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### Hindu Activism and Academic Censorship in India

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## Hindu Activism and Academic Censorship in India

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It is rare indeed that ancient Indian history makes the news, but this is precisely what happened in February 2014.<sup>1</sup> From *The New York Times* to *The Guardian*, from *The Times of India* to *The Australian*, media outlets all around the world reported that Wendy Doniger's book, *The Hindus: An Alternative History*, had been withdrawn from sale in India. The publisher, Penguin Books India, pulled the 800-page tome from the shelves in response to legal action brought by a conservative Hindu activist, Dinanath Batra. Four months later, a second book by Doniger, *On Hinduism*, also fell victim to India's citizen censors.

India has a long history of religious activists using laws, some dating back to the 1860s, to block publications and works of art that they find objectionable.<sup>2</sup> On the other side of the fence, writers, academics and artists perceive this movement as a threat to freedom of speech and artistic expression, which the law, politicians, the publishing industry, universities and civil society seem unable or unwilling to defend. This article explores the latest wave of citizen censorship in India, described by one writer as India's 'Ice Age for scholarship'.<sup>3</sup> It looks at the main players, places these events in context, describes some of the drivers and looks gloomily at the future of free speech in India.

### Doniger's *The Hindus*

Wendy Doniger, the Mircea Eliade Distinguished Service Professor of History of Religions at the University of Chicago, has produced a vast scholarly corpus of 25 books and hundreds of articles over a fifty-year career. Often controversial, she rattles cages on the Left, Right and Centre.<sup>4</sup> In *The Hindus: An Alternative History*, her basic contention is that previous writings on the religion were created first by men from upper-caste Brahman backgrounds, and later by white Anglo-Saxon Protestants. Doniger offers an 'alternative' history written from the perspectives of women, dogs, horses and outcasts. In characteristic style, her book is brimming with sex, violence and humour, which, as I predicted in an early review, has delighted many readers while horrifying others.<sup>5</sup>

In March 2010, not long after the book had been published, a lawyer acting for a seasoned Hindu activist, Dinanath Batra, issued a 'legal/demand notice' to Doniger, Penguin's head office in New York and its Indian subsidiary. The notice stated that Doniger's book

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<sup>1</sup> All online resources were accessed in July 2014.

<sup>2</sup> Julia Stephens, 'The Politics of Muslim Rage: Secular Law and Religious Sentiment in Late Colonial India', in *History Workshop Journal*, Vol. 77, no. 1 (Spring 2014), pp. 45–64; William Mazzarella and Raminder Kaur, *Censorship in South Asia: Cultural Regulation from Sedition to Seduction* (Bloomington/Indianapolis: Indiana University Press, 2009).

<sup>3</sup> A. Jha, 'Wendy Doniger Controversy: Ice Age for Indian Scholarship', *DNA India* (14 Feb. 2014) [<http://www.dnaindia.com/analysis/column-wendy-doniger-controversy-ice-age-for-indian-scholarship-1961919>].

<sup>4</sup> McComas Taylor, 'Mythology Wars: The Indian Diaspora, "Wendy's Children" and the Struggle for India's Past', in *Asian Studies Review*, Vol. 35 (2011), pp. 149–68.

<sup>5</sup> McComas Taylor, 'Review of Doniger', *South Asia Masala* (10 Aug. 2009) [<http://asiapacific.anu.edu.au/blogs/southasiamasala/2009/08/10/review-of-doniger/>].

represented ‘a shallow, distorted and non serious presentation of Hinduism. . . riddled with heresies and factual inaccuracies’. The book was ‘written with a Christian Missionary Zeal and hidden agenda to denigrate Hindus and show their religion in a poor light’. It complained that Doniger, who incidentally comes from a secular Jewish background, is ‘a woman hungry of sex’. The six-page notice gives dozens of instances of perceived disrespect for Hindu deities, the Hindu canon, the *Vedas*, the RSS,<sup>6</sup> the Sanskrit epics, cows and so on. It makes frequent recourse to the Indian Penal Code, drafted by the British colonial government in 1860, especially section 295A, which states:

Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of [citizens of India], [by words, either spoken or written, or by signs or by visible representations or otherwise], insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to 4 [three years], or with fine, or with both].<sup>7</sup>

The notice to Doniger and Penguin concludes with this threat of legal action:

Therefore, YOU NOTICEEs are hereby advised/directed to tender an unconditional apology to my client and also to Hindus worldwide; withdraw the said objectionable portions from the said book and to undertake not to offend religious sentiments of Hindus in future failing which I have clear instructions from my client to initiate appropriate legal proceedings against all of you at your own risk, cost and consequences.<sup>8</sup>

Four years passed. In February 2014, the news broke that Penguin Books India had capitulated. Having fought the case through lower criminal and civil courts, Penguin reached an out-of-court settlement with Batra and his lobby group, the Shiksha Bachao Andolan Samiti (SBAS or The Committee for the Movement to Save Education) and withdrew the book from sale. In a joint statement posted online, Penguin agreed to recall and pulp all copies of the publication, and Batra and the SBAS agreed to drop their litigation.<sup>9</sup>

Simultaneously, the publisher issued a statement defending its decision: ‘Penguin Books India believes, and has always believed, in every individual’s right to freedom of thought and expression. . . and we have never been shy about testing that commitment in court when appropriate’. Yet, at the same time, the company was bound by the law of the land, ‘however intolerant and restrictive those laws may be’. Significantly, the Penguin statement included the following: ‘We also have a moral responsibility to protect our employees against threats and harassment where we can’. The statement concluded with a criticism of the law on which the SBAS’ case was largely based:

We believe, however, that the Indian Penal Code, and in particular section 295A of that code, will make it increasingly difficult for any Indian publisher to uphold

<sup>6</sup> The RSS is the Rashtriya Swayamsevak Sangh (National Volunteer Organisation), the largest Hindu nationalist body in India.

<sup>7</sup> Brackets in original [<http://indiankanoon.org/doc/1803184/>].

<sup>8</sup> Shiksha Bachao Andolan Samiti (SBAS), ‘Objectionable Passages from Wendy Doniger’s Second Book “On Hinduism”’, Scribd (1 Mar. 2014) [<http://www.scribd.com/doc/209954599/Objectionable-passages-from-Wendy-Doniger-s-second-book-On-Hinduism>].

<sup>9</sup> K. Arora, ‘Academics, Writers Decry Penguin’s Withdrawal of Doniger’s Book “The Hindus”’, *The Times of India* (1 Feb. 2014) [<http://timesofindia.indiatimes.com/india/Academics-writers-decry-Penguins-withdrawal-of-Donigers-book-The-Hindus/articleshow/30235244.cms>].

international standards of free expression without deliberately placing itself outside the law. This is, we believe, an issue of great significance not just for the protection of creative freedoms in India but also for the defence of fundamental human rights.<sup>10</sup>

The announcement precipitated a media storm in India and around the world, accompanied by op-ed pieces by leading writers, academics and intellectuals, including William Dalrymple, Martha Nussbaum, Romila Thapar and many others, decrying the ‘Talibanisation of Indian history’. Pratap Bhanu Mehta called the pulping of Doniger’s book ‘the pulping of liberal India’.<sup>11</sup> Arundhati Roy fired off an angry letter to Penguin, her own publisher: ‘And now, even though there was no fatwa, no ban, not even a court order, you have not only caved in, you have humiliated yourself abjectly before a fly-by-night outfit by signing [this] settlement. . . . Tell us, please, what is it that scared you so?’<sup>12</sup> As a gesture of international support for freedom of speech and scholarship, a petition led by some of the world’s foremost Indologists was launched.<sup>13</sup>

At the same time, Doniger herself said in an online statement that she did not blame Penguin India, which had taken on the book knowing it would provoke opposition from conservative Hindu activists. On the contrary, she praised the publisher for defending the publication in the courts for four years, where some other publishers had simply withdrawn troublesome publications without a fight. In her opinion, the ‘true villain of the piece’ was ‘the Indian law that makes it a criminal rather than a civil offense to publish a book that offends any Hindu, a law that jeopardizes the physical safety of any publisher, no matter how ludicrous the accusation brought against a book’. She remained ‘deeply troubled by what it foretells for free speech in India’.<sup>14</sup>

