

**THE SECULAR STATE AND RELIGIOUS CONFLICT**  
**LIBERAL NEUTRALITY AND THE INDIAN CASE OF PLURALISM**

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# THE SECULAR STATE AND RELIGIOUS CONFLICT

## LIBERAL NEUTRALITY AND THE INDIAN CASE OF PLURALISM

There are few places in the contemporary world where the problems of cultural pluralism are as acute as they are in India. The Indian case poses fundamental challenges to the political theory of toleration. By tackling the problem of religious conversion, our analysis shows that the dominant way of conceiving state neutrality becomes untenable in the Indian context. The Indian state, modelled after the liberal democracies in the West, is the harbinger of religious conflict in India because of its conception of toleration and state neutrality. More of 'secularism' in India will end up feeding what it fights: the so-called 'Hindu fundamentalism'.

### *The Participants and the Issues*

In the Indian debate on the Hindu-Muslim conflict, three parties claim to offer a solution. The secularists argue the need for a secular state in India; the Hindu nationalists or advocates of *Hindutva* plead the case for a Hindu state; and the anti-secular Gandhians claim that the Indian culture has the resources to handle the question of religious pluralism. For the sake of argument and convenience, we will divide these parties into two groups, *viz.* secularists and anti-secularists.

On the one hand, there are the proponents of secularism: they propose that the Hindus and the Muslims (and the other communities) should accept a common framework of secular law. This framework claims neutrality with respect to all religions. The position of secularism in India is generally associated with the ideas of her first Prime Minister, Jawaharlal Nehru, who once said that "no state can be civilised except a secular state."<sup>1</sup> The Indian secularists defend a position well-known to political theory: the obligation of religious neutrality of a liberal state.

On the other hand, there are the opponents of secularism: they refuse to accept the western theories about the religiously neutral state and offer an alternate system of traditional values. The different communities, they feel, should accept this system as the common framework. Its fundamental principle is the equality of religions: since all religions are incomplete manifestations of a supreme truth, all of them are equal. This group consists of the advocates of *Hindutva* on the one side and the Gandhian anti-secularists on the other. Although significant differences exist between these two parties, they agree on one issue: in India, politics should not be separated from religion because Hinduism yields a more tolerant politics than western secularism. One of the *Hindutva* spokesmen voices a widespread opinion when he says that 'Hindu secularism' is superior to western secularism:

... [A]ll through the history, the Hindu state has been secular. All Hindu rulers were expected to live up to the ideal of '*Sarva Panth Sama Bhava*' in their dealings with the

people. This concept of 'equal respect for all *panths* or ways of worship' is a positive concept with a much wider and broader meaning than what is conveyed by the concept of secularism as accepted in the West.<sup>2</sup>

Or, to let the most distinguished among the Gandhian anti-secularists, Ashis Nandy, explain the moral of his story:

...[I]t is time to recognize that, instead of trying to build religious tolerance on the good faith or the conscience of a small group of de-ethnicized, middle-class politicians, bureaucrats, and intellectuals, a far more serious venture would be to explore the philosophy, the symbolism, and the theology of tolerance in the faiths of the citizens and hope that the state systems in South Asia may learn something about religious tolerance from everyday Hinduism, Islam, Buddhism, or Sikhism rather than wish that ordinary Hindus, Muslims, Buddhists, and Sikhs will learn tolerance from the various fashionable secular theories of statecraft.<sup>3</sup>

The anti-secularists challenge the belief that different religious communities can live together in a society only within the framework of a religiously neutral state. Thus, the debate revolves around one of the basic tenets of the contemporary theories of toleration, *viz.* the belief that state neutrality is necessary for a peaceful and viable plural society.

One should not reduce the clash between secularism and anti-secularism to a clash between a tolerant, progressive left and an intolerant, conservative right. Instead, it is a clash between two frameworks both claiming to provide a solution to the problem of conflicts between the different communities in Indian society. Both parties agree on the objective of a peacefully diverse society. Both allow people to worship in whichever way they prefer and to whatever god(s) they prefer. Both allow the followers of the various religions to visit their mosques, churches, *gurdwaras*, temples, or stay home. Both allow people to believe in one God, or in three or five thousand gods or claim that there is no God. If there is agreement on these issues, what then is the clash about?

We would like to address this question by taking up the issue of religious conversion. *Hindutva* wants a ban on conversion in India. It feels that the state should enact a law constraining the proselytising drive of Christianity and Islam. This proposal is anathema to the secularists, who insist that the state should protect the religious liberty of the individual. Why does *Hindutva* feel such strong aversion towards religious conversion? One suggestion is that the movement consists of religious fanatics. However, this fails to take into account that many Hindus, hardly illiberal fanatics, hold similar views. Mahatma Gandhi, for instance, said at one point that if he had the power to legislate, he would ban all proselytising: "If I had the power and could legislate, I would stop all proselytizing...In Hindu households the advent of a

missionary has meant the disruption of the family coming in the wake of change of dress, manners, language, food and drink...”<sup>4</sup> This view is still prevalent among contemporary Gandhians. As Manikam Ramaswami puts it:

In a pluralistic society if people have to live in harmony, one group that believes its assumed form of God is superior and tries to convert the thinking of others will not certainly help. One group trying to impose its views on others based on its unconfirmable assumptions will certainly cause social tension and should not be permitted in a secular society. The pseudo seculars who call it religious freedom to convert, if they apply their mind will understand banning conversion, forced or otherwise, is not a Hindutva agenda; on the other hand not banning conversion is the agenda of the aggressive religions.<sup>5</sup>

While the secularists agree with the Muslim and Christian minorities that the latter must be free to proselytise, most of the anti-secularists intend to defend the interests of the Hindus. *Hindutva* backs a Hindu state; the secularists strive for a secular state, which is neutral towards all religions. As noted, the secularists defend a *normative* principle of state neutrality. They say that one ought to separate politics from religion because without such a separation, the state cannot treat all religions in a neutral or symmetric manner. The secularists offer several rationales and, together, these bring them to the belief “that secularism in India, as elsewhere, is indispensable.”<sup>6</sup> Our questions are these: Could the Indian state remain neutral on the issue of religious conversion? If yes, what would neutrality mean in the Indian context?

### ***1. The Four Premises of a Secular State***

Religious conversion is a problem in India when Islam or Christianity tries to convert people from Hinduism. That is to say, it is not an issue of converting Muslims into Christianity or the other way round, but one of converting Hindus into either of the two. If the secular state has to be religiously neutral, it must have a symmetrical attitude toward all religious conversions and not favour one type of conversion above another. That is, it must treat conversions between the Semitic religions and from Hinduism to the Semitic religions in the same way, namely, as conversions between different religions. In that case, it confronts the following problem. Are the Semitic religions and the Hindu traditions *phenomena of the same kind*? A religiously neutral state has to *assume* a positive answer to this question, if it has to treat Hinduism and the Semitic religions symmetrically. However, this assumption *has no warrant*. If anything, the *prima facie* evidence points to the *falsity* of this assumption. A random selection of claims put across by the students of the Hindu traditions ought to suffice in this context.

