

Human rights and secularism in conflict with Hindutva: the *Water* controversy

Direitos humanos e secularismo em conflito com Hindutva: a controvérsia em redor do filme *Água*



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Abstract This article analyses tension between human rights (including secularism) and Hindutva, the Hindu nationalists' discourse. Particular focus is put on women's rights and the right to freedom of expression and dissent in India using the film *Water* and the controversy associated with it in the north Indian district of Varanasi in 2000. Firstly, the relation between human rights, secularism and Hindutva/Hindu nationalism is discussed conceptually. This is followed by a discussion of the narratives of Hindutva's followers in Varanasi and their involvement in the controversy surrounding the film *Water*. Extracts from interviews of Hindu nationalists are included to illustrate this tension. The article concludes by claiming that Hindutva is an antithetical to secularism and human rights.

Resumo Este artigo analisa a tensão entre os direitos humanos (incluindo o secularismo) e o Hindutva, o discurso dos nacionalistas hindus. É dada especial atenção aos direitos das mulheres e ao direito à liberdade de expressão e dissidência na Índia, utilizando o filme *Água* e sua controvérsia, que teve lugar no ano 2000, no distrito de Varanasi, no norte da Índia. Primeiramente, é introduzida uma discussão conceptual sobre a relação entre direitos humanos, secularismo e nacionalismo Hindutva/Hindu. Segue-se uma discussão sobre as narrativas dos seguidores de Hindutva em Varanasi e o seu envolvimento na controvérsia do filme *Água*. Excertos de entrevistas com nacionalistas hindus são apresentados para ilustrar esta tensão. O artigo conclui afirmando que Hindutva é antitético ao secularismo e aos direitos humanos.

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Keywords: Hindutva; Hindu nationalism; India; freedom of expression; women's rights; film *Water*.

Palavras-chave: Hindutva; nacionalismo Hindu; Índia; liberdade de expressão; direitos das mulheres; filme *Água*.

Introduction

India is a multicultural country where Hindus are the majority (80%), while Muslims are the second largest community, forming 14.6% (approximately 206 million) of the total population. During the Indian freedom struggle, people from all religions, castes, and classes rose up against the British Empire. Indian nationalism emerged during the anti-colonial freedom struggle, but it was inclusive and tolerant in nature.

On August 15, 1947, India became a secular democratic nation after its independence from Britain. Independence was overshadowed by fierce Hindu-Muslim violence which led to the partition on August 14, 1947 of India into two countries, India and Muslim Pakistan. For Hindu nationalists, the partition was seen as a Muslim betrayal of the Indian nation. Animosity continued between Hindus and Muslims in post-Independence India. Later on, in 1950, "inclusiveness" was consecrated in the secular Indian Constitution that promoted the cultural accommodation of religious minorities. For the makers of the Indian Constitution, "secularism" was an essential tool for the effective functioning of democracy (Jha, 2002). The Congress party, under the

sway of Jawaharlal Nehru, the first prime minister of India, preferred secularism and religious pluralism over a Hindu nation. During this early period (1940s and 1950s), the political influence of Hindu nationalists on society was limited, and their dream of remaking India into a Hindu nation went unrealised. Furthermore, the assassination of Mahatma Gandhi by Hindu nationalist Nathu Ram Godse in 1948 turned the people's sentiment against the ideology of Hindutva.

Initially, the Congress Party leadership was confident that a political culture based on religious pluralism would become the foundation of the new society (Doss, 2018). However, this did not happen. Communalism, as an ideology for political mobilisation, continued to resonate among Hindu nationalists which resulted in the aggressive rise of the Hindu extreme right in the 1980s (Engineer, 1995: xiii–xiv). The demolition of Babri Mosque by Hindu militants in 1992 confirmed their success in Indian politics (Varshney, 1993). As a political tactic, Hindu nationalist organizations such as Rastriya Swayamsevak Sangh (hereafter RSS) and Bhartiya Janta Party (hereafter BJP) evoked the historical trauma of Hindu humiliation under Muslim rule (1000 AD - 1757 AD), and continually incited the

