

## Article

# Emerging Hindu Rashtra and Its Impact on Indian Muslims

M. A. Muqtedar Khan \* and Rifat Binte Lutful 

Department of Political Science and International Relations, University of Delaware, Newark, DE 19716, USA; rifat@udel.edu

\* Correspondence: mkhan@udel.edu

**Abstract:** This article examines the impact of the gradual Hindutvaization of Indian culture and politics on Indian Muslims. The article contrasts the status of Muslims in the still secular, pluralistic, and democratic constitution of India with the rather marginalized reality of Muslims since the rise of Hindu nationalism. The article argues that successive electoral victories by Hindu nationalist party, the Bharatiya Janata Party, has precipitated political events, generated policies, and passed new laws that are eroding the democratic nature of India and undermining its religious freedoms. The article documents recent changes that are expediting the emergence of the Hindu state in India and consequently exposes the world's largest religious minority to an intolerant form of majoritarian governance.

**Keywords:** Hindu rashtra; Hindu state; India; Indian Muslims; democracy; religious freedom; secularism; Hindutva; pluralism; Islamophobia; majoritarianism



**Citation:** Khan, M. A. Muqtedar, and Rifat Binte Lutful. 2021. Emerging Hindu Rashtra and Its Impact on Indian Muslims. *Religions* 12: 693. <https://doi.org/10.3390/rel12090693>

Academic Editor: Jeffrey Haynes

Received: 22 July 2021

Accepted: 24 August 2021

Published: 27 August 2021

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## 1. Introduction

India is not only the biggest democracy in the world, but it also has the largest religious minority in the world. If Indian Muslims, who are about 200 million, constituted a country, they would be the eighth most populous nation in the world. The size of the challenge for minority governance is truly monumental. Given that, and the historical reality of faith-based division of the Indian sub-continent, India deserves respect for choosing a secular path and maintaining political as well as cultural environments that, despite frequent flare ups and fault lines, have remained democratic, tolerant, and pluralistic. India's pluralism is twofold—religious as well as political. India has a wide range of political parties engaged in its political system, ranging from far-right parties such as the Bharatiya Janata Party (BJP) to over a dozen regional and national far-left parties. India is also home to many religions who enjoy a great degree of religious freedoms; there are nearly a billion Hindus, 200 million Muslims, 30 million Christians, over 20 million Sikhs, and more Indian Buddhists than there are people in most Scandinavian countries ([Office of the Registrar General & Census Commissioner, India 2001](#)).

In this study, we explore how India governs its Muslim minority population. We divide our assessment into seven sections. The first section is our introduction, and our conclusions are in the Section 7. In Section 2, we provide a systematic review of the literature on the rise of Hindu nationalism in India, its policies, and its impact broadly on Muslim minorities. In Section 3, we examine the constitutional status of Muslim minorities and highlight the rights and freedoms available to them. In the Section 4, we discuss very briefly how the constitution has been understood and operationalized in society as manifested by Muslim political reality until 2014. In 2014, the Hindu nationalist BJP became a dominant force in Indian politics and formed the government with an absolute majority in the parliament after an unprecedented election victory. In Sections 5 and 6, we show how the protection of fundamental rights and minority rights of Muslims is declining and state-enabled and state-sponsored discriminatory policies and laws are on the rise. We also argue that anti-Muslim violence by hate groups are both incited and protected by political

parties and government institutions, including the police and judiciary actors. The focus of this article is to show how the rise of Hindu nationalism and principally the policies of the BJP government which has been in power in India since 2014 are eroding India's secular and democratic culture through discrimination of its largest religious minority.

