

Politics of Hijab in India



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India is theoretically the largest democracy in the world, but the operational reality is yet to be achieved. India has succeeded in attaining institutional reality, but the operational reality indicates several fault-lines created by majoritarianism, social violence, and exclusion of the second largest majority (Muslims) from the structures of power. Democracy means more responsibility than power. Democracy in a multicultural society is primarily concerned with the political obligation on the part of the enforcement agencies to ensure shared destiny and shared rule. India’s Constitution necessitates nation-building based on democratic integration of diversities. It advocates symmetrical, asymmetrical, and non-territorial federalism and provides space for special states, schedule areas, scheduled tribes and preferential treatment for backward classes of citizens.

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Democracy requires corresponding civic culture and political state. India's journey towards democracy began with a periodic peaceful transfer of powers through elections but the task of nation-building is yet to be the real goal of political parties. Till 1988, a political party endorsing Nehru and Gandhi ruled the country. The period of 1989-1996 witnessed fragile coalition governments and minority government at the centre. Since 1998, the era of stable coalition governments began. Another political party which was diametrically opposed to Nehru and Gandhian principles has been in power at the centre and in various states. This Bhartiya Janata Party built its political destiny through an aggressive campaign for building Ram temple by demolishing the Babri mosque on 6 December 1992. This party did not believe that different religions, cultures, and languages constitute a nation as Nehru and Gandhi believed. The religious (Muslim) card benefited the BJP disproportionately and Muslims were further marginalized in social, cultural, economic, and political spheres. The Prime Minister is on record of being silent on various episodes of violence and humiliations of Muslims in the country. He raised the voice for security of Hindus in other countries.

Religious polarization, inter-community hatred and social partition are highly damaging to democracy. The hijab issue which erupted in the state of Karnataka on 27 December 2021 was again a part of strategy for political polarization. Hijab is a part of their culture and tradition. Hijab in India is not seen as something 'external or foreign' like in few Western countries. It has been a fundamental aspect of Muslim community. Normally religious Hindus never see it contemptuously, but the case is altogether opposite with radical Hindus who have been indoctrinated by sponsored mind-washing everyday teachings and trainings. The Karnataka government's concerns on unity, equality and secularism can also be questioned if hijab is singled out as a single threat in the educational campuses. Hijab was never an issue in the places as it was blown up nation-wide. Inter-faith knowledge and understanding of Indians particularly Hindus and Muslims are solid and centuries old. This may be a case of post-historical groupings in some parts of the West. Hijab is a part of Muslim religion and tradition. Hijab was made controversial first by a BJP Assembly member in an Udupi Pre-University college.

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This controversy has benefited the BJP politically in terms of increasing its voters appearing as saviour of Hindus. The BJP has already created animosity between the Hindu Backward Class in Udupi constituting 30 percent of the population who were friendly to Muslims. Similarly, anti-Muslim forces and their preferred media houses created divides between the tribals and Muslims in Sisai in the State of Jharkhand during the pandemic. They spread rumours among the tribals that Muslims were spitting in the water wells to spread Corona which led to the death of a Muslim youth. Several humiliating comments were made against Muslims in relations to Corona in India during pandemic. Some tv channels have become like a permanent nation-wide station of spreading hatred against Muslims. Similarly, radical Hindus calling themselves as *sadhus* (saints) recently declared genocidal war against Muslims in India.

Legal actions against them are merely cosmetic. Radicals are busy with creating controversies targeting Muslim systematically to keep Hindu minds blowing with anger and hatred. This was found by a survey-based book—*Institutionalized Everyday Communalism* by Suda Pai rather than engineering week-long or month-long violence against Muslims. This type of the lamp of hatred has been decentralized at the local to several subsidiaries by their superiors. They have been confident of getting a kind of free passage in their missions. A local issue quickly transformed into headlines at this time when the BJP is eager to win seats in some states. The issue cannot be seen isolation of political chessboard. Reactions to the BJP would create more sympathies in its favour because the protests by Muslims are identified as 'unwanted' choice. Protests have spread to Delhi, Kolkata, and Hyderabad.