Hindu majority to seek revenge against past atrocities (Kinnvall, 2016). Founded in the 1920s, the RSS offers unity to the Hindu community to build the Hindu Rashtra (the Hindu state). Hindu nationalists stipulate that minorities should have no special constitutional privileges that would allow them to retain their distinct religious identities (Jaffrelot, 1996; 2002). The goal of Hindu nationalism is to convert Indian secular democracy into a majoritarian Hindu state — an objective that RSS is currently trying to achieve through its political arm, BJP. The BJP has been accused of pursuing a religiously divisive agenda, which seeks to make India a Hindu state and has led to a rising tide of violence against Muslims and civil society (Petersen, 2022). The journey of Hindu nationalism started during the Hindu revival movement (17th to 19th century) and continued during the colonial period. In post-independence India (particularly in 1980s), proponents of Hindutva notably continued to push their agenda; they stood against secularism, women's rights, freedom of expression and dissent (Sen, 1993; van der Veer, 1996). However, most concerning is their attack on those who criticise the Hindu religion (Jaffrelot, 2008; Thapar, 2015). Their tendency to censor dissent is reflected in the case of *Water*.

The film *Water* (2005) and the surrounding controversy (2000) provide an insight into the political ideology and strategy of Hindutva, particularly, from 2000 onwards. The film was translated into Hindi by Anurag Kashyap. Shooting

of the film began in 2000 in Varanasi but had to be stopped due to violent protests and could only be continued in 2005 in Sri Lanka under the name "Full Moon". The film was released in India in 2007. It was nominated for "Best Foreign Language Film of the Year" at the 2007 Academy Awards. *Water* explores the plight of widows forced into poverty in the holy city of Varanasi in 1930s. Its title and setting allude to the sacred waters of the Ganges. The river and the Goddess Ganga, from which its name derives, are also symbols of Hindu conservatism under which widows are attributed extremely low social status. For the people of Varanasi, Ganga, is synonymous with their religious identity and sacred pride (Darian, 1987). The film centers on a young widow, Kalyani (who falls in love with a Brahmin man who is a follower of Mahatma Gandhi) and a child widow (Chuhiya) who is forced to live in the same ashram as Kalyani in Varanasi along with other "undesirable" widows. Their lives are controlled by a venal old woman, Madhumati. She pimps the young widow Kalyani with wealthy Brahmin men. Kalyani, defying social restrictions imposed on widows, runs away to marry her Brahmin lover, but finally discovers that his father is one of her "clients." She drowns herself in the Ganges, and the young man disowns his father. Chuhiya is abused and then rescued by Shakuntala, another widow, who helps her escape (*Water*, 2005).

The script of the film was leaked before shooting. Some of the dialogue in

the script was seen by the nationalists as offensive to their religion (Siddharth, 2000). They claimed that the film would hurt Hindu sentiments because widows are depicted as prostitutes, engaged in romantic affairs, and are exploited by a Hindu priest. In reaction to these perceived affronts, the filmset at Tulsi Ghat was destroyed on the 30th of January 2000 by members of The Kashi Sanskriti Raksha Sangharash Samiti (KSRSS), an organisation that includes members of the RSS. Finally, under pressure from Hindu nationalist groups, shooting was banned, and the crew was forced to leave the city (Dainik Jagran, 2000).

The violent reaction by Hindutva groups to *Water* shows how threatened these groups feel when challenged by ideas of women's empowerment and human rights. Interviews with Hindu nationalists show how they use nationalist narratives to exert control over women's bodies and to channel their anger at secularism and human rights. Their ability to invent and divulge anti-secular and anti-gender activities shows how fluid Hindutva ideology is in transcending the limits of time and location and in its ability to shape the contemporary socio-political situation in India. Since 2014, the increase in Anti-human rights tendencies among Hindu nationalists starting with the *Water* controversy (2000) is mirrored by growing intolerance towards dissenters and disregard for women's rights under Narendra Modi's Hindu nationalist government onwards. The *Water* contro-

versy was an early indication of the exacerbating influence of Hindu nationalism and of declining secularism and human rights in Indian society and politics.