### Doniger’s *On Hinduism*

Within weeks of his success in trouncing Doniger and Penguin, a triumphant Batra announced at a press conference that he was launching a new campaign, this time targeting Doniger’s most recent book, a collection of essays entitled *On Hinduism*, published in India by the Aleph Book Company. According to a report in *Outlook*, Batra said that, like *The Hindus*, the new book was ‘malicious and offending’:

It is part of a conspiracy hatched by the children of [Karl] Marx and [Thomas] Macaulay to tarnish the image of Hindu culture. There are certain pseudo secularists who are behind this conspiracy. She has used derogatory terms for Hindu deities, which hurts the sentiments of devotees.<sup>15</sup>

<sup>10</sup> Penguin India, ‘Penguin India’s Statement on “The Hindus” by Wendy Doniger’ (Feb. 2014) [<http://www.penguinbooksindia.com/en/content/penguin-india%E2%80%99s-statement-%E2%80%98hindus%E2%80%99-wendy-doniger>].

<sup>11</sup> P. Mehta, ‘Silencing of Liberal India’, *The Indian Express* (12 Feb. 2014) [<http://indianexpress.com/article/opinion/columns/silencing-of-liberal-india/>].

<sup>12</sup> A. Roy, ‘Wendy Doniger’s Book: “You Must Tell Us What Terrified You”’, Arundhati Roy Writes to Penguin India’, *The Times of India* (13 Feb. 2014) [<http://timesofindia.indiatimes.com/india/Wendy-Donigers-book-You-must-tell-us-what-terrified-you-Arundhati-Roy-writes-to-Penguin-India/articleshow/30306451.cms>].

<sup>13</sup> See <https://www.change.org/en-IN/petitions/members-of-both-houses-of-the-indian-parliament-and-the-honorable-law-minister-government-of-india-reconsider-and-revise-sections-153-a-and-295-a-of-the-indian-penal-code-to-protect-freedom-of-expression-in-india>.

<sup>14</sup> W. Doniger, ‘India: Censorship by the Batra Brigade’, *The New York Review of Books* (8 May 2014) [<http://www.nybooks.com/articles/archives/2014/may/08/india-censorship-batra-brigade/>].

<sup>15</sup> ‘A Conspiracy Hatched by the Children of Marx and Macaulay’, *Outlook India* (3 Mar. 2014) [<http://www.outlookindia.com/article/A-Conspiracy-Hatched-By-The-Children-Of-Marx-And-Macaulay-/289719>].

Two days later, on 3 March 2014, Batra served a notice on the publisher, alleging that this second book contained passages ‘that offended the sensitivities of the Hindu community’. He threatened legal action and public agitation if the book was not withdrawn within seven days.<sup>16</sup> A list of 33 ‘objectionable passages’ was subsequently published by the SBAS.<sup>17</sup> Some of the ‘objectionable passages’ mention Vivekananda’s advice that people eat beef, a number refer to sex and sexuality in the Sanskrit epics and several passages describe the RSS as fundamentalist, intolerant and anti-Muslim.

Within days of the initial demand, the chairman of the Aleph Book Company, R.K. Mehra, issued the following statement agreeing to review the book: ‘[W]e have stated that the book is now out of stock with us and will only be reprinted after the objections are examined by our lawyers and four independent writers and scholars so we are able to properly assess them and determine how best to resolve the situation’.<sup>18</sup> In June 2014, a reprint of *On Hinduism* issued by the Aleph Book Company appeared in bookshops in Delhi,<sup>19</sup> but, at the time of writing, it was unclear whether the SBAS’ complaints had been addressed.

