

ABSTRACTS OF THE PARALLEL PAPER SESSIONS

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Rethinking Secularism in India. A Case Study from Sikkim

SUN 11 January 2009, 17.15-19.15 – Secularism, Conversion and Law. Case studies from India
SEMINAR HALL II

A divorce between religion and politics is impossible in the Indian situation. Yet, secularism is essential to the viability of the Indian state given its multi-ethnic and multi-religious diversity. It is often asserted that the most distinctive property of Indian secularism is its firm neutrality towards religion and its opposition to communalism. Secularism does not imply the negation of religious beliefs or inculcation of religious scepticism among the Indian citizens. It implies state impartiality between all religions and neutrality towards religion. It was construed in terms of religion being excluded from the political domain and largely the private concern of individuals and social groups. Depending on the meaning attributed to 'being secular,' the relationship between religion and politics can be imagined in terms of separation or intimacy, exclusion or inclusion.

Certain demographic, political and historical factors make the former kingdom of Sikkim unique. Nevertheless this state of the Indian republic furthers our comparative understanding of the interpenetration of religion and politics and the functioning of 'secularism' within India and other South Asian contexts such as Bhutan and Sri Lanka that have large immigrant populations of a different religious faith. Sikkim's democratic polity does not have secular roots and some continuity with the theocratic rule of the Namgyal dynasty is provisioned in the Indian Constitution under Article 371F and certain political safeguards that institute representation to the Buddhist monasteries in its legislative assembly in the form of the sangha seat while ensuring the continued administration of monasteries and their preservation by the Ecclesiastical department of the state government. The idea of a defiled sacred landscape was the chief argument used by the Lepchas, Bhutias and Buddhist activists protesting against the implementation of Rathongchu hydroelectric project in West Sikkim during 1993-97.

It's impossible to understand Sikkim by divorcing religion from the polity, as politics and culture interpenetrate each other in almost all realms of the social, the cultural and the ideological. The Sikkimese polity did not have secular roots in the past and neither does its current route indicate any movement in that direction.

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Conversion, Marx, and the Dravidian South

MON 12 January 2009, 09.00-11.00 – Indian Religion and the Issue of Conversion 1
SEMINAR HALL II

Towards the end of his life, the Keralite EMS Namboodiripad, the first communist leader in the world to lead a democratically elected government, wrote: 'One of the forms of class struggle in which the Indian people were engaged in history was mass conversions—from Hinduism to Buddhism and Jainism to begin with and to Islam and Christianity later.' His suggestion that religious mass conversions in India can be understood through a Marxist lens may sound peculiar, especially given post-Marxist critiques of Marxism's inability to accommodate religion at all. In my paper, I take Namboodiripad's suggestion to understand mass conversion as class struggle seriously while retaining a focus on the Dravidian South through an examination of the first Tamil translation of The Communist Manifesto, published in 1931. I argue that EV Ramasami 'Periyar' Naicker and S. Ramanatan, in their collaborative effort to translate the Manifesto, refigured 'the spectre of communism' to suit their own project of liberation focused on the eradication of Brahminism. Periyar's understanding of Brahminism as a

part of the religious domain blurs the distinction between class mobilization and mass conversion in the emancipation of a non-Brahmin Proletariat from Brahminical Capital.

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Diversity in Hinduism, What Is the Problem?

TUE 13 January 2009, 09.00-11.00 – Colonialism and religion in India 2
SEMINAR HALL III

For more than 200 years Hinduism has been studied as the religion of India. At the same time, such studies claim that the question 'what is Hinduism?' is extremely difficult to answer because of Hinduism's 'diversity' ('Hinduism has no one creed, no specific doctrine fixed in a holy book, no belief in one god or a fixed series of gods, no common form of worship and no church-like structure or authority'). This paper will try to show that this 'difficulty' is very peculiar in nature: How can diversity be a problem for describing something? The world around us is immensely diverse. Yet, in spite of this, we have acquired extensive knowledge about many phenomena. Moreover, this peculiar problem arises specifically in the context of descriptions of Hinduism. When one looks at for example Christianity, such a problem does not occur: it is clear which differences are relevant for Christianity and which are not.

Postcolonial scholars have noticed the odd character of descriptions of Hinduism. They criticise classical Indology for overemphasising Hinduism's 'unity' and for neglecting its diversity as a result. Instead, some propose, what has been understood as 'Hinduism' is actually a collection of many separate religions or 'Hinduisms'. This, we will argue, merely shifts the problem from one level to another (from the level of the religion 'Hinduism' to the level of 'a type of Hindu religion') and is unable to explain the difficulty in the descriptions of Hinduism. Finally, this paper asks why, if this problem does not make sense in other contexts, does it persist in the descriptions of India? What if the problem of the 'diverse nature of Hinduism' is not a problem of Hinduism itself, but rather a problem of the theories about Hinduism? And if this is so, what are the implications?

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From 'Diasporic' to 'Glocal': 'Indic' Manoeuvres and 'Western' Perceptions

TUE 13 January 2009, 09.00-11.00 – Rethinking Secularism in India 3
SEMINAR HALL I

With the growth in increasingly-assertive diasporic empowerment and schematic 'national' consolidation/s, the 'Indic *Weltanschauung*' is managing to manoeuvre, for itself, incremental space in the era of Globalisation. However, there are issues regarding the capability of this occasionally-protocronistic way-of-life to weather the transmogrifying and homogenising processes of a 'Brave New World'. The Pentagon's quadrennial Defence Review Report, in February 2006, stated that 'India is emerging as a great power and key strategic partner'; and hailed '[s]hared values as long[-]standing, multi-ethnic democracies [that] provide the foundation for continued and increased strategic cooperation and represent an important opportunity for [the] two countries'. Will Indic society be able to fortify its socio-cultural specificities and 'glocalise' pan-Earth trends? Will Indian polity rise up to the challenges of religion-based terrorism, internal unrest, societal churning and generational shift/s, sans a 'paradigm shift' in its constitutional ethos? Will increasing Euro-American support and recognition, both politico-economic and socio-cultural, for the 'Emerging Power' result in India being co-opted into the 'Western' side of the Huntingtonian divide? These are some of the questions that will be discussed in the proposed paper, in the light of the speaker's felt experiences as an academic in India, Finland and Russia; besides, the perceptions, both noetic and experiential, of 'Western' and Russian interlocutors of

'The Continent of Circe' will be taken into account. How are the perceptions, both academic-- as mediated through publications, talks and online-exchanges-- and activism-oriented-- as seen in blogs, e-mail- and internet-lists and press-releases-- of India's socio-political future, as inscribed in religion, impacting the discourse/s of/for India's future? This paper will seek to interrogate the interstices between the contesting prisms of defining India's socio-cultural and politico-religious trajectories. In a nutshell, this paper will attempt to establish a matrix of inter-penetrations between the Indic and Euro-American notions of religion as ideology, both socio-cultural and political; and also to locate a new Indic '*machtropolitik*'.

