by Hindutva against Muslims, the Citizenship Amendment Act, cow slaughter-related lynchings, religious conversion-related violence and arrests are the ones often emphasized. Unfortunately, the seeds of such violence trace their rationale back to the Indian constitution itself. By demonstrating the Islamophobic currents in the various constitutional assembly debates, and manifest in sections of the constitution itself, this article will frame India as a racial state.

Framing Islamophobia

An example of the disciplining of Muslim subjectivity within the proponents of secular anti-Hindutva activism is the 2018 writ petition filed in the Supreme Court by senior advocate Indira Jaising advocating for an anti-lynching law to protect Muslims. In the petition, she stated that the “lynching of Muslims in India has become a badge of honor for the perpetrators” (Jaising 2018). Drawing parallels between the lynchings of African Americans in the late nineteenth century during the advent of the Jim Crow laws, Jaising argues that lynchings and mob violence in India specifically target Muslims – and she urged the Indian government to

legislate anti-lynching laws to protect Muslim minorities. She briefly traces the genealogy of the civil rights movement in the United States, the various anti-black legislations, and the formation of the National Association for the Advancement of Colored People (NAACP) that led to legislative interventions that put an end to segregation and lynching related violence. In fact, the African American experience covers a substantial part of the writ petition.

However, despite the use of the history and plight of African Americans as a marker to measure the situation of Muslims in India, Jaising's comparison halts at victimization figures and statistics. The trajectories of the Civil Rights Movement or the Black Power Movement would never be applied as a paradigm for proposing a way forward for the Muslim community in India as it would disrupt the secular common sense by focusing on "the Muslim" as an identity. Although Jaising states in her writ petition that the lynchings of African Americans paved the way for white supremacy, the question of what type of supremacy is being played out when it comes to the lynchings of Muslims in India remains unanswered. This framing of a Muslim as a victim without a capacity for political language is how Muslims as social subjects are constructed within the discourse of Nehruvian secular nationalism. Hence, this article argues that Islamophobia becomes fundamental to the idea of the nation and national unity (Indianness) as mediated through constitutional values.

Memory plays a prominent role in identity construction, be it glorious or traumatic, and memory is often marshalled when identity is challenged. It represents the presence of something that is absent or forgotten and the "act of exercising memory or subjectivity comes to be inscribed within the list of powers and capacities belonging to the category 'I can'" (Ricoeur 2004: 57). The notion of what it means for a Muslim in India has been sedimented by the institution of an Indian national identity that subsumes all other subjectivities. The mere erasing of memory is insufficient to suppress the desire that emanates from within that memory, which also triggers and brings those erased memories to the fore. Conflict, rather than harmony, likely determines the frontier of this mnemonic politics (Bell 2006). This desire is a form of recalling and, despite the suppression when identity is challenged, this mnemonic politics is recalled at periodic junctures in moments of crisis and is central to the reassertion of political identities. In the case of Muslims in India, we have witnessed this recalling attempt to determine the terms of the debate surrounding Muslim autonomy, which often arises during responses to the trauma of both systemic and visceral anti-Muslim violence.

An example of how such collective responses being disciplined and discursively thwarted by the secular state is the meeting of Muslim leaders and prominent personalities that took place on 11 and 12 June 1961 at New Delhi. It was a first-of-its-kind gathering of Muslim leaders and community representatives from the

political, religious, and cultural spheres to address the discrimination and violence against Muslims in India. The purpose of this convention, according to its convenor Maulana Hifzur Rahman, was to address the “frustration, demoralization and pessimism” affecting Indian Muslims and the apprehensions regarding “the safety and security of their lives, property and social footing” (Noorani 2004: 114). The fact that these concerns were widely acknowledged can be understood from a letter to *The Times of India* written by one of the convention participants, M. Harris of the Praja Socialist Party, who affirming the plight of Muslims pinned “this type of discrimination as the main cause of all troubles” (Noorani 2004: 115).

Despite the importance of the realization of their discrimination in the 1950s itself, it is the Muslim leadership’s self-regulation that is reflected in its language and demeanor under the gaze of the secular discourse that is pertinent here. This attempt of Muslims to organize themselves to collectively seek and understand remedies regarding exclusion and discrimination had generated controversy. The Congress Working Committee, despite nodding consent to this convention, made their intentions clear as to within what framework Muslims should speak. The then Congress President, Sanjiva Reddy, explained to journalists that controversies had arisen surrounding this Muslim convention and that “some of us did not like this idea as we do not approve of a convention held on a sectional basis” but are consenting for it to proceed as the Congress did not wish to create the feeling that “it will not even allow a meeting to express views”. This approval was granted after discussions within the Congress on the understanding that the primary aim of this convention is to facilitate the complete “integration of all the people of India and the strengthening of the secular ideals of the state” and as “communalism and separatism are to be opposed” and hence for this to happen “only such persons who accept these ideals and objectives, we are told, to be invited to the convention” (Noorani 2004: 112–113).

The Congress could only view this convention as skirting separatism and communalism and thus being antithetical to the idea of the Indian state. The acquiescence of the Muslim leadership to this is understood from them being coerced to not invite the *Jamat-e-Islami* and the Muslim League due to their alleged communal nature (Noorani 2004: 116). The vital point here is the reframing of Muslim grievances and demands by the Congress into one of national assimilation, reminding the Muslim leadership of their burden to uphold secularism with the threat of being labelled separatist and anti-national. Its affirmation by Maulana Hifzur Rahman that the convention “was designed to strengthen and not weaken India’s secular base” indicates their acceptance of assimilation in reaction to the veil as any attempts at assertion would have been deemed separatist or communal.

Despite these assurances from the Muslim leadership, the invited Congress president and the chairperson of the National Integration Committee and future

Indian prime minister, Indira Gandhi did not attend the convention citing travel reasons (Noorani 2004: 118). The meeting was attended by 600 delegates from all over the nation and the grievances and demands of Muslims in India – ranging from violence, socioeconomic exclusion and the position of the Urdu language – were discussed. Speaking to the media post-convention, the congress leader Dr. Syed Mahmud, who had presided over the convention, reiterated the gravity of these issues stating that Muslims were generally treated as suspects, traitors and criminals unworthy of holding any position of trust and responsibility, and this made it impossible for them to secure employment. Even foreign employers, Dr. Mahmud remarked, were under the impression that the Indian government and officials did not favor the employment of Muslims (Noorani 2004: 122). Prime Minister Nehru, to whom these grievances were addressed along with his Congress compatriots, welcomed the convention's emphasis on the unity of India and discouraging trends that divide the nation, adding that Muslims should not confine themselves to listing demands but rather approach the issues in a broader manner (Noorani 2004: 120). Neither the prime minister nor the congress leadership mentioned or touched upon the issues of Muslim exclusion and discrimination, rather the discourse they employed positioned the Muslim leadership between choosing to be a good secular assimilative Muslim or a bad separatist assertive Muslim. This discursive move rendered any form of Muslim subjectivity or attempt at recalling as being divisive.

