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Dialectical democracy: Indian Muslims and the politics of resistance

Majoritarian regimes use perfectly legal and democratically uncensurable strategies to subordinate dissenters and unpopular minorities with the consent of their electorally significant mass of supporters. The anxieties ensuing from democratic subordination can be mitigated only through democratically workable participative cultural productions, the Hegelian concept of *Bildung* of the subordinated, recognised as legitimate by civil society and as uncensurable by the majoritarian state. Employing the illustrative case of Indian Muslims and Hegel's master-servant dialectic, this paper argues that the fragile essence of democracy itself must be understood in terms of the dialectical relation between the citizen's particularities and the state's universality.

Keywords: master-servant dialectic, democratic subordination, participative cultural productions, Indian Muslims, resistance, dialectical democracy

Introduction

Hegel's famous philosophical myth of the master-servant dialectic suggests a situation of subordination and resistance, apt for theorising the 'othering' relation that the Indian State has developed with its Muslim citizens. According to the master-servant dialectic (Hegel 2018: 178-196), two individual consciousnesses confront each other, and each wants to establish a relation of subordination with respect to the other. This is for the sake of satisfying one's inherent desire to be recognised by the other, but without the willingness to recognise in turn.

Initially, each prepares for the physical annihilation of the other in what Hegel calls a 'life and death struggle' to establish mastery. However, upon realising that annihilation of the other would nullify the very project of recognition, the victorious consciousness decides not to take life, and subjects the other to a subordinated state of coercively recognising the master without disagreement. The vanquished accepts the state of unfreedom and subordination, terrorised by the fear of death. In this way, the master becomes free, self-sufficient and an independent self-consciousness, while the servant is reduced to a life of forced labour at the pleasure of the master without being recognised in turn as an independent self-consciousness. However, in the next stage of Hegel's fable, the servant with her back to the wall, disciplines herself and reflectively externalises products and artefacts for the consumption of the master by working on nature assiduously. Such reflective action can trigger transcendence of the given conditions of the self and transformation of the servant and the world. Hence, now we have a servant indulging in formative activity or cultural production, which can contribute to her emancipation, and a master, lost in the self-centric circuit of gratifying one's own desires and narcissistic enjoyments. The servant, always conscious of her subordinated state, alienates herself from the natural or given conditions of existence, disciplines her action, works upon nature, and produces civilisation and culture. Through work, the servant removes her alienation from the world, participates in it by inscribing upon the world new meanings, negates the bare givenness of unmediated objects, and transforms her sense of the self and world. In the master-servant dialectic as such, the servant does not challenge her subordination by the master. Instead, she experiences the freedom of creative, participative cultural production. But the later sections of *The Phenomenology of Spirit* (1807) make it clear that all aspects of one's experience as a free, independent self-consciousness have their basis in what Hegel calls *Bildung* or participative cultural production.

Let me put the employment of the master-servant dialectic in the larger socio-cultural-political context. There is a resurgent interest in a reoriented and reinterpreted Hegel across theoretical humanities and social sciences. The extended versions of the master-servant dialectic have been intensively used in order to expose imbalanced, dominating and suppressing relations and psycho-social dynamics between two 'opposing' sections/identities such as man and woman, black and white, etc. Almost all such scholarly attempts have a larger emancipatory intention. Following Alexandre Kojeve, Fukuyama argues that Hegel sees "the first glimmer of human freedom" in the "struggle for recognition" (Fukuyama 1992: xvi). The existentialists like Jean-Paul Sartre and Simone de Beauvoir view the master-servant dialectic as the perennial tendency in human consciousness to objectify and reduce another consciousness to the state of

subjugation. Drawing inspiration from the dialectic, Sartre (1956) summarises interpersonal relations as conflict: "The essence of the relations between consciousnesses is not the *Mitsein*; it is conflict" (Sartre 1956: 429), and proceeds to consider the objectifying look or gaze (*le regard*) as enslaving while observing: "I am a slave to the degree that my being is dependent at the center of a freedom which is not mine and which is the very condition of my being. In so far as I am the object of values which come to qualify me without my being able to act on this qualification or even to know it, I am enslaved" (Sartre 1956: 267). Simone de Beauvoir in her *The Second Sex* (1949) interprets the master-servant dialectic more concretely with respect to the unequal relationship between men and women. "She (woman) determines and differentiates herself in relation to man, and he does not in relation to her; she is the inessential in front of the essential. He is the subject; he is the Absolute. She is the Other" (Beauvoir 1949: 6).

Frantz Fanon is an important figure who used Hegel's dialectic in the Western colonial context. In his *Black Skin and White Masks,* Fanon (2015) uses the conceptual framework of the master-servant dialectic for the emancipatory project of the blacks and reconfigures Hegel's dominant idea of 'recognition' with regards to race relations in the colonial world. Fanon, following Hegel, affirms that one's humanity is not an already given category, but is an essentially relational quality, wherein one imposes her existence on another and gets fully recognised by the other. However, Fanon departs from Hegel and rejects the reciprocity in the dialectic in the colonial world. The white master, he argues, never seeks recognition from the black slave; rather, the former views the latter as inferior and sub-human. For Fanon, the white master "differs basically from the master described by Hegel. For Hegel there is reciprocity; here the master laughs at the consciousness of the slave. What he wants from the slave is not recognition but work" (Fanon 2015: 220). In order to emphasise the need for a pedagogy of the oppressed, Paulo Freire (2005) draws the dialectic of education in the field of social change by referring to Hegel's argument that the servant is defined by the fear of death and the inability to risk, preferring security and the status quo to freedom. Freire's proposal for the servant or the oppressed is the now famous *conscientização* or conscientisation, which is education in perceiving the contradictions of social, economic and political structures and taking actions to rectify them (Freire 2005: 36). Freire brings the dialectic in the discussions of oppression, education, and social change and makes the point that when oppressed people come to see the world as 'dialectical,' they become more aware of how reality works and can therefore affect reality to become freer.

More broadly, Bertell Ollman (2008) talks about the relevance of the dialectic in the larger context of the world. For him, the dialectical investigation into the social-natural world reveals the potential hidden in the world and investigating

potential, he argues, "is taking the longer view, not only forward to what something can develop into but also backward to how it has developed up to now. This longer view, however, must be preceded by taking a broader view, since nothing and no one changes on its or his own but only in close relationship with other people and things, that is, as part of an interactive system" (Ollman 2008: 22). I have here referred to some relevant scholarly attempts to show how the dialectic is used by contemporary scholars in social, cultural and political theories, such as gender and feminist theory, black philosophy, philosophy of education and emancipation, etc. This paper is an attempt to do the same in the context of India; its state, culture, politics and law vis-à-vis the Indian Muslim. As Ollman says, the larger aim is not only getting the view of what both Indian state and Muslims can develop into (looking forwards to the potential) but also getting the view of how both have developed up to now (looking backwards). To see how both the Indian state and Muslims have developed up to what they are now in close relationship to each other as a part of an interactive and dialectical system is very important. Ollman emphasises, "investigating its potential requires that we project the evolution of the complex and integrated whole to which it belongs" (Ollman 2008: 22).

