An Undeclared Emergency

How the Crackdown on Civil Society Abets the Realization of a Hindu *Rashtra*

in Contemporary India

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Acknowledgment

Abstract

Since 2014, India has been governed by the Hindu nationalist Bharatiya Janata Party under prime minister Narendra Modi. During their tenure, India has become significantly politically polarized and has regressed to be one of the worst autocratizing states in the world. One of the top ten indicators of autocratization is the repression of civil society. Against this background, this thesis investigates how restrictions for civil society have contributed to Hindu nationalist power assertion since 2014. The main interest is how restriction patterns for non-governmental organizations and related individuals reflect the Hindu nationalist ideology, how consequences of restrictions benefit the realization of a Hindu nation, and how the restrictions influence the relationship between the state and civil society.

The thesis builds on 15 semi-structured interviews with people working in Indian NGOs and two weeks of job shadowing in one of the organizations. My analysis shows that voices advocating for secularism, religious, gender, and caste rights as well as minority religious charities, experience harsher forms of repression because their activities are seen as a threat to the Hindu nationalist project. The resulting scenario of reduced diversity in civil society and the public sphere more broadly is again a development likely to favor the growth and entrenchment of Hindu nationalism. In the thesis, I demonstrate that while civil society actors actively resist these developments by forging alliances and attempting to build a political counternarrative based on constitutional principles, dwindling ties with local communities as well as unaddressed internal hegemonies, are factors that complicate these efforts.

Abbreviations

BBC	British Broadcasting Company
BJP	Bharatiya Janata Party
CAA	Citizenship (Amendment) Act
CBI	Central Bureau of Investigation
CSO	Civil society organization
CEO	Chief Executive Officer
ED	Enforcement Directorate
FCRA	Foreign Contribution (Regulation) Act
ITD	Income Tax Department
MHA	Ministry of Home Affairs
NDTV	New Delhi Television
NESH	National Committee for Research Ethics in the Social Sciences and the Humanities
NGO	Non-governmental organization
NRC	National Register of Citizens
NSD	Norwegian Centre for Research Data
RSS	Rashtriya Swayamsevak Sangh
RVKP	Rajasthan Vanvasi Kalyan Parishad
UAPA	Unlawful Activities (Prevention) Act
UN	United Nations
UPA	United Progressive Alliance
VKA	Vanvasi Kalyan Ashram

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1. Introduction

> Every five years, when Indians are casting their vote in Parliamentary elections, the world watches with admiration as the world's largest democracy charts its future path. Because the outcome of decisions made by 1.3 billion people resonates around the globe (von der Leyen, 2022).

The above quote by the president of the European Commission, Ursula von der Leyen, stems from her speech at the Raisina Dialogue in New Delhi in April 2022, an annual international conference on geoeconomics and geopolitics. The statement was addressed to India's prime minister Narendra Modi and recited the old cliché of India as the world's largest democracy. On the one hand, the reference highlights India's enormous population. On the other hand, it describes India as a democratic role model deserving of "admiration". The presentation of India's democracy as exceptional because of its functioning formal democracy (Jakobsen et al., 2018, p. 84) hides the fact that the country is scoring increasingly low on the parameters of effective and substantive democracy (Jakobsen et al., 2018, p. 85; Thapa et al., 2020, p. 73)[1]. The latest report on democracy published by the V-Dem Institute of the University of Gothenburg describes India as "one of the worst autocratizers in the last ten years" (Papada et al., 2023, p. 10). Autocratization processes led to India's downgrading from an electoral democracy to an electoral autocracy in 2017 (Papada et al., 2023, p. 41), three years into Narendra Modi's first term as prime minister. One of the top ten indicators of autocratization is the repression of civil society organizations (Papada et al., 2023, p. 25), a broad category of which non-governmental organizations (NGOs) make a vital part (Sahoo, 2014, p. 481). Civil society can hold a state and its elected agents accountable and contribute to an effective democracy as long as civil society is free and diverse (Heller, 2000, p. 488). Its increasing obstruction limits its capacity to fulfill this function and contributes to democracy's breakdown (Papada et al., 2023, p. 20). Despite reports like this and unlike India's Emergency period from 1975 to 1977, where civil society was significantly obstructed and democracy declared

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[1] Universal suffrage and fair elections, core pillars of formal democracy, describe only one part of an intact democracy (Heller, 2000, pp. 487-488). Substantive democracy ensures the "political and economic integration of subordinate classes" (Heller, 2000, p. 486), while effective democracy refers to democratic practices rooted in and spread throughout society. Ideally, society is in constant negotiation with authorities, demanding their accountability in other ways than only through electoral representation (Heller, 2000, p. 488).

suspended (Chandhoke, 2011, p. 173; Sahoo, 2021), India's current status as a democracy remains unquestioned by the country's authorities (ET Bureau, 2023; Modi, 2021).