Secular nationalism, which is alleged to be fundamental to the idea of India, could only be constructed by erasing Muslim subjectivity in favor of a tangential ahistorical collective Indian identity. What recalling enabled Muslims was to question discourses of legitimacy and state authority and through that “a window for re-imagining the world emerges and in such a revelatory mode lie the key markers of the political” (Bell 2006: 10). This tension between a Muslim desire to recall is not to be mistaken as an attempt at a replication of the past, for memory, as Wittgenstein claimed, is not a mere information storehouse – instead memory is understood as an ability that amounts to a way of acting or a way of expressing (Moyal-Sharrock 2009). Such an expression or act of recalling is about re-conceptualization and is one that is hinged on the irreducible ontological nature of Islam – we will see how certain conceptualizations of Islamophobia are dismissive of this ontological nature and are based on an essentialist Islam (Sayyid 2014).

For example, Deepa Kumar, in her *Islamophobia and the Politics of Empire*, traces a genealogy of Islamophobia focusing on the entwinement of religion and politics in Islam as an Oriental myth propagated by conservative scholars like Bernard Lewis and Samuel Huntington. She contends that premodern Islamic history, with its de facto bifurcation of labor between the Ulema and scholars on the one hand and the Sultan/Caliph and the bureaucracy on the other, constituted

a secular ethos that modern Islamists are attempting to subvert (Kumar 2012: 81–86). In addition to equating Lewis and Huntington with Islamists, Kumar’s conceptualization is contingent on projecting Eurocentric categories (religion/secular/spiritual) onto the Islamicate. This renders any assertion of Muslim subjectivity as epistemologically inferior and the notion of an essentialist true Islam that Islamists have misrepresented. Kumar is referring to the *din* (‘faith’) and *dunyawī* (worldly) distinction prevalent among premodern Muslim scholarship and mistakenly equates it to the secular-religious distinction.

Rushain Abbasi surveys this distinction in Islamicate history and demonstrates that *din* and *dunya* were never conceptualized as oppositional binaries as in modern secularism, nor was it paradigmatic to the premodern Islamicate as in the secular-religion divide. According to Abbasi, *din* was defined and debated by Islamicate scholars in a more limited and specific meaning, while *dunya* was more general, impartial and easily accessible to everyone. He states, “this should certainly caution us against carelessly conflating the modern religious and secular binary with the categories used by premodern Muslims” (Abbasi 2020: 182-225). The fact Kumar makes this argument as part of an attempt to conceptualize Islamophobia points towards epistemic silencing, even amongst the supposed defenders of Muslims. Although Kumar does refer to Islamophobia as anti-Muslim racism, there is no attempt to explain what Islamophobia or racism is in this conceptualization. Her argument is overshadowed by the uncritical employment of the label fundamentalism to designate Islamists, insinuating them as the bad Muslim due to their ambivalent facilitation of Western imperial interests. Unsurprisingly, when mentioning India in her book, Kumar promotes the rise of Hindutva in the 1990s as something distinct from a pre-1990 secular (Kumar 2012: 93).

Similarly, Bassam Tibi, in his *Political Islam, World Politics and Europe*, despite acknowledging the presence of Islamophobia in the West, posits that concepts such as Islamophobia and Orientalism, including labels like “right-wing” are often employed as “clichés” to silence opposing positions in the ongoing the war of ideas between fundamentalist Islamists and those contemplating what he terms Europeanizing Islam (Tibi 2014: 16). Unfortunately, Tibi does not provide evidence for such deployments of Islamophobia or Orientalism. Neither does he conceptualize what Islamophobia is but follows the line of argument of Islamists as subverting an authentic Islam. Islamists, according to Tibi, accomplish this by developing a “constructed Islamophobia” to thwart criticism and free speech (Tibi 2014: 127). Apart from trying to portray an essentialist idea of Islam and the subsequent division between a real Islamophobia and constructed Islamophobia, what we can discern from Tibi’s argument is his understanding that Islamophobia is primarily limited to acts of hate speech or overt street-level violence against Muslims from rising right-wing nationalists and secondly the

mobilization of a Muslim subjectivity as being part of this constructed or unreal Islamophobia. Such deliberations on Islamophobia do not address what function Islamophobia as a concept does nor what phenomenon it tries to name, nor does it contest existing vocabularies that try to placate Muslim concerns. Significantly, by sweeping assertions of Muslim subjectivity within the oeuvre of fundamentalism, the possibility of a Muslim subject position is violated, which is made crystal clear when Kumar advocates for an international leftist revival for combating Islamophobia as opposed to an assertion of Muslim agency or Tibi's alternative of embracing cultural modernity.

We use Sayyid's conceptualization of Islamophobia as it differs from the aforementioned attempts in that it revolves around the question of Muslim subjectivity and places the mechanisms of its erasure at the center of his argument. Sayyid follows this by adopting a relational approach by contrasting Islamophobia with other similar concepts that measure discrimination and violence like Orientalism, racism, anti-Semitism, etc. This helps us move away from the articulations around etymology, which focuses on the individual plane masking systemic exclusion. In 1997 the Runnymede Trust brought Islamophobia back into public policy discussions with their report titled *Islamophobia: A Challenge for Us All*. The same body had earlier, in 1994, brought out a similar report titled *A Very Light Sleeper* on anti-Semitism. Towards the conclusion of *A Very Light Sleeper*, the report attempts to forge common ground between anti-Semitism and Islamophobia; hence, a conceptual comparison becomes possible. The subtleties that necessitate the division between a bad Muslim who contributes to Islamophobia and a good Muslim who condemns acts of extremism are built into the understanding of Islamophobia in the Runnymede report to escape the ambit of similar reference to a bad/good Jew in understanding anti-Semitism (Sayyid 2014).