The paper will argue that the emancipative potentialities of the participative cultural productions (*Bildung*) of the Hegelian servant can prove a useful lens to analyse the dialectical relation between subordinated Muslim citizens and the State, and their resistance politics in contemporary India.[1] The master-servant dialectic is employed as a concept-metaphor for the interpretive possibilities it offers in relation to the concerns of this paper. Talking about the methodology, I have given some historical and theoretical framing of the democratic subordination of Muslims in India. Even though I refer to some numbers and data, basically as a philosophical manuscript, I have not taken a strong empirical approach/grounding of the manuscript. Needless to say, I have used the now well-known non-idealist, non-teleological, non-absolutist reading of the dialectic, according to which self-consciousness is entangled in materiality, culture, rituals, history, social structures and institutions and is driven by its restless power to negate abstract meanings of things and events, and reanimate them with living, concrete meanings. The paper assumes a Hegelian dialectic which is radically open-ended and contingent relying mostly on revived interpretations of Hegel in the 20th century. That means the paper takes a contrary position to the clichéd idealist interpretation of Hegel. In order to build the non-metaphysical reading of Hegel and the dialectic, the paper draws inspiration from scholars such as Frederick C Beiser (1993) who

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1   For a fuller treatment of the philosophical theory underlying the argument of this paper, see Nisar 2020.

emphasises that Hegel's metaphysics has material elements in it, Charles Taylor (1979, 1989, 1994) who hermeneutically reads Hegel as a philosopher of historical experience, Terry Pinkard (1994) who attributes to Hegel a non-metaphysical position of a historicist of the sociality of reason, housed in the Spirit as a 'social space', HS Harris (1997) and Stephen Houlgate (2005) who argue that infinity or absoluteness is an ingredient of our experience and is not an abstract 'beyond,' Judith Butler (2000) who advocates the impurity of the concrete universal, Jean-Luc Nancy (2002), who, like no other, celebrates the restlessness of the negative in the *Phenomenology,* Gavin Rae (2011) who stresses the subjective and objective aspects of the very ontological structure of the Hegelian consciousness and John Russon (2016) who recently has strengthened the non-absolutist Hegel interpretation by arguing that *Phenomenology* is a text about the phenomenon of human experience with radical exposure to the plurality of phenomena that never brings the dialectic to a close, rather it opens it up to the infinity. My interpretation of Hegel and the dialectic has specifically drawn its inspiration from what Nancy emphasises: (i) Hegel's project is decidedly non-metaphysical: "This world is only this world; it has no other sense" (Nancy 1997: 5), and (ii) Hegel's project is decidedly non-teleological; he doesn't posit any totalitarian end to history, rather lets "the present be revealed for what it is, as the restlessness opened between the twilight of a fulfilment and the imminence of an upsurge" (Nancy 1997: 27). To make perspectives and arguments, I have used books and research articles in philosophy, political philosophy, political science, political anthropology, etc. as well as articles in reputable national and international media.

The first section below presents the Muslim subordination achieved with the help of the majoritarian and exclusionary policies of the democratic State, as the servant is in the dialectic, overcome by mortal fear of the master's deathly power. The second section shows how Indian Muslims under conditions of subordination, like the servant, engage in participative cultural productions in an attempt to face up to the conditions of servitude within the parameters set by the political logic of majoritarian democracies. The third and final section argues that participative cultural productions under subordination must be seen as resistance politics. In this sense, the wider significance of this paper is that it is an attempt to read the master-servant dialectic as the sociopolitical dialectic of the subordinators and the subordinated.

Democratic subordination

John Stuart Mill in *Considerations on Representative Government* (1861) expresses the classical liberal view that multilingual, multinational societies cannot offer the ideal conditions for democracy (Mill 2015: 372). India has been a

prominent exception to this classical view for a considerable period of its tenure as a successful democracy, despite incomparable diversity. The foremost political theorist of consociationalism (the view that stable democracy is possible in deeply divided multicultural societies by means of power-sharing arrangements among the elites of various sociocultural segments), Arend Lijphart (1996), argued that India has been a confirming case of consociational democracy, although weakening and worsening throughout history especially since the coming into prominence of the Hindu nationalist Bharatiya Janata Party (BJP). He found all the consociational elements – a coalition government of linguistic-religious groups, cultural autonomy for such groups, proportional distribution of political and civil opportunities, and informal vetoing power of minorities regarding their rights – present in Indian democracy.

But Lijphart's fears about the weakening of the consociational model of democracy in India have come true in a decisively unambiguous and clear way with the BJP establishing a majority government in 2014 under the leadership of Narendra Modi, whose image as a Hindutva mascot, a *Hindu Hriday Samrat* (King of the Hindu Heart), a macho Hindu, is built on the disturbing legacy of the 2002 anti-Muslim Gujarat pogrom (Chatterji, Hansen and Jafferlot 2019: 3). Modi's consecutive, bigger second term mandate of 2019 and his government's actions since, reveal a slow and soft killing of the secular, consociational democracy envisaged in the Indian Constitution. According to Ashutosh Varshney, these steps unfortunately imply that "the political center of gravity has shifted toward Hindu majoritarianism" and "[t]he sense of insecurity that Muslims feel is only likely to deepen" (2019: 74)[2]. Christophe Jaffrelot argues that in the 2014-19

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2   As per the data released by the Registrar-General and Census Commissioner on Population by Religious Communities of Census 2011, the total population by dominant religious communities are as follows: 966.3 million Hindus made up 79.8 percent of India's 1.2 billion people in the 2011 census and 172.2 million Muslims made up 14.23 percent of the same population. India is home to one of the world's largest Muslim populations, surpassed only by Indonesia. However, the 172 million Muslims are internally diverse and divided in terms of religious sects with around 90 per cent of the whole Indian Muslim population being Sunni and the other 10 percent Shia. This division is in addition to the geographic, regional divisions, with more than 50 percent living in North India while the other half are spread out over the rest of India. They are further divided by caste hierarchy/status, as practiced by the Muslims in India, if not permitted by the sacred texts, and class (Momin 2004; Rodrigues 2011). In terms of culture and religious symbolism and practices, they are again divided; specifically when southern Indian Muslims (like the Kerala Muslims) are compared with northern Indian Muslims. In sum, on theological and cultural levels, Muslims in India are internally diverse. For more details on the demographic and socio-economic profiles of the Muslims in India, see Malika 2005. Among the other minorities in India, Christians make up 2.3 percent (27.8 million) while Sikhs make up 1.72 per cent (20.8 million) of the total population of India. Christians, Sikhs, Buddhists and Jains together make up 6% of the population.

period the Modi regime in India moved towards a model of ethnic democracy as in Israel. "Ethnic democracy implies two-tiered citizenship, the majority enjoying more rights than the minority, both *de jure* and *de facto*" (Jaffrelot 2019: 42). He highlights the institutional occultation of the Muslim (43-51). While there is an upsurge of electoral vibrancy, Varshney writes, the shining example of liberal democracy in the Global South is losing its liberal characteristics and is turning into 'a majoritarian illiberal democracy'. The impression thus created is one of the construction of "a political order that establishes Hindu primacy and reduces Muslims to second-class citizens" (Varshney 2019: 75). Shani sums up two options for Muslims in the current India: "either to remain marginalised from the political mainstream and to accept their status as second-class citizens; or to assimilate by embracing Hindutva and ceasing to be Muslims with a distinct cultural and religious identity in a Hindu Rashtra" (Shani 2021: 275).

The tyranny of the majority that Mill vehemently opposes in the 1859 essay *On Liberty* is the social tyranny of the force of dominant custom against the independence of the individual (Mill 2015: 8). What we see now in established secular democracies like India is a different sort of tyranny of the majority: electorally powerful majorities, who enjoy sustained political power, desiring, publicly articulating, and concretising the subordination of sizable but unpopular minorities, using the political, democratic, electoral, legislative, legal, institutional, cultural, and governmental resources at their disposal. This is what I will call *democratic subordination* in this paper. Reducing the Indian Muslim to the unrecognised, voiceless condition of the Hegelian *Knecht* is currently underway under the BJP regime. The othering of the Indian Muslim seems to be complete (see Jaffrelot 2019).

What leads to democratic subordination is the unhistoricised universalism of something particular and parochial. The modern democratic ideal of self-governance has its roots in the Kantian Enlightenment notion of the moral autonomy of the abstract, rational individual, guided by the universal structures of practical and theoretical reason. The traditional religious, cultural ethics of heteronomy that finds moral authority in an external source like God, scripture or tradition is thus rejected in favour of the rational individual's will and the judicious use of her reason in self-mastery. When the nation emerges as the self-collectivity, it also assumes the figure of the single, unified, transparent rational self.

