

# (Un)Modifying India: Nationalism, Sexual Violence and the Politics of Hindutva<sup>1</sup>

Rashmi Varma\*

\*Correspondence: [Rashmi.Varma@warwick.ac.uk](mailto:Rashmi.Varma@warwick.ac.uk)

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## Abstract

*The postcolonial Indian state has since its inception used sexual violence to keep resurgent rebellions in check within its formal territory, and has for long provided the means of the production of sexual violence to dominant sections of society. In this essay I suggest that with the rise of the Hindu right to political power at key levels of states and the centre over the last three decades, a new social and political dynamic has been unleashed. Sexual violence has come to constitute public and private lives in unprecedented ways. These include a radical realignment of public and private spheres as well as the production of a rejuvenated masculinist state and society seeking to resignify tradition and modernity within the framework of Hindutva or Hindu supremacy. While this force signals a political defeat for liberal and secular feminism at some level, it also opens up new opportunities to reimagine the vocabularies of freedom and rights against the new political order.*

*Keywords: Hindutva, Sexual Violence, Narendra Modi, Nationalism, Postcolonial State*

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The final image from Mahasweta Devi's short story "Douloti the Bountiful" (1995) registers a double movement that is at the very heart of the gendered constitution of the nation in India today. The image is that of a woman lying sprawled across a map of India, her body ravaged by venereal disease. The body is that of Douloti, a tribal woman who has been enslaved into the sex-trade.<sup>2</sup> The image represents a form of gendered excess, mediated through what Gayatri Spivak (1989-90) refers to as 'the unaccommodated female

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body' (126) that in today's increasingly charged and polarised political vocabulary in India would be seen as "anti-national", but without which the nation and its boundary-making power cannot be imagined or instituted in the first place. The story that narrates the relentless exploitation of bonded sexual labour in a still feudal but independent India reaches its climax in this scene which takes place during the annual ritual of independence day in which school children are taught to draw the map of the nation, as part of their geography and civics lesson in citizenship and patriotism. In this image, the nation is the strained container, as it were, of the spread-eagled body of the tribal woman sold into prostitution, and at the same time, her figure consumes the entirety of the space of the nation, leaving no room for the ceremony of patriotic love to go on as usual. Because with Douloti's diseased body spread on it, not only is there no room for the flagpole on which the national flag is to be hoisted, there is the transmogrification of the pure, illuminated beauty of the iconic Mother India who serves as the emblematic figure of the Hindu Rashtra (Hindu nation), into that of a diseased prostitute.

This last image from Devi's story is an excessive, over-determined, even melodramatic image that encapsulates the current political moment in India in which the definition of who belongs to the nation, who loves it and celebrates it, is becoming narrower than ever. If the right-wing Hindu supremacist forces read this story, if they are capable of reading this story, Mahasweta Devi would be declared an anti-national writer for having dared to imagine this scene of the nation's body sullied by the putrefied and exploited body of a tribal woman.<sup>3</sup> Because what throws Devi's love for the nation in doubt is that she reveals such a love in the service of nationalism to be a profoundly gendered and violent formation. As a writer who moulds the story's climax as one in which Douloti dies on the map of India on a day marked out for its celebration, Devi reveals the gendered fragility of the very idea of love for the nation, inseparable as it is from the force of sexual violence.

Sexual violence as the means to impose a masculinist, dominant caste, communal and nationalist version of the nation in contemporary India has manifold forms and possesses historical continuity even as we witness an intensification of it *now*. As we saw in the stark image discussed above, of the tribal woman who has been relentlessly sexually exchanged, sexual violence accompanies both the very act of making a map of the nation, but also that of instituting the national economy that even in a globalising India thrives on the bonded and sexualised labour of its poorest, most marginalised citizens. Thus, sexual violence also shapes a range of identities related to the ideology of nationalism, such as religion, caste and class, that determine questions of belonging and rights in the nation and to the land, just as sexual violence, or the ever-present threat of it, places women in subservient positions within sexual as well as non-sexual relationships.

Further, the forms of identity markers such as caste, religion, region and class, while typically expressed in terms that transcend history and social change, are in fact subject to intense shifting pressures, often very violent in their accumulative drive, from the forces of neo-liberal capitalism as well as attendant transformations in the political economy of the country today. These are typically manifested as urbanization, industrialisation and modernization, among other processes, that play a structuring role in the ways in which women's subservient position is maintained and reproduced in ways that are violently embodied.

In this analysis, I embrace a broad but distinct definition of sexual violence. Mainstream definitions of sexual violence focus on bodily harm and encompass sexual harassment, sexual assault and rape on a spectrum of degrees of violence and cast women as victims in a misogynist and patriarchal society. Nivedita Menon (2012) points to the disproportionate focus on rape when it comes to sexual violence as well as to the important difference in the ways in which 'patriarchal forces' see rape as 'evil because it is a crime against the honour of the family', a fate worse than death, and feminists who see rape

as 'a crime against the autonomy and bodily integrity of a woman' (113). She goes on to further query the ways in which the 'impact and maybe even the sexual violence itself, flow from the discourse which constructs 'sex', 'sexual violence' and 'sexuality' as the deepest aspects of one's "real" and "private" self" such that sexual violence is construed as a 'violation of the sense of wholeness...one's belief in one's unique selfhood' (141).