India is a historical society where people are closely integrated with their religion, culture, and tradition. The way of life has never been an issue in the country unless it is violently affecting the security and dignity of the multitude. Different religious groups take up their religious symbols in places like police, lawyers, bureaucracy, media persons, elected bodies at central, state, and local levels, schools, colleges, universities, etc. Hindu temples and deities exist in various public complexes. Many public educational institutions also celebrate Hindu religious festivals and even the academic seminars programmes begin with symbolic *puja* (worship) devoted to goddess Sarswati. Various State and district governments including railways and ministries decorate their buildings and offices on festivals belonging to the Hindu community. Minority communities also make it wherever it is possible for them. The residence of the Chief Minister of the State of Uttar Pradesh, state public transports, signboards, etc have been coloured with saffron/orange paints—a particular colour signifying a particular religion. The chief minister wears saffron colour clothes and takes special interests in religious activities. All of them can be made issue but they have been made no-questionable.

On 27 December 2021, eight girl students were denied entry into their college in Udupi, Karnataka due to their hijab which was not an issue at all before. The students started protesting after the college failed to

accept their demand. They went to the High Court which referred the matter to the larger bench. The Karnataka government issued a controversial order on February 5 which was misused by some institutions to deny the entry of girl students with hijab. The interim order of the High Court on February 10 referred to the colleges under the College Development Committee and where uniform norms were laid down was taken up by others causing chaos and disappointments. Muslim girls suffered huge humiliations and mental peace. Hired Hindu youths were involved with saffron colour turbans and shawls for preventing their entry into colleges.

Muskan Khan was attempting to hand in a college assignment in the city of Mandya when she was encircled by a group of Hindu men (students and outsiders) wearing saffron scarves symbolizing Hindutva forces and chanting the slogans which were raised during the demolition of the Babri mosque on 6 December 1992. In response, she shouted back Allahu Akbar. She said that "they were not allowing me to go inside, just because I was carrying the burqa." The men heckle her as she makes her way across the school grounds, demanding she take off her face covering. Activists say the hijab row is yet another example of a broader trend in India—one that has seen a crackdown on India's minority Muslim population since Prime Minister Narendra Modi's BJP came to power nearly eight years ago. They say that by denying Muslim women the choice to wear the hijab, the government is denying them their religious freedoms, enshrined in the Indian constitution

58 students at Shiralakoppa in Shivamogga district of the State of Karnataka were suspended on February 18 for their protested against the denial of their entry into the college due to their refusal to remove their hijab. Next day again they were not allowed to enter the college. The Government college at Gangavathi in Koppal district too faced a similar situation where girls were not allowed inside the college. This is happening in several parts of Karnataka despite a court order. In the SJVP College at Harihar in Davangere, girls with hijab were not denied entry. The girls refused to go inside without the scarf, stressing that it was as important as education and they cannot give up their right. Chandini, a lecturer in the English language at the Jain PU College in Tumakuru resigned from the college where she had worked for almost three years but had been asked to remove her hijab for the first time.¹

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Five faculty members of the Indian Institute of Management Bangalore (IIM-B) on February 4 wrote a letter to the National Commission for Women (NCW) asking it to exercise its powers and urgently take *suo motu* cognisance of reports of intimidation of Muslim women students based on religious attire in Karnataka. On February 7, IIM faculty and students from Bengaluru and Ahmedabad with 183 signatures wrote to the Prime Minister Narendra Modi that his silence on hate speech and attacks on minorities embolden the hate-filled voices and threaten country's unity. Very little was added by the media throughout the disturbance that the National Human Rights Commission (NHRC) had issued a notice to the Karnataka government on 27 January 2022, in connection with eight girl students being banned from entering a government college in Udupi, for wearing a hijab. It said: "Facts of the case are disturbing. The allegations made in the complaint are serious in nature involving 'Right to Education'. The case therefore involves grave violation of human rights of the victim students." The notice was sent to the District Magistrate, Udupi, Principal Secretary of the Department of Higher Education, calling for their report in four weeks.² Hijab has been a dress of Muslim women traditionally in many parts of the country.

Samar Halarnkar, a senior journalist based in Karnataka's capital Bengaluru, who edits Article-14 news website, says coastal Karnataka is "the crucible of Hindutva" politics and "its proving ground. They (Hindutva groups) began with attacking women having a drink in a pub and later started to accost and attack even friends who were of different faiths. They have been nurtured and empowered by the BJP, which is now in power, and find more support than ever before."³ He says that the "Hindu fundamentalist groups clearly sensed an opportunity over the hijab issue and used it to further radicalise society."⁴ Last month, the Karnataka state enacted a law prohibiting religious conversions. Congress, the main opposition party in the state called the hijab ban "inhuman and communal" and accused the government of creating controversy in order to gain political mileage before the upcoming state elections next year.