Sayyid draws attention to the fact that there exists an idea of Jewish political identity in the conceptualization of anti-Semitism. Still, a similar discussion of Muslim autonomy in relation to anti-Muslim bias or violence remains unattended. Thus, this conceptualization of Islamophobia without understanding why there has been a global reassertion of Muslim identity is difficult to sustain, often relying on a Eurocentric formulation of racism (Sayyid 2014). In this regard, Sayyid problematizes the contingent nature of the Western enterprise for whom the Muslim identity poses an "existential threat hindering Western assumptions of superiority into a condition reflecting a particular set of circumstances rather than something intrinsic to Western nature itself". Based on this premise, Sayyid conceptualizes Islamophobia as something "that emerges in contexts where being Muslim has a significance which is political. What Islamophobia seeks to discipline is the possibility of Muslim autonomy, that is, an affirmation of Muslim political identity as a legitimate historical subject" (Sayyid 2010: 17). This conceptualization of

Islamophobia as a disciplining of Muslim political subjectivity helps us to move away from framing Muslims as mere victims of hegemonic violence unable to insert themselves into the present or project themselves into the future.

By focusing on the relationality between anti-Semitism and Islamophobia spelled out in these two reports, Sayyid analyses the logic of how these two concepts are constructed and helps to broaden the notion of how a concept can be deployed and the associations around it. This is useful in mapping the repertoire of how Islamophobia manifests itself, repositioning it within the kind of family of racisms, thus affirming the racialization of the Muslim identity. Linking the erasure of subjectivity to racism, Sayyid states Islamophobia as a form of “racialized governmentality” (Sayyid 2014: 19). This is in line with Sayyid’s and Vakil’s definition of Islamophobia: “Islamophobia is a type of racism that targets expressions of Muslimness or perceived Muslimness” (Sayyid and Vakil 2018). This formulation is predicated on the function of racism as primarily being one of denying subjectivity. Racialized governmentality is premised on Foucault’s idea of understanding power beyond the administrative and institutional aspects of the modern state, or its forms of political and economic subjugation, but draws attention to perceiving it as an ensemble comprised of the institutions, procedures, reflections and the estimations and modes that facilitate this complex form of power (Foucault 1979: 20).

In other words, governmentality emphasizes the rationalities through which subjects are governed or made and also the very rationalities of how subjects are transformed into social subjects, i.e., subjectivation. Therefore, racialized governmentality helps understand how race and governmentality converge to determine how a racialized people are managed by the state. Now, casting racialized governmentality in India then becomes not only about disciplining the actions of the Muslim subject; but also, about the discursive fields through which Muslims come to accept citizenship and belonging, the law, nation and national identity and themselves. Integrating this discourse enables the state to reproduce power relations that discipline Muslims into assimilating into a compliant national subject by masking their otherwise contrasted Muslimness. It is helpful to bring in David Theo Goldberg’s idea of the racial state to explicate racialized governmentality. Building on Stuart Hall, Goldberg, in his *The Racial State*, argues that race and the modern state are co-articulated, and hence we cannot study the former without the latter (Goldberg 2002: 4). He further states that:

Race is integral to the emergence, development, and transformations (conceptually, philosophically, materially) of the modern nation-state. Race marks and orders the modern nation state, and so too state projects, more or less from its point of conceptual and institutional emergence. The apparatuses and

technologies employed by modern states have served variously to fashion, modify, and reify the terms of racial expression, as well as racist exclusions and subjugations (Goldberg 2002: 4).

According to Goldberg, race is fundamental to the nation-state's emergence, development, and transformations (conceptually, philosophically, materially). The state's apparatuses and technologies have served to construct, alter, and reify racial expression and racist exclusions in numerous ways (Goldberg 2008). The racial state is a power structure that asserts its authority over people within the state while excluding those from outside the state. As we will see, the modern state – and, in our case, the Indian state – through its constitution, legal machinations, history and culture, bureaucracy and government policies, constitute the power to include and exclude in racially ordered categories. Goldberg emphasizes that the racial state is racial not due to the racial composition of its majority or the racial implications of its policies, although both are important. Instead, modern states are racial because of the structural position they occupy in “producing and reproducing, constituting and effecting racially shaped spaces and places, groups and events, life worlds and possibilities, accesses and restrictions, inclusions and exclusions, conceptions and modes of representation” (Goldberg 2002: 239). In summary, their processes of population definition, determination, and structuration make them racial. They are also racial to the degree that such definition, determination, and structuration serve to exclude or privilege in or on racial terms.

For Goldberg, although all states are racist, not all states are actively racist. To make this clearer, he distinguishes racial rule between racial naturalism and racial historicism. Naturalist racism is the notion of differentiation based on skin colour that contrasts between dark-skinned natives and white-skinned Europeans. These characteristics are considered essential with Europeans being imbued with history and considered superior, whereas the native society is without history and rendered inferior (Goldberg 2002: 43). Goldberg placed Thomas Hobbes and his conceptualization of the modern state as falling within this category. Hobbes regarded the contemporary state as a necessary method of rescuing civilization from the perpetual uncertainty he referred to as the “state of nature”. Goldberg considers his understanding of native Americans as confined to this state of nature. For Hobbes, those in this natural backward state occupied the newly discovered lands. His logic represented racially conceived “natives” as incapable of development and historical progress in contrast to white Europeans (Goldberg 2002: 43). This idea of savages and natives as prisoners of the state of nature was not limited to Hobbes; rather, Goldberg argues it was the dominant understanding held by European philosophers of the day (Goldberg 2002: 44–46). This conception of racism is the most recognized and visible form of racism and is readily condemned

across the liberal mainstream. Naturalist racism is evident in the discourses of Hindutva nationalists and right-wing groups. They deploy tropes such as barbaric, unclean, backward, hypersexual, violent, etc., in designating Muslims as incapable of change. And only by accepting the superiority and values of the Hindu majority and their lordship of India can the Muslims hope to be tolerated. In this type of racism, “the racially dominant were seen to set laws, impose order, and maintain control because destined by blood and genes to do so” (Goldberg 2002: 75).