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Secularist vs. Christian Accounts of Hindu Resistance to Conversion

TUE 13 January 2009, 09.00-11.00 – Indian Religion and the Issue of Conversion 2
SEMINAR HALL II

When Pope John Paul II declared in Delhi that the Catholic Church wanted to 'reap a rich harvest of faith in Asia', he unwittingly embarrassed his Indian secularist hosts. The latter had denounced as 'Hindutva hate propaganda' the fact, which is common knowledge in Christian countries, that the missionaries are in India in order to convert non-Christian Indians into Christians, and that Christian charitable work in healthcare and education is explicitly conceived as instrumental in a conversion strategy. The Pope didn't mind underwriting this 'propaganda' and confirmed openly that it is the Church's duty to open the hearts of all heathens to the true faith. Let us determine the reasons why the secularists try to shield the missionaries from Hindu criticism with claims that are utterly irreconcilable with the Christians' own understanding of the mission. While Hindus and Christians agree on the existence of a sharp conflict of interest between them on the conversion front (supported by numerous authoritative statements from both camps), and on this conflict's being a logical implication of Christianity's claim to sole truth and sole salvific power, the secularist position is to deny this conflict. Meanwhile, the very approach that should have been natural to the secularists, viz. to consider the tangible sociological effects of conversion instead of its theological aspects, has been captured by the advocates of anti-conversion legislation, who point to the social disruption that allegedly follows conversions in SC/ST communities.

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From Anticlericalism to Anti-Brahmanism. The Indian Religion of the Priest in Protestant Polemics

TUE 13 January 2009, 09.00-11.00 – Colonialism and religion in India 2
SEMINAR HALL III

Nineteenth-century scholarship identified the Brahmans as the ecclesiastic nucleus or priestly estate that unified a multitude of traditions into a pan-Indian synthesis. The colonial scholars negotiated a variety of Indian traditions by identifying them as the priestly corruptions of a monotheistic core. The agent of religious change was identified as 'the Brahman priesthood.' When this imagery was diffused in the colonial sources, unrepentant anti-Brahman sentiments soon became entrenched in the popular imagination, both in India as well as in the West.

There has been some recognition in South Asian scholarship on the moot point that the cultural matrix of the colonisers, and, more specifically, the continued influence of both biblical as well as Protestant thought, defined the colonial attitudes towards India. However, there is as yet little scholarly consensus or indeed literature on the core issues of how and when these attitudes came to be formed. The intention of this paper is to provide a single genealogy, or at least a prehistory, of the strong anti-Brahman sentiments that pervade the colonial archive.

This story is a historical one, grounded in the sixteenth and seventeenth centuries. Originally cataloguing the similarities between the Catholic practices and the pagan traditions of ancient Greece and Rome, sixteenth-century Protestant thought soon turned its attention to India. The German, French, Dutch and English polemicists utilised the reports that came back from the East to make visible how Roman-Catholic Christianity and devilish idolatry were each other's equals. For as long as this confessional battle continued, the Brahman, said to be equal in wickedness to the Catholic priest of Rome, was assimilated in Protestant thought to neutralise theological opponents. Using a wide range of sources—cosmographies, theological treatises, pamphlets—the paper shows that in this interpretative and decidedly anticlerical context, an image of the Brahmans emerges that continued to inform the colonial representation of India.

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Religion and Law in India: The Possibility of a Common Code for all Indians Irrespective of Religion

SUN 11 January 2009, 17.15-19.15 – Religion and Law in India 1
SEMINAR HALL III

The Indian legal system is a mixture of not only statutes and codes which have been in existence from the pre-independence era, but it is also ridden with the personal laws for specific religions like Hindu Laws and Mohammedan Laws. India has been declared as a secular country in the Constitution. But the legal system proves otherwise. The very existence of such personal laws defeats the concept of secularism as has been laid down by the Apex Court in the country in the case of S.R. Bommai v Union of India. This concept of personal laws is causing a conflict of feelings between the two major religions in the country and is the root cause of some of the riots that have taken place. Besides, when these laws are judged by placing them at the touchstone of the Preamble and also Article 25 to 28 of the Indian Constitution, it is seen that they lack the constitutional validity proclaiming freedom of religion to everyone. This paper looks into the addressing of conflicting identity issues as regards the much used phrases – 'freedom of religion' and 'personal laws', both from the constitutional perspective and otherwise.

This paper aims at analyzing the possibility of applying a common code for all the citizens of India regardless of their religion. This paper will also recommend some suggestions to include certain provisions so as to make the Article 44 a reality in the near future. Besides dealing with law, the authors would also be handling the sociological condition in India so as to study the possible reactions of people to the Common Code. This paper will be aimed at studying this problem from four perspectives: legal, political, social and economical.

But the authors stress the fact that merely framing a uniform civil code is not enough to make the country secular. In India, leaders are being governed by vote bank politics more than true service to the nation. Minority appeasement has become a farcical democratic practice. But the judiciary should be far sighted so as to understand that the implementation of a uniform civil code is as important as its adoption. India is a multicultural country with a great diversity of religious practices. This paper will not only suggest a practical and empirical manner of implementation, but it will also criticize the aspects regarding secularism and juristic approaches.

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Western-Originated Science and the Classification of Religions

SUN 11 January 2009, 17.15-19.15 – Rethinking Secularism in India 1
SEMINAR HALL I

Overlooked in investigations into the impact of British imperialism on Indian 'religions' and 'secularism' (including the imposition of those terms) has been the role of Western-originated science. Certainly, Protestant commitments of British missionaries, scholars, and officials influenced perceptions of Indians, but at least equally important was the influence of scientific ideals. Indeed, the soon-to-be-globalized conceptualizations of both 'religion' and 'science' came to their culmination in the context of nineteenth century European imperialism. Imperialism relied upon the development of scientific disciplines that promised to explain humanity according to characteristics purportedly organic to all communities using ideals from a supposedly secularized science.