### Dinanath Batra

To understand these high-profile attacks on the work of a prominent international scholar, it is necessary to start with the leading protagonist, Dinanath Batra. According to press reports, Batra was born in about 1930 in Dera Ghazi Khan, in what is now Pakistan. His family fled to India at the time of Partition in 1947. Batra subsequently taught English and Hindi at the Dayananda Anglo-Vedic School in Dera Bassi, Punjab, and was later principal at Gita Niketan Awasiya Vidyalaya, a school ‘based on Indian moral values’ in Kurukshetra, Haryana. The Gita Vidyalaya was founded by leading Hindu nationalist ideologue and one-time head of the RSS, M.S. Golwalkar, and is run by the RSS’ educational wing, Vidya Bharati.<sup>20</sup> Of Batra himself, Gargi Gupta wrote:

It’s hard to connect the tall elderly man dressed in khadi kurta and pyjama with his reputation as the latest bogeyman of Indian publishing. He speaks slowly, patiently and deliberately, in idiomatic Hindi peppered with the occasional English word or phrase. The impression one gets is of a man careful to underline that his views are not rabid rants but the considered opinions of someone who cares about the nation and Hindu religion, and has made it his life’s business to ensure that ‘objectionable’ things about them are not published.<sup>21</sup>

<sup>16</sup> ‘Doniger’s Book on Hinduism Put on Hold’, *The Indian Express* (11 Mar. 2014) [<http://indianexpress.com/article/india/india-others/donigers-book-on-hinduism-put-on-hold/>].

<sup>17</sup> SBAS, ‘Objectionable Passages from Wendy Doniger’s Second Book “On Hinduism”’.

<sup>18</sup> ‘Doniger’s Book on Hinduism Put on Hold’.

<sup>19</sup> A. Joshua, ‘Doniger’s Book Back on the Stands’, *The Hindu* (15 June 2014) [<http://www.thehindu.com/books/donigers-book-back-on-the-stands/article6115286.ece>].

<sup>20</sup> A. Vishnoi, “‘The Hindus’ Controversy: Getting Doniger Trashed Just One of His “Battles to Save Hinduism””, *The Indian Express* (14 Feb. 2014) [<http://indianexpress.com/article/india/india-others/getting-doniger-trashed-just-one-of-his-battles-to-save-hinduism/>].

<sup>21</sup> G. Gupta, ‘Dinanath Batra, the Bogeyman of Indian Publishing’, *DNA India* (22 June 2014) [<http://www.dnaindia.com/lifestyle/report-dinanath-batra-the-bogeyman-of-indian-publishing-1997077>].

Elsewhere, he is described as ‘a mild, affable man, tall and still upright, maintaining the posture of the school headmaster he once was’.<sup>22</sup> At 84 years of age and having been an RSS activist for seventy years, to describe Batra as a ‘retired headmaster’, as Doniger and Dasgupta do, is rather misleading. As secretary-general of Vidya Bharati, he headed a vast educational system run by the RSS to instil ‘moral and patriotic values’. Operating in parallel to (or indeed in competition with) the state education system, it boasts 13,000 schools and institutes of higher learning and caters for three million students.<sup>23</sup> In addition, Batra is the founder and head of the SBAS mentioned above.

Batra and the SBAS claim to speak for ‘millions of Hindus worldwide’ who share a single understanding of a unified neo-Vedantic Hinduism, often called Sanatan (Eternal) Dharma, a term which was popularised in the nineteenth century. Sanatan Dharma is founded on a belief that the religious ideas it encompasses are eternal and unchanging, and it acknowledges the supremacy and divine origin of the *Vedas*. The Sanskrit epics, the *Ramayana* and *Mahabharata*, are faithful records of historical fact and not literary fiction. India belongs primarily to Hindus; Muslims and Christians are mere interlopers who remain under sufferance. Governments are stacked with ‘pseudo secularists’ who claim to be equally disposed towards all religions, but who are in practice anti-Hindu. India in general, and Hindus in particular, are the victims of a worldwide conspiracy to undermine and dilute eternal religious beliefs. There is an element of post-colonial angst—a feeling of historical grievance—that Indians have for too long been pushed around, humiliated and belittled by Westerners, including Marx, Macaulay and Max Müller. No more. From now on, Hindus alone will be qualified to speak on, write about or teach Hinduism, reclaiming the Indian past for Indians.