Over the past decade, the country has become significantly politically polarized (Papada et al., 2023, p. 26), with communal[2] violence and hate crimes between religious communities significantly higher than before Narendra Modi's and the Hindu nationalist Bharatiya Janata Party's (BJP) rise to national political leadership in 2014 (Basu, 2019, p. 65). Research suggests that organizations advocating for minority rights or criticizing current national politics are most affected by restrictions (Bauman, 2021, p. 6; Thapa et al., 2020, p. 80). At the same time, Hindu nationalist organizations seem to enjoy prime conditions for expansion (Andersen & Damle, 2019, p. 267; Basu, 2018, p. 40). In previous research about the obstruction of civil society actors, much focus has been directed toward funding restrictions related to the Foreign Contribution (Regulation) Act (FCRA) which predominantly concerns NGOs. Against this background, I investigated how restrictions for civil society have contributed to Hindu nationalist power assertion in India since 2014. To operationalize this research interest, I formulated the following research questions:

1) In what ways do restriction patterns for non-governmental organizations and related individuals reflect the Hindu nationalist ideology?
2) How do consequences of direct restrictions benefit the realization of a Hindu nation?
3) How do the restrictions influence the relationship between the state and the civil society sector?

Regarding the first question, I was predominantly interested in two aspects: first, what kind of non-governmental organizations and individual civil society actors are affected by restrictions above average, and second, how representatives of organizations describe the ongoing restriction processes, and how they interpret them in light of the government's ideological leaning.

Concerning the second question, I was interested in how direct restrictions through FCRA affect the organizations, apart from the loss of foreign funding. Based on my research data, I identified

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[2] In the South Asian context, communalism refers to "sectarianism among religious lines" (Thachil, 2014, p. 14).

two more layers of restrictions connected to direct ones: indirect restrictions and ripple effects. These concern not only the organizations affected by direct restrictions but also a wider web of organizations, given that civil society associations are interconnected. I analyzed these consequences in terms of how they benefit the government's Hindu nationalist agenda.

The third question pertains to my interest in how representatives of organizations describe the restrictions for their sector and its relationship with the present state. I analyzed my informants' self-presentation as part of civil society, their portrayal of the government, and how they account for the two spheres interacting.

As indicated, I was especially interested in the reflections and experiences of people working in or with organizations. To this end, I conducted 15 semi-structured interviews with representatives of Indian NGOs that had experienced direct restrictions via FCRA since 2014. Because of their organized structure, it was possible to contact NGOs with an English online presence and arrange Zoom interviews from afar. In addition, I did two weeks of job shadowing in one of the organizations. The insights I gathered during my stay in India provided a valuable context for the interviews and helped me understand the activism environment of my informants in more detail. In addition, it showed the relevance of not only studying the consequences for organizations but also for individuals who actively engage in them. Subsequently, the interview transcripts and field notes were coded and structured thematically, laying the groundwork for the layout of this thesis.

This project is relevant for several reasons. First, we are currently witnessing a global repression trend (Papada et al., 2023, p. 9; Rogenhofer & Panievsky, 2020, pp. 1402-1403; Unmüssig, 2016, pp. 40-43). The obstruction of civil society is worsening in 37 countries, and the overall global level of democracy is deteriorating (Papada et al., 2023, p. 9). The extensive scale of the issue makes it a pressing one to investigate through research.

Second, the questions raised in this thesis have not been addressed at length in scholarly publications. There are studies about civil society and relevant laws in India (Baydas, 2018; CSIP, 2018), international comparative studies (Chaudhry & Heiss, 2020; Wolff & Poppe, 2015), case studies of specific organizations (Harvey, 2015) and several analyses of the current political climate in the country, that bring awareness to the oppression of civil society organizations (Calléja, 2020; CIVICIS, 2017; Nilsen, 2018; Sinha, 2021, pp. 327-332; Thapa

et al., 2020, pp. 72-125). Several of these publications emphasize that dissenting, secular[3], rights-based, minority, and religious organizations are overrepresented among those affected by direct obstruction through the extensive application of laws, inquiries, and raids (CIVICUS, 2017, pp. 2, 6-7; Thapa et al., 2020, p. 78). In light of the Hindu nationalist agenda of the present government, the target group suggests that the restrictions are not only symptoms of autocratization, but an ideologically motivated undertaking. Since an investigation of these restrictions and their contribution to Hindu nationalist power assertion is yet to be conducted, this thesis is a first attempt to explore these dynamics.

Third, in my encounter with my informants, I experienced appreciation for researching this issue. By bringing more international attention to the restriction process that organizations and other civil society actors are currently experiencing in India, the project is not only filling a gap in existing research and contributing to academic debate. Its value has also been communicated by the group that stands in the spotlight of this project. The opening quote, which expressed admiration for India's democracy despite its breakdown, shows the urgent need for heightened international attention to India's weakened effective democracy. My informants' validation of the research interest also resonates with several open letters from the sector demanding the international community to address civil society's situation in contemporary India more openly (Adam, 2022; Fitzgerald, 2022). This thesis is trying to do that, however limited the scope.

1.1 On the contemporary political context: Hindu nationalist populism

The BJP and prime minister Narendra Modi have been governing India since 2014 when the BJP won the majority in the national elections without the help of coalition partners (Jaffrelot, 2021, p. 103), something that had not occurred in the country since 1984 (Andersen & Damle, 2019, p. 240). It consolidated its power again in the 2019 elections (Jaffrelot, 2021, p. 311). The party is committed to Hindu nationalism, often referred to as *Hindutva*. Although there are varying understandings of the term (Andersen & Damle, 2019, p. 77), it can generally be

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[3] In India, the term secular refers to all religions being treated equally before the law. It must not be confused with the Western understanding of separation between state and Church (Ramachandran, 2020, p. 19). The term was added to the Indian constitution in 1976 during India's autocratic Emergency period under Indira Gandhi as an attempt to curb communalism (Shah, 2021, p. 23).

described as the pedagogical project of "merging the nation-state with the Hindu people-nation" (Chatterjee, 2020, p. 109). It aims to create a state tailored to its Hindu majority instead of applying a secular framework and puts a homogenized idea of Hinduness at the center of national identity and culture (Chatterjee, 2020, p. 107). It endorses patriarchal structures, caste segregation, and subordination of religious minorities, most of all Muslims (Natrajan, 2022, p. 308).