In the period of the late eighteenth and early nineteenth centuries, before European social sciences had appeared, Britons sought human universals by which they could compare and categorize the myriad communities of which empire brought them into contact and control. 'Economy,' 'antiquities,' and 'culture' were among the universals posited and around which scientific disciplines would coalesce. 'Religion' was also considered near universal, but it remained tied until later to the pre-existing discipline of theology. Because many scientists – even devout Christians – believed that science operated beyond theological influence, they unreflectively mixed the categorical imperatives of science with Protestant views of religion to create Christian-normative, scientific disciplines that fixed religion as India's primary social quality. At a time when Protestants defined themselves as part of a systematized religion, they perceived other cultures using the same template while alluding to the authority of science to validate their conclusions. Since the sciences required the phenomena they studied to fit mutually exclusive taxons, they sought to rigidly slot religions into classificatory pigeon holes. The terms 'Hinduism,' 'Muhammadanism,' and 'Buddhism' – all originating at this time – thus became naturalized categories for the supposedly secular disciplines of anthropology, sociology, and comparative religion.

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Toleration and Pluralism in the US: Origins and Global Implications

SUN 11 January 2009, 17.15-19.15 – Rethinking Secularism in India 1
SEMINAR HALL I

The United States has a reputation as a beacon of religious freedom and diversity. Authors in Europe and America have expounded on and celebrated this since the 18th century. The peaceful co-existence of a wide range of competing faiths has elicited admiration, condemnation, surprise, amusement, and wonder. In the intervening centuries American pluralism has evolved, been challenged, theorized, theologized and naturalized. Consequently it has become impossible for Americans to imagine democracy existing without religious freedom and pluralism, a matter of no small consequence to American relations with foreign nations. Advocates of democracy and liberalism around the world appeal to America's peculiar combination of religious, political, and economic freedoms as if they naturally, necessarily, and inevitably go together.

This paper sets America's experience with religious freedom and diversity in the context of their origins in the struggles over empire and toleration in seventeenth-century Europe. England, let alone English imperial policy, is conspicuously absent from accounts of the rise of American religious pluralism. At best, England serves as the persecutor driving religious dissidents to seek freedom in America. That the colonies then successfully claimed their independence from the British Empire only seems to reaffirm this narrative of progressive freedom. However, reference to Native American and African American religion demonstrates that the liberating effects of American toleration were far from universal, even in North America.

This historical and analytical account will both provide vital information on the British domestic and imperial background to ideas and policies of religious toleration in India and allow scholars to assess the degree to which America can in fact serve as a model for other nations, and what the implications of adopting the 'American way' might be.

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The Emerging of Secularism in the US

SUN 11 January 2009, 17.15-19.15 – Rethinking Secularism in India 1
SEMINAR HALL I

The United States of America is both the first modern republic founded on a legal separation of church and state and the Western political democracy in which religion is most central to public life. The currently dominant explanation for this seeming paradox of United States history comes from Roger Finke and Rodney Stark's *The Churching of America, 1776-1990*. Influenced by the Chicago school economists' 'consumer-choice' theory, Stark and Finke have argued that the absence of a state church leads to a more competitive 'religious marketplace' which in turn ensures the proliferation of diverse religious belief and activity. My work provides a more historical account.

After the Revolution, the new republic faced two formidable nation-building challenges, the future of the Native Americans (and their land claims) and the establishment of U.S. sovereignty over the frontier. The state was unable to address either crisis. Its organization by Spartan Federalist principles, inspired by the consensus-building needs for a broad protection of religious freedom and property rights, left it constrained from taking effective nation-building measures. In short, the U.S. began a vast and unique continental colonization project without (in the centuries-old European senses of the terms) either 'a church' or 'a state.'

In the absence of either a national religious or sufficient state authority, two distinct and antagonistic Protestant movements arose. By the early 1830s, this fight within evangelical Protestantism had led to the formation of some distinct features of American religious nationalism. One of these features is the celebration of secularism as a cardinal virtue of liberal political life. In the American context, the practice of secularism preceded its theorization. My paper shows how the American pioneering of secularism was a defensive measure, invented by elite agents of previously dominant sects whose religious and spiritual lives had been transformed by the emergence of modern nationalism.

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Investigating Hinduism

MON 12 January 2009, 09.00-11.00 – Colonialism and religion in India 1
MAIN AUDITORIUM

The evaluative framework of normative Western culture encounters the non-normative Indian culture and generates the normative discourse of Orientalism. Historically, the discourse of Orientalism is entwined with the phenomenon of Colonialism. Early Colonial writings on the non-normative Indian culture created discursive entities such as 'Hinduism'. A reconstruction of the discursive entity of 'Hinduism' reveals that concepts like 'idolatry', 'paganism', and 'scripture' etc. play an important role in the western understanding of Indian practices. To make use of these concepts, equivalent elements from Indian culture, such as 'pooja' and 'vedas' etc. are identified and assumed to relate to each other as their western counterparts do.

Reconstructing these concepts and the equivalent elements they identify helps us to understand the nature of the western moral judgement on Indian practices. Diverse Indian practices understood in this way become a single entity that is both immoral and in need of reform. Contemporary writings on Hinduism do not support this moral judgement. And yet, its discourse is heavily dependent on the early writings in order to get a hold on the (discursive) object. A reconstruction of contemporary debates on the colonial 'construction' of Hinduism reveals that they usually begin with the assumption that some 'real' entity was created. Debates in the field of Hinduism studies often mistake the assertion that religion is absent in India to mean that the

phenomenon now identified as religion are absent. Most constructivist positions reach this dead end in analysis, since the phenomena are, now as then, clearly present. These later studies of Hinduism criticise the use of earlier concepts such as idolatry and paganism suggesting that they come from a limited moral judgement. However, the role of these concepts in first creating the discursive entity of Hinduism is not examined, as the presence of the phenomena seems to 'obviously' signal the presence of the domain.

This paper traces the thread of conceptual continuity which ties the writings of the early colonialist and the most contemporary scholars on Hinduism. It suggests that rendering non-normative cultures into a normative framework results in such discursive entities as 'Hinduism'.