In the second of the multi-volume *Historia Religionum*, an Indian, talking about Hinduism, says that

Hinduism can hardly be called a religion in the popularly understood sense of the term. Unlike most religions, Hinduism does not regard the concept of god as being central to it...Hinduism does not venerate any particular person as its sole prophet or as its founder. It does not...recognize any particular book as its absolutely authoritative scripture.<sup>7</sup>

Similar thoughts occur in a handbook written by experts in the area, aimed at a more general public:

Hinduism displays few of the characteristics that are generally expected of a religion. It has no founder, nor is it prophetic. It is not credal, nor is any particular doctrine, dogma or practice held to be essential to it. It is not a system of theology, nor a single moral code, and the concept of god is not central to it. There is no specific scripture or work regarded as being uniquely authoritative and, finally, it is not sustained by an ecclesiastical organization. Thus it is difficult to categorize Hinduism as 'religion' using normally accepted criteria.<sup>8</sup>

Indeed. The problem is not confined to Hinduism. Collins, a Buddhologist, is not sanguine about Buddhism either. Speaking of the mistake of using emic categories of Christian thought, as though they were etic categories of description and analysis in the academic study of religions, Collins adds in parentheses, "perhaps the most pervasive example of this is the concept of 'religion' itself."<sup>9</sup>

Citations like the above could be multiplied indefinitely, but we trust the point is made. There are *prima facie* grounds to suspect that the Hindu traditions and the Semitic religions are phenomena of different kinds. Nevertheless, without providing arguments to the contrary, the secular state assumes that the Semitic religions and the Hindu traditions are instances of the same kind. Students of religion almost routinely make such remarks as the above and go on to study the Hindu and Buddhist traditions as 'religions' *of a different kind*. We need not discuss here whether their attempts are satisfactory or not.<sup>10</sup> The point is that no student of religion is willing or able to argue that Hinduism and the Semitic religions are phenomena of the same kind. Consequently, the onus is on those who want to argue that these two phenomena are instances of the same kind. In other words, the secular state cannot assume the opposite of 'scientific wisdom' without compelling arguments.

However, there *is* one story or one compelling argument that opposes 'scientific wisdom'. It comes from the theologies of the Semitic religions. Let us recount the simplest version of that

story. There was once a religion, the true and universal one, which was the divine gift to humankind. The (Biblical) God installs a sense or spark of divinity in all races (and individuals). During the course of human history, this sense is corrupted. Idolatry, worship of the Devil (*viç*, the false god and his minions) was to be the lot of humankind until (the Biblical) God spoke to Abraham, Isaac and Jacob and led their tribe back onto the true path. Of course, it is possible that this story is true; after all, those who follow these religions do believe in its truth. Is this *enough* for a secular state to accept the truth of this claim? In answering this question, the secular state cannot be neutral. The choices are but two: (a) the state accepts some variant of the above *theological story* and treats Hinduism and the Semitic religions as phenomena of the same kind; or (b) it gives in to the *prima facie* difference, and (in the absence of better arguments) treats the Semitic religions and the Hindu traditions as phenomena of a different kind.

### *Religions as Rivals*

Abstractly speaking, the freedom to convert people into some religion or the other might indicate the presence of a 'desirable' value in a society, namely, the value of the freedom of religious expression. What such a value logically presupposes, in any case, is the truth of the assumption that *these religions are rival movements*. This is a factual assumption, whose factual nature can be brought to light by noticing that no logical difficulties are created if we assume the existence of multiple religions without postulating that they also compete with each other. However, this factual assumption requires justification because history tells us the opposite.

It is a matter of historical fact that Christianity and Islam have been rivals, wherever and whenever they met each other. Could we say the same about the contact between the Hindu traditions and these religions? A Protestant writer from the late eighteenth century, drawing upon the work of François Bernier, the seventeenth-century French merchant and explorer, reports the following:

When the Brahmins have been pressed by the arguments of the Christians, that their law could only be observed in their own country, on account of its peculiar ordinances, their answer has been uniform, 'that God had only made it for them, and therefore they did not admit into it strangers; that they pretended not that Christianity was false; and since God could make many roads to heaven, it was not thence to be presumed that their religion was mere fable and invention'.<sup>11</sup>

Or as a Hindu Brahmin of coastal Tamil Nadu assured Bartholomaeus Ziegenbalg, a Lutheran missionary, during the early eighteenth century:

I believe all you say of God's Dealings with you White *Europeans*, to be true; but his Appearances and Revelations among us Black *Malabarians*, have been quite otherwise: And the Revelations he made of himself in this Land are as firmly believ'd here to be true, as you believe those made in your Country: For as Christ in *Europe* was made Man; so here our God *Wischtnu* was born among us *Malabarians*; And as you hope for Salvation through Christ; so we hope for Salvation through *Wischtnu*; and to save you one way, and us another, is one of the Pastimes and Diversions of Almighty God.<sup>12</sup>

The famous Muslim traveller to India, Alberuni, also noted the absence of religious rivalry among the Hindus in the eleventh century: "On the whole, there is very little disputing about theological topics among themselves; at the utmost, they fight with words, but they will never stake their soul or body or their property on religious controversy."<sup>13</sup> Although Alberuni continued to say that the Hindus directed their fanaticism against foreigners, it was clear that the Hindus did not do so because they considered the latter to be propagators of false religion. In fact, an analysis of Hindu Sanskrit sources on the Muslims from the eighth to the fourteenth century reveals that "the construction of the other is made neither in religious nor in territorial terms; in other words, although the term *dharma* is used in the sense of religion, the Muslims are not projected as a community practising a religion which is the antithesis of recognized religious practices."<sup>14</sup> Thus, traditionally, the Hindus did not even identify the Muslims along religious lines, let alone consider them as religious rivals.

In other words, the Hindu traditions refused to accept that theirs was false 'religion' and that Christianity or Islam was the true one. Nor were they willing to say that Christianity or Islam was false. They merely maintained that these traditions could co-exist *without competing* with each other as rivals. This is the Hindu view of the matter. The Semitic religions, on the other hand, advance the claim that they and the Hindu traditions are competing or rival movements. Between these two positions, again, *there is no neutral ground*: (a) the Semitic religions and the Hindu traditions are competitors with respect to each other, or (b) they are not. The secular state has to choose *between these two logically exclusive premises* as well.

### *Religion and the Question of Truth*

Consider the following two propositions about religious truth: (a) religion revolves around the truth of its doctrine; (b) the predicates 'truth' and 'falsity' do not apply to human traditions. These views have been held by two different kinds of groups: the Semitic religions that Christianity and Islam are; and the 'pagan' traditions of the Antiquity and the Hindu Indians.

On the one hand, Christianity and Islam claim that because they are *the unique revelations of (the Biblical) God* to humankind, they are true. They believe that there is one true God, who is the creator and sovereign of the universe. Everything that happens in the universe expresses His

will or purpose. In other words, (this Biblical) God has a plan, and the universe is the embodiment of this plan. According to each of these religions, their respective doctrine is the true self-disclosure in which (this Biblical) God reveals His will or plan to humankind. Only through a genuine belief in this doctrine and in a total surrender to this Divine Will can human beings hope for salvation.