## 2. Rise of Hindutva and Indian Muslims: A Literature Review

The literature on the Hindutva ideology is vast and interdisciplinary. Scholars have been studying the origins of Hindutva ideology, its role in the emergence of India, and its steady rise since India's independence (Sahai 1958; Anderson and Damle 2019; Chitkara 2004). The assassination of the founder of the Indian nation, Mahatma Gandhi, brought special attention to the Hindu nationalist movement and the ideologues who shaped its vision and ideas (Mukherjee et al. 2008). With the growth of the *Rashtriya Swayamsevak Sangh* (RSS, National Volunteer Organization)—a religio-political revivalist movement that seeks to make Hinduism the dominant and exclusive source of Indian culture and identity—Hindutva ideology has received more attention from scholars who study contemporary India. After the emergence of the Bharatiya Janata party, which has close ties to RSS and is seen as its political wing, as a dominant political force with electoral victories in 2014 and 2019 national elections, the possibility of India becoming a *Hindu Rashtra* (Hindu state) has become real. There has been a plethora of scholarship since devoted to the rise of Hindu nationalism (Shani 2021; Sahgal 2020; Chatterji 2019; Patel 2020). Muslims, who are about 200 million of India's population (15%), constitute the biggest barrier to the Hinduization of India, and hence any and every study of Hindu nationalism inevitably explores the status of Indian Muslims and their future.

Moreover, because India was ruled by Muslim emperors and Sultans for over a millennium, RSS ideology in seeking to revive Hindu heritage and culture projects Islam and Muslims as a "foreign other" both hostile and inimical to the Hindu essence (*Hindutva*) of India. There is an ongoing battle for the soul of India to determine whether it remains a secular, democratic, and pluralistic state or becomes a Hindu majoritarian autocracy. These political trends and tensions have spawned a vast genre of literature that deals with the Hindu history of India, the Muslim history of India, and with the ideas and ideology of Hindu nationalism. In 2006, the Ministry of Minority Affairs of India published the *Sachar Committee Report* (2006) that put to rest the claims that Muslims were a pampered minority and exposed the extent of economic and educational backwardness of Indian Muslims (Rahman 2019; Jodhka 2007). The Sachar Committee report also reignited the debate about the structural discrimination against Muslims and the erasure of their culture and values. Our paper does engage with this broad debate about the place of Hindus and Muslims in India, the national identity of India, and the future of its secular democracy. Instead, we focus on a narrow element of this multifaceted national conversation—the impact of the recent rise of Hindutva via electoral victories of the BJP in 2014 and 2019 on the constitutional rights of Indian Muslims. Scientifically speaking, our independent variable is the policy of the BJP government since 2014 and our dependent variable is the status, rights, and freedoms of Indian Muslims.

The literature suggests that the BJP adopted neoliberal economic ideas to promote their Hindutva project. The majoritarian ideology of the party and neoliberal policies both functioned simultaneously, enabling the party to gain power. This was possible because of the "vagueness of Hindu nationalism" (Chacko 2019). As a result, majoritarian ideology did not contradict the mainstream economic ideas, and the BJP was able to expand its support base. Although, in the pre-2000 era, the BJP supported state intervention and the welfare state, it changed its stance and welcomed open markets and became business friendly. After losing the 2009 election, the BJP understood that Hindutva ideology alone could not bring them power. The ideology of Hindutva needed to be connected with the country's economic development. Thus, they introduced the concept of the neo-middle class, who will be the consumers and entrepreneurs and will be administered by the principles of Hindutva. The idea of the neo-middle class refers to the people who defeat poverty but are

yet to secure middle-class status. In plain words, these neo-middle-class people are the entrepreneurs who support Hindutva and aim to advance the Hindu nation (Chacko 2019). Additionally, big corporations supported the new business friendly BJP and helped it come to power in 2014 and again in 2019. In return, they benefitted from the government's policies of privatization and economic liberalism (Siddiqui 2016).

The literature on the electoral success of BJP records how, after gaining power, it normalized bigotry and violence against the Muslim minority by encouraging and even protecting Hindu extremists and vigilantes who indulge in violence against Muslims (Sajjad 2018; Varshney 2014; Ahuja 2019; Khan and Lutful 2021). The BJP makes India more Islamophobic with its Hindu nationalist agenda. It considered Muslims as "the other" of Indian society and uses a narrative that paints Muslims as a security threat to the country (Hayat et al. 2021). Hindutva ideologues suggest that only the Hindu people of the country are authentic Indians and are presenting Hindu scriptures as history and not mythology (Truschke 2020). They consider the pre-Muslim domination period as the golden era of Hindu civilization. The Hindutva narrative suggests that there were a series of historical wars between "indigenous Hindus and barbaric foreign Muslims" (Waikar 2018). This narrative portrays Muslim rule in India as a foreign invasion. The ideologues argue that since Muslim rulers were barbaric, Islam can only extend through barbarism. This narrative clearly posits Muslims as the opposition or enemies of Hindus. These views about Muslims have fostered growing intolerance and discriminatory practices against Muslims (Goel 1994; Talbot 1995).