On the other hand, historicist or progressivist racism establishes its racism on the foundations of history and progress. This narrative “explicitly and self-consciously historicizes racial characterizations, elevates Europeans and their postcolonial progeny over the backward and undeveloped other as a victory of historical progress” while leaving open the possibility of this other to historical progress (Goldberg 2002: 43). This viewpoint does not deny that the other is capable of advancement but claims that such progress can only be achieved under the guidance of white Europeans. Racial historicism laid the foundation for colonialism with the rationale that the colonizer was better equipped to manage the colonized and their resources. Goldberg locates John Locke as representative of this view. Locke contested the essentialist characteristic of fixing identities. Unlike Hobbes, who believed in the inherent primitive of the “native” and hence destined for servitude, Locke’s support of slavery was predicated on the idea that the enslaved were similar to children and therefore cannot be regarded as equals. The implication was that like children, enslaved people too were capable of growth, and he believed that eventually, slaves would achieve equality (Goldberg 2002: 43-45). As historicist racism is premised on the appeal to reason, it is difficult to identify and is embedded in modernity. In the contemporary world, this is identified in discussions about refugees and migrants in the West. In India, we see this in the debates framing the Muslim need to modernize, democratize and secularize in order to be equal citizens are prime examples of this.

This discussion of the theoretical distinctions between racial naturalism and historicism is significant because it exposes the numerous rationales that support what Goldberg refers to as “racial rule”. The difference between naturalist and historicist racism should not be interpreted as implying that the latter was comparatively better than the former. Where naturalist racism was based on unreason, the historicist reason was hinged on reason. In the case of modern India as a racial state, we see the entanglement of both these types of racism; naturalist racism as manifested in the rhetoric of Hindutva, which is visible and generally condemned, and historicist racism in the discourse of secular liberal elites seemingly invisible and rarely identified. As stated earlier, our focus will be on the impact of the latter on Muslim subjectivity. Historicist racism often masquerades as racelessness and in the language of equality. Goldberg terms this claim of racelessness “as the neoliberal

attempt to go beyond – without (fully) coming to terms with – racial histories and their accompanying racist inequities and iniquities” (Goldberg 2002: 221).

Here, the state defines social relations and the conditions that enable the self-regulation of Muslims to assimilate into the nation’s body politic. The rationale of Muslimness having disruptive features necessitates the management of Muslims, failing which they become separatist and extremist endangering the nation as a whole. This management is carried out by the Indian state through a discourse of constitutional sacrality, administrative neutrality and cumulative institutional practices. The next section will back up Goldberg’s argument that modern states expand the ambit of their authority and legal authority in the name of autonomy and self-determination over those racially considered incapable of self-rule. It will thus demonstrate casting India as a racial state by unraveling the national (Brahim) foundations of the Indian constitution. From this perspective, diversity becomes integral to the mechanisms of the racial state, which it manages by masking systemic Islamophobia and inequalities, thus operating invisibly.

Constitutional Disciplining

Public debates on the issue of minorities, including Muslims in India, revert to the making of the Indian constitution as it is at this juncture in Indian history that Muslims enter the system through the appellation Indian. The parameters of who or what constitutes an Indian are set forth by the idea of citizenship as defined by the Indian constitution. In December 2019, the Indian government enacted the Citizenship Amendment Act 2019 (CAA) against the backdrop of the citizenship provisions of the Indian Constitution. The act amended the citizenship law to grant Indian citizenship to minorities fleeing religious persecution, specifically Hindus, Sikhs, Jains, Christians and Parsis from neighboring countries. The exclusion of Muslims from this list has led to widescale criticism that the government is using the cover of protecting minorities to further its Islamophobic agenda. This agenda is crystal clear as the government plans to combine the CAA with the National Register of Citizens (NRC). The NRC is an exercise to document all legal citizens and identify illegal immigrants as foreigners. The criteria for such identification are very ambiguous enough to frame Muslims within the category of a foreigner. The North-Eastern state of Assam (bordering Bangladesh) was the state to initiate this process. The Assam experience has left thousands of Muslims languishing in detention centers as their claims and documents were deemed insufficient to prove them as Indians.

Citizenship revolves around membership in a certain political community, but this idea of membership also reveals the exclusivity of such political communities. This exclusivity is reflected not only in the Indian state’s recent constitutional amendments to strip Muslims of their citizenship, but the ontogenesis of this

exclusivity must be primarily measured by pitting the Muslim experience against the lofty ideals of the Indian constitution. This exclusivity of citizenship and the subsequent constitutional engagements should be understood within the provenance of the Brahmin foundations of Indian nationalist thought.⁴ Despite its claim to be a secular constitution, an unraveling of the Brahmin influence in the constitution is mandated not just to provide the premise for debates on citizenship but also that in the recent nationwide protests against the amendment of citizenship to exclude Muslims, the sanctity and secularity of the constitution was upheld to counter Hindutva narratives.

In *Citizenship and its Discontents: An Indian History*, Niraja Jayal examines in detail the underlying tensions and the background debates that occurred in the deliberation of the Constituent Assembly (1946-1950) leading up to the Articles on Citizenship. While the term citizenship is not defined in the Indian constitution, part II of the constitution, specifically Articles 5-11, provides the framework for citizenship. Article 5 of the constitution was based on the then-modern principle of *jus soli*, i.e., the right of a person born in the territory of a state to citizenship, and contrasted with citizenship based on *jus sanguinis*, i.e., the principle by which citizenship is determined by the nationality or ethnicity of one or both parents. Despite the desire for the principle *jus soli* principle, conflict arose regarding the status of Muslims returning from Pakistan, marked by arguments veering towards a *jus sanguinis* principle and is reflected in the debates around Articles 6 and 7. These provisions were regarding those moving from Pakistan to India and those who had travelled from India to Pakistan and were now looking to return and resettle in India (Jayal 2013: 57-58).

Article 6 was explicitly concerned with the citizenship of those who had migrated to India from Pakistan before July 1948, and the need for them to be registered with the government. Jayal comments that this clause was not deemed initially controversial as, in the Constituent Assembly deliberations, the term used to describe this migrating populace who were predominantly Hindu was “refugees”. Whereas Article 7 was regarding citizenship for those who had to flee to Pakistan, fearing violence and abandoning their properties in India but then decided to return to India under a permit of resettlement or permanent return issued by the Indian government. It is pertinent to note Gyanendra Pandey’s summing up of the coercive atmosphere placed on Muslims in Delhi immediately post-partition here as it provides perspective to the contrasting nature of Articles 6 and 7 on citizenship:

In Delhi, already by September 1947, there were numerous elements that felt that there could no longer be any place in the city or its environs for Muslims: on occasion they suggested (hopefully?) that the vast majority of Muslims themselves

preferred to leave. Such proponents of a wholesale Muslim emigration were to be found at every level of society and government: from the deputy prime minister of India, Vallabhbhai Patel, to the deputy commissioner of Delhi, M. S. Randhawa, to the growing numbers of Sikh and Hindu refugees who had fled from Pakistan with, all too often, nothing but their clothes on their backs (Pandey 2001: 38).