With this ideology in mind, the attacks on Doniger are best viewed in the context of Batra’s ongoing campaigns. He and the SBAS are indefatigable proponents of the ‘saffronisation’, ‘Indianisation’ and ‘de-Westernisation’ of educational materials, especially textbooks, but this zeal extends to publications and works of art of all kinds which ‘might hurt the sentiments of Hindus’. In the past decade, he has launched ten lawsuits in pursuit of these aims, some of which are described below.

In 2001, Batra and the SBAS initiated a campaign against India’s National Council of Educational Research and Training (NCERT), the organisation which has primary responsibility for national curricula and textbooks. In Batra’s vision for an ‘Indianised’ curriculum, the study of economics would start with Chanakya, mathematics would include so-called ‘Vedic’ mathematics, and so on. Batra is quoted as saying: ‘We are for modernity, but we are against Westernisation. Texts should be written in a way that will make children proud of India’.<sup>24</sup>

The flipside of ‘Indianisation’ has been the removal of passages that transgress the nationalist agenda. In a book published in 2001, *The Enemies of Indianisation: The Children of Marx, Macaulay and Madrasa*, 41 ‘distorted facts’ relating to Indian history were identified in NCERT textbooks.<sup>25</sup> These include a positive evaluation of the sixteenth-century emperor,

<sup>22</sup> S. Dasgupta, ‘Dinanath Batra: Here Comes the Book Police, Penguin India Settles a Civil Suit with Dinanath Batra over Wendy Doniger’s Controversial Book on Hinduism’, *Mint* (12 Feb. 2014) [<http://www.livemint.com/Specials/ZL8MkEyTobNWPEQm05jYDL/Dinanath-Batra-Here-comes-the-book-police.html>].

<sup>23</sup> See Vidya Bharati, Akhil Bhartiya Shiksha Sansthan [<http://vidyabharti.net/statistics.php>].

<sup>24</sup> A. Johari, ‘The Textbook Vigilante: Meet the Man who Got Doniger’s Book on Hinduism Withdrawn’, *Scroll.in* (12 Feb. 2014) [<http://scroll.in/article/656157/The-textbook-vigilante:-Meet-the-man-who-got-Doniger%E2%80%99s-book-on-Hinduism-withdrawn>].

<sup>25</sup> M. Mukherjee and A. Mukherjee, ‘Communalisation of Education: The History Textbook Controversy: An Overview’, *HateEducation* (2001) [<http://www.sacw.net/HateEducation/MridulaAditya122001.html>].

Akbar, whom the SBAS sees as ‘an invader on the land of Bharat’; a series of passages which infer that the *Ramayana* and *Mahabharata* are fictional; and a passage that suggests that astrology is ‘ignorant and superstitious’.<sup>26</sup> At the time of this controversy, Batra was said to be a ‘key advisor’ to M.M. Joshi, the Bharatiya Janata Party’s (BJP’s) minister for human resources development. At Batra’s instigation, Joshi pressured the NCERT into ‘correcting’ the offending passages.<sup>27</sup>

In 2007, Batra met Madhya Pradesh chief minister Shivraj Singh Chouhan and convinced him to drop the state’s sex education program and replace it with instruction in yoga. Shortly after the meeting, Chouhan instructed his education department to cut the program, saying that ‘sex education has no place in Indian culture’.<sup>28</sup> In July of that year, the SBAS organised a rally against sex education in schools in New Delhi. Speaking at the event, M.M. Joshi encouraged parents to lobby against sex education in schools. He was further quoted as suggesting that sex education was a conspiracy by multinationals to create the desire for sex among teenagers in order to sell their products: ‘It is not sex education. It is education to sell condoms’.<sup>29</sup> The same report states that the SBAS had written to teachers in Delhi warning them that teaching sex education might constitute ‘outraging the modesty of a woman or dishonouring a person’, which carries a punishment of up to two years’ imprisonment.