I seek to extend this analysis in order to think about sexual violence, precisely because it is imbricated in notions of wholeness (Menon refers to this as a 'mystification of sexuality'), as an integral part of the ideological project of nationalist, patriarchal, dominant caste and capitalist subjugation of women and sexual minorities. It is only with the force of sexual violence that these projects are maintained and continually reproduced. On this reading, sexual violence is not limited to a spectacular physical act but is wound up in discourses and institutions of power. This would enable us to question the hegemonic understanding of sexual violence as the worst kind of violence and instead locate it within an understanding of the processes by which gender difference (couched as threat) is used to further specific political and ideological agendas.

Following from this, there are three aspects in particular that I want to consider in this essay—a) sexual violence as part of the state project of controlling and disciplining rebellious populations and territories and as a weapon of war; b) as a means of political and social assertion, as a mode of maintaining caste, communal and class power, and as part of the dominant national imaginary of the place of women in society through regulating public and private divisions; and c) as a means of structuring family power, intimacy and sexuality and the patriarchal order that determines the remit of each, including controlling women's bodies and reproductive choices.<sup>4</sup>

### **The State of Violence**

It is of course well known that in times of war, rape has been used as a potent and highly sexualized weapon of war to demoralize opponents by assaulting women's honour.<sup>5</sup> But armies of nation states have also turned sexual violence as a weapon not just against an enemy beyond the borders, but as a weapon against their own citizens who are seen as dissenters or traitors. In India, too, the state has used sexual violence to discipline, contain and shame those that it sees as anti-national or not national enough. Uma Chakravarti (1982) discusses custodial rape as a specific form of sexual violence on the part of the various agencies of the state whose perpetrators include 'forest officials, army personnel, and especially...policemen'. The gang-rape of over fifty women in the villages of Kunan-Poshpora in Kashmir is widely considered to be the largest case of state-led mass sexual violence in independent India. On February 23, 1991, about 125 Indian soldiers of the 4<sup>th</sup> Rajputana Rifles, under pretext of searching the area for militants, evacuated the men of the villages and then proceeded to rape women. As Ayesha Pervez (2015) puts it: 'The intent was not only to terrorise and traumatise the people under assault — they are often accused of harbouring militants — but also of sending out a message of retribution to the Kashmir resistance movement.' Likewise, the sexual violence perpetrated in areas such as India's north-eastern states where the Armed Forces Special Act (since 1958) is at work demonstrates that any challenge to state power is met with a huge amount of force, including sexual violence. The rape and murder of Thangjam Manorama Devi in 2004 by a member of Assam Rifles led to the Manipuri women's nude protest that was carried out under the banner of "Come Indian Army, Rape Us".<sup>6</sup>

Even as we may think of Kashmir and India's "border" states such as the north-eastern states like Manipur that are on the absolute and literal margins of the nation, other minorities within the nation—Muslim women, tribal and dalit women have been routinely targeted by state violence. The case of Soni Sori—a tribal schoolteacher in Bastar in central India suspected to be a Maoist—is chilling testimony to the ways in which the state deploys sexual violence against minorities. She was arrested in

2011 and tortured and sexually assaulted in custody, providing one of the most egregious instances of recent times where a police state used brutal means to subdue a tribal woman seen as a threat to the “law and order” of society and nation. Another example is that of Bhanwari Devi, the dalit (oppressed class) health worker who was gang-raped by upper caste men in 1992 as punishment for trying to implement the government’s law against child marriage in her village (see Geeta Pandey, 2017). These instances demonstrate a manifold dimension to the ways in which the state directly exercises sexual violence—to police its borders, to discipline internal threat to its hegemony, to support and enhance the hegemonic power of dominant caste men and men of the religious majority, as well as, as Chakravarti (1982) and Kavita Krishnan (2013) have argued, to control those women who are at the forefront of movements against exploitative landlords and corporate land grab, such that rape has become a weapon against people resisting primitive accumulation (see also Madhok and Rai, 2012, for the violence entailed in neoliberal “agency-in-development” for women like Bhanwari Devi). The gruesome murders and the gang-rapes of two dalit women in Khairlanji, a village less than a thousand kilometres from Mumbai, by upper caste men on September 29, 2006, seem to have been precipitated by a land dispute. The murdered and raped Bhotmanges were a land-owning dalit family who were resisting giving up their land for road construction. Several reports implicate local BJP politicians in the murders and the rapes (Buckwalter, 2006). Writing in the early 1980s, Chakravarti (1982) had pointed to how ‘the State and the ruling elites have increasingly resorted to the use of violence as a means of systematic repression of the growing articulation of the demands of the people both in rural and in urban India.’ In this, rape becomes a crucial tactic through which class conflicts are settled via feudal patriarchal notions of women as men’s property.

In recent years, feminist activists have pointed out that while “national

conscience” was mobilised to procure justice for Jyoti Singh, the young woman whose gang-rape in New Delhi on December 16, 2012 led to massive protests and demonstrations in every part of the country, there is a deafening national silence on rapes committed in the peripheries of the nation state and on political minorities and cultural dissidents (see Daniyal, 2017).

### **UnCivil Society**

As political theorists have argued, there is a significant tension in defining civil society as either the bourgeois social space of law-abiding citizens who come together as equals, standing above community in a public sphere free of coercion, or a more communitarian sense in which civil society represents a shared identity among its members and performs a mediating function between the state and the private spheres. Such a communitarian view brings into the remit of civil society religious institutions and caste associations.

Without going into a comprehensive overview of this literature, for the purposes of this essay I will take civil society to mean the contested and shifting space between the state and family, between public and private, between law and tradition, between community and the self. This contested, messy arena is where we witness an intensifying generalized sexual violence in contemporary Indian society—whether it is sexual harassment in the workplace, including violence against domestic workers or against social workers like Bhanwari Devi, the physical insecurity faced by call-centre and mall workers and other women workers making their way to and from work, and a general sexualisation of office and other spaces of work.