In the Constituent Assembly discussions, the term used to describe this migrating populace, i.e., Muslims who were initially forced to flee across the newly created border for safety and are now willing to return to their homes, were “migrants”. This discourse of juxtaposing Hindus coming to India from Pakistan as “refugees” and Muslims intending to return from Pakistan to India after initially fleeing there as “migrants” became the most intensely debated articles on citizenship in the Constituent Assembly (Jayal 2013: 59). Although the terms refugee and migrant were not used in the constitution, they formed part of the official and unofficial language inside and outside the Constituent Assembly. The ramifications of the appellation migrant haunt every Muslim in India until this day, as evidenced in the new citizenship amendment legislation.

The accompanying legislation of the Custodian of Evacuee Property law was central to the debates around these articles of citizenship. Although initially intended to safeguard the rights of evacuees (Muslims) when they plan to return to their homes, what transpired was that post-partition Muslim-owned properties had already been utilized to rehabilitate Hindu refugees. As Hindu refugees already took up these evacuated properties, allotting them back to returning Muslims would entail that Hindu refugees would have to bear the cost. Another predicament would have been if the “migrant Muslim” had successfully gotten a permit to return. It would result in the precarious situation of being awarded citizenship but without the right to their property (Jayal 2013: 60-61). At around the same time, the Constituent Assembly was deliberating the articles of citizenship, Vallabhbhai Patel publicly declared that Muslims must provide practical proof of loyalty to the Indian union and mere declarations of loyalty wouldn’t suffice (Shani 2010: 145-173). Jayal also notes that the concern about property law was even shared by those arguing for a more liberal interpretation of the citizenship legislations, thus affirming the status of India as being owned by Hindus, which had already been established by the official name given to what comprises India today in the constitution.

The geographical land mass known today as South Asia was known by other labels such as Hind, Hindustan and India, which were prevalent in the nationalist discourse and often manifested in slogans, patriotic songs and speeches. The Constituent Assembly adopted draft Article 1 on 18 September 1949, establishing the naming of the nascent republic: “*Name and territory of the Union: India,*

that is Bharat, shall be a Union of States.”⁵ In the section titled *Bharat Mata* (Mother India), Nehru in his *Discovery of India*, reminisces his anti-colonial activism going from meeting to meeting, speaking of “this India of ours, of Hindustan and of Bharata, the old Sanskrit name derived from the mythical founder of the race” (Nehru 2008: 59). In Brahminical texts like the *Vedas* and the *Puranas*, the name *Bharata* refers to the mythical king *Bharata*, the founder of the race in whose honor the Indian subcontinent where Brahminical norms prevailed is named. Although this ancient name of *Bharat* had denoted an undefined tract of space quite different from modern topographical representation, this name acquired political legitimacy representing the contours of the modern Indian state in the colonial period. In the constitutional debates leading up to the adoption of *Bharat*, leaders representing the secular Congress echoed the reclaiming of this name following a millennium in bondage as the rationale (Clémentin-Ojha 2014). The Congress adopted the name *Bharat* in the late 1920s to forge and mobilize a newfound national consciousness among the Hindu population (Gould 2004: 68). This rationale was fortified by the divinity attributed to the idea of the nation as the supreme deity by early nationalist leaders and philosophers. Gould cites a 1937 speech made by one of the most prominent Congress leaders and someone who served as the Minister of Home Affairs under Nehru’s premiership, Govind Ballabh Pant, in this regard:

When you go to a temple to worship the God, you do not see whether the idol is ugly or good-looking. Likewise, the idol of Congress is before you and by offering the flowers of votes you have to worship Bharat Mata (Gould 2004: 212).

Here for the Congress, the vehicle of Indian nationalism was the state representing a mythical Brahmin deity and the Congress validating itself as the intercessor between the people and this deity. By the 1940s, the argument for replacing the oft-used *Hindustan* with *Bharat* within the narrative of attaining religious and cultural purity gained traction in public meetings and the vernacular press (Gould 2004: 239). The deification of the nation was complemented by the construction of the *Bharat Mata* temple at Banaras by prominent nationalist Shivprasad Gupta in 1936. The single-storied stone structure with *Vande Matram* inscribed at its gates had at its center an intricate and detailed marble carving of the map of undivided India, courtesy of British cartographers, of course, as the deity to whom all devotion was due. Recitations marked the inaugural function from the four *Vedas* by eight Brahmin priests. It was inaugurated by Gandhi, who, despite its Brahminical overtures and representation, attempted to normalize it by hailing it as a platform for all religions in his articulation of an Indian identity (Gupta 2001). This idea of India as a deity as a common denominator was carried forward by those with diverging views like

Savarkar and Nehru, and as Jalalul Haq observes for Nehru, India had become a secular god. Still, it was nonetheless a god, a *deva* (Haq 1992). Contesting the very concept of the Indian civilization, Ludden comments that such an idea:

was the solution of secular nationalists, like Gandhi and Nehru, who defined the historical space of British India (without Burma) as the civilization space of India. But this idea of civilization also supports Hindu chauvinist claims that Muslims are foreigners in India, and scholars wedded to civilizations find it difficult to refute this claim, except to argue, perhaps, that centuries of residence makes the Muslim population native in India today. This of course runs against the legacy of partition and makes Muslims foreigners at some past time. Shared epistemologies thus entangle secular and religious nationalisms in India, and give Hindutva an advantage. (Ludden 1994: 7)

It is also worth noting that even as recently as June 2020, writ petitions were submitted to the Supreme Court of India to remove India as the nation's name from the constitution confining it to *Bharat*. Similar bills for excluding the name India from the constitution and choosing *Bharat* as the name of the nation were moved in the Indian parliament in 2010 and 2012 by Shantaram Naik, a Congress member of parliament (Gaubha 2020).