Besides its focus on religious nationalism, the BJP's politics is characterized by particular notions of development and market orientation (Palshikar, 2017, p. 15), a typical trait of neo-authoritarianism in general (Joshi, 2021, p. 24). While development and economic advances were central aspects in the 2014 election campaign, the BJP and Modi focused to a much greater extent on the ideological *Hindutva* project the second time around (Jaffrelot, 2021, p. 311), in addition to Modi's persona itself (Chatterjee, 2020, p. 110).

The BJP has its roots in the Rashtriya Swayamsevak Sangh (RSS), a Hindu nationalist movement founded in 1925. The RSS is a nationwide volunteer organization with branches for all age groups (Jaffrelot, 2021, pp. 14-16) and geographical divisions of varying radii (Andersen & Damle, 2019, p. 267). The movement grew in relevance after India's independence and expanded through the establishment of related organizations and unions, such as student, labor, and trade unions, including an international network (Andersen & Damle, 2019, pp. 258-259; Jaffrelot, 2021, pp. 16-17). These organizations are known as the Sangh Parivar, literally a family of RSS-based organizations (Jaffrelot, 2021, p. 17). The RSS entered the political arena via its political wing, the Bharatiya Jana Sangh, in 1951 (Jaffrelot, 2021, p. 18), the precursor of today's Bharatiya Janata Party, which was founded in 1980 (Jaffrelot, 2021, p. 19).

Analysts ascribe prime minister Narendra Modi's popularity a major role in the BJP's electoral success (Jaffrelot, 2021, pp. 107-108; Patel, 2021, pp. 46-47; Thachil, 2014, p. 283). His political style is often described as authoritarian (Joshi, 2021, p. 31) and populist (Jaffrelot & Tillin, 2017, p. 180; Chatterjee, 2020, p. 105). Even though there is no consensus on how to define populism (Brubaker, 2017, p. 358), certain traits reoccur in many cases. Most notable for this thesis is the distinction between the constructed social categories of 'people', 'elite', and 'others' (Jaffrelot & Tillin, 2017, pp. 179-180). Populism and the discursive application of these categories are nothing new to India. Instead, the country has experienced different forms

of populism at the state and national levels since independence (Jaffrelot & Tillin, 2017, p. 179). What distinguishes the BJP's populist politics from earlier regimes is the leaning towards the right of the political spectrum and that 'people', 'elite', and 'others' are filled with religious content (Jaffrelot & Tillin, 2017, p. 184). The 'people' are defined as Hindus who need to "be protected from a minority-appeasing "pseudo-secular" establishment" (Jaffrelot & Tillin, 2017, p. 180). In the BJP's populist discourse, civil society is often portrayed as elitist intellectuals who undermine majority interests and appease religious minorities, the 'others', in their service provision and advocacy work (Jaffrelot & Tillin, 2017, p. 184). In the given context, these religious 'others' are Muslims and Christians. In many cases, the categories of 'elite' and 'others' overlap, as in Muslim and Christian activists and organizations.

The Hindu nationalist profile of the BJP government manifests itself in newly introduced or amended legislation that serves majoritarian interests. Prominent and for this thesis relevant examples are cow[4] protection laws (Patel, 2021, pp. 379-380), anti-conversion laws directed at Christian and Muslim minorities (Bauman, 2021, pp. 7-8; Patel, 2021, pp. 380-383) and the Citizenship (Amendment) Act (CAA) of 2019, in combination with the National Register of Citizens (NRC) (Patel, 2021, pp. 386-387). The CAA is supposed to offer "fast-track citizenship" for undocumented non-Muslim migrants from Muslim-majority neighboring countries (Jayal, 2022, p. 21). The bill was interpreted as an othering mechanism for India's Muslim minority (Jayal, 2022, p. 26; Patel, 2021, p. 386), as it "opens pathways to citizenship for favoured groups of migrants, deemed acceptable only on grounds of their faith and their countries of origin" (Jayal, 2022, p. 22). The introduction of the bill led to a wave of protests across India supported by civil society actors (Thapa et al., 2021, p. 89), on which authorities repeatedly cracked down violently (Jaffrelot, 2021, p. 360). These laws are examples of an attempt to redefine India as a Hindu nation and unfold within the tensions between 'people', 'elite', and 'others'. Thus, the Hindu nationalist ideology and the populist repertoire are fused and cannot be detached. As the ideological motives of these laws are mirrored in the restriction

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[4] Many Hindus consider the cow holy and a symbol of *Bharat Mata*, Mother India (Kinnvall, 2019, p. 295). In Hindu nationalism, the cow is a central symbol which has been increasingly politicized. In addition to cow protection laws, cow vigilantism, meaning violence in the name of cow protection, has noticeably increased and become normalized during the last decade (Patel, 2021, p. 216). Notably, Dalits and Muslims are often employed in the cattle industry and, thus, repeatedly the victims of such violence (Jayal, 2019, p. 47).

processes for NGOs and other civil society actors, they provide a relevant backdrop for the study of current restrictions for civil society actors in India.