Although some may consider them pre-capitalist remnants within a modernizing society, Khap panchayats are an interesting phenomenon that defies established understandings of civil society (see Baxi, Rai and Sardar Ali, 2007). These are caste and clan-based village associations that carry out functions of maintaining the social order and gendered propriety among its members, and seem to have gained significant traction since the Hindu right has come to power in the centre in spite of widespread negative publicity. In

recent years, Khaps have become infamous for going after young people who fall in love outside of patriarchal caste norms, as in the “honour killing” case of Manoj and Babli in the state of Haryana in 2007, who were murdered for having flouted clan norms.<sup>7</sup> Less murderous pronouncements have included a ban on the use of mobile phones and social media by girls under eighteen by Basauli khap panchayat near Agra in Uttar Pradesh, as modern technology is seen to have a corrupting influence on girls.<sup>8</sup> In its implicit support of these khaps, for both electoral and ideological reasons, the Hindu right once again betrays its commitment to caste and religious affiliations over secular legal frameworks that guarantee equality to both men and women. Thus, the current Prime Minister Narendra Modi’s campaign towards realizing the goal of a “digital India” is shot through with gender discrimination and sexual oppression in which women’s access to digital gadgets and virtual space is constantly policed and subjected to community control.

But while khap panchayats have an older history of patriarchal and coercive regulation of community, one could argue that a khap mentality seems to have become widely pervasive wherein community-supported male leaders take the law into their own hands in the name of maintaining social order, for keeping women safe, and safeguarding public morality. There have also been reports in the rise of what have come to be called “honour killings” where family members are directly implicated in the torture and murder of young people daring to fall in love and marry someone of another caste.<sup>9</sup> A widespread sense of vigilantism is now socially endorsed as youth participate in self-policing and disciplining young people, especially women, whose private affairs may be crossing the lines of caste, class and religion. These Hindu women, especially when engaged in relationships with Muslim men, are seen as their dupes. Muslim men are seen to be prosecuting a “love jihad”, a phrase used to indicate that Hindu women are under threat from Muslim men who use romantic love as a ploy to convert innocent Hindu women to Islam.

But if religion, caste and clan are seen as key arenas of social struggles, another important discursive site where these battles to protect the Hindu



women are going on, through very violent means, is the widespread deployment of a generalized Indian “culture” (whose coordinates are Hindu in totality) that is firmly located in the East and opposed to the West, even as the Hindu right embraces neoliberal economic policy and foreign direct investment. Women wearing jeans or talking on mobile phones have become figures of threat as they represent a modernity seen as fundamentally at odds with Indian tradition.<sup>10</sup> Thus, the Hindutva vigilante outfit Sri Ram Sene (Ram’s army) in 2009 attacked women in a pub in Mangalore for violating Indian values and being influenced by Western norms: ‘for consuming alcohol, dressing indecently, and mixing with youths of another faith.’<sup>11</sup> The same year, Ram Sene members threatened celebrations of Valentine’s Day, intimidating couples seen in public.

Even more indicative of how sexual violence is used to keep women in check is not just the attempts by vigilante groups such as Ram Sene policing and harassing women and threatening them with physical violence, are the routine pronouncements from politicians and the judiciary commenting on women crossing the line of decency by venturing out alone at night or wearing immodest clothes. In a widely influential campaign against Nestle’s Maggi noodles, many Hindu right politicians conflated issues of public health with the shortcomings of modern motherhood such that mothers who feed their children instant noodles are viewed as pursuing selfish interests like a career or self-care or are too lazy to bother with giving their children traditional Indian food like ‘paratha’ and ‘halwa’.<sup>12</sup> On a less frivolous note, Mohan Bhagwat, the RSS chief, announced that rapes occurred in India, not Bharat (the Hinduised name for India), implying that Bharat and India, one rural, traditional, conservative, respectful of women and authentic, the other urban, Westernised and inauthentic, were in fact two different nations and that rape was an urban phenomenon.<sup>13</sup> Bhagwat’s comments belied the countless instances of rapes of dalit and tribal women in India’s villages, and reinforced retrograde tradition as the saviour of women. When conservative elements, especially in the Hindu right, do acknowledge the problem of rape, the blame

for the violation is often placed on the woman herself. Thus, Ram Jethmalani, the lawyer for Asaram Bapu, a godman (and one-time associate of the Indian Prime Minister Modi) who has been charged with the rape of a minor girl, argued that the girl Bapu is accused of having assaulted suffered from a 'chronic disease' that leads a woman to be attracted to men.<sup>14</sup>

Sexual violence is indeed seen as related to increasing social divides between urban and rural spaces, but also across class divides, from a range of different political perspectives. In the aftermath of the 2012 Delhi gang-rape that garnered international coverage, the left-wing feminist activist Kavita Krishnan drew sharp and accurate attention to the ways in which the media was sensationalizing the case since the perpetrators were migrants from rural and backward states such as Bihar and UP, and that sections of the ruling class, police, and the corporate media had made a deliberate attempt to profile the poor and migrant labour as the fountainhead of crime. For in reality, of course, sexual violence was hardly the monopoly of poor, alienated urban migrants.