A random citation, from an epistle said to have been composed around 124 C.E., the period of the Apostolic Fathers, illustrates how Christians described their religion from the very beginning. In *The Epistle to Diognetus*, purporting to be a “reply to an inquiring heathen’s desire for information about the beliefs and customs of Christians,” an anonymous writer explains:

The doctrines they (the Christians) profess is *not the invention of busy human minds and brains*, nor are they, like some, adherents of this or that school of human thought. As I said before, it is *not an earthly discovery* that has been entrusted to them. The thing they guard so jealously is *no product of mortal thinking*, and what has been committed to them is the stewardship of *no human mysteries*. The Almighty Himself, the Creator of the universe, the God whom no eye can discern, has sent down His very own Truth from heaven, His own holy and incomprehensible Word, to plant it among men and ground it in their hearts.<sup>15</sup>

Naturally, this *self-description* also carries with it a description of the other. Other religions are heresies, false religions, or idolatry and the worship of the devil. After living thirty years among the Hindus in the ‘headquarters’ of Hinduism, *viz.*, Benares, this is how Reverend M. A. Sherring formulated the issue in the nineteenth century:

(Here) idolatry is a charm, a fascination, to the Hindu. It is, so to speak, the air he breathes. It is the food of his soul. He is subdued, enslaved, befooled by it. The nature of the Hindu partakes of the supposed nature of the gods whom he worships. And what is that nature? According to the traditions handed about amongst the natives, and constantly dwelt upon in their conversation, and referred to in their popular songs – which perhaps would be sufficient proof – yet more especially according to the numberless statements and narratives found in their sacred writings, on which these traditions are based, it is, in many instances, vile and abominable to the last degree. Idolatry is a word denoting all that is wicked in imagination and impure in practice. Idolatry is a demon – an incarnation of all evil – but nevertheless bewitching and seductive as a siren. It ensnares the depraved heart, coils around it like a serpent, transfixes it with its deadly fangs, and finally stings it to death.<sup>16</sup>



All these traditions are nothing but the attempts of the false god to deceive the gullible and to corrupt the true religion.<sup>17</sup> Thus, the Semitic view has it that religion revolves around the crucial question of the truth and falsity of a set of doctrines.

On the other hand, there is the pagan self-description, as evidenced both in the Hindu traditions and in the *religio* of the Ancient Romans. These self-descriptions see the various traditions as a *human search* for ‘truth’, and they see the different religions as paths in this ongoing quest. As Gandhi writes: “Religions are different roads converging to the same point. What does it matter that we take different roads so long as we reach the same goal?”<sup>18</sup> Or in the famous words of Quintus Aurelius Symmachus, the last pagan prefect of Rome: “Everyone has his own customs, his own religious practices...What does it matter what practical system we adopt in our search for truth? Not by one avenue only can we arrive at so tremendous a secret.”<sup>19</sup> Though there are many differences between the Ancient Roman pagans and today’s Hindus, they share a common attitude which distinguishes them from Christians and Muslims alike. They do not approach the diversity of human traditions in terms of doctrinal truth.

In the pagan view, there is no one true God opposing whom stand many *false gods*. There are different ‘deities’; there are different stories about them; different traditions differentiate communities from one another. Although this view might countenance the belief of the followers of the Semitic religions, it cannot but see this as the story of some particular traditions. That is, it inevitably transforms the revelation of the Biblical God into another *human* avenue. Let us assume that both the pagans and the Christians are in agreement with the premise that ‘all things in human affairs are doubtful, uncertain, and unsettled’. By virtue of this, religions also share this attribute, say the pagans. Their religion does not, say the Christians, because it is the truth itself, as revealed by the Divine mind. Better put: the religions of Antiquity were false religions because they were inventions of “busy human minds,” whereas Christianity was the Truth because none other than (the Biblical) God entrusted stewardship of His truth to the Christians. In other words, Christians opposed their true religion to the false *religiones* of the Roman period and later to the ‘pagan idolatry’ of the Hindus.

To most Hindus, on the contrary, the question of ‘truth’ in tradition does not even make sense. The Hindu practices generally revolve around a series of *puja* rituals and traditional stories about Shiva, Krishna, Rama, Kali, Durga and other *devatas* or ‘deities’. In the same way as it does not make sense to inquire whether the western practice for men to wear trousers is true or false, so is it a category mistake to pose truth questions about human traditions in general, from the Hindu perspective. This incomprehension towards the notion of ‘religious truth’ has given rise to the claim that Hindus look at the truth of religions in a different way. The Hindu view does involve the ascription of truth-predicates to religions, it is said, but in a ‘pluralist’ manner: ‘all religions are true’. However, it is unclear what it means for truth to be conceived pluralistically.<sup>20</sup> More importantly, this attribution of a pluralistic notion of religious truth to the Hindus threatens to turn them into beings who lack the basic capacity of consistent reasoning. If all

religions are true, both Christian and Islamic doctrine have to be true at the same time. This claim then entails that Hindus fail to see that one religious doctrine which claims that God is both Father, Son and Holy Spirit and that Jesus Christ is the son of God stands in contradiction to another which asserts that God is one and cannot have a son who is both divine and human.

In contrast, our explanation avoids transforming Hindus into logical cretins. It agrees that, today, English-educated Hindus have learnt to talk in terms of 'religion' and 'truth'. Historically, the pagan traditions have generally tried to make sense of the Judeo-Christian claims about 'religious truth' from their traditional perspective. The result is the often-repeated claim that 'all religions are true'. This does not reflect a peculiar notion of religious truth, but an attempt to translate the attitude of one culture into the language of another. Even though Hindus have discussed 'truth' in Indian languages also, this 'truth' appears to be of a completely different kind than the doctrinal truth claimed by the Semitic religions. Until we have a clear insight into its nature, it is best to stress that the Hindu view does not see the different traditions of humanity as either true or false.

Conversion is possible from the false to the true only if one assumes that both the traditions of Antiquity and Christianity opposed each other with respect to truth and falsity. This holds not only regarding the traditions from the Antiquity but also with respect to the Hindu traditions of today. Consequently, the secular state that allows for the possibility of conversion is compelled to choose between the following: (a) both the Hindu traditions and the Semitic religions are epistemic candidates with respect to truth and falsity; (b) or they are not.

#### *Proselytisation versus Non-Interference*

The Semitic self-description contains a universal truth claim, which gives rise to a dynamic of proselytisation. When (the Biblical) God reveals His plan, it covers the whole of humankind. Those who receive this revelation should try to convert the others into accepting the message in this divine self-disclosure. That is, proselytizing is an intrinsic drive of Islam and Christianity. The pagan view, on the contrary, implies that every 'religion' is a tradition – i.e., a specific set of ancestral practices – characterising a human community. The traditions are upheld not because they contain some exclusive truth binding the believer to God, but because they make some community into a community. Any attempt at interfering with the tradition of a community from the outside will be seen as illegitimate, since all traditions are part of the human quest for truth. We can again turn to the pagan prefect Symmachus's justly famous letter to the Christian Emperor Valentinian II:

Grant, I beg you, that what in our youth we took over from our fathers, we may in our old age hand on to posterity. The love of established practice is a powerful sentiment...*Everyone has his own customs, his own religious practices; the divine mind has assigned*

*to different cities different religions to be their guardians...* If long passage of time lends validity to religious observances, we ought to keep faith with so many centuries, we ought to follow our forefathers who followed their forefathers and were blessed in so doing. ...And so we ask for peace for the gods of our fathers, for the gods of our native land. It is reasonable that whatever each of us worships is really to be considered one and the same.<sup>21</sup>

Given this opposition between proselytisation and non-interference, consider the situation in India. Here, citizen  $x$  is a Hindu who endorses the pagan claim that all traditions are part of a human quest for truth; while citizens  $y$  and  $z$  are a Muslim and a Christian respectively, who believe that their religion is the true revelation of (the Biblical) God, while all other 'traditions' are false religions. This situation involves a deep conflict of values. The value of non-interference is central to the tradition of citizen  $x$  and it is unethical for him to allow Muslims and Christians to interfere in the traditions of human communities. Thus, he opposes conversion. At the same time, the value of proselytisation is central to the religions of citizen  $y$  and  $z$ . They have to propagate the true message and show to the adherents of other 'traditions' that they are practicing idolatry, the greatest sin according to these religions. Since non-compliance implies that they disobey (the Biblical) God's will, it would be profoundly immoral not to spread this message and try to save the heathens or the *kafirs* from eternal damnation. Thus, they strongly feel conversion ought to be allowed.