Empirically, the *Water* controversy reveals the tension between Hindu widows and Hindu nationalists who have denied certain of the widows' basic human rights. Theoretically, the controversy reflects an implicit tension between competing discourses, one grounded in the human rights of Hindu widows and the other in the ideologies of Hindu nationalism and religion. The former questions authority and promotes equality whereas the latter (and religion in general) propagates submission, hierarchy and usually inhibits freedom of expression and dissent (Witte and Green, 2012). The destruction of the filmset by Hindutva supporters was an attempt to control the narratives of the bodies of Hindu widows, who are considered an essential part of Hindu nationalism and Hindu culture (Saltzman, 2006). The script of *Water* highlights their oppression, their right to free agency, and their human rights. This article is an attempt to analyze the complexities of modern theories (secularism, human rights) and their implications in a northern non-western Indian Hindu society by studying the impact of the filming of *Water* in such a sensitive context. It does so by first introducing a conceptual discussion on the relation between secularism, human rights, and Hindutva/Hindu nationalism. It then moves on to discuss the narratives of Hindutva's followers in-

volved in the film controversy. Extracts of their interviews are included to illustrate the relationship between these competing agendas. The article concludes by claiming that Hindutva is antithetical to secularism and human rights.

Conceptual discussion

During India's freedom struggle, Congress leader Mahatma Gandhi was concerned with enmity between Hindu and Muslims (Khilnani, 2016). Gandhi proposed an idea of 'religious neutrality' in the convention of 1931. Later, to prevent potential sectarian violence between Hindus and Muslims, it was considered vital for the newly liberated Indian State to be seen as "neutral." This gave rise to the notion of 'political neutrality' (Balsekar, 2014), which is now a guiding principle. India's freedom struggle was a joint struggle of various communities irrespective of their religion and caste, and this meant that the nature of Indian nationalism was inclusive (Khilnani, 2016). This inclusivity could be better safeguarded through a vision of "inclusive secularism" capable of accommodating different communities and their religious differences. Sen (1993) argues that Indian secularism has been able to promote cultural diversity and religious tolerance and to create a democratic environment where religious minorities feel safe.

Though secularism in India has been linked with religious tolerance, this tolerance has not led to critical public

discussions about religious differences (Richman and Geetha, 2007: 85). According to Donald Smith (1963: 139), Indian secularism is a pragmatic response to the challenge of religious pluralism. He argues that the principal of a secular state represents a practical approach for national unity and communal harmony. However, critics argue that secularism is flawed since it has been associated with modernization that belittles faith and fails to respect religious believers (Srinivas, 2003). Ashis Nandy (1995) and T. N. Madan (1987) reject secularism as it is deemed radically divergent from Indian culture and tradition. They advocate revisiting genuine religion and the indigenous traditions of religious tolerance in order to uphold a multireligious and pluralistic society. Nandy contends (1995; 1999) that contemporary Western rational-scientific secularism has not succeeded in removing religion from politics or in fostering more religious inclusivity, and that it has ultimately led to communal violence.

Interestingly, none of these critics would support a theocratic state that subordinates the state and constitution to a particular religious system. Nandy's yearning for an 'authentic' cultural essence carries the risk of authoritarianism (Desai, 2002: 78). Moreover, the anti-secular argument overlooks the fact that religious society in India prior to the rise of Western post-Enlightenment modernity was not devoid of religious violence (Pantham, 1997: 529). Pardesi and Oetken (2008: 23) assert that the separation of re-

ligion and state is necessary to safeguard society from the potential radicalization of religion and promote stability. However, Anderson and Jaffrelot (2018) question whether religious pluralism and the protection of human rights, which are preserved by Indian secularism, can be preserved under a Hindu-majority state.

Secular principles have faced challenges due to a history of religious and ethnic conflict, which initially peaked with the partition of British India in 1947. This conflict continued to dominate the political scene in the 1980s, 1990s, and from 2014 onwards. To gain a comprehensive understanding of the roots of Indian secularism, it is crucial to take a critical and empirical approach to the study of Hindutva (Hindu nationalism) politics and Hindu majoritarianism in contemporary Indian politics. The majority-minority framework of current Indian polity under the BJP endangers secularism due to the influence of dominant religious forces (Rajan and Needham, 2007). Nehru had created secularism to ensure fair treatment of all religions, but Hindutva, a substitute for secularism according to majoritarian politicians, has now taken hold of the Indian political climate (Chandhoke, 1999). Proponents of Hindutva, including organizations like RSS/BJP, have never fully embraced secularism and its associated values, including religious equality and egalitarianism, and have demonstrated little regard for the human rights of minorities and Dalits (Khilnani, 2016; Jaffrelot, 2022).