In a different but related vein, neo-liberal capitalism is often presented as the root cause for increasing sexual violence. In a Channel 4 interview soon after the December 2012 rape, the writer Arundhati Roy spoke about 'the widening gap between the rich and the poor' and went on to suggest the hyper 'conspicuous consumption' of India's globalizing elites that is producing 'an anger and a psychosis' for which 'women at the top, at the middle and the bottom are going to pay the price', particularly young urban women and dalit women (Banerjee, 2013). Taking Roy's words as an instance, Sreenanti Banerjee (2013) points out how left and right discourses can converge unexpectedly, as in this case where Roy is seemingly describing the degradations of global capitalism, with more conservative and even reactionary views that view modernity and urbanization as a threat to women. Both unwittingly provide an alibi for the 'psychotic' rage of the marginalized, and fail to address the question of how and why gender becomes the means through which this rage is expressed. Such seemingly progressive views as Roy's also participate in positioning middle class women as inauthentic, an

approach that shares concerns in a rather startling manner with right-wing ideologues. As Banerjee writes, it is important for ‘the intellectual Left’ to be ‘more critical and tentative about its critique of conspicuous consumption and the homogenization of its effects’, so as ‘to keep its theoretical distance from an atavistic nativist criticism of consumer culture of the Hindu Right or even the nationalist political project for that matter.’

In the December 2012 gang-rape case to which Roy is responding, the victim of the rape was named “nirbhaya” or the fearless one, and was quickly appropriated as an icon of the heroic woman of a modern and globalizing India. Although her class and social background was working class, she was studying to become a professional and was raped on an evening when she was on an outing to watch a film at a mall with a male friend. For the middle classes leading the protests in Delhi, she was a respectable woman enjoying the freedoms associated with globalisation, and she deserved protection. Thus, even as the protests used the language of feminist emancipation, they remained within the ambit of a conservative social ideology that sees rape as the ultimate degradation of a woman. This was expressed well by Sushma Swaraj, then a BJP Member of Parliament and who is currently India’s Minister of External Affairs, for whom a raped woman was a ‘zinda laash’, a live corpse, suggesting that to be raped is to have a fate worse than death. The massive public protests after the rape did lead to calls for gender sensitization, especially among the police force, as well as the inclusion of gender studies in educational curricula, repeal of rape laws and increased security for women in public places, but the space where the rape was being protested was itself not free from violence, as calls for death penalty, castration and brutal physical revenge that would match the barbarism of the rape itself became loud and clear. So that even as words like patriarchy and misogyny entered public debate—on television sets, living rooms and in Parliament--the language of violence saturated and framed the discussion. Thus even as the Justice Verma Commission’s recommendations that were produced in the aftermath of the December rape case marked a step forward in legislating

against sexual violence, overall civil society witnessed an increased surveillance of women, with protection for middle class women as a major priority.

### **Public Intimacies**

Hindutva's ideologues have for long peddled the idea of *Vasudeva kutumbakan*, an ancient Hindu concept literally translated from the Sanskrit as "the world is one family". But this notion of one family for the Hindu right is based on a clear sense of a dominant caste Hindu man as the patriarch of the world family. In this view, those not subscribing to ideas of Hindu supremacy are merely lost sons and daughters. Another related phrase made popular by the Hindu right is "ghar wapasi" or "homecoming" that involves a process in which errant members of the family (those who have converted to other religions, but also wayward women who may have married outside their caste and religion) are welcomed back into the folds of the Hindu home, considered to be the cradle of world's civilisations.

There is a constitutive contradiction in this Hindutva version of there being a universal public sphere of co-religionists as the intimate sphere of sexuality, selfhood and family relationships is nonetheless subsumed within the larger interests of the *kutumb* or the family as the central unit of the Hindu nation, which is the universal sphere for the Hindu right. In the Hindutva version of nationalism, women have to love the nation not as equal, consensual partners but as sacrificing and subservient citizens. The Hindu right has no doubt also promoted in recent years a number of women foot-soldiers known as *sadhvis* (nuns), the best known being *Sadhvi Ritambhara* and *Sadhvi Pragya*, who epitomise the notion of the powerful and aggressive Hindu woman who calls upon Hindu men to not shy away from the use of violence to subjugate the Muslim "other". But a *sadhvi* has nevertheless sacrificed (through renunciation) her sexuality and familial bearings in the service of the Hindu nation (Bacchetta, 1996). Paola Bacchetta (1996) writes of how the *Rashtriya Sevika Samiti*, the women's wing of the RSS, constructs its history in opposition to Indian left and liberal women's movements gaining ground in

the 1930s. She cites an undated (but post-1978) publication in English in which a preoccupation with women's struggles for 'equal rights and economic freedom' is seen as producing women who would be 'non-committed to love, sacrifice, service', thereby contributing to the 'disintegration of family (sic), the primary and most important unit of imparting good *samskaras*' (values) (130-131). On such a view, the fate of women, family and nation is interlinked, such that any violation of the nation's sacred geography by an outsider is a violation of the nation's women themselves.

We see evidence of the saturation of this view in the ubiquitous terms and phrases used for women who may be strangers—respecting a woman means giving her a familial title of mother, aunt or sister. It is this deeply conservative notion of the centrality of the family in society that leads to instances where rapists are often pressured to marry their victims, in the hopes of erasing the trauma and taboo of rape. Or, when rapes of sex-workers are not deemed to be rapes and marital rape fails to get recognition as rape.<sup>15</sup> The same khaps that advocate avenging the loss of honour of Hindu, upper-caste women even when they participate in consensual relationships with dalit or Muslim men, opportunistically engage in public relations campaigns such as "beti bachao" launched by Narendra Modi. For it is the honour of daughters that needs to be salvaged from Muslims, a view widely advocated during and after the Muzzafarnagar riots by BJP politicians, including by Amit Shah, the president of the BJP. As Krishnan (2014) puts it, 'invariably, profiling men of the 'other' community as a danger to the daughter and to one's honour, goes hand-in-hand with coercion and violence against women of one's own community.' At the same time, any violation of Muslim women is justified vengeance for restoring the honour of the Hindu community. As such, sexual violence is one of the key modes by which communal violence is carried out in India (see Kannabiran, 1996).