How can the Indian state be neutral with respect to the *attitudes* of the citizens  $x$ ,  $y$  and  $z$ ? Either the state agrees with citizen  $x$  that 'religion' is a human quest, *no 'religion' could be false*, and, therefore, ban conversion; or it will have to agree with citizens  $y$  and  $z$  that religions could be the revelation of (the Biblical) God, therefore, *some 'religions' could be false*, and thus allow for conversion. In other words, the secular state has to choose between the following two premises: (a) no religion could be false or (b) some religion(s) could be false. There is no neutral ground *between these two logically exclusive premises*.

These aspects of the Semitic religions and the pagan traditions—namely, proselytisation and non-interference—are bound to collide in a society where the Semitic religions encounter pagan traditions *as a living force*. This is exactly what is happening in India today. Though a growing number of Hindus speaks in such terms, the widespread discontent about conversion is not generally caused by the fear that the whole of India will become Christian or Muslim. Some groups may take this scenario seriously, but it does not explain the equally strong aversion towards conversion among those who do not. Many reasonable minds, who do not see an imminent threat of India becoming an Islamic country, still consider religious conversion to be a violation of the social fabric, for it goes straight against the traditional Hindu stance of non-interference.

The anti-secularist movement has adopted the pagan view of the Hindu traditions, and this implies that one community should not interfere in the tradition of another. Naturally, the proselytizing drive and the exclusive truth-claims of Islam and Christianity become extremely problematic in a society where non-interference has the force of self-evidence. The pagan view about the traditions of human communities explains why the *Hindutva* movement and the Gandhians argue for a ban on conversion. The secularists reply that such a measure would simply make a principle of the Hindus into a ‘religious rule’ to be followed by all others, while a truly neutral framework should allow the Muslim and Christian minorities to propagate and spread their religion. The secularists are not as neutral as they think they are. Their plea for conversion indicates that they have made their choice.

Let us now summarise the four choices the Indian secular state has to make. (a) The ‘Hindu traditions’ and the ‘Semitic religions’ are phenomena of the same kind, or they are not. (b) As such, they are religious rivals, or they are not. (c) As rivals, they compete with each other regarding truth or falsity, or they do not. (d) They can do that because some religion is false, or they cannot because no religion is false. In each of the four cases, these claims are those of the Semitic religions and the Hindu traditions respectively. Each of these assumptions carves the universe up into two exhaustive partitions, because, in each case, one statement is the logical negation of the other. So, what should a liberal state do in such a situation? What choices are open to it, if it wants to remain neutral and secular?

## *2. The Liberal Choices*

In the context of ethics and normative political theory, one could conceivably<sup>22</sup> endorse Kant’s famous dictum “ought implies can.” That is, if a normative system prescribes some moral rule or another, this implies that human beings or institutions are able to follow that particular rule. If we accept this principle while framing our account of state neutrality, the proposition that the state ought to be neutral implies that the state can be neutral. Thus, on this construal, liberal neutrality is obligatory only if the state *can be neutral* toward the different religious and cultural traditions in a society. However, the choices that the Indian state confronts are logically exclusive. Furthermore, each term in the different choices represents a different point of view: the Semitic or the pagan, which means to say that the state *cannot* choose between these alternatives without sacrificing the very principle of state neutrality. However, the Kantian dictum, that the ‘ought’ *logically implies* the ‘can’, generates the following valid theorem: the ‘cannot’ logically implies the ‘ought not’. This means that the Indian state *ought not to be neutral* with respect to religious conversion in India because it *cannot be neutral*.

The above statement is odd, to put it mildly. We can bring the ‘oddness’ to light by formulating it as a logical statement: *with respect to religious conversions*, if a liberal state ought to

remain neutral, and if the Indian state ought to be a liberal and neutral state, then the Indian state can be neutral. However, the Indian state cannot be neutral on this issue. Therefore, either (a) a liberal state ought not to remain neutral or (b) the Indian state ought not to be liberal and neutral or (c) both. We can eliminate the choices (a) and (c) rather quickly: the obligation of state neutrality with respect to religious conversion is a cornerstone of liberal political theory. Consequently, there is only one choice left: with respect to religious conversions, theories of state neutrality oblige the Indian state not to be liberal and neutral.

The validity of the above argument requires that at least one of the following is true. (a) The relation between ‘ought’ and ‘can’ is one of *logical implication*; (b) some particular interpretation of the notions ‘liberal’ and ‘neutral’ leads us to the above conclusion. Some logicians differentiate between ‘logical’ and ‘deontological’ implications, and suggest that the Kantian dictum is about deontological implication.<sup>23</sup> Consequently, one reason for the ‘oddness’ might have to do with the confusion between logical and deontological implications. Nevertheless, it is an empirical truth that theories of state neutrality have hitherto obliged the Indian state *not* to be neutral. The post-independent Indian state implemented a series of reforms to ‘the Hindu religion and its law’, while it did not interfere with Islam and Christianity.<sup>24</sup> This suggests that some interpretation of ‘neutrality’ and ‘liberalism’ is at stake here. We think this to be the case. Theories of state neutrality that interpret this notion to mean neutrality of justification force us to compromise the notion of a neutral and liberal state. Such interpretations either generate odd conclusions or try to defend indefensible positions.

### *Neutrality of Justification*

Andrew Mason formulates an often made distinction between two kinds of state neutrality as follows:

Neutrality of justification requires that the state should not include the idea that one conception of the good is superior to another as part of its justification for pursuing a policy. Neutrality of effect, in contrast, requires that the state should not do anything which promotes one conception of the good more than another, or if it does so, that it must seek to cancel or compensate for these differential effects.<sup>25</sup>

Is it possible for the Indian state to have a *neutral justification* of its policy towards conversion, if we assume that it permits religious conversion as a part of the freedom of religious expression? Could it justify this choice in a neutral manner? As we have seen, in order to decide about conversion, the Indian state has to make four choices. If it chooses between them, it chooses for some specific conception of the good, whether pagan or Semitic. Then there is no possibility of neutrality of justification. However, if there is a possibility for the state to suspend its

judgement about the truth-value of the statements, then it can play the agnostic with respect to the choices and remain neutral. In other words, could the state plead truth-indeterminacy with respect to these choices?