Hindu nationalism (Hindutva)

Hindu nationalism emerged as an alternative political culture during the Indian independence movement in the early 20th century and has now become the dominant idiom. It advocates the imposition of a religion, culture, language, and sacred territory (Jaffrelot and Therwath, 2007: 4). Scholars have branded Hindu nationalism various names for its hegemonic and anti-democratic characteristics. Catarina Kinnvall (2006) terms it “anxious nationalism”, Dibyesh Anand (2011) labels it as “schizophrenic nationalism”, and Sikata Banerjee (2012) describes it as “muscular nationalism”. Hindutva has and is currently being utilised in the process of nation-building to establish a Hindu-majority identity, and a Hindu nation. Part of its strategy is to cultivate a narrative of Hindu insecurity and blame this insecurity on Muslims (Anand, 2011). Hindutva is now synonymous with Indian nationalism (Tharoor, 2020).

Hindutva is the belief in the hegemony of Hinduism in India and the establishment of the country as a Hindu, rather than secular state (Jaffrelot, 1996). The word Hindutva was popularized by Vinayak Damodar Savarkar — the president of Hindu Mahasabha — in 1920s. The discourse of Hindutva rejects foreign influence and cultural diversity and propagates the sacredness of Hindu religion; Savarkar used the term “Hindutva” to describe “Hinduness” or the “quality of being a Hindu” (Tharoor, 2020: 221). The

Hindutva ideology has been associated with rightwing extremism and fascism due to the puristic racial elements of the movement and its association with intolerance of minorities; anti-Muslim sentiment and violence in particular is palpable in India (Casolari, 2002; Peterson 2022). Hindutva in colonial India emerged through sustained interaction with ideologues in fascist Italy and Nazi Germany (Casolari, 2002; Leidig, 2020). Hindu fundamentalist organizations (RSS/BJP) have used Hindutva to develop an aggressive sense of ethnic Hindu identity in the mobilization against religious minorities, and secularists (Jaffrelot and Therwath, 2007; Zavos, 2010).

Since the advent of the right-wing Hindu nationalist Prime Minister Narendra Modi — known for his anti-secular and anti-Muslim stance — in 2014, Hindutva discourse has shifted from the margins to the mainstream, becoming almost the national ideology of India. This shift has eroded the discourse of human rights and secularism. Modi, who is also affiliated with the RSS, has pushed human rights activists, NGOs, secularists, and dissenters out of the political arena (Human Rights Watch, 2022). Hindutva groups have emphasised the concept of Hindu nationalism to segregate and dominate religious minority groups, to galvanise majority Hindus, and to advance belligerent Hindu religious nationalism. The particularly aggressive ethnic behaviour of religious nationalists has led to several anti-Muslim riots, including

Jamshedpur (1979), Moradabad (1980), Bombay (1993), and Gujarat (2002) (Varshney, 2003). Ethnic mobilisation often produces exclusionary nationalism, where a dominant group seeks to impose its values on other groups within society. This may include violent exclusion of ethnic groups from positions of power. Hindutva, for instance, enforces cultural homogeneity over religious minorities, secularists and those who do not share their ideological beliefs. As a result, dissenters are often excluded from positions of power. Hindutva supporters maintain that a homogeneous identity is essential for nationhood, and only a shared cultural outlook can achieve such cohesion (Sen, 2005: 298). Driven by the idea that Hindus suffered oppression during Muslim rule in India, Hindutva leaders have orchestrated communal riots to retaliate against Muslims (Jaffrelot, 1996; Brass, 2005). Hindutva forces have effectively utilized religion in Hindu nationalism, resulting in a significant negative impact on Indian democracy, human rights, secularism, and women's rights (Jaffrelot, 1996; Ludden, 2005; Chowdhury and Keane, 2021; Boese et al., 2022).

Hindutva vs. human rights

The discordant relationship between Hindutva and human rights is intricate and inextricable. Human rights challenge inequality and religious dogma, and advocate for minority rights, women's rights, and the freedom of expression (Witte and

Green, 2012). In contrast, Hindutva discourse, as a by-product of Hindu religion, openly rejects inclusivity, secularism, gender equality and religious plurality. Hence, the discourse of human rights challenges the fundamental principles on which Hindutva stands. Human rights represent a contemporary language of empowerment and societal transformation. By promoting social emancipation, equality, and the legal obligation for nations to protect its inhabitants from discrimination, the discourse of human rights has become a force for change. However, the discourse of human rights is not without its limitations. The confluence of moral appeal and conceptual ambiguity renders human rights a highly effective rhetorical tool. Annibal Quijano (2007) argues that human rights have become a form of moral imperialism, which operates on the basis of the "coloniality of power," both including and excluding humanity. Boaventura Santos questions the exclusionary nature of human rights (Santos, 2012) while Baxi (2006) challenges the Western hegemony in interpreting international human rights laws. The abstract universality of human rights has been considered hostile to non-Eurocentric perspectives (Santos and Martins, 2021). Many instances of human suffering are not considered violations of human rights according to the prevailing conception of them. Santos and Martins (2021: 1-3) ask "why there is so much unjust human suffering that is not counted as a violation of human rights"? It is important to consider the hypocrisy