Some of the controversial actions taken by the BJP government include supporting cow vigilantism, stripping the semi-autonomous status of Jammu and Kashmir, imposing a lockdown on Jammu and Kashmir, imposing the Citizenship Amendment Act (CAA), introducing the National Register of Citizen (NRC), adopting anti-conversion laws, and promoting a Hindu temple on the land where the Babri Mosque stood until it was destroyed by Hindu extremists (Hayat et al. 2021; Singh 2019). These policies have caused Muslims to experience alienation in society and discrimination in the private and government job sectors.

### 3. Muslims in India's Secular Constitution

The Indian constitution does not define a Muslim. In fact, the word Islam does not occur in the Indian constitution and Muslims are mentioned only in reference to Aligarh Muslim University. It also includes Sikhs and Buddhists under the rubric of Hinduism, making India look more Hindu than it is. However, India's constitution states explicitly in its preamble that India is a secular democratic republic. For decades, the political discourse in India operated under this assumption that India is a secular state and, hence, all religions and all communities should be treated equally. Indeed, the constitution is very clear about the rights and duties of religious minorities and their religious and cultural privileges are explicitly delineated in Articles 25–30, while the general articulation of fundamental rights in Articles 12–24 also applies to them.

Additionally, the Indian constitution is not the only source of India's laws. The colonial legacy has left a very strong shadow on India's legal system and juridical tradition; therefore, many laws that were passed when India was a British colony are still in force and were not abrogated by the Indian constitution. Thus, the Muslim Personal Law (MPL), which is based on the *Shariat* Act of 1937, enacted 10 years before India's independence, remains operative in spite of the fact that Article 44 of the constitution aspires to implement a uniform civil code in the nation. The MPL allows Muslims a semblance of religious autonomy and limited freedom to follow a few Shari'ah-based rules pertaining to marriage and inheritance. It enables Muslims to maintain a political and constitutional identity distinct from Hindus and is valued more for this than its role in the observance of the Islamic faith. Even the rising tide of Hindu nationalism accepts the secular character of India when its ideologues criticize the Muslim Personal Law as special dispensations

or concessions to Muslims, instead demanding adherence to the constitution's uniform civil code.

To sum up, despite its subtle bias in favor of Hinduism, the Indian constitution is very secular and does concede much autonomy and freedom to religious minorities (Singh 2005). It permits religious minorities to manage their own religious affairs (Article 26) and to be exempt from paying any kind of taxes for promoting any specific religion (Article 27). No one can be compelled to attend any religious instruction or worship at a state or state-supported institution (Article 28). Article 14 of the constitution recognizes equality of all before the law; Article 15 underscores the prohibition of discrimination based on "religion, race, caste, sex or place of birth" (The Constitution of India 2020). Article 16 acknowledges equal opportunity for public employment, whereas Article 29 ensures the right of minorities to preserve their language, culture, and heritage. Article 30 allows the establishment and governance of educational institutions by minorities for minorities, and, finally, Article 325 states that all people, irrespective of their religion, race, caste, or sex, are eligible to participate in the election. One can safely assert that the Indian constitution does not endorse discrimination against any religious community, Muslims included (Khalidi 2008).

