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FAITH, POWER, AND LEGAL FRONTIERS: EXAMINING THE EXTENT OF RELIGIOUS EXTREMISM IN INDIAN POLITICS

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Abstract

The present study examines the role of religious extremism in reshaping the secular democratic character of India. It critiques the increasing nexus between religion and politics, whereby the ruling and opposition parties have politicized religion for electoral gain. The paper argues creeping authoritarianism in the form of institutionalized discrimination against minorities, manipulation of the media, and systemic prejudice is a manifestation of creeping authoritarianism akin to existing fascist movements. Examining constitutional provisions, judicial pronouncements and case law, and political trends, the paper lays bare how religious nationalism endangers civil rights, judicial autonomy, and India's pluralist legacy. It also considers what these tendencies portend for India's global reputation as a democratic republic.

Keywords

Religious Extremism, Indian Politics, Fascism, Secularism, Minority Rights, Nationalism, Constitution, Human Rights, Democratic Institutions

Introduction

India's secular commitment has its roots in constitutional idea of a pluralist past. Yet the political climate in recent years has seen a sea change. Religious extremism, which until recently was confined to the periphery, has begun to make its way into mainstream politics. Religious politicization, and particularly Hindu nationalism, has begun questioning the nation's secular character.

This paper attempts to explore up to what point religious extremism has impacted state policy, government, and public discourse. The establishment of hyper-nationalist ideology, suppression of dissidents, and distortion of historical facts are all signs of a perilous drift away

from India's constitutional philosophy. Although India remains technically a democracy, democratic decline is occurring in ways that have parallels with characteristics in earlier fascist regimes.

I. Historical Evolution of Secularism in India

India's secularism is distinctive in that it practices equal respect for all religions as opposed to the separation of the Western world. The makers of the Constitution, prompted by the communal riots of Partition, consciously kept the state equidistant from all the religions. Articles 25-28 of the Constitution guarantee freedom of religion and forbid state partiality towards any religion.

But this ideal has been tested repeatedly by the Emergency of 1975, by the emergence of the Ram Janmabhoomi movement of the 1990s, and by the Gujarat riots in 2002. Each was a milestone in the politicization of religion. The introduction of the word "secular" in the Preamble with conscious intent through the 42nd Amendment was an attempt to reassert this pledge, but current trends are towards the systematic eroding of such checks.

II. Normalization and Emergence of Religious Extremism

Indian religious extremism is not so much a question of mass opinion but a political strategy. Religious rhetoric is being increasingly employed by the politicians in framing an "us vs. them" issue, where minorities, particularly Muslims, are rendered foreigners or threats.

Electoral Polarization

Electioneering employs mass rhetoric to mass Hindu votes. From "jihadi elements" to hate speeches targeting whole communities, this kind of rhetoric fosters a culture of polarization and fear. Such has been seen in elections in Uttar Pradesh, Gujarat, and Karnataka, where religious identity became the center of electoral discourse.

Mob Lynching and Vigilante Justice

Religious extremism translates into fatal violence in mob lynching attacks over allegations of beef eating, attacks on churches, or surveillance of couples who date across religions. It is, most frequently, implicitly condoned by political silence or half-hearted condemnations, and victims are denied justice. Institutional indifference or complicity is reflected in the state's

failure to prosecute.

III. Fascism: Parallels and Differences

Though India cannot be strictly classified as a fascist state, it exhibits several traits consistent with early-stage fascist ideologies:

- **Cult of the Nation and Leader:** The narrative of the nation being under threat from “internal enemies” (minorities, liberals, dissenters) parallels Mussolini’s and Hitler’s rhetoric.
- **Militarization of Society:** Campaigns such as “Har Ghar Tiranga” or mandatory standing for the national anthem are framed as loyalty tests, often targeting dissenters.
- **Media Capture and Propaganda:** Government propaganda is repeatedly being echoed by mainstream media. Independent journalism is threatened with defunding and under sedition and anti-terror laws.

Even though India still has electoral processes and judicial mechanisms, the weakening of institutional checks and institutions of hatred track with fascist ideologies that have in the past led to authoritarianism.

IV. Democratic Backsliding and Institutional Collapse Judiciary Under Pressure

Judicial independence is facing increased concern more and more. Delays in the hearing of constitutional issues (for example, Article 370, electoral bonds) and one-sided urgency in giving verdicts against others are questioning impartiality. The topmost judges have commented on the "climate of fear" in the judiciary, indicating backchannel political intervention.

Compromised Human Rights Bodies

Institutions such as the National Human Rights Commission (NHRC) and Minorities Commission have been regarded as toothless because of political appointments and the absence of enforcement powers. Their inaction in investigating or condemning atrocities against minorities erodes their credibility.

Suppression of Dissent

Both the UAPA and NSA are used on a regular basis against journalists, students, and activists. A recent instance is that of Bhima Koregaon, in which intellectuals and lawyers were arrested on flimsy charges and have languished in prison without trial.

V. Cultural Engineering and Historical Revisionism

History texts re-written for the focus on Hindu heritage to the exclusion of Muslim contribution are just one part of a larger scheme of cultural homogenization. Government institutions like the Indian Council of Historical Research (ICHR) are gradually taken over by ideologues who want to promote a single culture narrative.