In 2008, Batra was one of a number of activists who lodged a case with the Delhi High Court to have an essay by A.K. Ramanujan entitled ‘Three Hundred Ramayanas: Five Examples and Three Thoughts on Translation’ removed from a University of Delhi history reading list. This essay by a respected scholar of international reputation celebrated the great diversity of culturally-specific versions of the Indian epic. One such version holds that Rama and Sita were brother and sister, not husband and wife as in the normative Sanskrit text. This was held to be offensive by conservative Hindu activists. A gang from the student wing of the RSS, the Akhil Bharatiya Vidyarthi Parishad (ABVP), stormed and vandalised the History Department of the University, terrorising staff members.<sup>30</sup> Eventually, the Academic Board of Delhi University overruled its own committee of experts and suppressed the essay.

Since Batra’s successes with Doniger’s two books, there has been no let-up in his activities. In April 2014, his lawyer wrote to Orient Blackswan to object to its publication, *From Plassey to Partition: A History of Modern India*, a popular textbook by historian Sekhar Bandyopadhyay of Victoria University, New Zealand. Among other things, Batra objected to the fact that the book was defamatory and derogatory, describing the RSS as an ‘overly aggressive organisation’.<sup>31</sup> This slur constituted ‘hate propaganda’. If the publishers refused to withdraw it, the SBAS threatened to ‘agitate against this book by all democratic means including public awareness at the national level’.<sup>32</sup> The publisher promptly agreed to subject the troublesome book to a review.

<sup>26</sup> See SBAS [<http://shiksha-bachao.blogspot.com.au/>].

<sup>27</sup> Johari, ‘The Textbook Viligante’.

<sup>28</sup> M. Ghatwai, ‘Madhya Pradesh Bans Sex Education’, *The Indian Express* (17 Mar. 2007) [<http://archive.indianexpress.com/news/madhya-pradesh-bans-sex-education/25871/>].

<sup>29</sup> C. Chauhan, ‘Former HRD Minister Feels Sex Education Corrupts Kids’, *Hindustan Times* (22 July 2007) [<http://www.hindustantimes.com/india-news/former-hrd-minister-feels-sex-education-corrupts-kids/article1-236673.aspx>].

<sup>30</sup> T. Rajalakshmi, ‘ABVP Activists Protest Against the Inclusion of an Essay on Different Tellings of the Ramayana in Delhi University Syllabus’, *Frontline* (15 Mar. 2008) [<http://www.frontline.in/static/html/fl2506/stories/20080328250604300.htm>]; and Dasgupta, ‘Dinanath Batra’.

<sup>31</sup> Gupta, ‘Dinanath Batra, the Bogeyman of Indian Publishing’.

<sup>32</sup> P. Polanki, ‘Censorship by Other Means, Dinanath Batra Shows the Way’, *Firstpost* (7 June 2014) [<http://www.firstpost.com/india/censorship-by-other-means-dinanath-batra-shows-the-way-1560243.html>].

In April 2014, the same publisher, Orient Blackswan, issued a book entitled *Communalism and Sexual Violence: Ahmedabad since 1969* by Megha Kumar, a historian and Rhodes Scholar at the University of Oxford. In what appears to be an act of self-censorship triggered by the SBAS' threats of legal action, Orient Blackswan wrote to Kumar in May saying that the book required a 'comprehensive assessment' and that they were conducting a 'pre-release assessment of books that might attract similar reactions'. According to press reports, the publisher was concerned about the possibilities of legal proceedings and the risk of physical violence directed towards authors, the publishers, their staff and families.<sup>33</sup> Former attorney-general Soli J. Sorabjee reviewed the book and said that some paragraphs might have to be revised, stating that 'adherence to the strict path of history is not by itself a complete defence'.<sup>34</sup> The fate of this book was still unclear at the time of writing.