#### 4. The Political Reality of Indian Muslims until 2014

Deepa Das Acevedo makes an interesting observation about India's political architecture. She argues that while the Indian constitution posits secularism as the political foundation of the Indian state, it does not enshrine a separation of state and religion (Das Acevedo 2013). Thus, she asserts that Indian secularism is particular to the Indian context, eschewing the establishment of religion but not separating state from religion. Anyone who has lived in India and participated in state-run institutions such as schools and other government agencies would immediately realize that the state has treated Hindu religion and its practices as a default culture of India. State institutions often start functions and ceremonies with Hindu prayers, thousands of Hindu temples are supported by state resources, and even state-funded television programming does not abstain from preaching and glorifying Hindu mythology (Parthasarathy 2016). The production and broadcasting of *Ramayana* and *Mahabharat* by the national television programming is nothing but the state-sponsored instruction of religion to the masses. They not only departed from conventional conceptions of secularism but promoted Hindu nationalism on the state's dime and may have contributed to the vandalism of Muslim places of worship, especially the Babri Masjid, by a communalized Hindu majority (Rajagopal 2001). The Babri Masjid was destroyed by Hindu nationalists in an act of egregious vandalism only 4 years after the broadcast of the serialized *Ramayana* to the national audience over 78 weeks; such programming constitutes state-funded indoctrination of a nation on one religion (Mankekar 1999; Mitra 1993). These programs should be unconstitutional in a secular nation, but, as experts argue, India's shallow secularity accommodates religious indoctrination (Bhargava 2007; Ganguly 2003). This trend of presenting India as a fundamentally Hindu nation is now part of the Indian film and television industry, as indicated by more and more movies such as *Padmaavat*, produced by profit-seeking private enterprises (Kaur 2018). The movie *Padmaavat* portrays Hindu rulers as virtuous and even nationalistic, echoing some of the rhetoric of Hindu nationalism, and Muslim rulers as foreign invaders lusting for Indian women. The movie retells Indian history to vindicate the anti-Muslim rhetoric of Hindu nationalism (Shandilya 2019; Roy 2018).

Article 25 of the Indian constitution gives its citizens the freedom to profess, practice, and propagate their religion. This is a constitutional right of Muslims. They should be able to say they are Muslims, fast, pray, celebrate their festivals, and promote and propagate their faith (in other words, exercise *Da'wah*). However, the political reality is far from this. In many states that are governed by Hindu nationalists, laws have been passed which prohibit religious conversion, unless it is to Hinduism, and also prohibit marriages that involve religious conversions. These laws are notorious as "Love Jihad" laws, because they are premised on a bigoted and false assumption that Muslims are waging Jihad against

Hindus by converting Hindu women to Islam by marrying them (Sinha 2021). These laws that are now being hoisted by Hindu nationalists are the tip of the iceberg and reflect the widening chasm between secularism and religious freedom that is enshrined in the Indian constitution. India is rapidly transforming into a Hindu state completely out of sync with its own constitution.

In 1990, the BJP leader, L. K. Advani, began a mass movement to destroy the Babri Mosque in Ayodhya and replace it with a temple for one of the Hindu gods, Ram. The movement started as a mobile rally from Somnath in Gujarat to Ayodhya in Uttar Pradesh. This *Ram Rath Yatra*, a chariot journey, captured the imagination of the nation and the tropes used during the rally became embedded in Indian culture and radicalized the population. The tropes essentially projected Muslims as foreign invaders and the resolve to demolish the Babri Mosque became the rallying cry for Hindu nationalism. The mosque was ultimately razed on 6 December 1992. This was allowed to happen while India was still governed by political parties that were supposedly secular and inclusive. The point of highlighting this epic act of religious vandalism is to underscore the fact that even before Hindu nationalists came to power in 2014, India's political environment and culture, despite its secular constitution, had become Islamophobic and infused with *Hindutva* ideology.

One of the *Hindutva* tropes that contributes to existential anxiety among communal Hindus is the idea that the Indian Muslim population is growing rapidly and will soon outnumber Hindus, rendering Hindus a minority and transforming a potentially Hindu nation into an Islamic one. This idea is based on three claims, one of which is partially backed by data, and the other two are easily debunked by the same data. The three myths are (1) that Muslims are conspiring to have a higher birth rate and plan to outnumber Hindus eventually; (2) Islam is against family planning and birth control, and hence having more children is religiously mandated; (3) Finally, the false claim that Muslims are allowed to have 4 wives and hence a family unit of 5, which, with higher birthrates will become 25. Prime Minister Narendra Modi himself coined this canard "*Hum paanch Hamare pachees*" in 2002, meaning "we five and our twenty-five" (Puniyani 2017). This was a reference to the decades of population control campaigning by the national government, which used the slogan "*Hum do hamare do*", meaning "We two and our Two", a husband and a wife and their only two kids. The idea was simple: while Hindus were trying to reduce their population, Muslims were conspiring to do the opposite (Jeffery and Jeffery 2002).