The Muslim opposition to this form of imposed divinity was aired earlier by the Muslim League towards the Congress' adoption and popularization of *Vande Mataram* (I bow down to thee mother) as the equivalent of a national song to be sung in honor of the goddess India. *Vande Mataram* was written by Bankim Chandra Chatterjee, a central figure in the Bengali literary renaissance, appearing as a chapter in his novel *Anand Math*, published in 1882.⁶ The anti-Muslim context of the song and the issue of Muslim students being coerced to chant it in schools caused deep resentment among the Muslim leadership and distrust of the Congress, and the issue came to a head in the late 1930s (Pandey 1978: 629-654). Despite alternative suggestions and assurances from the likes of Nehru, the issue was to rise again when in January 1950, instead of singing Mohamed Iqbal's *Sāre jahāṃ se acchā Hindustāṃ hamarā*, as the delegates to the Constituent Assembly had done two-and-a-half years earlier, they chanted *Vande Mataram* much to the chagrin of the Muslim delegates (Clémentin-Ojha 2014). This act of naming signifying Hindu ownership of the Indian state exposed not only the Brahminical foundations of the Indian secular constitution but also aided in the historical exclusion of Muslims through a process of collective total recall.

Article 1 of the Indian constitution describes India and Bharat as a “*Union of States*”. Pritam Singh lays out the argument of how this idea of a centralized union rather than a federation of states as the defining feature of the nation cemented

the politics of naming Bharat. In 1946, the Cabinet Mission proposed a plan that anticipated a future India as a federation with relatively strong states and a weak center. This federal model of governance was proposed to allay the Muslim League's fears of a Hindu-dominated powerful center. But due to the Congress's staunch opposition to this idea of federalism, the realization of post-partition politics and following heated debates in the Constituent Assembly, the federal framework was abandoned. The argument for centralization made by several Constituent Assembly members referenced the country's past conquests by foreigners (Muslim) and the need for a strong center to stem such future endeavors. Those arguing for a federal framework were equated with being spies for a foreign country (Pakistan) and possessing a misplaced loyalty (Singh 2005: 909-926). Such demands for minority safeguards were often characterized as "disfigurements, cancerous, poisonous for the body politics or as crutches and, their presence a symptom of unhealthy polity" (Bajpai 2011: 77). The centralized nature of the Indian republic was predicated on normalizing Hind or Hindustan as an interruption between Bharat's glorious past and the nationalist present and on checking any attempts at Muslim subjectivity.

Singh also unravels the specific Hindu bias in the secular constitution, referring to Article 25 (2) (b) under the heading of *Freedom of conscience and free profession, practice and propagation of religion*. It provides for social welfare and reform, opening up access to Hindu religious institutions to all classes and sections of Hindus. In the explanation provided in the constitution, a Hindu is defined as a person professing the Sikh, Jain or Buddhist religion. Such a racial approach to citizenship was introduced by Gandhi preceding the Muslim League's demand for a separate Muslim state when he opposed the suggestion for separate electorates for Scheduled Castes insisting that they be subsumed under the basis of the Hindu faith (Shani 2010: 145-173). This configuration of the category Hindu assimilating diverse religious identities posits it as a residual natural category again as opposed to the foreignness of the Muslim. Although these faiths had voiced their concerns regarding this explanatory clause, it was done primarily to thwart the exodus of Dalits from within the Hindu fold (Singh 2005). This laid the foundations for the anti-conversion laws and debates in India. Anti-conversion laws in India date back to the colonial period and were promulgated by princely states to thwart Christian missionary practices (Palsetia 2006). These practices then seeped into the Indian constitution through the clauses to Article 25, namely the clause that subjects the rights accorded in Article 25 to *public order, morality and health*.

For example, the Report of the Christian Missionary Activities Enquiry Committee (1956), set up by the Congress government, recommended prohibiting any direct or indirect attempt to influence the religious conscience of persons of another faith. The committee reiterated that it was directed primarily "by the necessity to maintain intact the solidarity and security of the country, to prevent

disruption of society and culture, and to emphasize the essential secular character of the Constitution” (Jenkins 2008: 114) Similarly, the state of Madhya Pradesh in 1968, and Orissa in 1977, legislated anti-conversion measures based on the premises of threat to public order. Following legal challenges to these measures, the issue was decided by the Supreme Court of India, upholding both these legislations, again arguing on the basis of maintaining public order (Jenkins 2008). One of the congress representatives in the constituent assembly, Purushottam Das Tandon, also popularly known as the Gandhi of UP (Uttar Pradesh), summed up the Congress position on religious conversion: “We Congressmen deem it very improper to convert from one to another religion or take part in such activities” (Khalidi 2008: 1545-1562).

Article 48 of the constitution under the heading *Organization of agriculture and animal husbandry* was heralded as a tool for modernizing Indian agriculture. It reads: “The State shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle” (Constitution of India, 1950, Article 48). Rather than the scientific or modern aspects of agriculture, the subject of cow slaughter dominated the debates surrounding this. The emphasis on agriculture and economics was “predicated on a fundamental constitutive elision of the religious aspects of cow slaughter” (Gundimeda and Ashwin 2018: 163). This issue was raised by upper-caste Hindu members in the constituent assembly, whose initial demand was to include the prohibition on cow slaughter among the fundamental rights.⁷ This demand was dismissed by B.R. Ambedkar, chairperson of the drafting committee of the constitution, arguing that the purview of fundamental rights was human beings and not animals. Article 48 is indicative of the Indian lawmakers’ use of directive principles of state policy to impose Brahmin cosmology over Muslims and Dalits (Singh 2005: 913). Between 1880 and 1920, the protection of the sacred cow became one of the prime concerns of the nascent Indian nationalist movement.