1.2 Thesis structure

Apart from this introduction and the conclusion, this thesis is divided into a chapter presenting concepts and contexts for the research interest, a chapter addressing methodological choices, and three analytical chapters. The latter three follow a thematic structure. This approach allows for a comprehensive presentation, analysis, and discussion of my data material alongside additional background information that puts the findings into the larger political context.

In chapter 2, I will present previous research that builds the base for my project. This includes a presentation of different conceptualizations of the 'civil society' term for the Indian context and an outline of research about restrictions for NGOs and related individuals since 2014. A detailed analysis of the restrictions' contribution to Hindu nationalist power assertion is still missing, including their ideological motivation, ripple effects and consequences for the relationship between the state and civil society. The main contribution of this thesis is located here.

I will continue to present the methodological choices and ethical considerations for this project in chapter 3. As the current political environment is rather precarious for those who engage in the civil society sector, there were many ethical considerations to make regarding interviewing and visiting the field. The chapter also includes reflections on the research process, my positionality, and the limitations of the project.

Chapters 4 to 6 are a presentation, analysis, and discussion of my research data. In chapter 4, I will present specific groups of organizations and individual civil society actors that are met with direct restrictions. Previous research and news reports have focused heavily on these direct restrictions, which is why I had initially expected to be focusing on these direct restrictions in my research as well. However, my research showed that the obstruction of civil society spaces goes much deeper. Chapter 5 focuses on indirect restrictions and ripple effects of direct action, which play a relevant role in the shrinking of civic spaces. As my argument will show, my informants described the objective of restriction measures and their consequences unmistakably

as the establishment of a Hindu *rashtra* (Hindu nation). They understood the obstruction of civil society as one puzzle piece in this hegemonic project. The resulting antagonism between the current government and my informants' realm is expressed in the opposition between Hindu nationalism and constitutional patriotism. Chapter 6, the third analytical chapter, picks up this last point from a different angle. It addresses issues of diversity within the civil society sector and its relationship with the state at the time of writing. While chapters 4 and 5 present and discuss conditions for civil society actors as my informants presented them, chapter 6 discusses the discourse from a meta-perspective.

In the concluding chapter, I will summarize the research findings I presented in the three previous analytical chapters and conclude the thesis by answering how government restrictions for civil society have contributed to Hindu nationalist power assertion since 2014. I will do so by explicitly responding to each of my three posed research questions. As the research questions are interrelated and cannot be detached, my answers are based on contents presented and discussed across all three analytical chapters. They will be assembled in a cohesive response to each research question in the conclusion.

2. Concepts and context: Civil society in India

This chapter discusses core aspects of the civil society concept in India and reviews the literature on the civil society sector's current obstruction. It provides a theoretical base and marks where this thesis contributes to the scholarly debate. Additional background information that puts my research findings in the larger political context will be presented in the analysis chapters alongside the specific data it helps to interpret and discuss. Given the complexity of the political context, this will make it easier for the reader to follow the analysis.

2.1 The 'civil society' concept

Scholars and journalists use the term 'civil society' as an overarching category for organizations and activists affected by government restrictions (Arora, 2020; Baydas, 2018; Joshi, 2021, p. 28; Sahoo, 2021). This term itself is not always explicitly conceptualized and explained. Neera Chandhoke (2001, p. 1) speaks of a "flattened out" concept that is neither debated nor questioned enough, and that has become a common-sense term. Because it is a reoccurring term in literature and was frequently used by my informants, the 'civil society' concept needs to be discussed in more detail.

This chapter presents conceptualizations of the term for the Indian context specifically. I refrain from basing my argument on very general conceptualizations. In many cases, claimed universal concepts take the West as their theoretical model (Kamruzzaman, 2019, p. 4). However, their application in this thesis would make the Indian civil society appear more limited than it is and exclude essential parts of it (Basile, 2017, pp. 228-229). The chapter is structured in the following way: First, I will discuss the characterization of civil society as a fractured and diverse associational space which is mainly based on Neera Chandhoke's conceptualization. Second, I will present Partha Chatterjee's understanding of civil society as the middle class, which challenges Chandhoke's proposed heterogeneity of the space. Third, I will address value diversity in civil society that highlights that even though a vibrant civil society is a prerequisite for a robust and effective democracy (Heller, 2000, p. 488), not all associations in the space support democratic values of diversity, tolerance, and dialogue.

2.1.1 Civil society as associational life

Often, civil society is described as the "third space" between market and state (Chaney & Sahoo, 2020, pp. 193-194; Basile, 2017, p. 218; Edwards, 2011, p. 4), the space between the private, the state and the market (Nayar, 2008, p. 19) or simply as the public sphere (Chaney & Sahoo, 2020, p. 193; Piliavsky, 2013, p. 106). However, Chandhoke (2001, pp. 8-19) argues that civil society and the state are interlinked in multiple ways, such as via state grants or organizations carrying out government schemes. Instead of using the "third space" understanding, she conceptualizes civil society as "associational life" (Chandhoke, 2001, p. 21) that becomes what its members make of it. Thus, she understands civil society as a process (Chandhoke, 2001, p. 22) rather than a static entity independent of the market and state.