This trope that the rising Muslim population was a genuine threat gained much credibility when a selective reading of the 2011 census showed that Muslims did have a higher growth rate indeed. However, what the data shows is that while Muslims do have a higher growth rate, the decline in Muslim population growth was higher than that of Hindus. The Hindu growth rate declined from 19.92% growth in the decade 1991–2001 to 16.76% in the decade 2001–2011 (Religion Data Census 2011). At the same time, the Muslim growth rate declined from 29.52% to 24.6% in the same period. Yes, the relative growth rate for Muslims is higher, but it is reducing faster than all faith communities in India and certainly faster than that of Hindus. Additionally, the current growth rate is not high because of some nationwide conspiracy. Birth rates are a function of both literacy levels and economic conditions. For example, the religious community with the highest educational and economic achievements, the followers of Jainism, has the lowest growth rate of 5.4%. The reason why Muslims have a higher growth rate is because they are not only behind the Hindu community in educational and economic conditions, a fact that was clearly highlighted by the Sachar Commission report, but also suffer from poor access to healthcare and high rates of child mortality. Child mortality often prompts people in low-income brackets to have more children. Hindus with lower incomes show higher birth rates than Muslims who have higher income levels.

In his timely book, *The Population Myth: Islam, Family and Politics in India*, Quraishi systematically debunks the idea that the Islamic teachings somehow preclude family planning and are responsible for higher birth rates among Muslims. He shows how Islamic

teachings and the teachings of Indian Islamic scholars encourage Muslims to practice birth control (Quraishi 2017, 2019). There are abundant sources in Islamic scripture and national policies of Muslim nations such as Iran and Bangladesh to debunk the claim that Islam discourages family planning. Similarly, the issue of polygamy, too, is a red herring. According to census data, 5.8% of Hindu families and 5.7% Muslim families practiced polygamy, and among those who belong to protected classes, which are mostly Hindu, the rate is 16% (The Siasat Daily 2021). According to the Indian constitution, polygamy is permitted only to Muslims. The high rate of polygamy by Hindus is in spite of the fact that it is illegal.

In truth, the demographic gap between Muslims and Hindus will remain. According to the respected research institution, the Pew Research Center, by 2050 India will have a Hindu population of about 1.3 billion and a Muslim population of about 300 million; there will be a billion more Hindus than Muslims in India in 2050 (Hackett 2015). Other forecasts suggest that this is roughly the number around which both Hindu and Muslim populations will stabilize in Indian in about 70 years (Quraishi 2019, p. 90). The myth of Muslim population growth is a misleading and malicious trope of *Hindutva* propaganda.

### 5. The Age of *Hindutva*: The First Innings

In the general elections of 2014, the Hindu nationalist party came to power, and it heralded the beginning of an era of state-sponsored Islamophobia in India (Khan 2020). *Hindutva* is an ideology that equates Indianness with being exclusively Hindu. It seeks to subvert the secular and pluralistic aspirations of India and is trying to set it on a path that will eventually make it a Hindu state with the Hindu ethos as the dominant feature of the national culture. Islam is the second largest religion of India with over 200 million adherents, and Muslim culture has deep historical roots and is profusely embedded in India's heritage. Its existence remains a barrier to the Hinduization of India, and the *Sangh Parivar* (family or cluster of *Hindutva*-advocating organizations, movements, and parties) are determined to erase or at least marginalize Islam. After gaining majority in the parliament in the 2014 elections, the political branch of the *Hindutva* family, the BJP, began an accelerated process of alienating Muslims and adopted three strategies to this end: (1) undermining the legal framework that protects Muslims, (2) encouraging non-state actors to use violence against Muslims, and (3) pushing forward an agenda of cultural erasure.