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A Fight for Harmony: Secularism and its Problems in the Bababudangiri Hill

MON 12 January 2009, 09.00-11.00 – Rethinking Secularism in India 2
SEMINAR HALL I

Bababudangiri, in Karnataka, has recently been brought in the limelight in Karnataka politics, due to the protest movements launched by the Hindutva proponents on the one hand and the secularists on the other hand. This place is supposed to be the seat of one Dada Hayat Khalandar, a Sufi, which is attended by Hindus and Muslims alike. This place is also deemed to be the seat of Dattatreya, whom the puranas account for as an incarnation of the trimurti (Brahma, Vishnu and Mahesvara). The Hindutva proponents claim that this was a Hindu centre that was occupied by the Muslims during the late Medieval period and that, at present, it is dominated by Muslim practices which offend Hindu sentiments. As such, their argument goes, Muslims have violated the principles of religious harmony and the secular spirit of the state. The Hindutva proponents are launching a movement to liberate this place from Muslim clutches.

In order to oppose the Hindutva movement, a secular front was formed out of diverse progressive organizations like leftists, socialists, etc. The secularists argue that this place is a spot of Hindu-Muslim syncretism, which is being violated by the Hindutva people, because the latter are introducing Brahmanical rituals on this hill that uphold the caste system and oppression. Some of them also insist that we should recognize the fact that both Sufi and Datta traditions are in fact advocates of the oppressed classes. In this way, this debate, instead of achieving harmony, ends up introducing new kinds of imaginary divisions among the followers of this cult.

The state and its legal system, grounded on secular principles, have also added their share to aggravate the problem. There have been a couple of court and administrative decisions, that are based on the assumption that this place is a spot of religious harmony to be cherished at all cost. This has ended up in sanctioning non-traditional claims and practices of the so-called Hindus in this place which have aggravated the problem further.

Significantly, both the secular and the Hindutva sides share certain common apprehensions about Indian culture. Each of the conflicting parties argues in name of religious harmony, secular principles and historical facts. This paper will examine the limitations that are shared by both the secular and the Hindutva arguments. It is also intended to probe deeper into some questions regarding their presuppositions about Indian society and culture.

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The Indian Constitution: Religious Freedom and Toleration for India's Diverse Religious Traditions?

MON 12 January 2009, 09.00-11.00 – Religion and Law in India 2
SEMINAR HALL III

Expositions on the Bhagavad Gita and aspects of 'Hindu' philosophy brought Chief Justice Gajendragadkar to judgement in the widely cited temple entry case, *Sastri Yagnapurshdasji v. Muldas Bhudardas Vaishya*. Disallowing the claims of the Satsangi community that they were not subject to temple entry legislation on grounds that they were religiously distinct from the 'Hindu' community, Chief Justice Gajendragadkar pronounced them 'Hindus' and therefore bound by the demands of temple entry legislation. However to do so he found himself waist deep in disputations on the nature of the 'Hindu' religion. In disputing the Satsangi claims to their religious practices he even argued that the Satsangi claims were 'founded on superstition, ignorance and complete misunderstanding of the true teachings of Hindu religion.'

Oddly the *Sastri Yagnapurshdasji* case is one of the clearest expressions of the strong reformist, and some would argue even secular, character of the Indian constitutional framework. That is, the Indian constitution's secular character is defined equally by a commitment to steward social reform of India's religious traditions, as it is to liberal democratic principles of individual autonomy and state neutrality towards religions. As the *Sastri Yagnapurshdasji* case demonstrates, these two techniques of governing Indian religious traditions are not necessarily congruent with each other and additionally it is far from being conceptually clear why and on what grounds the state's reformist conception of the Hindu religion should trump that of the Satsangis. This paper examines the manner in which these apparently contradictory pulls in the Indian constitution play out in Indian case law and their implication for religious freedom and toleration for India's diverse religious traditions.

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Post-colonial, Post-Liberal Gujarat: the Discourse on Secularism and its Alternatives

MON 12 January 2009, 09.00-11.00 – Rethinking Secularism in India 2
SEMINAR HALL I

As one of the last major areas of the subcontinent to be placed under British colonial rule, the Western part of India was often associated with unstable social and political systems. Hence, early nineteenth century colonial administration in Western India was preoccupied with the dual agendas of sovereign control and social reform. For groups such as the original Swaminarayan community, whose founder acquired the distinction of being able to 'subdue' difficult communities, the reputation for being a 'reforming sect' became a recursive motif and one that was arguably beneficial for the early community's own growth. While accommodating but never capitulating to the influences of colonial authority, the Swaminarayan community was able to sustain its devotional traditions. This colonial location is relevant to understanding what leadership and devotional roles the contemporary Swaminarayan community might play today in Gujarat, particularly at a time when the manipulation of religion, nationalism, and political power has fostered some of the worst human tragedies in India's post-Independence history and correspondingly threatened the existence of conservative non-Hindutva groups. This paper explores the seeming divide between possibilities for non-violent living that particular devotional communities, such as the Bochasanwasi Shree Akshar Purushottam Swaminarayan Sanstha (BAPS), have demonstrated and the panicked charge of others who argue that without secularism, all of India might follow the path of Gujarat's recent history. I argue that the concept of secularism and its liberal assumptions of personhood, freedom, and rights are inadequate for informing or reforming post-colonial Gujarat. Against the background of re-thinking the category 'religion' for the Hindu Indian context, this paper problematises the category 'secularism' and argues that the suspicion and discomfort of academics and others towards BAPS provides a location for examining both the discursive context of secularism and its aporias. The realities of Gujarat confirm that neither religion nor secularism as they are dominantly conceptualised and theorised have reduced the anxieties and prejudices of majority and minority Gujarati communities towards each other. This paper considers the strategies of BAPS to live within and yet transcend the constraints of 'secularism' by sustaining an alternative and indigenous framework for sociality, ethical living, and political action.

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Conversion as Revolution

MON 12 January 2009, 09.00-11.00 – Indian Religion and the Issue of Conversion 1
SEMINAR HALL II

The Hindu leadership is worried: their party line that 'Pseudo-Secularism' is the crux of India's problem and 'Hindu Nationalism' is the panacea has failed to counter the liberal idea that Hinduism is the problem and secularism is the solution. But secularism hasn't emerged stronger either: an increasing number of opinion leaders from Backward and Scheduled Castes are coming around to accepting Dr. Ambedkar's thesis that oppressive Hinduism is the chief cause of their socio-economic backwardness and therefore, there can be no emancipation without conversion.