of imperial powers like Britain and France, who on one hand brutally suppressed anti-colonial movements in Kenya, Malaya, Indochina, and Indonesia, while simultaneously engaging in human rights diplomacy at the UN (Hoffmann, 2011). Actions like these are not only immoral but also contradictory. Historically, traditional colonial powers have colonized one-third of the world in an unrelenting attempt to satisfy their desire for power, natural resources, and domination. Despite the moral prohibition against racial discrimination outlined in the UN charter which came into effect on 26 June 1945, colonization with all of its instruments of discrimination continues today, not necessarily as stated policy, but in ever more subtle ways.

It is possible that under certain circumstances the discourse of human rights may perpetuate an unequal and unjust set of social and political relations (Campbell, 2005). Controversy surrounding the applicability of human rights has provided a pretext for some Asian states (China, Singapore, Thailand, India) to ignore and impede their implementation within their jurisdictions (Freeman, 1996). Yet, inherent weaknesses in the discourse of human rights has not deterred human rights activists and the ordinary citizen from holding "the authorities accountable" for human rights violations. Of note, signatory States have voluntarily signed United Nations treaties that are legally binding (United Nations, 2012). They must be committed to safeguarding and

respecting fundamental freedoms,¹ including freedom of expression and the right to equality. In the context of India, the ideology of Hindutva is theoretically and empirically at odds with numerous international human rights laws. This analysis is crucial, given the stance of the current ruling Hindu nationalist party in India (BJP), which has been identified for its anti-human rights attitude, particularly towards religious minorities and for instrumentalizing laws² against dissent (Human Rights Watch, 2022).

In contemporary India, the act of expressing dissent is frequently viewed as being unpatriotic (Ganguly, 2019; Chandrachud, 2020), a reflection of the prevailing climate for freedom of expression under the current Hindutva government of Narendra Modi. Human Rights Watch (2022) has documented numerous instances of harassment with heavy-handed sedition and counterterrorism laws being levied against human rights activists, attorneys, and journalists who have criticised government officials. The

mainstream media, under government pressure, has become complicit in the demonization of dissent (Mujeeb, 2022). In present-day India governed by Hindutva, peaceful expression is criminalized, gradually eroding the human right to dissent and protest (Lokur, 2020).

Discrimination based on gender is forbidden under virtually all human rights conventions.³ However, the discourse of Hindutva runs counter to human rights norms of equality and non-discrimination. The ideological structures of the Hindutva movement contain inherent elements of “patriarchy” and “sexism”, with the female body used as a mere tool for promoting Hindu nationalism (Basu, 1993). Furthermore, the RSS ideologue Mohan Bhagwat has frequently expressed the notion that a woman’s role is solely within the domestic sphere, in which she must care for her husband and children (Tharoor, 2020). The ideology of Hindutva promotes a

¹ Various domestic and global human rights instruments, including International Covenant on Civil and Political Rights (ICCPR; United Nations, 1966a) (article 19) and International Convention on the Elimination of All Forms of Racial Discrimination (ICERD; United Nations, 1965) (article 5), enshrine the right to freedom of opinion and expression.

² Article 19(1)(a) of the Indian Constitution (Ministry of Law and Justice, 2022) grants Indian citizens the right to freedom of speech and expression. However, the right to freedom of expression may be restricted on some grounds such as state security, public order, decency and morality, defamation, and incitement to an offense (Article 19(2)). These laws have been manipulated to file cases against dissenters.

³ The International Covenant on Civil and Political Rights (ICCPR; United Nations, 1966a) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR; United Nations, 1966b), allow for equal rights between men and women in the enjoyment of all rights through their common article 3. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW; United Nations, 1979) is devoted to promoting women’s human rights. The principle of gender equality is firmly established in the Indian Constitution’s Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are particularly significant in this context. India has also ratified numerous international conventions and human rights instruments aimed at securing equal rights for women, including the 1993 CEDAW, which places legal obligations on States to uphold, promote and safeguard women’s rights.

traditional family hierarchy based on the Manu Smriti, the Hindu moral code which defines certain women's roles in society, denying them individual agency. The RSS leaders opposed the Act to empower Hindu women to claim an equal share in family property (Sarkar, 1999).