Chandhoke (2001, p. 22) continues to emphasize that besides its dynamic character, "civil society emerges as a deeply fractured and hierarchically structured domain of social associations" with a multitude of values. Others share this understanding of civil society as well (Edwards, 2011, p. 8; Kamruzzaman, 2019, pp. 4-5; Nayar, 2008, p. 19). Even if this conceptualization can be read as an instruction to refrain from mapping the civil society sector, categorizing different forms of associations is useful for analytical reasons. In the given context, it can shed light on which types of organizations are specifically and directly affected by government restrictions and which other formal or informal associational forms are affected indirectly.

Understanding civil society as a space consisting of voluntarily formed associations (Basile, 2017, p. 218), Basile (2017, p. 222) attempts to divide India's civil society into five groups: civic associations, Hindu fundamentalist associations such as the RSS, caste organizations, non-governmental organizations, and social movements. Civic associations include trade unions, neighborhood associations, welfare organizations, and other interest associations (Basile, 2017, p. 223). Hindu fundamentalist associations and caste associations are products of Indian history and expressions of its culture, while NGOs are a relatively new phenomenon in India (Basile, 2017, p. 222) and started to increase in number and engagement from the 1980s and 1990s onwards (Basile, 2017, p. 220),

According to Sahoo (2014, p. 481), NGOs are a dominant part of India's civil society. They are organized, private, non-profit, self-governing, and voluntary (Srivastava, 2002, p. 3) and

registered as trusts, societies, or non-profit companies (NGOs India, 2004). However, many operating organizations are not officially registered (Srivastava, 2002, p. 5). Tandon (2017, pp. 79, 83) identifies a too-complex institutional framework for registration and reporting as the main challenge. Inconsistent registrations result in a lack of conclusive data about how many NGOs function in India. Estimates range from 30.000 (Baviskar, 2001, p. 5) to 1,5 million NGOs (Ghosh, 2009, p. 234), leading Tandon (2017, p. 83) to describe the estimate bluntly as "no one knows".

Like the vast civil society sector, the NGO sector is diverse in funding opportunities, means of operation, objectives, and membership types (Baviskar, 2001, p. 5). NGOs also differ in their relationship with and dependence on the state. Some are founded by state agencies as their extension (Baviskar, 2001, p. 9; Goswami & Tandon, 2013, p. 655), while others work closely with authorities in policy implementation (Tandon, 2017, p. 81). Other organizations receive occasional state grants (Goswami & Tandon, 2013, p. 658) alongside those working completely independently from the state.

Incorporating NGOs into the civil society concept is not left uncriticized. Reasons are the professionalization of activism (Basile, 2017, p. 220), NGOs' formality (Chandhoke, 2011, p. 175), or their self-positioning as attractive employers (Sahoo, 2021), which some interpret as against the intention of the sector's charitable values (Goswami & Tandon, 2013, p. 655). Despite the criticism, NGOs tend to be mentioned in literature about civil society. Also, I noticed in my research that NGO workers regard themselves as part of civil society because of their role in their respective organizations and the interconnectedness with other associations across the civil society landscape. Thus, Chandhoke's conceptualization of civil society as diverse and dynamic is an essential theoretical base for this project.

Not only NGOs' inclusion in the civil society map is sometimes criticized, but also that of social movements because of their informal and disorganized character. However, their impact on India's society outweighs these reservations (Basile, 2017, p. 223). On this note, Goswami and Tandon (2013, p. 656) indicate that social movements potentially become so powerful that authorities cannot ignore them. Excluding an impactful formation from the civil society concept for theoretical reasons would misrepresent the social reality.

Disregarding the blurred boundaries within the civil society sector can thus lead to the danger of looking for civil society in either the wrong or too few places. In most conceptualizations, visibility is a core feature of civil society's associational life in the public sphere (Piliavsky, 2013, p. 107). However, Piliavsky (2013, pp. 115-118) found that lobbying for social and political impact also happens in more secluded arenas and must, therefore, not be ignored in the study of civic associations. Less visible civil society activities in everyday arenas, instead of public physical or online platforms, are an important aspect of my research and will be picked up again in chapters 5.2 and 6.1.1.

The dynamic character, blurred lines, and grey areas in the civil society sector can make mapping the sector an arduous task. The upside of these characteristics is the following: scholars argue that the fuzziness of the concept and the associational diversity it stems from is, in fact, civil society's strength. It needs to be diverse to be enduring and well-functioning (Edwards, 2011, p. 8). Different kinds of associations come with divergent strengths and capacities that complement each other (Chandhoke, 2011, p. 176). Additionally, for organizations to contribute positively to intercommunal peace and constructive debate, diversity should be given among participants in organizations' programs and recipients of their services (Varshney & Gubler, 2013). Only then can civil society fulfill its role in "democratic deepening" (Heller, 2000, p. 485) and as a driving force of effective democracy (Heller, 2000, p. 488).

2.1.2 Civil society as the middle class

The above section emphasized the heterogeneity of organizational forms. Additionally, we need to ask *who* comes together in civic, religious, and caste associations, who associates with NGOs, and who leads and joins mass movements, whether online or physically. As a part of his work, Partha Chatterjee (2004) analyzed Indian civil society in light of this question and reflected on civil society's representativeness based on socioeconomic terms.