In a very trivial sense, it is possible to play the agnostic because one could plead ignorance with respect to the truth-value of any knowledge-claim. However, if the state pleads ignorance on some issue, it cannot legislate about the same issue. It cannot play the agnostic and feign ignorance about the question as to whether or not religion revolves around truth, for this would imply it cannot even begin to legislate about the phenomenon of religious conversion. Ignorance about a phenomenon can never be a grounds for legislation, since one would not even know what to legislate about. Any legislation regarding religion presupposes some knowledge about this phenomenon. Where it concerns the issue of religious conversion, the knowledge on the basis of which one legislates will inevitably contain either a denial or a confirmation of the claim that religion is a matter of truth.

The Indian state has made provisions in its constitution about the freedom of religion that includes the issue of conversion: Article 25 of the Indian Constitution states that “all persons are equally entitled to freedom of conscience and the right freely to profess, practise and *propagate* religion.” This has generally been interpreted to mean the following: “...[I]n the context of secularism and religious pluralism conversions are legitimate, well within the Constitutional provisions, and entirely a personal affair of the citizens...”<sup>26</sup> From this, it follows that the Indian state has taken a stance on these issues. It endorses the belief that religion revolves around doctrinal truth.

More proof is available. The secular state in India and elsewhere puts certain legal restrictions on religious conversion. Most importantly, it prohibits all forms of coercion in conversion. It says that religious conversion can take place by means of persuasion alone. But if one takes conversion from one religion to another to be a matter of persuasion, one must presuppose that religion involves the question of doctrinal truth. One can be persuaded to convert only in so far as one accepts the truth of one religion as opposed to the falsity of another. Therefore, the secular state’s restriction on religious conversion again reveals it has taken a position on the question whether or not religion is a matter of truth. It may not accept the truth claims of any one particular religion, but it does assume that religion revolves around truth claims. This conclusion shows that the failure to be neutral towards the issue of conversion is not specific to the Indian secularists. It is a general malfunction of the neutrality of the model of liberal secularism. Even when its theorists take a critical attitude towards proselytisation, they reproduce the theological assumption that religion revolves around truth and therefore support a principle of religious freedom that entails the freedom to convert.

Admittedly, not all forms of liberalism—*e.g.* John Stuart Mill’s advocacy of liberty—emphasise the necessity of state neutrality. Therefore, one cannot conflate liberalism and neutrality. But all forms of liberalism do agree that a state should not base its policies in any one religion, because this would violate principles such as religious liberty and the equal rights of all citizens. In the case of conversion, it appears the liberal state cannot but implement a policy which either presupposes Semitic theology or the pagan stance towards religion and tradition. Hence, it will fail to grant equal rights to all citizens, since the notion of religious liberty itself is disputed. To one group, it implies the freedom to convert; to the other, freedom from conversion. Could not the Indian state merely subscribe to the right to freedom of thought, conscience and religion as proclaimed in the *Universal Declaration of Human Rights* and follow the examples of the western democracies? Surely, one could argue, what works for the western democracies should also work for the Indian polity.

Looking at the theory and practice of state neutrality in the European democracies, we can say the following. In principle, a state can be atheistic, theistic or agnostic, and yet remain liberal and neutral. As long as people enjoy the freedom of religious expression (used in the broadest sense here), and all religious groups are treated symmetrically, it does not matter much what the sovereign or the constitution declares the state to be. Of course, one might prefer an agnostic state to an openly atheistic or theistic state, but that cannot automatically lead us to question the neutrality of the state. Therefore, one could say that a symmetric treatment of all religions and the freedom of religious expression of the citizens are necessary conditions for the existence and functioning of a liberal state.<sup>27</sup>

More important for our purposes is the prevailing agreement. While a theist admittedly believes in the truth of his religion, the atheist believes that no religious claim is true. The agnostic suspends judgement about the truth-value of specific religious claims because of a confessed epistemic inability to ascertain their truth. Despite their differences, they *share* the premise that religion involves the question of truth. This is a factual premise of the liberal state. That is to say, the *very possibility* of a state being neutral with respect to religions hinges on the issue of whether or not religions involve the question of truth. In other words, although the liberal state ought not to make decisions about the truth of religions, *it must decide whether religion itself is a matter of truth*. We claim that the western liberal, neutral states have historically so decided.

When Christianity underwent divisions (to speak only of western Christianity), the Catholics and the Protestants came up with competing truth claims. They defined the terms of the debate as a discussion about true and false religions. Islam and Judaism do the same as well. Whether they accuse each other of being false religions or merely that the others are deficient in worshipping (the Biblical) God, the point is that each of them advances the claim that their

beliefs are true. Further, as histories tell us, this way of framing the issue retained its stability when they met with traditions elsewhere: Judaism and Christianity called the Roman *religiones* false; Islam and Christianity did the same with respect to the Hindu traditions many years later. A liberal state can remain *neutral* with respect to the *competing truth claims* of each and every of these religions. That is, the notion of state neutrality can be made sense of by saying that where there are competing ‘truth claims’, one does not assume a pro-stance with respect to any one of them. However, this does not preclude the liberal state from accepting that religion is a matter of truth. The western democracies have accepted this position, as history testifies.

The claim that religion is a matter of truth is *not an epistemological thesis* about the beliefs present in different religions. Instead, it is *a theological meta-claim* advanced by each of the Semitic religions about itself. When each is convinced that it is the truth and the rest are false, and each of them explicitly states that the difference between truth and falsity constitutes the difference between salvation and damnation, then each one of them is asserting not only that its beliefs are true but should also be so believed. And, therefore, that religion is a matter of either truth or falsity. *The liberal state in the West has accepted a Semitic theological meta-claim as its factual assumption.* It is able to play the agnostic with respect to the truth-value of religious claims because it shares the Semitic beliefs about religions.

Could not a liberal state be ‘agnostic’ with respect to the issue of truth itself? At first blush, it seems as though such a possibility exists. However, what does it mean to say that a liberal state ought to be an agnostic with respect to the issue of truth? It could mean that the state is unable to say which of the competing religions is true. Such an attitude presupposes that the state believes that ‘truth’ and ‘falsity’ are sensible predicates with respect to religion. As we have said, this is Semitic theology and there is nothing neutral about it. Alternately, it could mean that the state does not take a stance with respect to the issue whether religion itself is a question of truth. In that case, how does the state respond to the issue of conversion, and the ‘freedom’ to proselytise? The only option, if the state wants to play the agnostic, is to remove the entire issue from the sphere of legislation and let the communities decide about it. But then the state can neither interfere with religious violence nor strive to reduce religious conflict. Such a state will have to remain ‘neutral’ with respect to *religious violence* and *religious freedom*. Because the western liberal democracies endorse religious toleration and legislate about the issue, quite obviously, they are not playing the agnostic. As we said, they cannot be playing the agnostic because they have presumed that religious truth is cognitive in nature, and that, for example, coercion is *not* the way for a religion to persuade people of its truth.

Consequently, the Indian state cannot merely follow the example of western democracies and hope to remain ‘neutral’. It cannot play the agnostic and yet legislate about religious freedom. It confronts choices, which the western democracies never had to face.