The concept of Bharat or Goddess India was used as a theological rationale to establish the divinity of the cow as a goddess associating it with the purity of the nation (Van der Veer 1994: 86). This article essentially institutionalized the *Gorakshini Sabha* (Cow Protection Society) that was conceived in 1887 following cow-related violence and was implicated in several instances of violence against Muslim cattle traders and butchers by the British colonial authorities (Yang 1980: 576). In his argument, Seth Govind Das, of the Indian National Congress, rejected all pretenses of secularism, expressing surprise as to why the protection of the cow could not be predicated on religious sentiments. Because the proponents of cow protection, including the *Arya Samaj*, had already cast Muslims as outsiders,

Muslims were obliged to accept participation in cow protection as a litmus test of national allegiance, thus testifying to the concept of India to only non-beef eating Hindus (Gundimeda and Ashwin 2018: 170). From this perspective, the recent spate of cow-related killings of Muslims and Dalits by Hindutva mobs cannot be viewed as an interruption of constitutional norms and seen as disconnected from the constitutional legitimacy for affirming the divinity of the cow.⁸

Another equally controversial directive that calls into question the secular claims of the constitution and lapidifies the Brahmin foundations of the fledgling state was Articles 343 and 351. It pronounced Hindi in the Devanagari script as the official language of India and the directive for developing the Hindi language with emphasis on its Sanskrit roots. The fact that the Devanagari script was also known as the *Babhni* script (the script of the Brahmins) attests to the Brahmin sway in deciding how the nation speaks (Singh 2005: 912). Until the early part of the nineteenth century, Persian was the lingua franca of the Indian subcontinent for over six centuries following the establishment of the Mamluk dynasty in the thirteenth century. Through the promulgation of Act 29 of 1837, the British colonial authorities replaced Persian with Urdu/Hindustani as the official language of the courts of law and bureaucracy. It initiated a series of complaints and protests to the British colonial authorities by the early Indian nationalists demanding the induction of Hindi in the Devanagari script instead of Urdu to replace Persian (King 1994: 143). The argument against Urdu relied heavily on its alleged foreign origin and technical faults and the case for Hindi on its Aryan nativity and purity. These arguments were propagated in the vernacular newspapers of the time. The debate was later accompanied by claims of the ineffectiveness of Urdu in dispensing justice in courts of law, alluding to it a fraudulent characteristic, one that was to become the theme of several Hindi plays of the nineteenth century (Ahmad et al. 2012: 103). Similar debates marked the deliberations of the Constituent Assembly, and despite the vehement objects of non-Hindi members of the Constituent Assembly and Nehru's conveying his concerns, the Hindi majority of the assembly had their say essentially linking Hindi to India's glorious past and as a vehicle of national unification.

Conclusion

What played out in the Constituent Assembly debates was the aspirations of a Brahmin memory phasing out the nightmares of an intervening Muslim past and the ensuing sedimentation of this discourse. The constitutionalization of the nation's name, rules of membership, specificity of directives on language and dietary practice affirmed the sacralization of the Indian identity. Issues of cow protection and the Hindi language that were initially taken up in the late nineteenth century as vehicles of Hindu unification and identity formation were provided legitimacy through state sanctioning. This sedimentation of Brahminical ideals is

markedly evident in the Indian constitution, being categorized as a secular document. Its hegemony can be measured when contemporary Muslim leadership and anti-Hindutva activists resort to the Indian constitution as the symbol of resistance to counter the Sangh Parivar.

Reminiscing Patricia Hill Collins, the implications of this hegemony were that Muslims were placed in the situation of being listened to only if they framed their ideas in the language that is familiar to and comfortable for the dominant majority, and this requirement often changed the meaning of their ideas and worked to elevate the ideas of the majority (Collins 2022: vii). This places Muslims as a background to national ideals and dreams and such secular commitments often “ignore the history of racially predicated exclusions and the fact that contemporary racially skewed conditions were produced by such histories” (Goldberg 2002: 275). Hence, attempts to address Islamophobia must be premised on identifying and recompensing racially prompted and indexed exclusions by drawing attention to Muslim political imaginaries and recognizing how underlying and uninterrogated social structures result in such systemic racialization. It is this aspect of Islamophobia in India that this article has attempted to reveal by interrogating the nature of racialized governmentalities built upon the logic of Indian nationalism and secularism and understanding its implications for social ordering.

Notes

- 1 An example of this are the several news headlines that read: *Renewed anxieties: Why are Indian Muslims fearful of 2024?* (Maktoob Media); *India's Muslims fear for their future under Narendra Modi* (BBC); *Muslims fearful for future in Modi's Hindu supremacist India* (The New Arab); *Fear, Depression in Indian Muslims Is Palpable Even Among Those Who Are 'Privileged'* (The Wire); *India's Future Looks More Hardline Hindu Than Ever as States Lean to Modi* (Bloomberg); *Will India's future generations forgive its decay into anti-Muslim hatred?* (Al Jazeera); *The Ram Mandir temple and Narendra Modi's scary vision for India's future* (Vox).
- 2 See Kattiparambil (2023) for a survey of such studies.
- 3 A simple Google search of “Save the Constitution” will yield several hits to demonstrate the popularity of this slogan in anti-Hindutva rhetoric.
- 4 Brahminism as an analytical category is seldom used in academia or in commentaries on the Indian sociopolitical landscape. Instead, Hinduism is employed in its place, resulting in the mystification of the political discourse, some exceptions being studies by G. Aloysius, M.S.S. Pandian and Romila Thapar. Aloysius in his *Nationalism Without a Nation in India* and *The Brahminical Inscribed in Body-politic*, conceptualizes the Brahminical as a political category that encompasses disparate upper caste identities into a collective identity by creating stable frontiers. In other words, the Brahminical discussed by Aloysius is the emergence of an ideological formation under specific historical conditions in modernity and as a political category, it helps to locate both Hindutva and secular nationalism within its conceptual boundaries. He traces the historical and political conditions that facilitated the transformation of the Brahmin identity to a Hindu identity during early colonialism and its subsequent consolidation as the national Indian identity during late colonialism.

- 5 https://www.constitutionofindia.net/constitution_of_india/the_union_and_its_territory/articles/Article%201.
- 6 The singing of *Vande Mataram* being associated with anti-Muslim violence has manifolded since the coming of the BJP to power in 2014. Incidents of Muslims being beaten and forced to sing the song both by roving lynch mobs and custodians of the law have become frequent. See: Muslim teacher beaten up for refusing to sing “Vande Mataram” on Republic Day (<https://www.nationalheraldindia.com/india/muslim-teacher-beaten-up-for-refusing-to-sing-vande-mataram-on-republic-day>); WATCH: Police force injured ‘anti-CAA’ protesters to sing national anthem (<https://www.theweek.in/news/india/2020/02/25/watch-police-force-injured-anti-kaa-protesters-to-sing-national-anthem.html>)
- 7 The prominent members who raised the issue of cow slaughter were Pandit Thakur Das Bhargava, Seth Govind Das, R.V. Dhulekar and Raghu Vira among others. All of them represented the Indian National Congress in the constituent assembly.
- 8 Interestingly, India domestically consumed over 2.6 million metric tons CWE of beef and veal in 2019. This was an increase in consumption compared to recent years despite the rise of nationalist cow vigilantism across the country. The country stood fourth, after China, Brazil and the EU in terms of domestic consumption volumes that year. This is again evidence of the normalizing power of Brahminism; see: *Consumption volume of beef and veal in India from 2015 to 2019 [in 1,000 metric tons carcass weight equivalent]* (<https://www.statista.com/statistics/826722/india-beef-and-veal-consumption/#:~:text=Consumption%20of%20beef%20and%20veal%20in%20India%202015%2D2019&text=India%20domestically%20consumed%20over%202.6,cow%20vigilantism%20across%20the%20country>).