Along these lines, a recent judgment has declared that single individuals living together will now be considered as married couples, as there is no space in Hindutva's understanding of sexual relations outside of marriage. It is

therefore no surprise that the Hindu right remains committed to a homophobic position and has over the years mobilized public support to oppose the abrogation of Section 377 of the Indian Penal Code which designates same-sex relations as ‘unnatural’ and homosexuality as a ‘genetic disorder’.<sup>16</sup>

### **Unmodifying India**

Working towards a conclusion I want to suggest that sexual violence as a long-practised strategy of the Indian state to control dissident territories and subjects, and as structuring both civil and private sexual relationships, has obtained political legitimacy as the Hindu right has seized power in the centre, especially with prime minister Narendra Modi at its helm from 2014. While there had been a previous substantial spell of the right-wing nationalist party, the BJP, at the centre from 1999-2004 under the patriarch-poet and Hindutva’s soft-faced prime minister, Atal Bihari Vajpayee, Modi’s brand of an overtly masculinist Hindutva was being sharpened in the laboratory of the state of Gujarat where he was chief minister from 2001-2014. I suggest that with Modi’s ascension to power, a new social and political dynamic, triggered by the rising force of Hindutva and a right-wing populist government, has been unleashed.

Of course it can be rightly argued that sexual violence as a determining feature of a hierarchical society such as India, where caste, class, religion and other differences mix with toxic colonial legacies of sexualised social divisions, precedes the coming to power of Modi.<sup>17</sup> After all, the postcolonial Indian state has used sexual violence since its inception to keep in check resurgent rebellions within its formal territory, and that it has long provided the means of the production of violence to dominant sections of society. However, one can begin by looking at Modi’s own highly masculinist public discourse emphasizing his manliness (a common trope of his election campaign leading up to his victory in 2014 was his “56-inch chest”!), but also in the unleashing of a masculinised public vocabulary that seeks to talk over feminist and other

emancipatory voices as effete and deracinated.<sup>18</sup> Not surprisingly then, Modi has often expressed his disdain for the concerns of the social justice and feminist movements, claiming, for instance, that malnutrition among women was caused by women wanting to maintain their figures rather than due to material inequalities!<sup>19</sup>

This view of gender inequality has been effected not only at the level of self-presentation and saturation of public discourse, especially of the media, with often direct use of violent masculinist and sexualized imagery, but also at the level of law and institutions (see Aijaz Ahmad, 2016). Thus a key feature of sexual politics in the era of Modi, and the consequent political ascendance and consolidation of the Hindu right, has been the repeated invocation of the *Manusmriti*, the ancient Sanskrit legal text that underwrites some of the most conservative and patriarchal aspects of Hindu “law” and was used in the British colonial period to form the basis of Hindu personal law. The Hindu right has a long history of attempting to install the *Manusmriti* as a challenge to the Indian Constitution, which it sees as secular and therefore not suited to the requirements of India’s majority Hindu citizens. But what had been an older demand first made in 1950 by the RSS which called for Manu’s law to be made the law of the land has now gained new currency as Hindu right politicians routinely invoke the text as the arbiter of all of Indian society.<sup>20</sup>

Thus, sexual violence has come to constitute public and private lives in unprecedented ways that include a radical realignment of public and private spheres as well as the production of a rejuvenated masculinist state and society seeking to re-signify tradition and modernity within the framework of Hindutva. But a reading of the consolidation of the legitimacy and social power of sexual violence has to be accompanied by theorising the place of sexual violence under new conditions of neoliberal globalization and rising fascism in public life, conditions that I would argue have been exacerbated since the coming to power of Modi at the nation’s centre.

While this force signals a political defeat for liberal and secular feminism at some level, it also opens up new opportunities to reimagine the vocabularies of freedom and rights against the new political order. This interestingly comes up against the backdrop of new gains that have been made in recent years by the women's movement in terms of legal advancement in the arena of laws concerning rape, domestic labour, sex work, sexual harassment in the workplace, and new rights for sexual minorities.

### **Modified Politics**

There are now fresh challenges faced by women's rights movements and other progressive activists in light of the renewed strength of the Hindu right under Modi, in not just the political arena where there is greater legitimacy now accorded to communal and exclusivist politics even as there is the increasing privatization and constriction of public resources and places, but also in private spaces of intimacy and relationships, that has a debilitating effect on women's rights and claims to citizenship.

Interestingly, Modi has gained the support of a few outspoken women "intellectuals" from the media such as Tavleen Singh, who has recently shifted allegiance from Modi but was a vociferous supporter during the 2014 elections, and Madhu Kishwar, who has carved out a crucial space for herself over the last three decades as the voice of nativist, traditional feminism.<sup>21</sup> This follows in the long tradition of the Hindu right's use of outspoken and fiery women leaders, always subservient to the male leadership but articulating support for Hindu nationalism based on women's participation (see Paola Baochetta, 1996). Kishwar's series of articles in *Manushi* (a political women's magazine that she established in the late 1970s) under the title of *Modinama* (Chronicles of Modi) have provided strong defences of Modi, from where she has been attacking progressive secular intellectuals and feminists as well as the liberal media for vilifying Modi for his role in the pogrom against Muslims under his watch as the chief minister of Gujarat in 2002. She has vociferously praised Modi's "Gujarat model of development", a shorthand for neoliberal



economic policy. In recent months, she has come out in support of the dress code imposed on young women by right-wing social vigilantes, claiming that all social groups are subject to dress codes and that women need to be aware of how they come across in the public sphere.