The *Hindutva* attack on the legal framework that protects religious minorities has a two-pronged strategy. There is a concerted effort to (1) undermine the secular nature of the Indian constitution and (2) to eliminate the non-constitutional sources of minority rights. As discussed earlier, one of the elements that determines how India governs its minorities is the set of laws under the rubric of Muslim Personal Law (MPL). More than enabling Muslims to adhere to their faith, the MPL helps Muslims preserve their collective religious identity and also keeps India a religiously pluralistic democracy. When Shayara Bano filed a case against Triple *Talaq* in 2016, Hindu nationalists seized on an opportunity to strike a blow at MPL by initiating a juristic and legislative process that ultimately passed the Muslim Women (Protection of Rights on Marriage) Act of 2019, which criminalized Triple *Talaq*. Triple *Talaq* was a divorce procedure deemed Islamic according to the MPL (Fayiza 2021; Redding 2021). Some Muslims, the authors included, are critical of this practice and would have appreciated a reform process from within the community. Nevertheless, what the state did was to essentially undercut and reduce the religious autonomy that Muslims as a minority enjoyed in India since independence until Hindu nationalists came to power.

In the wake of the electoral victories indicating that *Hindutva* is on the rise with BJP receiving 31% of the national vote, the harassment of religious minorities and lower-caste Hindus increased. Hindu gangs associated with and protected by both police and politicians in BJP-ruled states began targeting Muslims. Riots that unleash organized violence, public beatings by thugs while cops watch, and destruction of Muslim property, both residential and business, are now routine. The most egregious form of harassment has been mob lynching of Muslims accused of slaughtering cows, eating beef, and even

in trafficking beef by vigilantes called *Gau Rakshak Dals* or Cow Protector Gangs (Human Rights Watch 2019). This cow vigilantism not only impacts what Muslims can eat, but also hurts the businesses of Muslims and low-caste Hindus who have for centuries been part of the beef business. So many cases have been recorded of this state-enabled violence against Muslims that the U.S. Commission on International Religious Freedom has recommended that India be designated a Country of Particular Concern (CPC).

Allahabad is an important city in Central India, named by Mughal Emperor Akbar nearly 425 years ago. This prominent 16th century city has now been renamed *Prayagraj* and the Faizabad district was renamed Ayodhya. This process of renaming iconic cities and places which have had Muslim names for centuries to Hindu names has now become a key strategy for erasing Muslim heritage and India's Islamic past. The message that Islam and Muslims have no place in *Hindutva's* imagination of India is loud and clear (Biswas 2018b; Sen 2019). Even as BJP's governance was being exposed as misdirected and detrimental to India's economic well-being, its political and cultural policies, popular with Hindu nationalists, are creating an existential crisis for Muslims in India (Subramanya 2019).

## 6. State-Sponsored Islamophobia: *Hindutva's* Second Innings

Even though many of BJP's economic policies proved to be detrimental, it easily won an absolute majority in the national elections of 2019. It gained 21 more seats in the Parliament and received 37% of the vote, 6% more than in 2014. BJP and its partners won 45% of the vote. The results illustrated that while two-thirds of the nation was still not committed to the Hindu ideology, a little less than half of the electorate was willing to support it directly or through alliances. The most troubling consequence of this election was the realization that oppressing the Muslim minority would not be a risk for Hindu nationalists at the polls. The BJP could offer really bad governance, but as long as it took steps to marginalize and undermine Muslims, it would not suffer at the polls. Perhaps this realization that the culture wars were more important than governance shaped the giant steps towards Hinduization of India taken by PM Narendra Modi's government in the first year of its second term.

In August 2019, within months of winning the second term, the Modi government abolished the special status of the Muslim majority state of Kashmir. Articles 370 and 35A of the Indian constitution provided Kashmir constitutional autonomy and granted its residents a residency status that prevented the demographic alteration of the state (Al Jazeera 2019). These were part of the conditions under which the Kingdom of Kashmir had acceded to India in 1947. The manner in which Kashmir's special status was revoked—after introducing a heavy military presence in the state, placing its entire population under curfew and lockdown, cutting off its internet access, along with arresting local leaders—was clearly undemocratic and akin to a military annexation. The heavy-handed political and constitutional transformation of the only Muslim majority state in India has now opened it to demographic and political reengineering according to the ideological goals of Hindu nationalism. Kashmir's special status along with the Babri Masjid were two issues which Hindu nationalists had for decades claimed appeased the Muslims of India. They had used these issues to radicalize the population, and in their second term, with an exclusive majority in the parliament, they constitutionally annexed Kashmir.