The framers of the Indian constitution took over the theory of liberal state as it emerged in the West and tried to transplant it into the Indian soil. In the process, they also endorsed the theological claim that religion is an issue of truth. While such a stance makes sense in a culture where the problem of religious tolerance arises because of the competing truth claims of the Semitic religions, it does not do the same in another cultural milieu where the pagan traditions are a living force. Consequently, the Indian state is subject to contradictory demands. It must look at the Hindu traditions the way the Semitic religions do, as we have argued, while simultaneously playing the ‘agnostic’ with respect to the issue whether religion itself is a matter of truth. The first impels it to legislate on the issue of conversion; the second compels it to remain ‘neutral’ and let the communities decide. The first stance results in *violence generated and sustained by the state*; the second stance forces the involved communities to solve this problem on their own. The first attitude results in forcing the interaction between the Semitic religions and the pagan traditions to take the form of religious rivalry; the second forces the state to withdraw.

Let us begin with the colonial state, whose foundations are also those of the modern Indian state. An unremitting hostility towards the Hindu traditions sustained the colonial state. Its legislations were meant to curb the superstitions and the cruelty ‘inherent’ in Indian heathendom. Spinning the state policy around the Protestant-Christian criticisms of the Indian religions, the colonial state created stories about the ‘priests’ of the Indian religions, the nature of Hindu temples, the reactionary role that Indian ‘religions’ played in the evolution of Indian society and such like. The colonial representation of India, which was fundamentally a Protestant description of India, became the guiding *mantra* of the ‘secular’ politicians of India. Nehru’s withering contempt for the Hindu traditions does not come from his “discovery of India” but from the textbook stories of the colonial power. As he said himself, he came to India via the West to some extent, and therefore he approached her “almost as an alien critic, full of dislike for the present as well as for many of the relics of the past that [he] saw.”<sup>28</sup> The intention and effects of his description could be summarised as systematic attempts to uphold the claim that the Hindu traditions are degenerate, corrupt and in need of transformation. In other words, it upheld the Semitic claim about the inferiority of false religion and therefore wanted “to scrap much of [India’s] past heritage.”<sup>29</sup> The secularism of Nehru and his followers was, quite simply, a negative attitude towards the Hindu traditions. There is nothing ‘neutral’, in any sense of the word, about the Nehruvian ‘secular’ state.

When pursued systematically, such policies are bound to have their impact on society. Eventually, once the seduction of this ‘secularism’ wore off, the representatives of the Hindu traditions began to articulate defence of their own traditions. However, this defence did not take the form of reflections on Hindu traditions and their ability to address the problems of modern

society. Instead, it took the inevitable form of defence against attacks, i.e., a *militant defence* of the Hindu traditions against the ‘secular’ state of the Nehruvian variety.

When looked at from a pagan perspective, there is *no religious rivalry* between the Hindu traditions and the Semitic religions. However, the opposite is the case when viewed from the perspective of the Semitic religions. When the Indian state assumes the truth of a Semitic theological claim, and further accepts this claim as its own epistemological position, then it actively creates and promotes the religious rivalry between the majority (*i.e.* those who belong to the Hindu traditions) and the minority (*i.e.* those who are Muslims and Christians). That is to say, the state *creates religious rivalry* where there is none (if viewed from the majority perspective). As a matter of state policy, it creates and sustains opposition between religions and traditions. Consequently, it *transforms* the conflict between different groups *into a religious conflict*.

In his introduction to an important collection of articles on secularism in India, Rajeev Bhargava writes that many critics of the secular state have reached the following conclusion:

There is perhaps as much, if not greater religious bigotry today than before. Religious minorities continue to feel disadvantaged and often face discrimination. The scale and intensity of religious conflict does not seem to have declined: if anything it has proliferated, touching people who have never known it before. The verdict against secularism appears unequivocal: *it failed to realize the objectives for which it was devised.*<sup>30</sup>

We disagree with this verdict. The secular state provides a ready-made dress into which social tensions between groups in a society can legitimately fit. The secular state in modern India assumes the truth of a religious perception (even if the perception is that of the minority) without submitting such a perception to any kind of scrutiny. The exacerbation of religious violence does not tell us that secularism failed in India. Its intensity tells us that secularism has been *entirely successful in India*. The secular state, which the secularists continue to wish for, does not prevent religious conflicts: *it actively promotes them*.

By forcing the framework of the Semitic religions on the Hindu traditions, the ‘liberal’ state in India is also coercing the communities to solve their internal conflict in a religious manner. That is to say, it is forcing the pagan traditions in India to mould themselves along the lines of the Semitic religions. The growth of the so-called Hindu fundamentalism is *a direct result* of this coercive straitjacket. Traditions, which never *systematically persecuted* the other on grounds of religious truth, are forced into a systematic persecution of religions precisely on this basis. When secularists fight ‘Hindu fundamentalism’ by appealing to liberal theory, they feed and strengthen what they intend to fight. It is precisely *a liberal ‘secular’ conception* that *generates* the phenomenon of ‘Hindu fundamentalism’ in the pagan Indian culture.

Naturally, this theoretical claim requires empirical support also. We will develop an empirical argument in the near future; within the confines of this article we can only sketch its outlines. The British colonial state in India saw religious toleration as one of its basic duties. In 1858, the Queen of England proclaimed the following:

Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and the desire to impose our convictions on any of our subjects. We declare it to be our royal will and pleasure, that none be in anywise favoured, none molested or disquieted, by reason of their religious faith or observances; but that all shall alike enjoy the equal and impartial protection of the law.<sup>31</sup>

Inspired by the values of toleration and religious liberty, the colonial state argued that Hindus ought to be left free *in the spiritual realm of religion*, in the same way as the believers in Europe. No human being, said the principle of Christian freedom, could arrogate the authority of God over human souls and consciences.

The resulting policy, however, systematically compelled the Hindus to prove that a particular practice was founded in ‘the true religious doctrines of Hinduism’. This was the case, because the liberal colonial state would tolerate a practice only if it had been demonstrated to belong to the realm of religion. Thus, in the nineteenth-century controversy over the practice of *sati* or ‘widow-burning’, the Governor-General in Council decided in 1812 that “The practice...being...recognized and encouraged by the doctrines of the Hindoo religion, it appears evident that the course which the British government should follow, according to the principle of religious toleration...is to allow the practice in those cases in which it is countenanced by their religion...”<sup>32</sup> In the same controversy, a British observer commented that “the true interpretation of the religious law...will no doubt diminish, if not extinguish the desire for self-immolation. The safest way of coming to a right understanding on a point so interesting to humanity, is a rigid investigation of the rules of conduct laid down in the books which are considered sacred by the Hindoos.”<sup>33</sup> Consequently, the orthodox Hindu community began to aggressively defend the practice of self-immolation by demonstrating its foundation in the ‘religious doctrines’ and ‘sacred texts’ of the ‘Hindu religion’.<sup>34</sup>

Following this route, the policy of religious toleration gradually transformed the self-confidence and vibrancy of the Hindu traditions into a fanatical defence of their alleged ‘religious doctrines’. Before the early nineteenth century, the Hindu spokesmen had protected their traditions from the missionary onslaught by pointing to the antiquity of their ancestral practices. Or they insisted that “every one may be saved by his own Religion, if he does what is

Good, and shuns Evil,” as a Malabar Brahmin told Ziegenbalg in the early eighteenth century.<sup>35</sup> This changed once the liberal colonial state implemented its policy of religious toleration: now these traditions had to prove that they were proper religions, with their own sacred doctrines, in order to be legitimate. In the same way as its colonial precursor, the secular state of post-independence India has forced the Hindu traditions to identify and stand up for themselves as religious doctrines—variants of Islam and Christianity. The result is the *Hindutva* movement: a militant attempt to establish the doctrines of ‘Hinduism’ as the superior and dominant form of religion in the Indian society.