I would further argue that sexual violence in India under Modi's rule is a constitutive part of the overall political project of Hindutva. In its use of sexual violence, the Hindu right project draws upon earlier genocidal projects and their use of rape in riots (India United Against Fascism, 2013). Of course, the historical record presents us with facts that underscore the widespread instances of rape during the partition of India and Pakistan in 1947, and then again in Bangladesh's war of independence in 1971. But riots engineered by the Hindu right have evidenced the use of rape as a potent weapon, starting from 'the meticulously planned spectacle' of mass rapes in Surat in 1992 in which video tapes of Hindu men raping Muslim women were widely circulated; then the Gujarat pogroms of 2002 where rape was widely deployed as an instrument of revenge and torture (as in the gang-rape of Bilkis Bano) and the anti-Christian pogroms in Orissa in 2007-2008 that included the gang-rape of a nun, Sister Meena, as well as the more recent Muzaffarnagar riots of 2013 'where a fabricated incident of sexual assault on a Hindu girl was the pretext for carrying out a hideous "revenge" on the bodies of helpless Muslim women and girls' (India United Against Fascism, 2013). The role of right-wing Hindu women in the killings and rapes of Muslims has also been a consistent and unique feature of the Hindu right's violent mobilizations, the most notable example being that of Maya Kodnani, a doctor by training and Modi's Minister of State for Women and Child Development during the 2002 pogroms. In 2012, she was sentenced to 28 years in prison for her role in orchestrating the Naroda-Patiya massacre in which 97 Muslims (including 36 women and 35 children) were dismembered and murdered. Kodnani had cut her political teeth as an activist in Rashtriya Sevika Samiti, the women's wing of the RSS.

### **Coda**

What the essay has argued throughout is that there has been a generalisation of sexual violence in postcolonial India, and that increasingly, as the Hindu right consolidates its political power, it is no longer an aberration. I want to close the essay by turning to another short story by Devi called “Draupadi” (Spivak, 1981) that brings together the various strands of argument explored in this essay. “Draupadi” genders the issue of resistance against the widespread experience of state repression by India’s exploited tribal populations. Dopdi (the indigenized name of the central character, Draupadi being the Sanskrit name) and her husband are Naxalite militants on the run.<sup>22</sup> Dopdi’s husband has died in the forest, and the paramilitary forces deployed to suffocate the insurgency, are lying in wait for Dopdi who they expect will come to claim her husband’s body and that they will be able to capture her then. In time, they succeed in their mission, and her capture is accompanied by a gang rape by the forces and state officials.

Devi’s story provides an imaginative rendering of the story of Draupadi, a key female figure in the ancient Indian epic *Mahabharata* that narrates the story of the war between kinsmen, between the righteous Pandava brothers and their evil cousins the Kauravas. The Kauravas at first challenge the Pandavas to a game of dice in which the Pandavas end up losing their kingdom. When that is lost, they are spurred on by their rivals to stake their wife Draupadi in the game. When they lose her as well, the Kauravas begin to disrobe her in order to wreak total vengeance on their opponents. But since she is a devotee of the god Krishna to whom she prays fervently in the moment of her public shaming, she is saved. The more the Kauravas pull her sari, the longer it grows, and the disrobing is a failure. Draupadi’s honour remains intact, even as her husbands and their evil cousins are exposed and demeaned in their act of staking Draupadi’s honour for material and political gain.

In Devi’s story, the classical Draupadi is transformed into the tribal Dopdi whose abjected body (raped, tortured) transforms into a resistant force. Her body speaks through its wounds, its cuts, bruises, and the blood-soaked pubic

hair. When the head of the paramilitary force arrives to witness the fruit of his capture, he asks for Dopdi to be brought out of her hut, an act he thinks will finally tame and shame this dangerous rebel. In the climactic scene in the story, Dopdi emerges from the hut where she has been raped all night and stands stark naked in the daylight. The soldiers expect that her nakedness will shame her. As a gesture of consideration, the chief asks her to cover herself, but Dopdi refuses. She stands there, her body brutalized all over, her pubic hair matted with blood, refusing to cover herself and looks straight into his eye. The Senanayak (the officer) has no option but to avert his gaze, for it is the masculinised state that is exposed in that moment for its deployment of sexual violence as a means of control—it is he who is shamed.

There are of course many reasons why this story is so powerful, but chief among them is for the ways in which it mobilises myth to tell a story of contemporary rape and the brutalization of tribal and dalit women in India today. The story resonates so powerfully because sexual violence in India has become both very spectacular in its mediatization, and totally routine, as daily newspaper pages would testify, even as rapes of tribal women such as Dopdi go largely unreported.<sup>23</sup> I began by speculating that the recently deceased Mahasweta Devi, one of postcolonial India's pre-eminent writers, may be considered anti-national by the Hindu right in today's political climate. That speculation turned out to have more than a grain of truth. On September 21, 2016, members of the ABVP, the youth wing of the BJP, attacked the Central University of Haryana in Mahendragarh for letting its staff and students perform a play based on Devi's short story *Draupadi*. They violently asserted that the play was anti-national, as it depicted Indian soldiers in a bad light. They filed a police complaint and demanded that all those involved should be booked for sedition. The performance had been organized by English and foreign languages department to commemorate Devi's life who died in July 2016. It is a travesty that a 1971 story of the rape of a tribal woman still threatens the Hindu right establishment today. After all, there is a deep red line connecting the ravaged body of Dopdi to that of Soni Sori.