Twentieth century ideas that colonialism or capitalism caused India's decline no longer convince these leaders. Nor do they find the nineteenth-century belief compelling that a Protestant Hinduism would eradicate social evils and create an egalitarian society. Right or wrong, the oppressed in India are coming around to a conviction that conversion out of Hinduism is the socio-spiritual revolution they need.

The proposed paper will survey the major religious and intellectual movements in modern India from the Western missionary movement to the rise of the Bahujan Samaj Party that popularized the belief that India's #1 problem is Hinduism. It will delve into Prof. Kancha Ilaiah's thesis that in order to build a genuine democracy India has to go beyond Dr. Ambedkar's vision of 'social democracy' to a 'spiritual democracy' of 'Priesthood of all believers.'

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Questioning Conversion: A Case Study from Bengal

SUN 11 January 2009, 17.15-19.15 – Secularism, Conversion and Law. Case studies from India
SEMINAR HALL II

I will explore the idea of conversion using as case study the work of the Christian missionaries in the Nadiya-Burdwan area of colonial Bengal. While many conversions to Christianity occurred here in the nineteenth century, the numbers dwindled within a decade. I will attempt to set these cases of conversion, and the later decline, in the context of the history and culture of this region.

This area had experienced a long tradition of Vaishnavism and seen the development of religious sects not explicitly allied to mainstream faiths. Thus, religion in a plurality of forms was known and recognized here. I will take up two of these religious sects to show how Islam, Christianity, and Hinduism, came together in their teachings. Though one sect is rumoured to have been begun by a Muslim and the other by a lower caste Hindu, the first is seen as a Vaishnava sect and the second includes upper caste Hindus. No strict observance of membership rituals was followed, and consequently no need was felt for any overt conversion. This fluidity of religion was present here among mainstream believers too: Muslims participated in Hindu festivities, and Hindus flocked to Muslim pirs. While the lines of division between the religions were clearly drawn, a religious pluralism existed which made communication possible between disparate groups on lines other than the assertion of their separate identities.

Without simplifying such phenomena as an acceptance of, or easy movement between, religious creeds, the paper argues that what was happening here can be explained by an overarching culture of religiosity. This needs to be recognized as constituting a culture distinct from the prevailing view of religiousness as adherence to a well-defined set of beliefs which sees itself as the only true way. Contrary to the usual context where a

community is adherent to one religion, the behaviour of the people here may be explained as reflecting a belief in religion itself, thus making conversion irrelevant.

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Re-Examining the Terminology, Logic and the Indian Media: Another look at the Hindu-Muslim Relations in Recent Times

TUE 13 January 2009, 09.00-11.00 – Rethinking Secularism in India 3
SEMINAR HALL I

The paper is based on the treatment by the Indian media of the following developments relating to Hindu-Muslim relations in the preceding two decades. Keeping in mind the conceptual problem such a project spanning a limited time-frame poses – this paper by keeping the partition of India in the background – will take another look at the mass exodus from the Kashmir valley (1989 onwards), the debate on the communal violence in Gujarat - and a few incidents of Hindu Muslim 'riots' in recent times.

Terms such as 'secularism', 'fascism', 'majority and minority', 'sense of injustice', 'perceived grievances of a community', and 'genocide' etc. will be analysed in light of the above incidents, so as to see if these categories are adequate in explaining the communal violence and whether they offer any solution in mitigating the divide. The paper would traverse through the corridors of time to offer a comprehensive view of the problem.

In the process, an attempt is also made to see whether the media's use of these terms could provide a solution to the problem or rather keeps it alive. It is suggested that an objective study of the fault-lines of our society and avoidance of a narrowly political approach might save the civil society from further troubles. Only by the collective propensity to come closer to the reality and offer some tentative suggestions, a further deterioration in the communitarian relations may still be prevented. A cross-country perspective will provide the theoretical grid to this paper which is to be based both on archival and secondary source materials.

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Law and Religion in India: An Attempt to Build Cohesiveness and Nurture Secularism through the 'Uniform Civil Code'

SUN 11 January 2009, 17.15-19.15 – Religion and Law in India 1
SEMINAR HALL III

The need for a Uniform for Civil Code in India has for long been harped upon. The introduction of colonial secularism to filter practices of the native communities as lawful and not lawful created the problem of every religion proclaiming its practices to be supreme and therefore their right to exercise it.

The Constitution makers tried to amend this apparent discontent by proclaiming the Constitution to be 'Secular' and also by planting the seeds of Uniform Civil Code in the Directive Principles of State Policy. They envisaged a day when every man will be ruled by the same law and when there will be no animosity among people.

The majoritarian Hindu law is not allowed by a plurality-conscious Constitution to become the law of the land. But what is uniformity really? Would it be M.K. Gandhi's model emphasizing the local cultures leading to legal plurality, focused on the self-controlled systems, all following traditional Hindu dharma, or that of Dr. Ambedkar preferring a strong central state with codified laws and as much legal uniformity as possible? Prudence would say that both these models are extremities and neither will allow uniformity while preventing arbitrariness.

We intend to explore the very meaning of the term Uniform Civil Code and as it should be perceived in the Indian context, the possibilities of a Uniform Civil Code, and the present state of personal laws in India.

Possibly, a gradual improvisation of the present Indian legal system, which exists as jungle of separate personal laws for the various social groups hinting at diversity, could be developed to accomplish uniformity, wherein the substance of the various laws would seek to achieve globally recognized rights.

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The Emergence of the Category of 'Communalism' from Colonial Discourse

TUE 13 January 2009, 09.00-11.00 – Colonialism and religion in India 2
SEMINAR HALL III

While it is fairly well-established that colonialism has had an impact on the categories of understanding we have available to us today, there is not much clear understanding of what that impact is and what relationship we have with colonial knowledge. I propose that our understanding of this question is hinged on a theory of colonialism itself. What is colonialism? How do we characterise colonial knowledge such that we get a grip over the anomalies this knowledge seems to sustain and promote? Concepts like 'Hinduism' and 'communalism' are products of this or allied knowledge systems. Hence, if we are able to define the knowledge system we should be able to understand its products.