Kaneez Fatima, a Congress member of the Karnataka Legislative Assembly says that "we have been wearing hijab for years without any problem but now, the issue has been suddenly taken up by the BJP and Hindutva groups to rake up communal tensions." Last month, the Indian government was investigating a website that purported to offer Muslim women for sale. It was the second time in less than a year that a fake online auction of that kind sparked outrage in the country. She says that "they came for us online. Now, they are directly targeting our religious practice. It started in one college and grew. I have no reason to believe it will end there."⁵



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The All India President of the Students' Federation of India, V P Sanu, criticized the hijab ban, saying it was used "as a reason to deny Muslim women's right to education." In a statement on February 15, the Indian Muslims for Secular Democracy said, it "strongly condemns the attempt by Hindutva forces and the BJP government of Karnataka to engulf college and school campuses in the already raging communal fire in the state. College campuses have thus been transformed into yet another playing field for the BJP and other right-wing Hindu majoritarians."⁶ Rahul Gandhi said on February 5, "By letting students' hijab come in the way of their education, we are robbing the future of the daughters of India. Former Chief Minister of this State Siddaramaiah said, "A principal in a college has locked the gates and prevented Muslim girl students from entering with headscarves. It is a violation of their fundamental rights."⁷

Responding to the allegations made by India's Prime Minister about international plot to tarnish India's image, she wrote: "Could it be that he has been reading those stories in the international media about how Muslim and Christians have been targeted by violent Hindutva mobs? Is he worried that the Western media has been very critical of the activities of vigilantes who have lynched Muslims on the suspicion of eating beef?" Then she wrote: "if this is what he means by India's image being tarnished, then some introspection is needed. Why did he remain silent when gathering of Hindu priests declared that genocide is the final solution to our Muslim problem? The activities of final Hindutva mobs, many with the direct links to the RSS, have certainly damaged India's image as a liberal democracy."⁸

Ganesh Devy mentions that organized "mobs have become the authority, replacing the institutional authority, the judiciary and the law enforcing agencies. Their induction as substitutes for the institutions forming the pillars of democracy is strongly signalled by the prime minister who decided not to respond to the issues flagged in Parliament but to ramble endlessly on about his version of history of India since Independence." He also refers to the "destruction of the Babri Mosque in 1992 and the post-Godhra communal violence in 2002 set the grammar of the rule of the mobs. The judiciary has not shown the same capability in dealing with lawlessness of large mobs."⁹

Hersh Mander looks at the national private channel NDTV which tracks "VIP" hate speech or hate speech by senior leaders of government or political parties and finds a shocking rise of by 1,130% during the Narendra Modi government since 2014, compared to the preceding regime. Unsurprisingly, the BJP contributed over 80% of this. Led sometimes by the prime minister, but much more shrilly by his home minister and several Union and chief ministers, this hate speech pandemic stigmatises, taunts, insults and sometimes openly incites violence against India's Muslims.¹⁰

End Notes

1. <https://www.ndtv.com/karnataka-news/self-respect-hit-karnataka-college-teacher-resigns-amid-hijab-row-2775290>
2. <https://www.thequint.com/news/india/udupi-hijab-row-principal-admits-no-rule-on-paper-girls-told-to-take-online-classes-report#read-more>
3. <https://edition.cnn.com/2022/02/10/india/hijab-karnataka-india-protest-intl-hnk/index.html>
4. Ibid.
5. Ibid.
6. Ibid.
7. Express New Service, “Congress speaks out on Udupi hijab row: Girls’ rights being violated”, The Indian Express, 6 February 2022, pp. 1-2.
<https://indianexpress.com/article/cities/bangalore/cong-speaks-out-on-udupi-hijab-row-girls-rights-being-violated-7757780>
8. Tavleen Singh, “Criticism of government and PM’s policies does not amount to India’s image being tarnished”, The Indian Express, 23 January 2022, p. 6.
<https://indianexpress.com/article/opinion/columns/tavleen-singh-writes-rights-and-duties-narendra-modi-justice-7737168/>
9. Ganesh Devy, “Sharma under siege”, The Indian Express 16 February 2022, p. 6
10. <https://thescribe.in/is-india-lurching-into-a-genocide>