Even though it is incomplete, this argument points to a common mistake in the current analysis of ‘the world-wide phenomenon of religious fundamentalism’. As argued in the above, the contemporary liberal framework assumes that the Hindu and other Asian traditions are variants of the same phenomenon as Islam and Christianity, *viz.* religion. In the same way, the current analysis *presupposes* that all cultural movements in the contemporary world can be classified into two basic categories: the liberal tolerant movements and their counterparts of religious fundamentalism. When one assumes that all the movements in question—Islamic fanaticism in the Arab world, Christian fundamentalism in the United States, the *Hindutva* movement in India, violent Buddhist groups in Sri Lanka—are variants of one and the same phenomenon, one’s analysis and research projects will indeed confirm that we confront a worldwide threat of ‘religious fundamentalism’ or ‘religious violence’.<sup>36</sup> However, this does not give us a fruitful understanding of these various movements. It merely shows how the fallacy of *petitio principii* allows one to uphold a crude conceptual framework, which reduces all cultural movements into variants of either liberal pluralism or religious fundamentalism.

We propose a first step towards an alternative understanding of the so-called ‘Hindu fundamentalism’ in India. When the Indian liberal state accepts the Semitic notion of human traditions as so many competing religious doctrines (which enables it to grant the freedom to convert), and does nothing more, the pagan traditions are forced to defend their value of non-interference by reacting to those who interfere with them. That is to say, when the state actively promotes only the Semitic conception of the good and the pagan communities want to strengthen their conceptions of the good, a conflict between the two is inevitable. This conflict is not only between the pagan communities and the state but also among the communities in society. To the extent that some one particular type of community—namely, those belonging to the Semitic religions—is perceived to enjoy the protection of the state, the conflict could only take the form of opposing the state violence with civic violence. That is to say, the so-called religious violence between communities and the cry to ban religious conversion arise from the ‘neutral’ ‘secular’ policies of the Indian state during the last fifty years or more. The seeds of religious violence *are sown* by the liberal state; however, it is the communities that harvest them.

### *3. Can the Indian State be Neutral?*

Does all of this mean that state neutrality is impossible in the Indian society? This depends on the kind of neutrality one strives for. It has become clear that a neutrality of justification is *logically impossible* for the Indian state. This option is not available because (a) the choices of the state are logically exclusive and (b) the state cannot play the agnostic. However, other conceptions of state neutrality exist: neutrality of effect and neutrality of aim, for example. Drawing on Joseph Raz's formulations of state neutrality, the foremost liberal political theorist of the twentieth century, John Rawls, suggests that neutrality might mean any of the following:

(1) that the state is to ensure for all citizens equal opportunity to advance any conception of the good they freely affirm; (2) that the state is not to do anything intended to favor or promote any particular comprehensive doctrine rather than another, or to give greater assistance to those who pursue it; (3) that the state is not to do anything that makes it more likely that individuals will accept any particular conception rather than another unless steps are taken to cancel, or to compensate for, the effects of policies that do this.<sup>37</sup>

When it legislates in favour of religious conversion, the Indian state cannot live up to the first two principles of neutrality of aim. This policy promotes 'the comprehensive doctrine' or 'conception of the good' of the Semitic religions at the expense of the Hindu traditions by making the four choices that correspond to the Semitic view. This leaves the third option of neutrality of effect. But this, Rawls claims, is "an impracticable aim," because

it is surely impossible for the basic structure of a just constitutional regime not to have important effects and influences on which comprehensive doctrines endure and gain adherents over time, and it is futile to try to counteract these effects and influences, or even to ascertain for political purposes how deep and pervasive they are. We must accept the facts of common-sense political sociology.<sup>38</sup>

Thus, the effects of state policy in a liberal regime may well bring about the decline of some religions and their conceptions of the good. We may indeed lament the limited space of social worlds, Rawls continues, but "No society can include within itself all forms of life."<sup>39</sup> Rawls has in mind cases of minority religions that go against his conception of political justice: *e.g.* conceptions of the good that require the repression or degradation of certain persons on racial or ethnic grounds or religions that need the control of the state apparatus in order to survive. The predicament becomes somewhat more dramatic in the Indian case. Here, if we accept "the facts of common-sense political sociology" (whatever these may be) and abandon neutrality of

effect as “impracticable,” then it simply becomes impossible for the Indian state to be neutral. Neutrality of effect is the only option left for the liberal state in India in the face of the predicament of religious conversion. If it continues its current policy without trying to neutralise the effects, the cultural traditions that do not conceive of religious diversity as a rivalry over truth will continue to decline.

How could the Indian state neutralise the effects of its policy towards religion and conversion? Such a strategy becomes conceivable when we consider a common description of the co-existence among different religious and cultural traditions in the Indian society. Many authors have claimed that a reasonably stable and plural society existed in India, which far surpassed the cultural diversity of the West at any point during its history. This phenomenon of pluralism, it is said, took a shape different from anything known to modern western culture. There were violent clashes, but these never developed into the systematic persecution of some particular tradition or the other. Alongside these clashes, there was a tendency in each of the religious traditions to absorb or adopt elements from the other traditions. Certain saints, festivals and artistic traditions were shared by Hindus, Muslims and Christians. In many parts of India, scholars point out, this kind of positive interaction lives on today.<sup>40</sup>

It remains to be seen how far this picture of traditional Indian pluralism will correspond to a social-scientific theorizing of the same phenomena. It could be pure nostalgia or a naïve conception of societies where Hindus really set the basic rules and compelled others to comply. That is what research will have to show us. Anyway, our contemporary ignorance of the nature of—and the mechanisms behind—this pluralist social structure is tragic, given the fact that it is in fast decline. Social-scientific research should examine the successes and failures of stable diversity in the Indian culture. This research can reveal the mechanisms behind the traditional forms of pluralism and show how they could be stimulated. One thing the Indian state could do in order to neutralise the effects of its policy towards religion is to promote such research projects. It could help create a fertile soil for innovative research into the Indian cultural traditions, including Indian Islam and Indian Christianity, so as to disclose the mechanisms and dynamics that could be stimulated in order to have the Indian pluralism flourish.

In other words, only by actively generating the neutrality of effects could the Indian state hope to become neutral. To give up religious freedom and ban religious conversions is both undesirable and retrograde. It would deny freedom to those groups in India who follow the Semitic religions. Instead of doing this, the Indian state could look elsewhere to become neutral. In response to the economic exigencies of the global market, it has actively stimulated the growth of engineering and allied disciplines. It could do the same with respect to stimulating explorations into the histories and theories of the Indian cultural traditions. The state could make career prospects in such areas exciting, and entice intelligent minds to explore the possibilities of cultural rejuvenation.