### Why has Activism Been Successful?

In the light of the above cases, the censorship of Doniger's books can be viewed not as unique incidents, but as events in a larger campaign to rid India of materials 'hurtful to Hindu sentiments'. Why have Batra and his lobby group, the SBAS, been so successful? Why do courts of law, publishers and universities cave in so rapidly? How is it that a small number of activists can exert such influence in the world's largest democracy? In an insightful piece of analysis published in the days after Doniger's *The Hindus* was pulled from the shelves, Pratap Bhanu Mehta wrote in *The Indian Express*:

The argumentative Indian is being replaced by the offended Indian, the tolerant Indian by the intolerant mob, the reflective citizen by the hurt communal mobiliser, the courageous Indian by the cowardly thug who needs the state to protect it against every argument, the pious Indian by the ultimate blasphemer who thinks he needs to protect the gods rather than the gods being there to protect him. Whether this is a tiny minority or represents the majority is beside the point. The point is that the assault on free expression is winning. How is liberal India being silenced?<sup>35</sup>

As noted earlier, Doniger herself sees the Indian law as the 'real culprit' because cases such as these are treated as criminal, rather than civil,<sup>36</sup> although it is not clear to me that this would make a difference. Some say publishers should fight these cases more vigorously. Penguin certainly had the resources to appeal the case in higher courts. Indeed, there are many salient examples of publishers fighting and winning similar cases. Saurav Datta, for example, states that '[t]he odds of substantive law are heavily loaded in favour of free speech' and gives half a dozen examples in which courts have upheld freedom of speech in cases brought by religious activists.<sup>37</sup>

<sup>33</sup> S. Chishti, 'It's Batra Again: Book on Sexual Violence in Ahmedabad Riots is "Set Aside" by Publisher', *The Indian Express* (3 June 2014) [<http://indianexpress.com/article/india/india-others/its-batra-again-book-on-sexual-violence-in-ahmedabad-riots-is-set-aside-by-publisher/>]; and Polanki, 'Censorship by Other Means, Dinanath Batra Shows the Way'.

<sup>34</sup> A. Joshua, 'Revise Your Book, Orient Blackswan Tells Megha Kumar', *The Hindu* (18 June 2014) [<http://www.thehindu.com/todays-paper/tp-national/revise-your-book-orient-blackswan-tells-megha-kumar/article6124690.ece>].

<sup>35</sup> Mehta, 'Silencing of Liberal India'.

<sup>36</sup> Doniger, 'India: Censorship by the Batra Brigade'.

<sup>37</sup> S. Datta, 'How Wendy Doniger and Her Publisher Can Rescue "On Hinduism"', *Samachar.com* (4 Mar. 2014) [<http://www.samachar.com/How-Wendy-Doniger-and-her-publisher-can-rescue-On-Hinduism-odeqNKfcej.html>].



The law is there, but in answering these questions about the success of activism, we should consider an earlier case of citizen censorship. In 2004, a book by US scholar James Laine, *Shivaji: Hindu King in Islamic India*, was deemed offensive by a Hindu activist group, the Sambhaji Brigade. The group vented its rage on the Bhandarkar Oriental Research Institute in Pune, which had supported Laine's research. The offices of the institute were ransacked by a mob resulting in 72 activists being arrested.<sup>38</sup> Violence was a key element in the case of Delhi University and Ramanujan's essay too. It was also hinted at in Penguin's public announcement on Doniger's book. Describing the various pressures on publishers, author Nilanjana Roy said:

One is the fear of suddenly being at the receiving end of mob violence. That is a legitimate fear. You have to take that seriously after what happened to Bhandarkar library. . . . Some of the publishers feel their hands are tied because of this constant threat of violence and they feel that the state does nothing to protect them from that violence. The second part is being a little too intimidated by these laws. We have bad laws and the process is long. But the way to deal with bad laws in a country like India is to challenge them.<sup>39</sup>

Saurav Datta, quoted above, also noted wryly that 'substantive law doesn't protect anyone from being roughed up on the street or outside the court premises'.<sup>40</sup> One of the chief reasons why institutions cave in quickly to demands from religious activists is, I suggest, this threat of violence. Physical violence is an issue because of the weakness of India's legal institutions. The courts are slow, inefficient and prone to political pressure, and the police are often corrupt, fickle and unreliable. Threatened by a mob of angry activists, writers, publishers and scholars alike have little recourse to protection.