References

- Abbasi, R. (2020) “Did Premodern Muslims Distinguish the Religious and Secular? The Dīn–Dunyā Binary in Medieval Islamic Thought”, *Journal of Islamic Studies*, 31(2), pp. 185–225.
- Ahmad, R., Jafri, A. I. and Sherwani, H. K. (2012) “Hindi is Perfect, Urdu is Messy: The Discourse of Delegation of Urdu in India”, *Orthography as Social Action: Scripts, Spelling, Identity and Power*, p. 103.
- Bajpai, R. (2011) *Debating difference: Group rights and liberal democracy in India*. Oxford University Press.
- Bell, D. (ed.) (2006) *Memory, Trauma and World Politics: Reflections on the Relationship Between Past and Present*. Springer.
- Clémentin-Ojha, C. (2014) “‘India, that is Bharat...’: One country, two names”. *South Asia Multidisciplinary Academic Journal*, 10.
- Collins, P.H. (2022) *Black feminist thought: Knowledge, consciousness, and the politics of empowerment*. Routledge.
- Foucault, M. (1979) “Governmentality”. *Ideol. Conscious.* 6:5–21.
- Gaubha, K. (2020) “India that is Bharat: The politics of a national name”, *Economic and Political Weekly*, 55(28–29), pp. 17–19.
- Goldberg, D. T. (2002) *The racial state*. Blackwell Publishing.
- Goldberg, D. T. (2008) “Racial states”, *A companion to racial and ethnic studies*, pp. 233–258.
- Gould, W. (2004) *Hindu nationalism and the language of politics in late colonial India* (Vol. 11). Cambridge University Press.
- Gundimeda, S. and Ashwin, V. S. (2018) “Cow protection in India: from secularising to legitimating debates”, *South Asia Research*, 38(2), pp. 156–176.

- Gupta, C. (2001) "The icon of mother in late colonial north India: 'Bharat Mata', 'Matri Bhasha' and 'Gau Mata'", *Economic and Political Weekly*, pp. 4291–4299.
- Haq, J. (1992) *Nation and nation-worship in India*. Genuine Publications.
- Hook, D. (2012) *A critical psychology of the postcolonial: The mind of apartheid*. Routledge.
- Jaising, I. (2018, July 8) Writ Petition (Civil) No. 732 of 2017, In the *Supreme Court of India Civil Original Jurisdiction*. Available at: <https://theleaflet.in/wp-content/uploads/2018/07/Written-submissions-by-Indira-Jaising-in-Lynching.pdf>.
- Jayal, N. G. (2013) *Citizenship and its Discontents: An Indian History*. Harvard University Press.
- Jenkins, L. D. (2008) "Legal limits on religious conversion in India". *Law and contemporary problems*, 71(2), pp. 109–127.
- Kattiparambil, S. (2023) "Conceptualizing Islamophobia in India". *Islamophobia Studies Journal*, 8(1), pp. 123–140.
- Khalidi, O. (2008) "Hinduising India: Secularism in practice", *Third World Quarterly*, 29(8), pp. 1545–1562.
- King, C. R. (1994) *One Language, Two scripts: The Hindi Movement in Nineteenth Century North India*. Oxford University Press.
- Kumar, D. (2012) *Islamophobia and the Politics of Empire*. Haymarket Books.
- Ludden, D. (1994) "History outside civilisation and the mobility of South Asia", *South Asia: Journal of South Asian Studies*, 17(1), pp. 1–23.
- Moyal-Sharrock, D. (2009) "Wittgenstein and the Memory Debate", *New Ideas in Psychology*, 27(2), pp. 213–227. <https://doi.org/10.1016/j.newideapsych.2009.07.001>.
- Nehru, J. (2008) *Discovery of India*. Penguin UK.
- Noorani, A. G. (ed.) (2004) *The Muslims of India: A Documentary Record*. Oxford University Press.
- Palsetia, J. S. (2006) "Parsi and Hindu traditional and nontraditional responses to Christian conversion in Bombay, 1839–45". *Journal of the American Academy of Religion*, 74(3), pp. 615–645.
- Pandey, D. (1978) "Congress-Muslim League relations 1937-39: 'The parting of the ways'", *Modern Asian Studies*, 12(4), pp. 629–654.
- Pandey, G. (2001) *Remembering Partition: Violence, Nationalism and History in India* (Vol. 7). Cambridge University Press.
- Ricoeur, P. (2004) *Memory, History, Forgetting*. University of Chicago Press.
- Sayyid, S. (2010) *Thinking through Islamophobia: Global perspectives*. (eds. S. Sayyid and A. Vakil). Hurst.
- Sayyid, S. (2014) "A measure of Islamophobia". *Islamophobia Studies Journal*, 2(1), pp. 10–25.
- Sayyid, S. and Vakil, A. (2018) "Defining Islamophobia". *ReOrientations*. Available at: <https://criticalmuslimstudies.co.uk/project/defining-islamophobia/>.
- Shani, O. (2010) "Conceptions of citizenship in India and the 'Muslim question'", *Modern Asian Studies*, pp. 145–173.
- Singh, P. (2005) "Hindu bias in India's 'secular' constitution: Probing flaws in the instruments of governance", *Third World Quarterly*, 26(6), pp. 909–926.
- The Constitution of India (n.d.) Available at: https://www.constitutionofindia.net/constitution_of_india/directive_principles_of_state_policy/articles/Article%2048.
- Tibi, B. (2014) *Political Islam, World Politics and Europe: From Jihadist to Institutional Islamism*. Routledge.
- Van der Veer, P. (1994) *Religious Nationalism: Hindus and Muslims in India*. University of California Press.
- Yang, A. A. (1980) "Sacred Symbol and Sacred Space in Rural India: Community Mobilization in the 'Anti-Cow Killing' Riot of 1893", *Comparative Studies in Society and History*, 22(4), pp. 576–596.