Recent philosophical reflection and post-colonial theory have convincingly argued against this abstract, formalistic, self-transparent, neutral conception of rationality, and its unproblematic universality.[3] Rationality and morality, as Hegel's *Phenomenology* shows, cannot be empty concepts, but are always powered by the content of specific cultures. With the attribution of universality, a political ideology such as Hindutva, for example, achieves the hegemonic potentiality to regulate, flatten, and erase other coexisting or competing identities. Exclusionary othering that democratic subordination institutes results from abstract, inflexible universalities that deny and suppress the dialectical pulls of differing identities, moralities, cultures, and viewpoints that are bound to inhabit a contingent historical space. Be it in the case of political Islamism or Evangelical fundamentalism outside India, it is the same imposition of abstract, inflexible universalities which suppress the dialectical pulls of particular identities. That is: ontologically considered, the phenomenon of exclusionary politics, underlying democratic subordination, takes recourse to a cold universal such as the 'nation' in disconnection from the actual history of particular identities such as region, religion, race, language, and ethnicity. This is why Judith Butler in her interpretation of the universality-particularity dialectic in Hegel's *Phenomenology* emphasises that "the assimilation of the particular leaves its trace, an unassimilable remainder, which renders universality ghostly to itself" (2000: 24). Forgetting the traces of particularities that form a universal like the nation is bound to create democratic subordination and exclusionary politics. Instead, recognising the particular instantiations of the universal sense permeating differing identities is essential in order to avoid democratic subordination.

The systematic democratic subordination shows that the Indian Muslim is the 'significant Other' of the Hindu far-right. The Dalits – the earlier untouchables - are not made democratically irrelevant by the Sangh Parivar; in one sense, they are made more relevant as they could be appropriated and protected under a wider 'Hindu' fold, which will help intensely otherise the Muslims. In this sense, the master-servant dialectic is the most suitable metaphor that represents

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3 From a post-structuralist vantage point, Butler refers to Adorno's critique of the violence enshrined in abstract universality and Hegel's own analysis of the Reign of Terror as the vicious side of abstract universality. For her, the problem is not really with universality per se but with the operation of universality without sensitivity and responsiveness to applicable cultural particularities and the ability to reconfigure itself. When a particular universal is a social disaster and must be rejected, it becomes "a site of contest, a theme and an object of democratic debate". According to Butler (2005), under such conditions of uncertainty and conflict, the concerned universal "loses its status as a precondition of democratic debate; if it did operate there as a precondition, as a sine qua non of participation, it would impose its violence in the form of an exclusionary foreclosure" (Butler 2005: 6). See also Butler 2000; Horkheimer and Adorno 2002; Spivak 2010; Said 1978; Said 1994.

the othering relationship between Hindu nationalists and Indian Muslims. The relationship is not one of indifference and social distancing as it is with the Dalits. The term 'significant Other' was introduced by Gopal Guru to stand for the internal communal Other – the Muslim – to the collective-self of Hindutva State. Guru observes that Dalits are the 'insignificant Other' to the Hindu nationalists because their ostensible impurity calls for repulsion and social distancing; the danger they pose is sociological. Muslims are the significant Other because the danger they pose is biological and the Hindutva emotion against them is rage rather than repulsion as the majoritarian Hindu State fears being outnumbered by them, forgetting the well-known link between population boom, poverty and marginalisation (Guru 2009: 214). Guru's observation that Dalits are the 'insignificant Other' to the Hindu nationalism and Hindu Rashtra needs to be scrutinised politically given that Dalits and other lower groups are no longer the 'insignificant Other', but have been appropriated and absorbed by the significant Hindu national self in the current India rendering the Muslims and Muslim votes insignificant and invisible. The phrase 'biological danger' is insightful because BJP strongman, Amit Shah, characterises Muslim illegal migrants as infiltrators and termites eating into the Hindu body (Jayal 2019: 39). At the beginning of the Corona pandemic, Indian Muslims were presented as the super spreaders of the virus. Social media was abuzz with terms such as 'Tablighi Corona' and 'Corona Jihad'[4] (see Sarkar 2020). Because Muslims are beyond the master-class's capacity for annihilation, Guru argues, the Hindu nationalists think that they "need to be conquered and kept under subjugation and servility" (2009: 214). This Hindutva narrative has a long history, and democratic subordination is its new avatar. In one of the most regressive of Hindutva texts, *We, Our Nationhood Defined* (1939), the Rashtriya Swayamsevak Sangh (RSS) head and ideologue MS Golwalkar prescribes that Indian Muslims and Christians must either return to their mother religion, "or may stay in the country, wholly subordinated to the Hindu Nation, claiming nothing, deserving no privileges, far less any preferential treatment – not even citizen's rights" (1939: 47-48). Giorgio Shani explains Hindutwa's cultural nationalist project and democratic subordination of Muslims, "central to this Hindutva project

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4   Tablighi Jamaat (translated from the Urdu language as 'Society of Preachers') is an Islamic organisation/movement which reaches out to ordinary Muslims and propagates what they call 'original' Islam. Its main aim is to revive the faith of Muslims particularly with regard to matters of rituals, dress code and personal behaviour. Shortly before India was put on lockdown on 25 March 2020, a large multinational congregation of Tablighi Jamaat took place in Delhi. As reports of positive Covid-19 cases and deaths started coming in, some television news channels started feeding the narrative that over 30 percent of the positive cases could be traced back to the Tablighi congregation. Gradually, many Indian media outlets along with BJP politicians started referring to the 'Tablighi virus,' 'Tablighi corona,' 'Corona-jihad,' 'bio-jihad,' 'bio-terrorism', quickly turning the Corona virus into a tool to spread Muslim-hatred in India.

is the assimilation of India's religious minorities into a Hindu national culture. As a form of cultural nationalism, Hindutva interpellates all Indians as belonging to a Hindu civilisation based on a common pan-Indian Hindu national identity" (Shani 2021: 265). Muslims represent the 'constitutive outside' (Agamben 1998) which permits a Hindu nation to be imagined (270). It is clear that more stringent anti-Muslim laws must be anticipated. Such a project of reducing the Muslim to a democratically subordinated class with continued engagement in the production processes makes them comparable to the Hegelian *Knecht*, who is overcome by mortal fear of the state of the Hindutva mob.

Democratic subordination of the Indian Muslim[5] is performed not only by reducing their electoral weight as voters to insignificance as BJP candidates win overwhelmingly, riding on Hindu votes (see Farooqui 2020), but also by physical subordination in public through such directly anti-Muslim strategies as cow vigilantism and romance vigilantism. Violent action against Muslim men is performed, Angana Chatterji argues, "to silence and to domesticate them, and to simultaneously constitute them as dangerous and in need of continual subordination and emasculation" (2019: 405). But, while the first Modi government witnessed violence against Muslims and Dalits perpetrated by fringe Hindutva elements, these fringe elements have nearly disappeared during the second term of the Modi government. With the BJP's increasing domination of both the houses of the parliament, the State has developed fully 'democratic' ways of subordinating, intimidating, and excluding Muslims through several legal and democratic steps, so obvious today to the reading public: (i) scrapping of Article 370 of the Indian Constitution concerning the special status accorded to the only Muslim-majority state of Jammu and Kashmir; (ii) planning to implement nationwide the originally Assam-centric and Bangladeshi migrant-focused National Register of Citizens (NR) along with the Citizenship Amendment Act (CAA) that has the exclusionary clause against Muslim applicants for citizenship from outside the country; (iii) the Supreme Court's ironic verdict in favour of the Hindus in the Babri Masjid case while acknowledging the destruction of the Masjid as a "violation of the law"; (iv) the anti-Muslim Love Jihad law enacted in eight of India's 29 states, most of them under BJP's rule and the romance vigilantism of the 'anti-Romeo' police squads; (v) the politics of demonising narratives such