### **Freedom without Fear**

Given the perceived ubiquity of sexual violence as a threat and its actual use as a weapon of control by the state and by reactionary religious formations, it is no surprise that several women's movements that have emerged recently in India have focused on combatting sexual violence through reclaiming public and private spaces. The crucial re-articulation effected by these movements, as opposed to earlier moments, consists of a definite move away from what was previously framed as a call for *safe spaces* for women, safe from violence and violation. Now the demand is expressed as the need for spaces *without fear*, spaces free from fear, as in the slogan "bekhauf azadi", a *fearless freedom*, a call made by the progressive women's movement in the aftermath of the December 16<sup>th</sup>, 2012 rape. This is no longer a call merely for separate and safe spaces for women in trains and buses, or in cities and towns for better street lighting and cctv cameras, but a call for a space of freedom from the very gendered ideology of safety. Similarly, the movement "pinjra tod" ("break the cage") of women in university hostels who are subject to strict regulations of mobility through curfews and other modes of control is not just an evocation of the earlier slogan of breaking the prison chains, but of emerging from the pinjra/cage without fear and without feelings of insecurity and threat. Other campaigns along these lines that have spread to many big and small cities in India in the last few years have been the Slutwalk movement (held in various Indian cities in 2011), the Pink Chaddi campaign (the Pink Panty campaign, against the attack on women in pubs and spaces considered "immoral" and thus out of bounds for "decent" women) and the Why Loiter movement. Inspired by the work of Shilpa Phadke, Shilpa Ranade and Samira Khan (2011), the Why Loiter movement boldly seeks to unsettle the notion that women in public spaces need to move about with an aim in mind. Instead, the Why Loiter movement is a call to reclaim the city for pleasure, not safety.<sup>24</sup> There is here a clear move from safety to rights, and although class issues are sometimes elided in it, it remains to be seen whether movements such as these can have a wider impact against the pervasiveness of sexual violence in

the context of the growing power of the Hindu right and other forms of religious fundamentalism. All of these forces fear and loathe a woman out on her own or with other women, resisting the state, resisting family and society and most of all, asserting freedom without fear in spaces deemed to be out of bounds for her.

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**Rashmi Varma** teaches English and Comparative Literary Studies at the University of Warwick in the UK. She is the author of *The Postcolonial City and its Subjects* (2011) and of the forthcoming *Modern Tribal: Representing Indigeneity in Postcolonial India*. She has published numerous essays on feminist theory, activism and literature. She lives in London and has been a member of Awaaz-South Asia Watch and Women Against Fundamentalism.

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## Notes

<sup>1</sup> Hindutva refers to the majoritarian political ideology based on the presumed superiority of Hinduism, and involves implicit and explicit claims for the institution of Hinduism as the national religion in India. It is thus distinct from Hinduism, which is the religion of the majority of people in India. Throughout this essay I will use a number of acronyms that refer to a family of right-wing Hindutva political groups that are known as the “Sangh parivar” (the Sangh family). These consist of the RSS (Rashtriya Swayamsevak Sangh), the ideological precursor of the main electoral party of the Hindu right; the BJP (the Bhartiya Janata Party), the main electoral party currently in power at the centre; and its student-wing, the ABVP (the Akhil Bhartiya Vidyarthi Parishad).

<sup>2</sup> India has about 85 million people (a little more than 8 percent of the total population) who come under the category of “tribes”, a term popularly used to designate the country’s indigenous populations. In many rural areas, tribals are “bonded” to work for landlords and moneylenders until they repay loans at exorbitant interest rates. These loans and debts often pass on from one generation to another, as the structure of the bond makes repayment an impossibility. In this story, Douloti is abducted and sold into prostitution by a dominant caste man, purportedly in order that she can repay her family’s debt.

<sup>3</sup> But more of that in the conclusion, as recent events have precisely led to such a manipulative mis-reading of Devi’s excoriating literary vision, a mis-reading that suffocates creative and academic freedoms.

<sup>4</sup> Kavita Krishnan (2013) writes: “Sexual violence cannot be attributed simply to some men behaving in ‘anti-social’ or ‘inhuman’ ways: it has everything to do with the way society is structured: i.e., the way in which our society organizes production and accordingly structures social relationships. Once we understand this, we can also recognize that society *can* be structured differently, in ways that do not require – or benefit from – the subordination of women or of any section of society.”



<sup>5</sup> For a global perspective on this, see the collection of essays in Moghadam (1994) as well as Jayawardena and De Alwis (1996), Victoria Sanford et. al (2016) and Amy Barrow and Joy L. Chia (2016).

<sup>6</sup> Indian soldiers, incidentally, are not under the purview of ordinary criminal law.