### Future Directions

This situation, characterised by weak institutions and an ineffective legal system underwritten by implied violence, just got a whole lot worse. The election of the neo-conservative BJP government in May 2014 provides the ideal environment for Batra and the SBAS to prosper. Conservative Hindu activism is likely to undergo a growth spurt under Prime Minister Narendra Modi, who is largely sympathetic to Batra's Hindu nationalist ideology. Indeed, in the first days after the election, Batra met the new BJP human resource development minister, Smriti Irani, to lobby for a 'complete overhaul' of the Indian education system.<sup>41</sup>

It will be increasingly difficult to brush Batra aside. Apoorvanand Jha painted a bleak picture when he wrote these lines in February 2014, even before the election of the BJP:

We should know that the Shiksha Bachao Andolan Samiti is not a loony, isolated body, but is part of the larger Rashtriya Swayamsevak Sangh, that its chief Dinanath Batra is

<sup>38</sup> 'Front Demands Destroying Copies of Laine's Book', *The Times of India* (Pune) (16 Jan. 2004) [<http://timesofindia.indiatimes.com/city/pune/Front-demands-destroying-copies-of-Laines-book/articleshow/425571.cms?referral=PM>]; and J. Laine, 'Resisting My Attackers; Resisting My Defenders: Representing the Shivaji Narratives', in M.N. Schmalz and P. Gottschalk (eds), *Engaging South Asian Religions: Boundaries, Appropriations, and Resistances* (Albany, NY: SUNY Press, 2011), pp. 153–72.

<sup>39</sup> Polanki, 'Censorship by Other Means, Dinanath Batra Shows the Way'.

<sup>40</sup> *Ibid.*

<sup>41</sup> A. Mukul, 'RSS Man Asks Smriti to Rejig CBSE Curriculum', *The Times of India* (5 June 2014) [<http://timesofindia.indiatimes.com/home/education/news/RSS-man-asks-Smriti-to-rejig-CBSE-curriculum/articleshow/36085303.cms>].

an important functionary of Vidya Bharti, again one of the many branches of the RSS. In short, what it is doing is part of a larger political agenda and it will not relent until we surrender all our intellectual faculties before it. What we are faced with is the real danger of an Ice Age for scholarship in India.<sup>42</sup>

In the past, individuals who subscribed to ideologies like Batra's overlooked, ignored or tolerated material that is now perceived as offensive. Galvanised by activist individuals and organisations, picketing and demonstrating and letter-writing and petition-signing are now seen as a legitimate form of pious expression—a new way of performing (or 'forming') a modern Hindu identity. Conservative Hindu activism offers a way of being both meaningfully 'traditional' and satisfyingly 'modern' at the same time. One of the outcomes of this movement is that the opportunities for encountering alternative views are being systematically reduced. There is a chance that before long, adherents to this cause will hear only opinions similar to their own.

The banning of Doniger's books is just the tip of the iceberg. It attracted international attention, but, in fact, it was not an extraordinary event, simply part of a pattern of litigation and 'saffronisation' that stretches back a decade or more. This pattern is underwritten by contentious and outdated laws that make it a crime to hurt someone's feelings, and a failed security environment which is unable to protect its own citizens—including authors, publishers, their families and supporters—against the threat of physical violence. The main protagonists, including Batra and the SBAS, do not advocate violence *per se*, but only a person ignorant of the events of recent years would be insensitive to the potential for violence in such cases. Batra and the SBAS share sympathies with members of other conservative religious activist groups, the RSS, and ultimately with Prime Minister Narendra Modi and the ruling BJP. In such a political environment, there will be plenty of scope for them to spread their wings. As Batra said in a recent interview: 'The good times are coming. Believe me'.<sup>43</sup>

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<sup>42</sup> Jha, 'Wendy Doniger Controversy'.

<sup>43</sup> Dasgupta, 'Dinanath Batra: Here Comes the Book Police'.