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5   Any identity taken as a universal monolithic category is problematic and terroristic. Such a method of taking an identity as a homogenous category is the primary step to erase all nuances and differences *within* the particular identity/community and to label them as an internally unified and homogenous identity. As Arndt Emmerich (2020) says, Muslim exclusion and subordination in India have most of the time become possible by such a calculated, flawed and narrowed conception of Muslim community and their religious and political activism. Emmerich argues that the Indian state treats Muslims as "an internally unified and homogeneous entity" (Emmerich 2020: 5).

as various kinds of 'jihad' such as 'land jihad', 'drug jihad', 'UPSC jihad', 'spit jihad', 'narcotic jihad', etc. on Muslims;[6] (vi) cow vigilantism or mob lynching of Muslim cattlemen charged with involvement in the beef business, and cow protection laws; (vii) the law that criminalises the civil matter of Triple Talaq;[7] (viii) the recent spate of court verdicts visibly favouring the Hindu neonationalist government's intentions like "Mosque is not an essential part of Islam"; (ix) the systematic political and legal targeting of typically Muslim livelihoods and life-habits, specifically the recent 'bulldozer raj' against Muslims;[8] (x) renaming of cities, roads, monuments and other public spaces with Islamic names and public disapproval of and fury over Islamic/Muslim heritage and symbols; (xi) explicit and implicit Islamophobic statements pronounced from *political* platforms; (xii) a hijab ban in schools of the Karnataka, the south Indian state ruled by BJP; (xiii) the increased passage of anti-conversion law in various Indian states; (xiv) the recent declaration of about 370 madrassas including the famous Darul Uloom[9] as illegal ; (xv) the fresh move for implementation of the Uniform Civil Code – which could be the most powerful political weapon to officially establish Hindurashtra in

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6   According to Hindutva politicians and Hindu radical groups, 'love jihad' is the targeted and calculative campaign by Muslim men to convert Hindu girls under the pretext of love, 'land jihad' is the targeted attempt in which the Muslim men force Hindus to sell off their lands through various tricks in order to capture the land, 'UPSC-jihad' is targeted campaign by Muslim students and youth to 'infiltrate' into the Union Public Service Commission (UPSC), specifically into Indian Administrative Service (IAS), Indian Foreign Service (IFS), Indian Police Service (IPS) and other central services and posts. To read on how Muslims are demonised and otherised by various jihad-accusations by Hindutva politicians, see Ellis-Petersen and Khan 2022; Dutta 2020; Aswani 2021; Hasnat 202; Jafri 2021.

7   'Triple talaq' or 'instant divorce' is a practice among some sections in the Muslim community which permits a husband to divorce his wife instantly by repeating the word "talaq" (divorce) three times in written or spoken form. There is disagreement among Muslin scholars as to the whether this is the preferred way to affect a divorce, and countries such as Pakistan, Bangladesh, Afghanistan, Iran, Saudi Arabia and Malaysia have denounced it as illegal. On 22 August 2017, the Supreme Court of India deemed the triple talaq void and illegal and on 30 July 2019, the Parliament of India denounced it unconstitutional and made it a criminal offence attracting a maximum jail term of three years. In India, however, the serious consequences faced by Muslim men for the practice of instant divorce stands in contrast to men from other communities who face no legal consequences for abandoning their wives unilaterally or even driving them out of the house.

8   See Ali 2022.

9   Madrassa is the Muslim religious educational institution in India. Madrassa is considered as the heart of the cultural and educational life of Muslims as it imparts traditional Islamic knowledge to children. In many north Indian states of India, especially in rural areas, madrassas functions as the basic learning centres of both religious and secular education. BJP and its affiliated organisations have targeted the miniscule funding for madrassas as part of what they labelled the "Muslim appeasement politics" of the previous congress. It is in this context that the ruling government recently declared about 370 madrassas, including the historic Darul Uloom, illegal.

Gujarat just before the legislative assembly election; (xvi) the rigorous rewriting of India's history in curricula; (xvii) establishing the rewritten history on the ground through fictitious claims for world-historical monuments, sites and buildings in India such as the Taj Mahal, Qutub Minar and Charminar, and, thousands of Muslim mosques such as Gyan Vapi Masjid in Varanasi and Shahi Eidgah in Mathura, and, through demands for their reconversion as 'Hindu' sites and temples; (xviii) a successful political trend of labelling Muslim-accommodative secular parties as political pariahs,[10] and neutralising dissenting voices by stigmatising them as antinational and establishing BJP as the custodian of Hindurashtra and the political warrior against Muslims, etc. In his article *The Reason for Renaming the Places*, Apoorvanand argues that the renaming of places, railway stations and cities and 'reclaiming' of monuments are part of a large and long process of 'cultural genocide' by referring to Raphael Lemkin who coined the phrase 'genocide' in his book *Axis Rule in Occupied Europe*. Apoorvanand stresses that cultural destruction of a group or community is as important, for Lemkin, as the physical annihilation of its members.

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10   Congress, the oldest secular party of India, especially the Manmohan Sigh's government (2004-2014) has been vehemently attacked by the Hindu nationalist party leaders for doing 'Muslim-appeasement' politics. BJP's claim is that they can only finish the 'Muslim-appeasement' and uphold and celebrate the strength and valour of Hindus in India. Nikita Sud (2020) argues that Modi was successful in projecting the leaders of the Congress as "rich and corrupt dynasts, who 'appease' Muslims, practice Christianity, and are anti-Hindu. In contrast, Modi was the Hindu Hriday Samrat (King of Hindu hearts)." Yogi Adityanath, the current chief minister of India's biggest state, Uttar Pradesh, and BJP's most prominent Hindutva figure, called Samajwadi party candidate 'Babur ki Aulad' or 'Babur's child' while campaigning for election in 2019. Babur, founder of the Mughal Empire in the Indian subcontinent, and the Mughal empire (1526-1761) itself are brought in to the public sphere and political campaigns by BJP leaders in order to corner and villainise the Muslim population of India. The Mughal empire is strongly presented as Muslim kings who invaded the 'Hindu' Indian subcontinent, looted its treasures and wealth, destroyed its temples and kept the Indian/Hindu population under servitude for hundreds of years. The Prime Minister Narendra Modi has often talked about '1200 years of servitude' of India referring to the Mughal empire. The renaming spree in India is meant to erase the Mughal/Muslim/Islamic symbols of India. The destruction and invasion of the temples and treasures of wealth, one can understand, was not for religious reasons like the 'islamisation' of India. Faroagh Ul Islam and Maaz Rashid (2022) exam Sangh Parivar's vague claims about the bygone Muslim history of India. "According to their illusory allegations, thousands of Hindu temples were destroyed, converted into mosques, and Hindus were forced to convert to Islam. Hindu communities were pillaged and the civilization on the subcontinent became impure because of Islamic barbarism. Muslim rulers brought violence into a peaceful society." They argue that even though temples were demolished during the sultanate and Mughal period, invasion and attack were done for political reasons; in the ancient and mediaeval periods of conquests and invasions, it was a strongly followed tradition and practice that the assets and places of the defeated rulers be destroyed.

My point is not to make a claim that there was a democratic and secular (minority inclusive) India before the 2014 election, which turned into a Hindu nationalist, anti-Muslim (minority exclusive) India after 2014's Modi ascension to power. My point is not even to imply a linear progress/regress from modern, secular, free India towards a majoritarian, Hindu nationalist India in 2014. There is enough scholarship which elucidates how India since its independence as a modern nation state has been going through various communal/religious polarisations and mobilisations leading to communal riots, pogroms and the consequent ghettoisation of Muslims in various states, which were even engineered and executed in the 'secular' time of the Congress-rule. The Muslim subordination in India has its origins and routes in the India-Pakistan partition.