<sup>7</sup> “Manoj-Babli honour killing case”, *Dailybhaskar.com* November 25, 2014 <http://daily.bhaskar.com/news/CHD-manoj-babli-honour-killing-in-haryana-4819122-NOR.html> (last accessed November 17, 2016)

<sup>8</sup> Arvind Chauhan, “Panchayat bans mobile phones among girls”. *The Times of India* February 19, 2016. <http://timesofindia.indiatimes.com/city/agra/Panchayat-bans-mobile-phones-among-girls/articleshow/51060339.cms> (last accessed on 20 November 2016)

<sup>9</sup> “India’s list of shame”, *Firstpost* November 20, 2014. <http://www.firstpost.com/india/indias-list-of-shame-bhavna-yadav-nitish-katara-and-other-honour-killing-victims-1812129.html> (last accessed November 17, 2016)

<sup>10</sup> Anurag Singh, “No cellphones for unmarried girls, no jeans for women: BJP MP”, *The Times of India*, June 11, 2013 <http://timesofindia.indiatimes.com/india/No-cellphones-for-unmarried-girls-no-jeans-for-women-BJP-MP/articleshow/20529791.cms> (last accessed November 17, 2016)

<sup>11</sup> “Girls assaulted at Mangalore pub”, *The Times of India City*, January 26, 2009. <http://timesofindia.indiatimes.com/city/mangaluru/Girls-assaulted-at-Mangalore-pub/articleshow/4029791.cms> (last accessed November 17, 2016)

<sup>12</sup> BJP MLA Uma Thakur was one such public figure who proclaimed that mothers who fed their children instant noodles are simply mothers who are lazy, i.e., not good mothers. See “‘Lazy’ mothers to blame for rise in Maggi sales: BJP MLA” *Press Trust of India*, June 7, 2015. <http://indianexpress.com/article/india/india-others/lazy-mothers-to-blame-for-rise-in-maggi-sale-bjp-mla/> (last accessed 15 November 2016)

<sup>13</sup> “Rapes occur in India, not Bharat, says RSS chief Mohan Bhagwat”, *NDTV* January 4, 2013 <http://www.ndtv.com/india-news/rapes-occur-in-india-not-bharat-says-rss-chief-mohan-bhagwat-509401> (last accessed on 10 November 2016)

<sup>14</sup> Ajay Parmar, “Girl has disease that draws her to men: Asaram lawyer” *The Times of India* September 17, 2013 <http://timesofindia.indiatimes.com/india/Girl-has-disease-that-draws-her-to-men-Asarams-lawyer/articleshow/22638001.cms> (last accessed on 15 November 2013)

<sup>15</sup> “Sex workers remain in the twilight area of legal policies and legislation in India, wherein the silence of the law on the identities of sex workers has resulted in more violence in both public spaces, by law enforcement officials, and private spaces, by clients, pimps and partners.” Daya Bhattacharya (2016)

<sup>16</sup> “BJP will not support ‘unnatural’ homosexuality: Rajnath Singh”, *Firstpost*, December 15, 2013. <http://www.firstpost.com/politics/bjp-will-not-support-unnatural-homosexuality-rajnath-singh-1286933.html> (last accessed 16 November 2016)

<sup>17</sup> For a political economic reading of gendered violence in India, see Desai (2016).

<sup>18</sup> See Sanjay Srivastava (2015).

<sup>19</sup> “Narendra Modi tells US daily: Gujarat’s malnutrition due to figure-conscious girls”. *The Times of India* August 29, 2012. <http://timesofindia.indiatimes.com/india/Narendra-Modi-tells-US-daily->

[Gujarats-malnutrition-due-to-figure-conscious-girls/articleshow/15948509.cms](#)  
(last accessed October 25, 2016)

<sup>20</sup> The feminist legal activist Flavia Agnes (2001) has called the Manusmriti a “legal fiction”. Amongst the many infamous passages in the text, there are these: Woman is an embodiment of the worst desires, hatred, deceit, jealousy and bad character. Women should never be given freedom. (Manu IX. 17 and V. 47, 147). And this: Killing of a woman, a Shudra (untouchable) or an atheist is not sinful. (Manu IX. 17 and V. 47, 147)

<sup>21</sup> I have deliberately placed quotation marks around the term feminist for Kishwar. Starting with her essay “Why I do not call myself a feminist” (1990), Kishwar has carved out a space for herself as a conservative and nativist intellectual working on women and social justice issues.

<sup>22</sup> The Naxalite movement was a Maoist-inspired militant movement comprising of landless rural workers, tribals and other most exploited sections of the population and predominantly led by metropolitan and small-town intelligentsia. It broke out as a movement first in the village of Naxalbari in West Bengal (hence its name) in 1967, against the oppression of the state, police, money-lenders and landlords and a still prevailing dominant feudal order. The Naxalite movement of the late 1960s found many sympathisers among urban elites—students, intellectuals, writers and journalists, although the movement was crushed brutally in the 1970s.

<sup>23</sup> This story has to be read in the context of the Naxalite (Maoist) movement in India that began in the late 1960s and continues to be powerful today, leading India’s ruling elites to consider it to be India’s biggest security threat. Devi’s story allows readers to historically link the 19<sup>th</sup> century Santhal rebellion of tribals that has been marginal to the story of Indian nationalism, with the ongoing insurgency against feudal landlords, moneylenders, police, state, and increasingly global capital in the form of mining companies that are seeking to displace tribals. With the widespread resurgence in the last two decades, for many the staying power of the Maoists is seen as a concrete example of the failure of Indian democracy, of the state’s representation of all Indians as well as to provide development to marginalized areas, for tribals continue to be among India’s poorest citizens.

<sup>24</sup> Mayank Jain, “Indian women are loitering to make their cities safer” Scroll.in Friday, December 18, 2014 <http://scroll.in/article/695586/indian-women-are-loitering-to-make-their-cities-safer> (last accessed 18 November 2016)

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