Along with an explanation for why these entities have come to be established within colonial discourse, however, we need to establish what our relationship to these entities is. I would like to use the concept of 'communalism' as a test case. I seek to explain why the category of 'communalism' emerges as a product of colonial discourse, as well as to investigate our own relationship with that concept as we have inherited it. Although this does not directly address questions about 'Hinduism', if both 'communalism' and 'Hinduism' are products of colonial knowledge then my analysis of the former may shed light on aspects of the latter as well.

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Invisible 'Chains of Memory' Targeting India, Through Joshua Project 2000 and Beyond

TUE 13 January 2009, 09.00-11.00 – Indian Religion and the Issue of Conversion 2
SEMINAR HALL II

The evidence of this paper, focusing on the 'caste reinforcing conversion practises' of the 'Joshua Project 2000 and Beyond', suggests that the form and structure of the Evangelical networked movement operating in India today, resembles that of elite multinational corporations based in the Western World.

Professor Lesley Sklair suggests that there are three interlocking network structures, made up of the upper class, corporate community and policy-planning specialists. These are the structures and networks through which the operations and processes of globalisation are guided and that shape the future. 'Policy planning networks of corporate experts, charitable foundations and think-tanks complete the interlocking and solidarity of the elite' (Sklair, 2001). Carson and Carroll provide substantial evidence for the formation of a prevailing collection of collaborative global policy boards, that oversee transnational economic and political developments, concentrated around a Euro-American geo-political network (Carroll, 2003).

Danièle Hervieu-Léger suggests a theory of religion as a 'chain of memory' which explains the complexities of the relationship between religion and society. As Hervieu-Léger highlights, the leading factors at play in this relationship are the intricate influences of intellectual location of belief, the semantics of the discourse, the individual and community needs for fulfilment and salvation and the historical socio-economic developments resulting from industrialization and the resulting modernity (Hervieu-Léger 2000).

Exploratory evidence in this paper illustrates how Euro-American secularism may be in contradiction with itself, because of the invisible, unspoken and unacknowledged ideological paradigms and foundations upon which it stands in its support of the Joshua Project. This ideological foundation rooted in Christianity functions

socially, politically and economically through discursive constructions that establish 'differences' based upon signifiers, such as phenotypes, language and cultural practices, economic status, ideology and epistemology.

With a focus upon India, this paper explores the linkages between Christian evangelical systems with that of national governance and international funding, and the underpinning discourses that enable 'conversion' to become an effective social practise. The analysis reveals the discursive and systemic constructions, based upon key ideological Christian foundations, which prevail and dominate this particular transnational organised phenomenon in the 21st Century.

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Hinduism as Religion: To Be or Not to Be

MON 12 January 2009, 09.00-11.00 – Colonialism and religion in India 1
MAIN AUDITORIUM

This paper aims to argue that the concept of Hinduism as a monolithic religion has its origins definitely in colonial times. However, the notion of 'the Hindu' was not created by the colonialists but has existed in the Indian sub-continent for millennia. The question is if 'religion' with its western historical baggage is the right conceptual tool to be used to analyse and theorise the Hindu phenomena. This paper will argue that the terms 'religion' and its species 'Hinduism', though limited in representing the phenomena comprehensively, continue to be useful in distinguishing different worldviews of life. However, in light of the contemporary communal violence, it would propose that in the multi-culturo-lingual context of India identities should not be reduced merely to the religious.

In order to achieve this task the paper will flow in the following manner: firstly, a discussion on the concepts 'religion' and 'Hinduism' to enable us to understand what 'thing(s)' they are? Once the nature of 'religion' is clarified, secondly, the term 'religion' will be problematised to show that it has a particular history within the western tradition and hence cannot be used uncritically in cross-cultural contexts such as India. Thirdly, it will be argued that though the category 'religion' was used cross-culturally, the construction of 'Hinduism' was not ex nihilo by providing evidence for the existence of pre-colonial Hindu consciousness in medieval India. Fourthly it will be argued that the concept Hinduism has currency today even among the Hindus primarily because its construction was not of purely European descent but was done in partnership with Indians and furthermore it came into common parlance and public consciousness because of the Hindu revivalists, reformers and nationalists who uncritically took Hinduism as a given and universalised it as the 'Other' of the Judeo-Christian faiths. Finally the paper will end by exploring how one can go beyond religion especially in light of contemporary communal violence and propose a more nuanced understanding and use of identities.

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Protecting Human Rights under Religious Laws, National Laws, and International Law

SUN 11 January 2009, 17.15-19.15 – Religion and Law in India 1
SEMINAR HALL III

The study of human rights and how certain human rights are protected under religious law, national laws and international laws exemplifies the tensions that can arise if different legal systems confront each other.

On the one hand international law is supranational and, arguably, could be considered the dominant legal system with global or universal standards. However, international human rights law is also sometimes called

'soft' law as the implementation and application of international human rights laws falls within the responsibility of the state and is therefore often undermined.

The neutrality of international human rights law, that is the assumption that international human rights law is not infused by certain cultural values and notions, has been contested several times – amongst others from an Islamic perspective – arguing that international human rights are, in fact, based on Western concepts of human dignity and that according to the Western tradition the source of human dignity is secular in nature.

This can create inherent tensions for the application of 'secular' international human rights in countries where Islamic law (shari'ah) is applicable as Islam makes no distinction between 'religion' and 'law'.

One country where these tensions between obligations under international human rights law, national laws and religious laws can be observed is Malaysia. Malaysia has tried to absorb Islam within the framework of the modern secular state. This uneasy compromise that has been forged in the process can be illustrated through a case study of freedom of religion in the Malaysian legal context. Freedom of religion is constitutionally guaranteed, but in practice this freedom is severely restricted.

The paper will analyse the legal context in which freedom of religion is framed focusing in particular on the tension between the two different legal court systems, state and religious, that are dealing with cases of freedom of religion.