Post-partition, the question of Muslims' loyalty, obedience and allegiance to India and their alleged 'love for Pakistan' have been integral to Hindu nationalism or Hindutva ideology. Gyanendra Pandey, in a well-known 1999 article, "Can a Muslim Be an Indian?", elucidates the troubled relationship of 'Indian Muslim' to India. Pandey begins by emphasising how nation states are established in two ways, one, by imagining and "constructing a core or mainstream – the essential, natural, soul of the nation," and, two, by constructing 'the other' which are the minorities "constituted along with the nation – for they are the means of constituting national majorities or mainstreams" (Pandey 1999: 608). In order to explore the 'Indian Muslim,' he then analyses the "construction of the unhyphenated national, the real, obvious, axiomatically natural citizen – Indian, Nigerian, Australian, American, British, whatever – and the simultaneous construction of the hyphenated one – Indian Muslims, Indian Christians, Indian Jews, or African-Americans, Mexican-Americans and indigenous Americans, for example – the latter having lived so often, in our nationalist age, under the sign of a question mark" (608).

Paul Brass's (1993) study of the 'institutionalised riot system' and 'the political context of riot production' in India, highlights that the riots and massacres that happened in 1961 and 1982 and the Sachar Committee Report (2006), set up by the then Prime Minister Manmohan Singh, clearly point towards structural discrimination and apathy with regard to the education, employment, infrastructure and social security of Muslims and the majoritarian bias against them. This, among others, is sufficient to understand the subordination of the Muslims by the state since independence. Brass strongly links both the riots in 1961 and in 1982 to elections, with the legislative assembly elections in 1961-62 and the municipal elections in 1982, implying that riots, massacres and violence played a crucial role in 'democratic' elections in India and who wins them. He makes three points clear: one is the partiality of the police and other state institutions at those times and their animosity towards Muslims; two, is the political significance and

impact of the riots at state and nation levels despite their origins in local disputes; and, three is the shadowy presence of the national militant organisations which have the capacity to fix and settle local issues in the national frame. He says that 'institutionalised systems of riot production (IRS)' created in the years after independence were activated for the purpose of political mobilisation for elections. "Far from being spontaneous occurrences, the production of such riots involves calculated and deliberate actions by key individuals, the conveying of messages, recruitment of participants, and other specific types of activities, especially provocative ones, that are part of a performative repertoire" (Brass 1993: 4839). [11]

In short, the Muslim in India has been always a political/communal question both in pre-partitioned and post-partitioned India. In accordance with the 'Muslim question,' there has been also a much more contentious, challenging and evolving trajectory of Muslim politics and mobilisation. Muslim minority politics in India has emerged, confronted with and shaped by various crisis moments starting from nation-formation and the partition of India and Pakistan, the aggressive rise of Hindu nationalism since the 1980s, the destruction of the Babri masjid in 1992 under the secular Congress government and its crucial role in it, the Bombay riots in 1992-1993, the 2002 anti-Muslim Gujarat pogrom, the Muzaffar Nagar riots in 2013, the Delhi riots in 2020, to cite some of major riots and the long demand and call for Hindu nationalism well before the 2014 election. The 9/11 attack and the consequent global war on terror, India-Pakistan relations, the Kashmir issue: all this had a profound impact on the political subordination and persecution of Indian Muslims as well as on Muslim minority politics and democratic assertions.

Despite all the Muslim subjugation and subordination India has seen since independence, one needs to understand how the subordination and subjugation today have become much more institutionalized, legitimised, legalised, and made democratic, constitutional and judicial. A thorough examination into widespread systematic changes in the Indian polity, social psyche, culture, public sphere, institutions such as the constitution, parliament and even the judiciary, would tell us clearly how the institutionalisation, legitimation, legalisation and judicialisation of the Muslim subordination in the current India is clearly different from that of previous times. In *Indian Muslims from Social Marginalization to Institutional Exclusion and Judicial Obliteration*, Christophe Jaffrelot analyses the severe Muslim under-representation in law enforcement agencies such as the police and armed forces since India's independence in 1947 along with the

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11   For a more comprehensive analysis of Hindu-Muslim violence in India, the production of riots, geography and demography of riots, practice and politics of riots, political mobilisation and election-orientation in production of riots, see Brass 2003 and Ahmed 2019.

under-representation in high courts and the Supreme Court. Jaffrelot's point is that Muslims somehow managed this severe under-representation in state institutions and systems by winning a minimal number of seats in various assemblies, including the lower house of Parliament, the Lok Sabah and asserting themselves there politically. However, he makes the point to show how the strict institutional exclusion of Muslims was carried out from 1980 to 2014 when the number of Muslim MPs in the lower house of the Indian parliament decreased by more than half (from 49 to 23) and subsequently their percentage dropped from 9 to 4.2 percent (Jaffrelot 2019: 414). The political exclusion and subsequent democratic subordination, in addition to social marginalisation and ghettoisation, becomes clear with the fact that for the first time in India's history, the winning party in the general assembly elections had no Muslims at all in the parliament. Jeffrelot says: "The BJP's decision not to field many Muslim candidates aimed to liberate the party entirely from the 'Muslim vote' or what they accused other parties as 'Muslim-appeasement' or 'vote-bank politics' (Jaffrelot 2019: 414).

After the second consecutive thumping victory of the BJP in 2019, we do not so much hear about street violence against the Muslims now. What is visible instead is the absorption of street-violence into the Muslim-unfriendly state itself. The conspicuous consumption of anti-Muslim news in the Indian media, the obsessive focus of the Hindu nationalist government on its anti-Muslim agenda, and the disturbing public approval of these steps and the rhetoric by and large reveal that the Muslim is the significant Other of Indian polity. Apoorvanand says that for the BJP, Muslims are more than 'significant Other' but are 'aliens'. He says that the BJP's special interest lies in "capturing the nation by making Hindus feel that they have conquered this land and taken it back from 'aliens'" (Apoorvanand 2018). In these ways, the Muslim Indian citizen is submitted to psychological, sociological, economic, and political forms of exclusion, and democratic forms of subordination, servitude and alienation.

Participative cultural productions of the subordinated

Thankfully, democratic subordination of the Indian Muslim has not led to that condition where a beleaguered people give up on their rights as citizens. This is why the philosophical fable of the Hegelian *Knecht* is important because the Hegelian servant is the one who invents challenging and yet rewarding forms of participative cultural productions (*Bildung*). These productions, I argue, must be seen as their acts of resistance. Hegel emphasises the fear and the work of the servant in the dialectic. "It felt the fear of death, the absolute master. In that feeling, it had inwardly fallen into dissolution, trembled in its depths, and all that was fixed within it had been shaken loose" (Hegel 2018: 115). In a similar vein,

mortal fear and angst grip the Indian Muslim under the hostile Hindutva regime. However, Hegel's *Knecht* "comes round to itself" (115) through work (*Arbeit*) and "[w]ork *cultivates and educates*" (115). Fear triggers disciplined 'culturally formative activity' that gradually opens up emancipative possibilities for the servant. In a parallel strain, I shall argue here that culturally formative activities of the Indian Muslim under conditions of democratic subordination have become tools for political resistance and reassertion of their rights as citizens.