Chatterjee (2004, p. 38) describes the imagined ideal of civil society as follows: "In terms of the *formal* structure of the state as given by the constitutions and the laws, all of society is civil society; everyone is a citizen with equal rights and therefore to be regarded as a member of civil society. The political process is one where the organs of the state interact with members of civil

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society in their individual capacities or as members of associations." Because of heterogeneous social realities that do not grant equal access to political processes, this imagined universal form of civil society is a utopian ideal. It is only accessible to an "organized elite" (Chatterjee, 2004, p. 39), as opposed to "political society" (Chatterjee, 2004, pp. 40, 67), India's marginalized communities.

Two characteristics primarily define political society. First, it develops from governmental policies targeting specific underprivileged groups. Second, contrary to civil society, the political process, the interaction between political society and the state, is often rooted in illegality, such as occupying private land to build livelihoods (Chatterjee, 2014, p. 40). The unequal starting points from a legal perspective result in different rules in the political processes of political and civil society (Chatterjee, 2004, p. 137).

Chatterjee's argument that civil society is an exclusive category accessible to the few is an essential perspective for my research sample. Nevertheless, in light of Chandhoke's conceptualization of civil society as diverse and fractured, Chatterjee's concept can still be challenged for greater nuance. First, dividing civil and political society's activities along the lines of legality ignores the use of civil disobedience measures by associations Chatterjee would include in civil society. An example is environmental associations attempting to stall controversial government energy projects and land acquisitions, such as land occupation and blockages (Balaton-Chrimes, 2015, p. 28; Sahu, 2017). Both civil and political society use occupation of land or buildings in particular cases. Rendering "legality as the baseline of civil society undermines the various other forms that subalterns might resort to" (Gudavarthy, 2013, p. 212), and it falsely projects civil society as "a pure realm of legality and civility" (Gudavarthy, 2013, p. 21). Chandhoke (2011, p. 175) even argues that relying too much on politically permissible and lawful activity can make civil society's projects less effective. Heterogeneity is not only necessary for civil society's associational forms but also regarding its methods. In a sense, this is not too far from Chatterjee's reasoning, as he writes that significant societal change is much rather achieved by political society (Chatterjee, 2004, p. 66). Instead of locating societal impact solely in illegality, Chandhoke identifies the potential for influence within the conglomerate of varied activities by different types of organizations and their networks.

Second, by perceiving civil society as fragmented and complex, Chatterjee's dichotomy of civil and political society is difficult to maintain. Although Chandhoke (2011, p. 180) explicitly recognizes the vast numbers of people in the margins to which Chatterjee refers, she emphasizes that Chatterjee's groups are not as separate as his theory suggests. Motivation for action in political society might be rooted in rights granted to civil society, and different social formations are connected in a social spiderweb, exchanging material and immaterial goods (Chandhoke, 2011, p. 176). Civil society's boundaries blur in a varied sphere with all kinds of associations, bonds, resources, and advocacy of interests. Moreover, Sinha (2015, p. 249) argues that solidarity networks do not stay within the socioeconomic lines between civil and political society drawn by Chatterjee but cut across them. This argument adds one more dimension of human association that cannot be as easily classified as Chatterjee might suggest and supports the idea of diffuse and not clear-cut lines.

Even though a strict divide between civil and political society might be difficult to uphold, we should not ignore the existence of underlying or open hegemony and unequal power relations within a heterogenous civil society. What Chatterjee makes very clear is the unequal distribution of access to political goods and social formations. Even if both groups are part of Chandhoke's vast civil society sphere, certain associations will presuppose entry tickets that are not easily accessible to everyone. Instead, they will often depend on an individual's socioeconomic background. An example is NGOs. As professionalized activist entities, they will commonly require a certain level of formal education for their employees. Since a student's socioeconomic background determines access to both basic and higher education, this represents a significant obstacle for poorer groups (Borooah, 2017, p. 28; Malik, 2013, pp. 84-85). A lower caste background intensifies these patterns. Youth from Dalit, Adivasi, or other lower caste and underprivileged backgrounds face discrimination in higher education (Economic & Political Weekly, 2016) and entry barriers in the workforce even with adequate educational qualifications (Kohli, 2019). Privilege and power relations also determine whether one can donate one's time, resources, or skill to an association as a volunteer or whether one is at the receiving end of an association's efforts. The entry barriers class and caste create are essential factors for placing my sample in the civil society matrix and its implications for civil society's resilience in the contemporary political climate.

2.1.3 Civil society and democracy

As mentioned in the introduction, the cliché of India as the world's largest democracy usually refers to its population size and participation in democratic elections. Heller (2000, p. 485) distinguishes between formal, substantive, and effective democracy. The presence of an active and diverse civil society contributes to a deepened effective democracy, more state accountability, and improved civic interest representation (Heller, 2000, p. 488). The absence of this space or its diversity indicates the weakness or even absence of democracy, as the flow of ideas and opinions are oppressed. Thus, civil society is a precondition for democracy and vice versa (Chandhoke, 2001, p. 20). The establishment of democracy, space for and access to civil society mutually depend on each other.