In November of the same year, the Supreme Court of India finally delivered its verdict on the Babri Masjid-Ram Temple dispute. While acknowledging that the mosque was illegally vandalized by Hindu extremists, it privileged religious beliefs over facts and granted the land to the government to institute a commission that would construct a temple to Ram at the spot. The court also directed the government to provide Muslims with land at an alternate location in the city of Ayodhya to build a mosque. The Indian Supreme Court basically succumbed to the pressures from the *Hindutva* forces. However, in the process, it also dealt a huge blow to the legitimacy and political independence of

the Indian judiciary. Muslim minorities now fear that the Indian courts would rather rule according to Hindu mythology than historical and legal facts.

The biggest step that the Hindu nationalist government took to undermine the status of Indian Muslims was in December 2019 when it passed the Citizenship Amendment Act (CAA). The law basically provides a pathway to refugees from Pakistan, Bangladesh, and Afghanistan who are not Muslim; by prioritizing non-Muslims, it discriminates against Muslims on religious grounds (Regan et al. 2019). The lawmakers argue that the said countries are Muslim nations with a record of discrimination against their non-Muslim minorities, and hence, India should provide refuge to them, especially the Hindu refugees. Yet these countries also violate the rights of Muslim groups. The case of discrimination against Ahmadiyya Muslims in Pakistan is well known (Uddin 2017; Rahman 2014). While on face value, it appears that this law only discriminates against Muslims of neighboring nations, experts have argued and journalists have documented that, in fact, the CAA in combination with the National Register of Citizenship (NRC) would render millions of Indian Muslims stateless (Sur 2020). In Northeast India where the NRC has been applied, 2 million people have been left stateless. So, when the CAA is applied in conjunction with the NRC, all the people unable to prove citizenship will be declared stateless and everyone—except Muslims—would be given a pathway to citizenship as refugees. This move has been seen as a major assault on India's Muslims and it triggered sustained nationwide protests. As can be seen from the above, the first six months of the second term of Narendra Modi's government was one assault after another on Indian Muslims' constitutional status and heritage.

The latest policy initiative of the Modi government seeks to transform India's education policy and philosophy. The new National Education Policy (NEP), 2020, was approved by the Union Cabinet on 29 July 2020 (Jebaraj 2020). The policy proposes changes at all levels; restructure the school experience, extend undergraduate degrees from three to four years, and eliminate the superfluous M.Phil. degree that was a prerequisite to enrollment in doctoral programs. It appears that the college system is going to look more similar to the US system and less similar to the current British system. The policy, while seeking fundamental changes, remains deliberately nebulous and silent on many key issues that could impact Muslims, minorities, and religious education in the country. This deliberate lack of clarity is probably designed to accommodate the fact that constitutionally education is supposed to be a concurrent issue, meaning both states and central governments have the authority to make laws and policies. Until 1976, education was primarily a state matter. However, the 42nd amendment made it a concurrent issue, and since then, the central government has steadily usurped control over education undermining state rights. The new NEP continues to further consolidate central control over education but still provides some leeway for states (Raveendhren 2020).

While the policy does not directly say much about Muslims and the constitutional rights that Muslims currently enjoy, it does appear to further marginalize Muslims in what it does not address. For example, the NEP 2020 does not say much about madrassahs, which are still a major pathway to literacy for Muslims, especially for the poorer strata of society (India Tomorrow 2020). It does not affirm that one of the philosophical goals of the education system will be to foster secularism and religious pluralism. On the contrary, the policy says that ancient Indian Knowledge will be taught at all levels, emphasizing Sanskrit. Given that states will enjoy some autonomy, we fear that in BJP governed states, there will be heavy Hindutva indoctrination in the name of teaching Sanskrit and ancient Indian heritage. One can already see this in Uttar Pradesh, which is mandating that Muslim Madrassas teach Ramayana and Bhagwat Git (Hindu scriptures) (Rizvi 2021). It is similar to mandating the teaching of the Quran in Hindu seminaries.