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Rethinking Secularism in India: Popular Practices Challenge the Notion of Fixed Religious Boundaries

SUN 11 January 2009, 17.15-19.15 – Secularism, Conversion and Law. Case studies from India
SEMINAR HALL II

In the region of Punjab (which spans India and Pakistan), the religious identities Hindu, Sikh, Muslim and Christian are ostensibly treated as separate traditions with their own unique textual sources, rituals and practices. The state ideologies of India and Pakistan, in requiring religious distinction for managing their societies, rely upon tools of enumeration and labelling to perpetuate religious difference. Thus, formal religious identities, which are backed by institutions and techniques (such as the census and state categories) affirm their official status. Such formal categories, however, fail to take into account the plethora of practices, performances and expressions of religiosity that are often difficult to hinge upon a singular religious identity or category. This paper will explore how, despite hegemonic formal religious identities which attempt to fix and present exclusive notions of belonging, 'popular' spiritual practices in Punjab present a backdrop of multiplicity and complexity of spirituality through practices which are shared or 'common' in the manner in which sacred spaces are used, texts are interpreted, and mysticism is engaged with. One argument which the paper will develop is to what extent the formal religious categories actually reflect the notion of 'religion' in Punjab, or whether it is the popular, intersecting practices which deserve more recognition as representing how spirituality is broadly conceived in the region. By drawing upon examples from east and west Punjab, the paper will highlight the manner in which popular practices can challenge the notion of fixed religious boundaries through overlapping and intersecting idioms and references, while simultaneously presenting a pluralistic terrain of religious practice.

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Explaining Conversion and the Dichotomy of Anti-conversion Laws in India

MON 12 January 2009, 09.00-11.00 – Indian Religion and the Issue of Conversion 1
SEMINAR HALL II

Ratilal Parachand, in the case of *Gandhi v State of Bombay* (AIR 1958 Bombay) opined that, 'Religion is that which binds a man with his creator', thus underscoring the very individualistic and personal nature of a man vis-à-vis the faith he may adopt and choose to practice. In our world of college quotas, casteism and vote-bank politics though, one's religion is a personal choice only on paper and has achieved the dimensions of a civic commodity. The State now has a right to disallow conversion to any faith on the basis of vaguely formulated legislation(s). The anti-conversion law in India goes by the ironic misnomer of The Freedom of Religion act, but robs the citizen's freedom of conscience and has even resulted in ludicrous actions where Christian priests have been prosecuted on charges of 'conversion' on account of their performing the ceremony of baptism. Notwithstanding the unconstitutionality of such acts, the fact that the provisions of these acts state that no formalities need to be followed in a case of reconversion is testimony to how most arguments mooted against conversion in India are more political than theological.

This paper aims to throw light on conversion; seen from the eyes of the convert and the people around him, primarily (but not just) in India; the relevance of conversion to and for the milieu in the present day and times. The paper shall further go on to discuss the glaring duality of the anti-conversion laws in India and the effect it may have on intra-national and inter-communal conflicts faced by India today and what may be done to avert future strife and bloodshed.

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Contentious Harmonies: Depiction of Hindu-Muslim Relationships in Medieval Kannada Representations

MON 12 January 2009, 09.00-11.00 – Rethinking Secularism in India 2
SEMINAR HALL I

An attempt has been made in this paper to understand the medieval Indian sectarian traditions as pluralistic and coexisting systems. At the same time, this is not to suggest that there is no possibility for permeability among these systems. In fact, indigenous sectarian traditions are highly syncretic, suggesting the possibility for movement of ideas in multiple directions. The fact that multiple versions of the Rāmāyaṇa and Mahābhārata traditions, Buddhist, Jain, Hindu etc., coexisted together and absorbed materials from each other is a characteristic feature of Indian literature.

As medieval Indian sectarian communities did not perceive the world around them in terms of dichotomous and binary oppositional categories like the modernist paradigm does, in which the logic of imperialism operates, there are high probabilities of seeing convergences, syncretism and pluralistic epistemologies in the narratives from the medieval period. Taking instances from medieval Kannada representations, constituting temporal, spatial and societal dimensions, an attempt has been made in this paper to demonstrate the presence of pluralistic epistemologies and the coexistence of communities through accommodating each other. Such an epistemology not only strongly maintains its own beliefs, practices and identities, but also shares and respects the existence of other's beliefs and practices and identities. A court level royal inscription of Adi Adil Shaw I, the *Stalāpurāṇa* of a Sufi-Nāgēsi saint from Vadaval in Sholapur district of Maharashtra, a popular narrative of Arjuna-jōgi and the folk narrative and ritual of Kumārārama held at Kummatadurga near Hampi have been considered to understand the modes of depiction of Hindu-Muslim relationships.

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Right to Freedom of Religion or the Right to Conversion

TUE 13 January 2009, 09.00-11.00 – Indian Religion and the Issue of Conversion 2
SEMINAR HALL II

India is a secular country where people practice a variety of religions. Many people define this belief in religion as a power controlled by the worship of God, such myths and also believing in the divine laws regarding the perception of marriage, relations, children etc. Religion in India was considered to be of utmost importance and for this people follow rules according to their personal laws or from the holy books. The laws made in India after independence made the country secular in nature. In fact, the Constitution of India, which is the law of the land, includes Article 25 and clearly states that people have the fundamental i.e. the basic right to practice and profess any religion through the way of conversion.

Conversion and reconversion comes into the picture when one person out of his benefit converts the other. There is as such no law against religious conversion. There are cases where Tribals are converted into Christians or another religion and then the Hindu people reconvert them. Various issues point to the same conclusion that 'adivasi' groups are not of any religion, they have a symbiotic relationship with nature, they are part of no caste and the religious rituals are integrated into their lives. If the government sits together and declares this group as a separate religion, then only the issue of coercive conversion can be stopped. But the problem comes when the supreme and the highest authority, i.e. the Constitution, agrees to the concept of conversion, then how can this impression be challenged? Is it possible that the law be of unambiguous nature wherein the laws said are properly defined without a question of doubt?

The tribal community in India is of great significance since they follow our culture and they are the ones who actually have preserved the age old appropriate Indian traditions even before the British colonisation. If these people are converted into other religions i.e. both convert and reconvert, then this will lead to utter chaos. There can be seen a clear violation of the right to personal liberty and the right of individual identity. Therefore this paper will mostly deal with the legal aspect of conversion and, the negative effects of conversion or re-conversion including possible suggestions for framing laws which help such groups who are in a dilemma.

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Colonial Legality and Indian Custom: Challenges in the Making of Hindu Law

MON 12 January 2009, 09.00-11.00 – Religion and Law in India 2
SEMINAR HALL III

The discovery of 'Hindu law' by the British forms an important event in the history of colonialism in India. Such a discovery of 'Hindu law' was marked by various efforts by British administrators to identify the law of the Hindus and translate such laws using the vocabulary of a Western legal system.