The film *Water* challenges Hindutva's portrayal of women's subservient role in Hindu Brahmanical culture. The film has caused insecurity among Hindu nationalists by challenging the very assumptions on which the birth of Hindu nationalism is based (Kinnvall, 2019). During my interviews with supporters of Hindutva, a recurrent theme emerged, reinforcing the inferior position of women and showcasing a general disregard for human rights, dissent, and secularism.

The film *Water* and the controversy (2000)

This research applied qualitative research methods, specifically in-depth interviews, desk research, and narrative analysis. This research, coupled with a theoretical exploration, is a narrative based study which attempts to gather data about people's perceptions about their lived reality. A narrative approach according to Rubinstein (1995) helps to relate individual experience to a larger socio-cultural context. The data collection method includes analysis and evaluation of texts as well as the empirical collection of primary data gained through interviews (one-on-one interviews with open-ended questions). Much of my in-

formation regarding the *Water* controversy which took place in 2000 comes from the Hindi Daily, Dainik Jagran. In 2019 and 2022, I interviewed ten Hindutva supporters who were involved in the violent protests against the filming of *Water* in Varanasi. The majority of respondents (8 males, 2 females) were upper-caste Hindus who resided in Varanasi. They were middle-aged and had at least obtained a bachelor's degree. Their narratives were examined for a perspective of religious nationalism that encouraged them to assert dominance and power.

Three primary themes were identified during the analysis of Hindutva respondents' narratives.

Theme 1. "Secularism is anti-Hindu"

Hindutva respondents considered secularism inimical to Hindu interests. Professor Ashok, one of the interviewees, asserted, "secularism is a foreign concept, it is useless for India, secularism has been used to appease Muslims, India is a country of Hindu. Those who live in India must show their allegiance to India and must respect *ras-tra* (nation)." Another interviewee, Swami Jitendra said: "India was divided along religious lines in 1947 because Muslims said they could not live with Hindus. In Independent India, the rights of Muslims who made up only eight percent of the population were prioritized over the rights of Hindus who made up ninety percent of the population. Hindus do not have any rights...there cannot be harmony between secularism and Hinduism."

To certain extent, these statements are representative of Hindutva followers who contest against the idea of secularism on mainly three points: firstly, secularism cannot be applied in India because it is of foreign origin; secondly, it has been used for preferential treatment to support Muslim over Hindu interests; thirdly, those who practice secularism are not faithful to the nation and Hindu tradition. These three ideas kept surfacing during the interviews. These anti-secular sentiments also echo the spokesperson of the BJP, Ashoka Pandey's statement:

If we do not sing "Vandematram" [the national song], then we are called secular, but if we sing it then we are considered "communal"...if we speak the language of Imran Khan [The president of Pakistan who speaks Urdu] then we are called secular, but if we support, "Modi ji" then we are "communal"...this is unfortunate.

The above statement clearly shows that Hindutva respondents see secularism as an ideology which benefits not just Muslims, but that also puts Hindus at a disadvantage, hindering their freedom to practice their religious and national rituals; if they do, they are called "communal." Gulshan Kapoor argues, "why in the name of secularism is only Hinduism is targeted?... there are social evils present in Islam and Christianity — no films are being made on those issues."

Statements such as these show a consistent pattern among Hindutva respondents of anti-secular views. Secular

views are viewed as antithetical to Hinduism and disadvantaging Hindus. However, these statements also show how their anguish is exaggerated. Not singing Vandematram — the national song — makes one neither secular nor religious, just as speaking Urdu doesn't make one secular or Muslim. As an ideology, Hindutva imposes a homogeneity and uniformity on Hindu religious and nationalist practice, characteristics which are, in turn, internalized by Hindutva respondents and, indeed, by the Hindu majority. In this context, increasingly violent religious outrage among South-Asian communities has been well documented (Jaffrelot, 2008; Rollier et al., 2019).