Also, referring to people with words such as "anti-national" and "urban Naxal" to insult critics reminds us of the strategies used by fascist regimes to intensify their rule by suppressing challenges.

VI. Global Implications

India's withdrawal from democracy came into focus internationally. India has been put by the U.S. Commission on International Religious Freedom (USCIRF) in the "countries of particular concern" category for religious minority violence and for not protecting their rights.

Additionally, global organizations like the United Nations, Amnesty International, and Human Rights Watch have criticized the government's management of press freedom, misuse of law, and harassment of civil society. These are all issues that undermine India's global reputation and can affect trade, diplomacy, and foreign investment.

VII. Case Studies of Religious Extremism in Indian Politics

To comprehend the material effects of religious extremism on democratic governance, one must look at a couple of case studies. These incidents demonstrate how state policy, institutional reaction, and political narratives come together to marginalize minorities and subvert constitutional guarantees.

1. National Register of Citizens (NRC) and Citizenship Amendment Act (CAA)

NRC, implemented in Assam, was initially intended to determine illegal immigrants. But its

implementation disproportionately impacted the Muslim community. More than 1.9 million individuals turned stateless, as most of them were unable to prove their citizenship because they lacked documents, even though they had been staying in India for generations.

Later, the Citizenship Amendment Act, 2019 introduced a route to citizenship for unlawful non-Muslim migrants from Pakistan, Afghanistan, and Bangladesh. Excluding Muslims by name, the CAA made religion a foundation for citizenship the first in Indian legislative history. This was a radical departure from constitutional secularism and was received with large-scale protests and international condemnation throughout the nation.

The Supreme Court of India failed to give in-time relief or decision on the constitutional validity of the law, showing judicial reluctance to touch basic civil liberties issues.

2. 2020 Delhi Riots

The Delhi riots came after Delhi saw protests against the CAA, and the vicious attacks were disproportionately targeted against Muslim populations. Though both suffered, investigations, media reporting, and eye-witness testimony pointed towards a coordinated campaign of hate speech, incitement, and complicity by political actors.

Video evidence emerged of police authorities being shown assisting mobs or refusing to act against them. Few of the perpetrators in the majority community were prosecuted, even when confronted with strong evidence. The Delhi High Court then logged "a calculated attempt to cause disruption and panic," but action against instigators was few, indicative of institutionalized bias.

3. Karnataka Hijab Ban

In 2022, some of the educational institutions of Karnataka began to ban Muslim students from wearing the hijab, citing the reason of uniform policies. The issue snowballed into a state-level problem when political and religious factions got entangled. Hindu students responded by wearing saffron scarves, further exacerbating the polarizing effect.

The Karnataka High Court sustained the ban, reasoning that hijab was not a necessary practice under Article 25 of the Constitution. The decision was criticized for undermining the life experience of Muslim women and not balancing the right to education with freedom of religion. The incident demonstrated how administrative norms, when articulated through majoritarian ideology, could be used to exclude minorities from public space.

VIII. Comparative Perspective: Global Parallels in Religious Nationalism

The recent path of India, conditioned as it has been by distinctive historical and cultural factors, is paralleled by international trends toward democratic decline fuelled by religious or ethnonationalist ideologies.

1. Turkey under Erdoğan

Turkey, once recently a secular republic under the vision of Atatürk, has seen a recent shift towards Islamic nationalism under President Recep Tayyip Erdoğan. Constitutional reforms have concentrated power in the executive, religious identity becomes more prominent in public policy, and opposition is suppressed by manipulation of the media and judiciary.

As in India, education reforms and the law have been used in Turkey to reinforce a monolithic religious-nationalist agenda that obscures the boundary between religion and state.

2. Israel's "Nation-state Law"

Israel's Nation-State Law of 2018 legally granted the nation-state status of the Jewish people to the country. Symbolic as it is, the law relegated the status of Arabic as an official language and enshrined bias towards Jewish settlement. The legislation has been criticized as enshrining the discrimination of Arab Israeli citizens and undermining the democratic pluralism of the state.

The similarities with India's NRC and CAA are astounding both give precedence to one ethno-religious category in constructing national membership at the expense of collective citizenship.

3. The United States and Christian Nationalism

The US ascendance of Christian nationalism particularly during the Trump years demonstrates the power of religious identity in shaping exclusionary politics, from anti-abortion regulation to anti-immigrant demagoguery. As has happened in India, so also has the media and judiciary become polarized in the US, and history got rewritten as being politically trendy.

The distinction is in the stability of American federal institutions and civil society, which have exhibited tougher counterpunches than India's now diminished institutional reaction.

Conclusion

Religious extremism has transformed from being a sociopolitical undertow into a master narrative that dictates Indian politics and society. The paper has established that politicization of religion, subtly disguised in the form of nationalism, destabilizes the secular nature of the Constitution, brings down minority rights, and allows authoritarianism to emerge.

By constitutional violations, institutionalized discrimination, and shared narratives, India is slowly being remade from plural to majoritarian. The similarities with the global trend specifically in Turkey and Israel underscore that India is not an exception in this crisis of democracies. The threats are however more consequential with the magnitude of its diversities and geopolitical position.

Compressed legal reform, more robust civil society movements, judicial activism, and education of the people are necessary to stop and reverse this trend. Short of that, the conversion of a secular democracy into a culturally homogenized and politically authoritarian state may be a fait accompli.

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