What is central in this regard is the Hegelian emphasis on negation of the given state of consciousness, and on action that creates human essence in history. For Hegel, "[s]pirit only wins its truth by finding its feet in its absolute disruption … by looking the negative in the face and lingering with it. This lingering is the magical power that converts it into being" (2018: 20-21). Action is the self-discovering, self-making negation of the given, "the negation of Being is Action" (Kojève 1969: 54). "The *true being* of a person is rather *his deed*. Individuality is *actual* in the deed" (Hegel 2018: 187). Hegel celebrates negativity, malleability and transformability of both self and substance (world) vis-à-vis positivity, fixity and dead objectivity. According to him, a negative, productive self is the one which, in confronting dead objectivity in the world, infiltrates it, destroys its fixity and immutability, and leaves its imprint on it. In the actual world, only such a self exists and functions. In other words, self and substance get their actuality and substantiality only in their interpenetration or infiltration of each other's essence. Like the self, the world, its norms, customs, rules, rituals and ethos, are not lifeless, unpliable, sterile and dead. It is this Hegelian self-consciousness that Herbert Marcuse elucidates in his *Reason and Revolution: Hegel and the Rise of Social Theory* (1941), saying: "The world is an estranged and untrue world so long as man does not destroy its dead objectivity and recognize himself and his own life 'behind' the fixed form of things and laws" (Marcuse 1941: 113). As Tony Burns argues, conditions of servitude, hierarchisation of difference, and subalternisation of the Other constantly accompany the human condition and human institutions like democracy. The master-servant dialectic is a philosophical myth that invites us to condemn and overcome such social conditions (Burns 2006: 102). It is evident that the goal of the Hegelian dialectic of the master and servant is recognition (*Annerkennung*). "Self-consciousness is *in* and *for itself* while and as a result of its being in and for itself for another; i.e., it is only as a recognised being" (Hegel 2018: 108).

The Hegelian concept of *Bildung* must be understood as participative cultural production.[12] *Bildung* is essential for a consciousness to become a self and have a

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12   This conception of *Bildung* is developed in detail in my PhD dissertation titled "Self and culture in Hegel's phenomenology: a critique of the politics of exclusion" (see Nisar 2021).

world. In this sense, the traditional idealist reading of Hegel is a gross misreading. According to Hegel, a form externalised by the servant is not really distinct from her/his own being because a thing made contains an imprint of the maker. Hence, by participative cultural productions that externalise material and verbal artefacts, the servant develops "a *mind of his own*" (2018: 116) as an independent self-consciousness. Andreja Novakovic argues that the meaning of inheriting a culture in Hegel is already participating, reaffirming, questioning, recommitting oneself to it so that one's culture does not turn out to be a dead, inorganic, empty ritual. The participative aspect of culture is most explicit in modernity. Thus, our acute modern self-awareness means that "culture can avoid ossification only through ongoing participation" (Novakovic 2017: 92), and the productive aspect of culture means that "participation in a culture always involves a reflective relation to it, for the objects we form provide us with a speculum of our cultural context" (91).

As for the emancipatory potential of participative cultural productions, Alexandre Kojève maintains that acquiring a mind of her own through action makes the servant an independent self-consciousness with mastery over techniques and strategies, which means that the servant looks to transcend her servile conditions (1969: 48). Participative cultural production or reflective action in response to one's servile condition for Hegel means, in a typically modern sense, a necessary alienation (*Entäusserung*) and estrangement (*Entfremdung*) from the given conditions, and reconciliation (*Versöhnung*) of one's particularities with the universal elements of the spirit (*Geist*) – freedom and equality. However, the universal sociality that the Hegelian self transcends towards is not itself an abstract, alienating, homogenous uniformity. The self inserts the universalisable sense of its own particular self-conception into the universal social substance, and its norms, mores, customs, laws, and institutions so that the universal does not become lifeless, cold, hegemonic, and homogenising. Self-critique and social critique must go together in any emancipatory desire. Exploiting this potency of dialectical philosophy, Paulo Freire (1968) argues that acting on the objective world, or a 'critical intervention in reality' that would leave the signature of the servant's self-consciousness on the world, is central to the dialectical mode of fighting oppression. Freire's point is that reality does not transform itself, and oppressors do not transform themselves, and so the pedagogy of the oppressed "is the pedagogy of people engaged in the fight for their own liberation" (2005: 53).

The following are the takeaways from the dialectical outlook in terms of the predicaments of the Indian Muslim and their response to the predicaments: (a) human consciousness has the inherent power to negate the given and imposed conditions, and aspire for new and more universally meaningful conditions; (b) the act of negating the imposed conditions is an act of participating in one's social reality by way of reflectively producing material, verbal, and symbolic artefacts,

thus inserting into it one's own reflectively reconsidered self-conception; (c) reflective reconsideration of one's self-conception and resisting conditions of democratic subordination are not ways of denying what one is, but are opportunities to reflect on one's identity and self-conception, and to insert into the social reality the universally legible signature of that conception. In the words of Hannah Arendt, it means "the principle that one can resist only in terms of the identity that is under attack" (1968: 18). Rejecting such identifications due to hostility from the world or in the name of an ideal universality implies that one is removed from and denying one's lifeworld, and is aspiring for an abstract, lifeless universality. A modern Muslim, an atheist Muslim, a communist Muslim are still Muslims, and a universally legible sense of the world is articulable for her/him. How the former Jawaharlal Nehru University student activist, a self-proclaimed atheist, Umar Khalid, was made to feel like a Muslim after the JNU incident in 2016 is a case in point[13]. The putative denial of identity is a luxury reserved for the privileged majority, whose hegemonic narrative essentially holds sway in different shades and hues, claiming absolute universality.

The above exposition is, in my view, a tenable perspective to understand resistance in the face of the brutal force unleashed indiscriminately by democratically legitimised regimes, whose use of force is supported by an electorally significant population. In such political scenarios, there is a populist admiration for the strong leader who does not wilt under pressure, who does not shy away from strong-arm tactics or from cracking the whip on unruly protesters or selectively targeting dissenters through the use of law (Varshney 2019). A case in point is the recent arrest of the 22-year-old woman climate activist Disha Ravi. Thomas Blom Hansen argues that what is working for Hindutva majoritarianism

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13   Umar Khalid, along with his friends and fellow student leaders Kanhaiya Kumar and Anirban Bhattacharya were arrested in 2016 on charges of sedition after participating in a student protest on 9 February 2016. The arrest was criticized by many prominent scholars internationally as being a suppression of political dissent by using an outdated law which was enacted in 1870 by the British colonial government to suppress the Indian independence movement. Umar Khalid, a self-proclaimed atheist and communist was targeted the most and reduced to his immediate identity of Muslim. The then 28-year-old PhD-scholar was denounced by sections of the media as being a 'Jaish-e-Mohammad sympathiser.' Khalid vehemently rejected the allegations and after investigating the incident both the Delhi government and the university administration found the charges against the student leaders to be baseless. The student leaders were released on bail. Umar Khalid was arrested again by the Delhi Police on September 13, 2020 and was booked under provisions of The Unlawful Activities (Prevention) Act (UAPA) for his alleged connection with the Northeast Delhi riots in 2020. This arrest also came after his active and rigorous role in the protests against the controversial Citizenship Amendment Act (CAA). He has been in jail for more than two years now. For more details on JNU sedition case and incarceration of Umar Khalid and his friends see Scroll Staff 2016 and Khalid 2022.

is the law of force as opposed to the force of law. Political power and popular mobilisation embolden Hindutva activists to be aggressive with impunity. Hence, there is "no contradiction between a strong support for democracy – understood as the will of the people – as a form of government, and support for authoritarian styles of governance ruling in the name of this people" (Hansen 2019: 39). Does the question of resistance become meaningless in such situations? The reflective, imaginative, and participative cultural productions of the Indian Muslim under near-total Hindutva hegemony since 2014 shows this is not the case. Majoritarian States delegitimise and subjugate with ease extra-judicial and revolutionary resistance strategies. Hence, under conditions of democratic subordination and democratic silencing of dissent, democratically legible participative cultural productions of subordinated subjects stand out as the most viable option. Such actions bring about transformations in the social reality of the subordinated, reignite desires for a concretely universal notion of citizenship, and resist the subordinations imposed on them by the majoritarian State together with all likeminded citizens because the recognition that they desire for their self-conception has a universally legible meaning. The very structure of the Hegelian notion of self-consciousness is such that it can become historically actual and free of its alienations only by participating in, negating, and transforming the reality that it encounters – in this case, resisting democratic subordination.