Hindu nationalism's argument that secularism is a western-centric idea may be true, nevertheless, the idea of modern "Hinduism" and "nationalism" — including Hindu nationalism itself — is a western-centric construction, not an indigenous one (van der Veer, 1994; Gottschalk, 2007). Hindu nationalism is created by the same colonial-capitalist nexus whose power, in combination with the hierarchies of religion and caste, reject Muslims and Dalits by creating an "abyssal exclusion" (Shani, 2021). Nearly all of the respondents rejected secularism, calling it as "anti-Hindu" and a "western idea".

Theme 2. "We cannot let our women run free"

Widows are a sacred symbol of the Hindu society: the majority of Hindutva respondents reasserted this narrative. "The

dignity of our daughters is not for sale...we cannot tolerate undignified representation of widows," asserted one respondent. Swami Jitendra, another respondent, stressed, "in the sacred land of India where widows are considered as pure as the Ganges [a sacred river to Hindus], this [film] is really a sad affair." The religious and symbolic significance of the river Ganges is associated with holiness, and female chastity. In a patriarchal male society that sees women as bearers of its culture and civilization rather than as individuals with rights, this association is born out in the worship of women, often raising them to the dubious and disabling status of "female goddesses" (Darian, 1987: 89). In this view of things, the sacredness of women in Hindu nationalism, which is associated with the purity of the Hindu nation that depends upon Hindu motherhood, cannot and must not be defiled.

Another respondent Govind Pandey, asserts: "India is the country of Sita (the Indian goddess) and Savitri (a mythical female figure known for absolute dedication to her husband) ... the river Ganges is our mother, RSS wants this country to be the spiritual guru of the world." Hindutva organizations (such as RSS) want to restore the spiritual glory of ancient Hindu India, but this will not be possible without controlling the sexual independence of its women whom they are trying force to live within their traditional role, which reduces them to mere glorification in the service of the Hindu nation. Hindutva nostalgia over the control of women's sexuality is only increasing, as these interviews suggests. Hindutva leaders condemn feminism and wom-

en's freedom. Interviewee Swami Jitendra argues that "Women's freedom in the West is all about sexual freedom; we cannot replicate and implement ideas of European women's liberation in India... the basis of our Indian culture is different from that of the West...we cannot let our women run free." In his statement, this Hindutva's attitude reflects a typical "patriarchal" bias in which women are clearly placed in an inferior position. In general, the statement suggests that western women are corrupt because they are sexually free, whereas in India such freedom is not acceptable to traditional Hindu society. In fact, public discussion on issues such as child marriage, and the prostitution of widows is discouraged by the Hindutva intellectuals and organizations (RSS, VHP, Kashi Sanskriti Raksha Sangharsh Samiti) who do everything in their power to suppress such discussion in order to deflect the public from criticizing oppressive Hindu traditions (Phillips and Alahakoon, 2000).

The idea of women's purity, particularly the sacredness of the Hindu widow is connected with hegemonic Brahmanic control over the women's bodies. Some scholars argue that control of female sexuality, bodies and reproduction is crucial to nationalism (Butler and Spivak, 2010). Brahmanism recognizes that women have a vital role to play in the reproduction of its envisioned social order, particularly in the maintenance of caste and lineage purity. Women must therefore be controlled (Ray, 1999: ii). Hindutva respondents' perspectives fall in line with their Brahmanical ideology.

Theme 3: "There is a freedom of expression, but dissent is not allowed"

Most of the respondents felt offended by certain of this film's dialogues. The focus of their anger was on the film script which many of them perceived as offensive to Hinduism. Ashok Pandey warned, "the right to freedom of expression is not there to divide the society, nor is it there to gain cheap publicity." Sailandra Srivastava, national executive of Samskar Bharti, asserts, "this film is trying to depict widows as characterless and driven by sexual desire; the government needs to determine cultural policy and set limitations on freedom of expression." The most common response among Hindutva followers was that they were against adopting a critical view of Hinduism; it is clear in their responses that any kind of critique or dissent, cultural or academic, concerning Hinduism is not to be tolerated. Respondent, Jyotsna Srivastava, warned, "if they portray our *Pandit* (Priest) *ji* in a poor light... assassinate his character, we will not tolerate this... freedom of expression does not mean you hurt someone's honour..." furthermore she argues, "every right comes with a duty, everyone must obey this duty along with their rights."