The emphasis on ancient India and silence on medieval, British, and present-day India is also an attempt to erase the Islamic past and to present Indian heritage as Hindu only. The NEP 2020 will not only exclude a thousand years of history and knowledge development in India but also render Indians largely ignorant about their past except for



Hindu and Sanskrit literature and scriptures. So, while Muslims in madrassahs will read Hindu scripture, everybody else in other schools could learn next to nothing about the last 12 centuries of Indian history. Urdu, the language that has long been associated with the high-end Muslim and Hindustani culture, will be a major casualty of this NEP with its thrust to basically Sanskritize Indian consciousness.

Finally, there are concerns that pertain to economic conditions. The new policy encourages the privatization of education, and that clearly means that people from poorer segments of society could be priced out of the key pathway to social and economic mobility—higher education. Additionally, some Muslim commentators feel that the change of time in school for the bachelor's degree from three to four years could also lead to Muslims and other economically backward students from enrolling and seeking higher education because they may not be able to afford one extra year in school (Ali 2020). This policy will create much tension between states that are governed by secular parties, such as Kerala and Bengal, and the central government. It will be devastating to Muslims in BJP-governed states where Hindutva ideology will not only radicalize the Hindu population but also alienate Muslims and other religious minorities.

## 7. Conclusions

From Europe to Australia, not just countries but entire continents are struggling to integrate their growing Muslim populations. Religious, cultural, and particularly political differences with Muslim minorities have posed serious challenges to many Western nations. Integrating Muslims into the local sociocultural milieu is a major domestic political issue for these nations. Even in Asia, where Islam has deeper roots, China is dealing with its Uyghur Muslim population in an oppressive fashion. However, astonishingly, one country where Muslims are seamlessly integrated—India—is trying its hardest to alienate, disenfranchise, and essentially disintegrate them. The *Hindutva* movement and the Narendra Modi government are determined to marginalize Muslims and dismantle the communal bonds that hold the nation together (Khan 2019). To create an exclusivist Hindu *Rashtra* (state) out of a multifaith populace, the Indian government is trying to both erase and disenfranchise Muslims.

In this paper, we have shown that the Muslims of India enjoy full access to all the fundamental rights available to all Indian citizens. However, we have also documented how over the years the government has failed to protect those rights. Additionally, we demonstrate how after the rise of Bharatiya Janata Party to power through victories in the parliamentary elections of 2014 and 2019, there has been a clear trend of state-sponsored marginalization of Indian Muslims. We also show how there is a concerted effort on the part of the Hindutva movement to not only reduce the political and cultural influence of Indian Muslims but also to erase the Islamic heritage of India.

It is our assessment that India's historical precedence as well as the constitution, in its present form, allows for robust protection of its Muslim minority through privileges such as the Muslim Personal Law and fundamental rights available to all Indians irrespective of religion. Yet, the rise of Hindu nationalism has imperiled India's secularity and its character as a liberal democracy that guarantees religious freedoms does not establish religion and protects individual's fundamental rights. Already, India has slipped on the democracy index from 41 in 2018 to 53 in 2020 (Biswas 2018a). It is now labelled as an electoral autocracy. In seeking to marginalize Muslims, the *Hindutva* brigade is destroying the communal harmony and democratic nature of India. The fate of Indian Muslims is tied to the fate of secularism and democracy in India and now neither is secure.

**Author Contributions:** Conceptualization, M.A.M.K. and R.B.L.; Methodology, M.A.M.K. and R.B.L.; investigation, M.A.M.K. and R.B.L.; writing—original draft preparation, M.A.M.K. and R.B.L.; writing—review and editing, M.A.M.K. and R.B.L.; supervision, M.A.M.K.; All authors have read and agreed to the published version of the manuscript.

**Funding:** This research received no external funding.

**Conflicts of Interest:** The authors declare no conflict of interest.

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