At this point, a common misunderstanding may emerge. Let it be clear that we are *not* in any way suggesting that political structures and processes in India should become ‘faith-based’, ‘theocratic’, or ‘religious’. This understanding of our argument commits a fallacy: it assumes that because we criticise the notion of a liberal secular state in India, we intend to defend its mirror image of a religious or faith-based state. This is neither a logical implication nor a hidden agenda of our argument. Rather we wish to challenge the entire framework of liberal political theory on conceptual grounds. This framework first makes all cultural traditions into variants of a common phenomenon of religion. Then it tends to reduce all political models to an opposition between the impartial and secular *versus* the partial and religious ones. We contest the framework at two levels. Firstly, in spite of its pretention of neutrality, the liberal model of toleration and state neutrality is itself not a secular, impartial model. In reality, it is a Semitic theological entity which has been dressed up in ‘secular’ philosophical garb.<sup>41</sup> Secondly, the *prima facie* evidence indicates that the Hindu traditions cannot be variants of the same phenomenon as Islam and Christianity. Hence, the suggestion that an attempt to examine the traditional pluralism of the Indian culture as the source of a potential alternative to the liberal model of toleration is equivalent to the advocacy of faith-based politics misses the point. We do not intend to study the Hindu traditions as a religious doctrine or faith, because this approach captures neither their basic nature nor their distinct structure.<sup>42</sup>

Ultimately, it is not the aim of our argument to prescribe to the Indian state what it should or should not do. We do not even propose that the Indian state is under a moral obligation of neutrality towards the various cultural and religious communities in its society. What we have argued is that the dominant notion of state neutrality of liberal political theory threatens to collapse once it is confronted by a case like the Indian, where pagan traditions and Semitic religions co-exist. The issue of religious conversion shows that neutrality of justification and aim are logically impossible in such a case. Naturally, neutrality could still be possible with regards to different issues. But the fact that the liberal secular state fails to be neutral in an issue as crucial as that of religious conversion indicates that we should re-examine its success while dealing with other problems of the Indian society also—*e.g.* its controversy about a uniform civil code.

In so far as the normative theory of the liberal state intends to provide a universal model to solve the problem of diversity in society, it is bound to fail, for it suffers from a profound ignorance of the structure of plural societies other than those of the Christian West. Moreover, our analysis has revealed that the dominant conception of the liberal state—‘neutral’ and ‘secular’—does not allow space to pagan traditions, which do not conceive of religious diversity as a rivalry of truth claims. Perhaps, as Rawls says, no society can include within itself all forms of life. But when the epistemic premises of the liberal state prevent it from accommodating cultural traditions that form the majority in many Asian countries, it is high time to re-examine the cultural roots and limitations of this particular form of life.

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<sup>1</sup> Cited in Chandra 1994, p. 75.

<sup>2</sup> Madhok 1995, p. 116.

<sup>3</sup> Nandy 1998, p. 338.

<sup>4</sup> *Harijan*, November 5, 1935.

<sup>5</sup> Ramaswami 2002.

<sup>6</sup> Bhargava 1998, p. 2.

<sup>7</sup> Dandekar 1971, p. 237.

<sup>8</sup> Weightman 1984, p. 191-2.

<sup>9</sup> Collins 1988, p. 103.

<sup>10</sup> See Balagangadhara 1994 for an exhaustive analysis.

<sup>11</sup> Chatfield [1808]1984, p. 324.

<sup>12</sup> Ziegenbalg 1719, p. 14.

<sup>13</sup> Sachau (ed) 2002, p. 3.

<sup>14</sup> Chattopadhyaya 1998, p. 90

<sup>15</sup> In Staniforth 1968, p. 176-8; italics added.

<sup>16</sup> In Urwick [1885]1985, p. 133.

<sup>17</sup> This Christian understanding of the Hindu traditions lives on today. During an oral evidence given before the members of the Select Committee of the House of Lords on Religious offences in November 2002, Ramesh Kallidai, speaking on behalf of the Hindu Community, pointed out an article by the Christian Medical Fellowship's Pastor Juge Ram: "There is another example which I recently came upon which may not be incitement to religious hatred, but in our opinion it is vilification and ridiculing the Hindu belief system. This is an article published in July 2000 by the Christian Medical Fellowship and the article was written by Juge Ram who is a convert from Hinduism to Christianity and I quote from his article which was published July 2000 and is at present on their web site. The article says as follows: 'Hindus are lost and spiritually blind. They are without hope in this world and in the next. Only Christ can release them. *Hinduism is a false religion*'. So in our humble opinion we think this is definitely vilification and

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ridiculing one billion Hindus worldwide who are established in a particular religious system' (italics added).

Responding to this statement, the Earl of Mar and Kellie, a member of the Select Committee, said 'Following on the question about the Christian Medical Fellowship, it struck me from what you read out was that they were just making unpleasant statements, to put it mildly, but they were *not actually telling any lies* about the Hindu religion in the sense that *they were not actually putting out any false remarks* which were possibly going to distort people and mis-educate them.' The *Minutes of the Select Committee of The House of Lords on Religious Offences in England and Wales – First Report*, (<http://www.parliament.the-stationery-office.co.uk/pa/ld200203/ldselect/ldrelof/95/2112706.htm>; italics added; consulted August 8, 2004).

<sup>18</sup> Gandhi 1942, p. 2.

<sup>19</sup> In Barrow 1973, p. 37-41.

<sup>20</sup> See Lynch 2001 for a helpful collection of articles.

<sup>21</sup> In Barrow 1973, 37-41; italics added.

<sup>22</sup> 'Conceivably', because not all deontic theories accept this principle.

<sup>23</sup> See, for instance, Jaakko Hintikka's 'Deontic Logic and its Philosophical Morals' in his 1969. See also the articles of Hintikka and several others on the nature of deontic logics in Risto Hilpinen (ed) 1981.

<sup>24</sup> See Chatterjee 1998.

<sup>25</sup> Mason 1990, p. 434.

<sup>26</sup> Radhakrishnan 2002.

<sup>27</sup> No attempt will be made to formulate the necessary conditions more precisely because nothing in our argument revolves around them.

<sup>28</sup> Nehru [1946]1988, p. 50.

<sup>29</sup> Nehru [1946]1988, p. 50.

<sup>30</sup> Bhargava 1998, p. 2; italics added.

<sup>31</sup> Cited in Thomas 1988, p. 287

<sup>32</sup> This statement occurs in a reply from the Governor General in Council to a letter requesting clarity on the official colonial policy towards the practice of self-immolation by widows, in Majumdar (ed), 102.

<sup>33</sup> From an "appreciative notice of Raja Rammohun Roy's first *Tract on Suttee*" in the Calcutta Gazette of December 24, 1818.

<sup>34</sup> See Lata Mani's interesting work on this issue in her 1986 and 1989.

<sup>35</sup> Ziegenbalg 1719, 15.

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<sup>36</sup> See Appleby 2000 and Juergensmeyer 2000 for two recent examples.

<sup>37</sup> Rawls [1988]1999, p. 459.

<sup>38</sup> Rawls [1988]1999, pp. 460-1; see also his 1993, pp. 193-4.

<sup>39</sup> Rawls [1988]1999, p. 462.

<sup>40</sup> On this traditional Indian form of pluralism see Apffel-Marglin 1999; Burman 2002; Hasan 1993; Narayanan 2001.

<sup>41</sup> See Jeff Spinner-Halev's interesting piece on 'Hinduism, Christianity and Liberal Religious Tolerance' which presents a related argument.

<sup>42</sup> For theoretical proof for this claim see Balagangadhara 1994, pp. 340-446 and Balagangadhara 2005.