Hindu nationalists assert submission to social norms and prefer "duty" over "rights." The idea of "duty" sustains Hindutva status quo, whereas "rights" question them. This gives rise to a theoretical tension between human rights and religion. Almost all of the respondents felt enraged about provocative remarks in

the film script and argued that the *Water* is not about freedom of expression. Gulshan Kapoor asserted, "Freedom of expression is allowed only to the point where it respects traditions... we should discuss or do only those things in public which respect culture." To a certain extent, Veena Pandey expressed similar sentiments: "We cannot allow anything that enrages the modesty of our women and culture. Freedom of expression should not offend religious sentiments." Most of the respondents dismissed "critical thinking" when justifying the limits on free expression. "The film script must be shown before filming, only a script approved by *Kashi Vidvat Parishad* should be allowed to be shot", asserted the head of Samskar Bharti, the cultural wing of RSS.

Nearly all respondents asserted that narratives critical to Hinduism should have been supervised. In the case of *Water*, they did not rely on the discretion of the film censor board of India; rather they disregarded the government's approval for film shooting and resorted to violence to stop the shooting. A tendency to silence critical expression was strong among Hindutva respondents. A propensity to control dissent with violence is a symptom of an authoritarian state; Hindutva being an authoritarian ideology displays characteristics unfit in a secular democratic state (Jaffrelot, 2022). Journalist Gauri Lankesh, activist Narendra Dabholkar and academic Govind Pansare were killed by the Hindutva extremists for their critiques of Hindu superstitions (Sukumaran, 2018); chapters

in university books critical on Hinduism have been removed from university syllabi; teachers and professors have been fired for their critiques of Hindutva (The Economic Times, 10 May 2022). In general, Hindutva supporters have no problem with the right to freedom of expression, as long as it doesn't lead to dissent.

Hindutva ideology is not only currently moulding India's contemporary socio-political environment but has also extended beyond temporal and geographical boundaries of the Indian sub-continent. The anti-human rights tendencies observed during the *Water* controversy in 2000 are currently (2023) in full bloom in India; a general disregard for freedom of expression and human rights by the state and the majority Hindu population is becoming the norm. The Modi government is systematically eroding the rights of all the various groups that compose civil society in India (Mukherji, 2022). Muslims are facing attacks based on their religion and are at risk of genocide (Aljazeera, 16 January 2022). The World Press Freedom Index (2023) ranks India 161st out of 180 nations, which points to severely limited freedom of expression.

Conclusion

Since the *Water* controversy in 2000, India, especially under the Modi government (2014 to the present), has taken an authoritarian turn towards becoming a Hindu nation (Kaul, 2023). This political

shift reveals a conceptual tension between Hindutva, secularism, and the discourse of human rights. This tension first became markedly apparent in the actions of Hindutva supporters during the *Water* controversy of 2000. The ideology of Hindutva does not allow for a critical view of Hinduism. It displays intolerance towards dissent and justifies violence against those who question it (Banaji, 2018). In contrast, Indian secularism promotes religious and gender equality and creates a public space where all religions can be analysed critically. Human rights uphold secular principles of equality, freedom and liberty and challenge religious orthodoxy (Witte and Green, 2012) and patriarchy, while enabling individuals to question unjust social norms. In the Indian context, secularism and human rights values were written into the formation of a democratic society. However, Hindutva, as an authoritarian ideology, rejects the notion of religious and gender equality and is inherently patriarchal. It supports violent measures in suppressing democratic dissent. It aims to transform the secular Indian citizen into a compliant subject and relegate religious minorities to second-class status. These inclinations are evident in the Hindu nationalists involved in the *Water* controversy whom I have interviewed, and who embody the rise of an extreme form of Hindu nationalism and its expanding sway over Hindu society, governance, institutions, and public sphere. The ban on filming *Water* in 2000 marks

the beginning of an ever-increasing impact of Hindu nationalism on government affairs, its gathering dominance in public space, and its willingness to suppress opposition through violent means while disregarding women's rights. The protests served as a way to mobilise and aid the RSS in achieving its strategic victory over the production of *Water* (Dainik Jagran, February 9, 2000) and paved the way for future communal politics. Presently, the future is materialized in the form of Modi's Hindutva government (2023). Currently, Hindu nationalists appear to be more organised, powerful, and assertive. They are striving to eliminate secularism and human rights from both the political arena and society. Nevertheless, the discourse of human rights and secularism appears to be an obstacle to Hindutva in making India a Hindu nation. Indeed, this controversy has revealed that Hindutva is antithetical to secularism and human rights.

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