This insight must not be mistaken as the equation of civil society and democracy. As previously discussed, civil society is highly fractured and multifaceted, including forms of associations, variations in their size, formality, functioning, and degrees of public visibility. Also, civil society associations' value bases differ. A frequently mentioned example of an anti-democratic organization is the RSS. This cadre-based Hindu fundamentalist organization considers itself a cultural organization (Chandhoke, 2011, p. 18) with several geographical divisions, from the state level to local units (Andersen & Damle, 2019, p. 267). It is a large-scale provider of social services on a broad range of issues (Andersen & Damle, 2019, pp. 258-259) but is also a driver of communal violence (Basile, 2017, p. 221). As described previously, the BJP was established out of RSS ranks. Both share the same *Hindutva* ideology that aims to build an all-Hindu nation, thus merging religion with nationalism (Chandhoke, 2011, p. 18). Because of its fundamentalist, majoritarian and anti-democratic content, authors have called the RSS the "uncivil" part of civil society (Basile, 2017, p. 222). It refers to the connotation of the word 'civil' in civil society and its association with the promotion of "freedom, plurality, dialogue, tolerance, secularism and democracy" (Chandhoke, 2001, p. 18).

Sahoo's (2014) analysis of the RSS-related organization Rajasthan Vanvasi Kalyan Parishad (RVKP) exemplifies the consequences of *Hindutva* organizations' activities in communities. The organization focuses on developmental aid for tribal communities in the state, competing against Christian missionary organizations' efforts (Sahoo, 2014, p. 484). Its presence, work, and campaigning for the BJP and its ideology have contributed to increased communal violence, religious hate, resentment of conversion, and interreligious marriages (Sahoo, 2014, pp. 492-

494). These developments threaten "the cultural diversity and pluralism of Indian democracy" (Sahoo, 2014, p. 495). Other research has come to similar results and identifies establishing *Hindutva* organizations in communities as an election strategy (Pai & Kumar, 2018, pp. ix-x; Thachil, 2014, pp. 166, 282). It helps the BJP plant Hindu majoritarian values in society (Pai & Kumar, 2018, p. x), which is numerically visible in the positive correlation between incidences of communal violence and the party's electoral strength (Basu, 2019, p. 65).

In this context, Chandhoke (2001, p. 17) notes that "if civil society consists of associational life *per se*, then we have to accept that associations of every stripe and hue exist in this space." Excluding associations with undemocratic values from civil society would distort the perception of civil society as it is lived. Civil society and democracy constitute each other, and a granted democratic space for exchanging opinions and actions between different associations encourages heterogeneity in the civic space. Yet, these observations do not make all civil society actors democratic per se and do not guarantee the promotion of democratic values within civil society.

This exposé of different conceptualizations of civil society in the Indian context can be summarized as follows: Many scholars argue that India's civil society is fractured, diverse, and interconnected. This includes levels of formality, types of associations, their approaches, and value bases. However, less diverse are the caste and class backgrounds of many individuals who are active in the sphere. The power relations and hierarchies of India's society are also visible in the civil society sphere. All three discussed aspects, the heterogeneity of associations and methods, diverse value bases, and internal hegemonies, appeared as characteristics of the environment I have researched. Therefore, they are central aspects to consider in the discussion of the research findings.

2.2 On the oppression of civil society and NGOs in India

In news reports and scholarly contributions about the civil society sector in India and how it is affected under the current government, authors generally talk about "civil society" or "NGOs". A closer analysis of what kind of organizations the articles refer to will allow identifying trends and tendencies in the restriction processes. To do so, I will first give an overview over general trends and patterns in the obstruction of civil society, including NGOs, since 2014. Second, I

will present the FCRA and its relevance in the restriction processes. Third, I will address observations regarding Hindu nationalist ideological roots in the ongoing restrictions.

During the BJP's regime, civil society has been in a difficult position. The government has restricted organizations' and individual activists' work in the country (Amnesty International, 2022, p. 191; Freedom House, 2023; Sinha, 2021, pp. 327-332). We can read about a "crackdown" (Chaudhry & Heiss, 2020, p. 23; Firstpost, 2016; Mint, 2020) and "shrinking space" (Arora, 2020; Baydas, 2018, p. 70; Joshi, 2021, p. 28, Sahoo, 2021) for civil society both in the news coverage, popular and academic dissemination. These descriptions are supported by comparative research on democracy and autocratization, which shows that "repression of civil society organizations" is a leading indicator of autocratization (Boese et al., 2022, pp. 16-17; Papada et al., 2023, p. 25).