This paper seeks to understand the making of Hindu law in the context of decision-making in the Anglo Saxon legal system, wherein legal doctrines such as the doctrine of precedent played an important role. It tries to identify the basis for codification, i.e. whether scriptures and law texts sanctioned such practices. It also seeks to investigate the legal enforcement of custom vis-à-vis written sources. It argues that structures and frameworks in the Western legal culture shaped the basis for colonial legality, particularly its notion of custom and customary law. It further argues that a comprehension of the processes involved in the making of Hindu law, involves an understanding of the nature of the Western legal culture, which is intimately tied to its origins in religion.

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'Tolerance'/'Secularism' in India – Is It Perceived Differently?

TUE 13 January 2009, 09.00-11.00 – Rethinking Secularism in India 3
SEMINAR HALL I

Secularism or religious tolerance is normally meant to imply that one is not treating religion as a mark of social identity in public, and believes in the principle of 'live and let live' with respect to religion. However, the Indian position is different. In India, the sufis asserted that all religions are true (Nizamuddin Auliya performed yogic meditation and Aamir Khusrao compared the Hindu religious scholars to Aristotle), just as the Brahmo Samaj and Ramakrishna Mission. We have Hindus visiting dargahs or shrines of sufi saints like Moinuddin Chishti at Ajmer with utmost reverence, and on the other hand, a Muslim writing the screenplay for a Hindu mythological serial and another in history (Raskhan) writing hymns in praise of Krishna. The prominent religious figure, Swami Vivekanand declared that those not open to new religious views are like a frog in a well. Muhammad Iqbal and Maulana Azad held Ram, Krishna and Buddha to be prophets of Allah like Muhammad. We have had saints like Kabir and Shirdi Sai Baba, respected by both Hindus and Muslims.

Hindu homes have a picture of Jesus with Hindu deities. In urban Hindu homes, Christmas trees are decorated and Muslims and Christians light earthen lamps and burst crackers on Diwali. In Kerala, on Onam, which is a Hindu festival, even Muslims and Christians prepare the traditional feast, some Muslims doing so even during the month of Ramzan, which is their fasting month. There are cases of even Hindus fasting during Ramzan. In India, tolerance or secularism, to a large number of people, means acceptance of other religions.

Our paper shall examine the difference between the Eastern and Western approaches and the reasons for the same. We shall also examine if communal tensions in India have more to do with intolerance of a religion or outrage against a religious community (the two are different and actually not even connected).

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A British Construction of Religion?

MON 12 January 2009, 09.00-11.00 – Colonialism and religion in India 1
MAIN AUDITORIUM

Colonial India was characterized by the presence of a multitude of social, economic and religious diversities. Owing to these diversities, and particularly the religious multiplicity, India was divided by the colonizers for the purpose of governance. This adoption of specific strategies of classification sowed the seeds of communalism. Some scholars contend that religious assemblages like Hindus and Muslims in India was a product of a colonial construction of history. 'Hindu' and 'Muslim' politics, with all their divergent aspects, became from the 1920s the chief flogging horse of Indian nationalism – divisive, primitive and, in a far more general nationalist judgment, the product of a colonial policy of Divide and Rule. It is thus evident from past communal conflicts that in any debate on the role of secularism and the proposals to adopt a Uniform Civil Code for all the people of India, one is required to take a second look at the real nature of the colonial experience and derive lessons from it.

During the period of Indian colonization, the world was divided on the basis of religion (Shintoism in Japan, Islam in the Middle East etc.). The European colonizers were, further, conversant with the usage of religion as a tool for governance. The formation of Catholicism and the colonizers' acclimatization with the Canon influenced their minds. Their personal experiences helped them to relate India to their self image. They, perhaps, assumed the presence of religion in every country and endeavoured to identify the same in India. The historical records prove that when Muslims and other foreign travellers visited India they were amazed by the traditions, cultures and other practices followed by the inhabitants. These daily chores and rituals followed by the people convinced them about the existence of a common faith and they inferred it as a religion. However, it was only with the advent of the British that this way of leading their lives by the Indians was recognized as a religion and was thus termed as 'Hinduism'. This was constructed as an idea by the colonizers to facilitate governance which eventually turned out to be a real phenomenon. The 'Hindus' adhere to this notion without contesting as it did not harm them.

Hinduism can be best understood as a way of life with a set of traditions, rather than a religion. From the ancient texts, it was inferred that Hinduism was a mode of attaining moksha. However because of its extreme

flux and fluidity, ample complications have crept in, in interpreting Hinduism and thereby changing the ancient concept of the term.

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Acts of Deities or Acts of Men? Karma and Causality in the Folk Legends of Tamil Nadu

SUN 11 January 2009, 17.15-19.15 – Secularism, Conversion and Law. Case studies from India
SEMINAR HALL II

In Western Indology the law of karma is regarded as one of the pan-Indian corner-stones of the Hindu religion. The Upanishads say that one's actions are supposed to determine the conditions of this life and of the next rebirth. The Brahmanic doctrine of karma explains human suffering as a consequence of one's former deeds. However, the law of karma is different from causality, as described in the folk traditions of India. In his article, 'Towards a Counter-system: Women's Tales' (1991), A. K. Ramanujan showed that Vidhi (deity of fate) and the offended deities appear in Kannada folklore as causes of suffering, whereas the concept of karma, with its sense of individual responsibility and ethical judgment, belongs to another tradition. Legends, recorded in 2006 by Dr. S. Lourdasamy in the villages of Northern Tamil Nadu show a similar understanding of causality. Village deities shape the human life span; sometimes innocent people suffer because of the rage of deities or demons. Moral causality in folk narratives is generally confined to a single life, reward and punishment is not postponed until the next rebirth but dispensed by the village deities immediately after the actions. Distance from the pan-Indian deities and a different understanding of human destiny was expressed by one of the informants as follows: 'Every village has temples for Munieshvaran, Aiyanar, Mariamman, Murugan, and others, but there will be no temple for Brahman because he is the one who writes our destiny and therefore people do not build temples for the man who is like a killer.' The paper analyses some legends about success and misfortune, discusses causality in these narratives and questions the validity of the 'law of karma' in vernacular religion.