Perhaps the first protest in this chain of protests was the Miyah protest poetry of the Bangladeshi Muslim migrants in Assam, derogatorily called Miyahs, subjected to the harrowing NRC process that sought to segregate migrants along religious lines. One that came to national limelight was Hafiz Ahmed's 2016 poem 'Write Down 'I am a Miyah'' (Bhattacharyya 2020: 87). The anti-CAA demonstrations across Indian campuses, which awakened the Indian liberal voice against the stigmatisation of the Indian Muslim citizen, brought political liveliness even to the supposedly apolitical campuses of Indian Institutes of Technology (IITs), Indian Institutes of Management (IIMs) , and the Indian Institute of Science (IISc) Bangalore. The universal sense of the plight of the Indian Muslim became clear as daylight. Imaginative cultural productions (banners, poems, slogans, and Preamble-chanting) enlivened the protest atmosphere. The cold, abstract idea of the nation was reimagined as something that belonged to every citizen in equal measure. The Indian Muslim was able for a fleeting moment to insert her self-conception in its legible universal sense into the social reality, and thus realise the independence and freedom of her self-consciousness.

Of these protests, the most striking was the Shaheen Bagh protest site, where a group of mainly Muslim women sat on a Delhi road for 101 days, and their protest attracted poets, artists, singers, politicians, and professors, who came to reassert their universalisable and inclusive rather than parochial idea of Indian citizenship.

According to Irfanullah Farooqi, they all were making "a claim for citizenship as participation, as something not simply granted by the state, but realised in our behaviour towards each other, our contribution to our nation's diversity" (2020: 15). In some of the most poetic moments of resistance, Indian streets echoed with the poems of Rabindranath Tagore and Allama Muhammad Iqbal. Poetic slogans like '*Hum Dekhenge*' ('We Will See' of Ahmed Faiz) and '*Hum Kagaz Nahi Dikhayenge*' ('We Will Not Show the Papers' of Varun Grover) symbolised the aesthetics of protest against democratic subordination. These must be seen as sub-cultures produced under strain in order to disrupt monolithic and hegemonic universality. The protests showed how the universality of a non-exclusionary notion of citizenship was upheld by Muslims and Hindus alike, and how an inclusive and concrete rather than empty notion of secularism became central to this new politics of citizenship. Dialectical negation of an imposed identity and transcendence towards an inclusive universality must be seen in these subversive acts. Rahul Rao (2020) calls the anti-CAA protests 'nationalisms against the state'. Hilal Ahmed views them as a 'people's movement', which came after six years of explicit demonisation of the Muslims by the regime in power. The Muslims who did not react to the Babri Masjid verdict or the law forbidding Triple Talaq were awakened to the CAA as a threat "to the very foundation of their political, and indeed social, existence" (Ahmed 2020). The Muslim angst engendered by such exclusionary strategies of the Hindutva master-class led to the reassertion of the inclusive concept of nationalism, shared by most Indians. According to Ahmed, a CSDS-Lokniti survey of more than 24 000 voters from 26 states shows that nearly 75 percent of Hindus believe that India belongs to all Indian citizens, irrespective of religious and other affiliations. Hence, he argues that Muslim anxieties need not be and should not be represented only by Muslim politicians. This is what I have been pointing out as the universal sense of particular identities so far in this paper.

Another sphere of participative cultural production of the Indian Muslim has been legal activism. The power of modern law is obvious. It determines the fate of citizens, as the law can denounce them unexpectedly as illegal. The law has been used by the Indian State as a political weapon against unpopular citizens, practices, and objects. There has been illegalisation of currencies, of food, of love marriages, of the state of Jammu and Kashmir, of Muslim immigrants. The abstract universality of the law, which has no dialectical relation to the particularities of the legal subjects, can only be upheld by brute force. This is why Hegel rejects Kantian ethical formalism. The law, instead, must include, without being morally abhorrent, the universal sense of the particulars. When people develop a truly dialectical relation to the law, alienation from their given perspective, and reconciliation of one's self-conception with the universality enshrined in the law become a genuine possibility. The chasm of distance

between the legal subject and the law is thus bridged. A significant everyday mode of resisting legal subordination is to confront arbitrary and abstract laws in courts. The legal subject, thus, inserts her self-conception into the sphere of legal reasoning, mechanisms, and institutions. To illustrate, Rohit De's ethnography of constitutional litigation in India shows how "the state is undone and negotiated from below," how citizens "insert themselves into an elite conversation," and how "instead of citizens encountering the state, the state suddenly encounters its citizens" (2018: 25). De emphasises the "contingency of the constitutional law and the processes of mediation and translation" (26). That is the process of dialectical mediation and cultural participation. De's analysis shows how the legal substance can be prevented from ossification through people's legal activism. In *Outline of a 'Theory of Practice' of Indian Constitutionalism* Upendra Baxi shows how the construction and interpretation of constitutions manifest the dialectic between "the law as politics of state desire and the law as articulating insurgent orders of social expectations" (Baxi 2008: 101). More generally, Scott (1990) analyses the distinction between public transcripts ("the open interaction between subordinates and those who dominate") and hidden transcripts ("discourse that takes place 'offstage' beyond direct observation by powerholders") (Scott 1990: 2, 4). Scott elucidates the distinction: "Offstage, where subordinates may gather outside the intimidating gaze of power, a sharply dissonant political culture is possible. Slaves in the relative safety of their quarters can speak the words of anger, revenge, self-assertion that they must normally choke back when in the presence of the masters and the mistresses" (Scott 1990: 18). His point is that between the first and most public form of political discourse ('public transcripts'), founded on the 'flattering self-image of the elites', and the second form of political discourse ('hidden transcripts') lies another form of politics; "a politics of disguise and anonymity that takes place in public view but is designed to have a double meaning or to shield the identity of the actors. Rumour, gossip, folktales, jokes, songs, rituals, codes, and euphemisms – a good part of the folk culture of subordinate groups – fit this description" (Scott 1990: 18, 19). In a similar vein, in the specific Indian context, Arndt Emmerich studies how 'conservative' and 'otherworldly' Islamic/Muslim organisations are starting to use democratic means such as spreading constitutional awareness, social movements, political education and legal activism and consequently Indian Muslims are gradually shifting from an identity-centred approach to "an inclusive and confident debate centered on minority empowerment through political education and legal activism" (2019: 452). Rather than apolitical, otherworldly withdrawal and resignation in the face of Hindutva assertion, he finds among Muslims encouraging signs of democratic and legal engagement, trust in India's constitutional morality and institutions, openness towards good governance, and a shrewdly practical and calculative approach to living in a hostile climate.

To return to the ontology of the master-servant dialectic, it can be said that democratic subordination gives rise to fear and anxiety, and the resultant participative cultural productions of the subordinated show them the way to their emancipation. Making practical alterations in the objective world is the only way a self-consciousness can escape her alienation and establish a homely relation to the world. The intensification of the ontological desire to escape from alienation under circumstances of democratic subordination, thus, translates into transformative *Bildung* or participative cultural productions.

Democracy: the dialectic of resistance

I have argued so far that fully democratic subordination is a real possibility of contemporary secular democracies like India, and that possibilities of resisting democratic subordination exist as participative cultural productions of the subordinated. I shall now argue briefly that the above discussion of democratic subordination and participative cultural productions of resistance can shed light on understanding democracy itself in terms of the politics of resistance or as dialectical democracy.

There is a dialectical tension hidden in democracy between the electoral or political concept of democracy, and the idea of democracy as a form of social life. Democracy as the rule of the people is an abyssal historical community without an essence or an absolute point of assimilation and fusion that excludes others. Ambedkar emphasises that the spirit of democracy is real only when fluid social relations and dispositions are pervasive in society across divisions of caste, creed, class, race, and other identities. Recalling his professor John Dewey's words, Ambedkar argues in the *Annihilation of Caste* (1936) that before it is a form of government, democracy is an attitude of respect for others; it is 'a mode of associated living', 'social endosmosis', and shared experience of life (2002: 276). According to him, the basis of political democracy is social democracy. Overemphasising political over social democracy, as he stressed on 25 November 1949 in his final speech in the Constituent Assembly, endangers the very existence of political democracy. In *Ranade, Gandhi and Jinnah* (1940), Ambedkar underlines that without 'the social and moral conscience of society' rights guaranteed by law are meaningless. "Democracy is incompatible and inconsistent with isolation and exclusiveness, resulting in the distinction between the privileged and the unprivileged" (Ambedkar 2002: 123). There is a tension in the very persona of Ambedkar as the modernist champion of liberal democracy and as the icon of Dalit resistance.

Jacques Derrida discusses this dialectical tension by pointing out that democracy as the rule of the people over themselves enshrines respect for each

one in her/his irreducible difference. We may call this the moral ideal of democracy or social democracy as Ambedkar terms it. At the same time, democracy means in a political sense a 'community of friends' and the 'calculation of majorities'. "These two laws are irreducible one to the other. Tragically irreconcilable and forever wounding" (Derrida 1997: 22). While every other person is 'altogether other', the tendency to count some others as friends in terms of certain categories of naturalisation such as religion, race, gender, caste or language is the dialectical wounding element inescapable to democracies. Derrida argues that this wounding conflict both threatens and sustains the life of democracy as life itself is maintained in such unavoidable dialectical tensions. Thus, if we take this profane world as the stage of our actions, the only possible option open to us is to engage in the profane democratic dialectic of the world: equality of all citizens versus the hegemony of the ruling majority. The nation as a concrete universal, as an abyssal community of citizens before the majorities are counted by the casting of votes, is sustained only by the politics of resistance. Quietism awaits those who consider this world too messy and impure to engage in. Gopal Guru argues that "resistance is internal to humiliation. Since humiliation does not get defined unless it is claimed, it naturally involves the capacity to protest" (2009: 219). Insofar as manifestations of humiliation, subordination, exclusion, and oppression always exist, the aspirations of the subordinated for recognition and freedom also exist. In this sense, Ambedkar bargained for adequate representation for the minorities: "such a magnitude of representation as would make it worth the while of any party from the majority to seek an alliance with the minority" (Ambedkar 2002: 93). He considered the Dalits a minority, and for Ambedkar, as Valerian Rodrigues explains, "[t]he lower is the standing of the community, the greater should be its electoral advantage over the rest" (2017: 105). Considered from this point of view, despite the simmering majoritarianism and other flaws of contemporary democracies, democracy can be understood as the very possibility of resistance.

If self-consciousness can become real and actual only by embracing and engaging with the world in its profanity and everydayness, political participation and engagement in meaningful cultural productions of resistance is the way open before the Indian Muslim under conditions of democratic subordination. The dialectical relation between self and its social reality is the Hegelian antidote to ossification of social reality. As I have argued in the last section, an encouraging trend among Indian Muslims after regaining composure from the shock of the recent Hindutva upsurge, is creative forms of protests and resistance. Such political participation is essential when we consider the dialectical nature of democracy, and the exigency of preventing the Indian political sphere from hegemonic domination by parochial Hindutva. Anwar Alam argues that after the 1992 Babri Masjid demolition, there is an increasing trend among Indian

Muslims to withdraw from involvement in party politics due to distrust of the democratic State apparatuses. A counter trend among them is, he argues, to mobilise and form independent Muslim political parties, having lost faith in the secular parties. The project of spreading social awareness, giving political education and doing legal activism founded on Islamic pragmatism, all come in this thread. Emmerich (2020) argues that the recent debate on Muslim citizenship politics, strong involvement in and contribution to the democratic process and electoral politics and emphasis on legal pragmatism by the Islamic and Muslim religious organisations in India "can be regarded as part of a wider trend within Muslim citizenship politics and an outcome of a long dialectic process through which Muslims have learned to respond legally within the norms of civic protests and rightful resistance" (149). Another trend is, Alam notes, subaltern assertion among Dalit and backward caste Muslims (Alam 2015).

While Muslim identity politics alone cannot be criticised for being ethnocentric as Hindutva itself is the elephant in the room, there is both the possibility and exigency of a wider political solidarity of the discriminated against in India. This exigency is necessitated most of all by aggressive Hindutva assertion. Mursed Alam and Seema Ahmed argue that participation of Muslims and Dalits in organised protests as they face "the brunt of Hindutva politics... has thrown up a possibility of a Dalit-Muslim alliance" (2019: 150). While an electorally significant political consolidation is still lacking, Muslims are often considered a part of the Bahujan identity in North India (see Waghmore 2013: 137-42). Maidul Islam also argues that the time for a Dalit-Muslim political friendship has come because the 'social stigma and exclusion' they encounter in today's India are relatively similar. He cites Ambedkar's argument that Indian Muslims deserve a separate electorate not because of their separate religious identity, but because 'social discrimination' marks the relation of caste Hindus with Muslims (2019: 257). He similarly calls for the alliance between progressive Hindus, Muslims, and other Indians who are discriminated against (227). It must be noted that as the Dalits and many lower castes have been tactically absorbed by and assimilated to the Hindutva project creating a wider 'Hindu' self-vis-à-vis the 'Muslim' Other, the Dalit-Muslim alliances are hard to achieve in the current India. In any case, imaginative and principled political strategising and resisting is a central aspect of the participative cultural productions of the democratically subordinated sections of India. The condition of being subordinated is a just and ethical justification for unity and solidarity, as opposed to the aggressive majoritarian unity of hegemonic Hindutva.

Therefore, participative cultural productions under conditions of subordination are not meant to reduce particular persons or identities to their cultural specificity. Politics envisaged in terms of dialectical democracy cannot be equalled with the

traditional understanding of identity politics bereft of any universal sense of the world. Instead, cultural participation of the subordinated in the wider social sphere calls for recognising the universal sense inherent in their particularities, and the universal sense of injustice inherent in their subordination.

Democracy can be true to itself only in terms of the dialectical relation between the particularities of the citizen and the universality of the nation. The cessation of the dialectic and ossification of a shade of the world portends the death of democracy. As Shannon Hoff argues, when democracy takes a determinate spatiotemporal shape, it must break free of fixed forms in response to the demands of particularities. A genuinely democratic nation is "one that wrestles with the necessity of determinacy and exclusion and the possibility of universality and inclusion" (Hoff 2014: 129). While it is impossible to include the whole of humanity in the nation, rigorous resistance against unjust exclusionary principles makes the nation a dialectical democracy. The concrete universality of the democratic nation involves a constant resistance against the exclusions of abstract, official versions of universality.

In conclusion, I want to reiterate that democracy is inherently a politics of resistance. If there is democracy, there is only dialectical democracy. Since democracy is the rule of all people, excluded people resist their exclusion. When this space for resistance is denied, democracy ceases to exist as the dialectical relation between particularities of the citizen and universality of the State. Democracy becomes a myth perpetuated by the mechanical processes of voting. India is still a democracy because the simmering possibility of resistance still persists, even if increasingly under a general atmosphere of fully democratic subordination of dissenters and unpopular minorities. Resistance politics means constantly discovering, illuminating, scrutinising, critiquing, challenging, and unsettling the inherent exclusions of violent universalising, which coexist with othering. However, resistance politics is meaningful only when it self-corrects itself and affirms the universal sense of its particularities and claims. Dialectical philosophy holds that the rigour of resisting and defeating exclusionary strategies is matched by the inventiveness of majoritarian regimes to roll out newer exclusionary strategies. No heaven is in sight. Heaven is where the action takes place. And action is negation of the oppressive dimensions of the given, and affirmation or actualisation of the emancipative aspect of the situation. In this sense, Hegel's insight is true: the servant is the heroic figure of the master-servant dialectic because she stands for the affirmation of freedom, as opposed to the master, who stands for the narcissistic circuit of self-gratifying desires. This is why the reason for redefining democracy itself as the politics of resistance as dialectical democracy – is neither pragmatic nor merely political, but moral.

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