However, state oppression of civil society is not a unique phenomenon for the Modi government. Scholars noticed a "shrinking space" for civil society in India already before 2014 (Goswami & Tandon, 2013, pp. 658-659; Sahoo, 2021), primarily as a result of conflicts over development projects and civil society protests against them (Sahoo, 2021). This is not to mention the Emergency period between 1975 and 1977, in which formal democracy was suspended, including civil liberties and civil society operations (Chandhoke, 2011, p. 173; Sahoo, 2021). The notable difference between the declared emergency in the 1970s and Modi's regime is that today's government enjoys popular support, prides itself on being democratically elected, and does not need to declare an emergency to stabilize power, as historian Gyan Prakash pointed out in an interview (Daniyal, 2019). Despite the suspension of democracy in the 1970s, the repression of civil society has never been more severe post-independence than it has been since 2014, as analyses from the V-Dem Institute show. Figures 1 and 2 illustrate the government's attempt to restrict civil society organizations (CSOs). The lower the graph, the heavier organizations are restricted. Since 2014, with the new BJP government in place, the graph has described civil society associations as "moderately" to "severely" restricted.
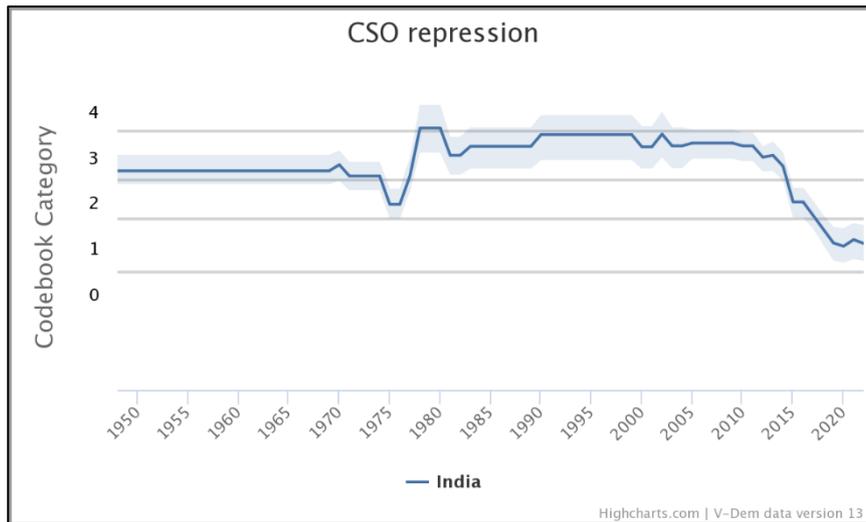
Figure 1: CSO repression in India 1948-2022 (V-Dem)
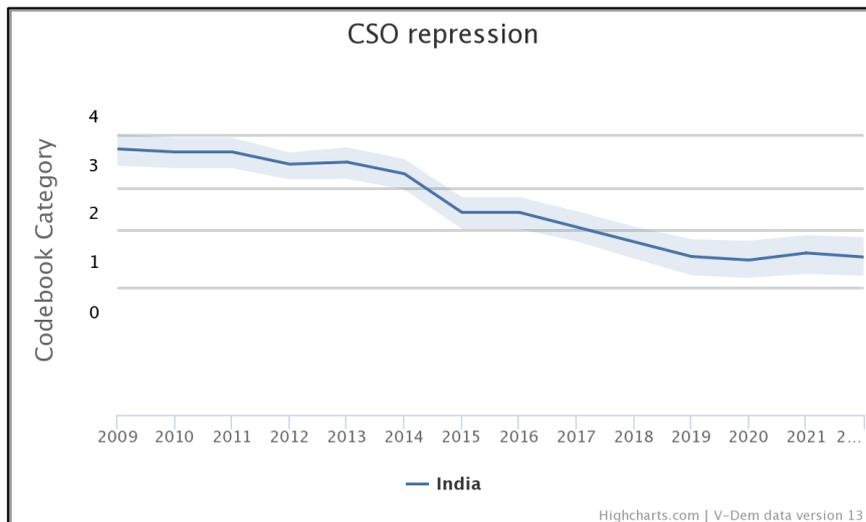
Figure 2: CSO repression in India 2009-2022 (V-Dem)

Also, in the CIVICUS-Monitor, a research tool analyzing civic space internationally, India's status was downgraded to "repressed" in 2019 (CIVICUS, 2022). Moreover, Thapa et al. (2020, p. 73) compared six civic space indexes between 2014 and 2020 and concluded that they all showed a decline since 2014. Some of them further deteriorated since the publication of their report, such as India's Freedom House Index, which shows especially weak scores in the civil liberty rating (Freedom House, 2023). This development does not only concern civil society actors but also independent media, academia, and the judiciary. Indexes like the Press Freedom Index (RSF, 2022) have been deteriorating, especially since Modi's second term as prime

minister. In the latest report from May 2023, India has fallen 11 ranks compared to 2022 and is now ranked below Pakistan and Afghanistan (RSF, 2023). The V-Dem Institute's data set also shows a significant decline in academic freedom and judicial accountability (V-Dem, 2022).

Comparative studies report various ways governments restrict civil society activities globally. In India, limits on foreign funding and burdensome reporting requirements are common (Carothers & Brechenmacher, 2014, pp. 9-10). Licenses for organizations under the Foreign Contribution (Regulation) Act to receive foreign funding are increasingly suspended, canceled, and denied. Moreover, rules for the law have been amended in recent years, demanding increased reporting of the organizations (CIVICUS, 2017, p. 3). Additionally, associations' bank accounts have been frozen, funding agencies have been put on watchlists (Sahoo, 2021), and offices have been raided (Limaye, 2020). Also, accusations have been made based on the Indian Penal Code, the Prevention of Corruption Act (Human Rights Watch, 2019), and income tax regulations (Sinha, 2021, p. 116). Lastly, forums to encourage dialogue between the government and civil society associations that were in place during the previous Congress-led United Progressive Alliance (UPA) government have been removed (Economic & Political Weekly, 2015, p. 7; Sahoo, 2021). While it is not to question that also CSOs and NGOs need to be held accountable and should provide transparency, analysts pinpoint that the way the BJP government is monitoring organizations does not aim to demand transparency but to silence dissent (Economic & Political Weekly, 2015, p. 6; Thapa et al., 2020, p. 81).

Other restrictive legislation is used to target individuals connected to organizations. Individual activists and human rights defenders have been charged under colonial sedition laws (Jayal, 2019, p. 49; The Wire Staff, 2021) and the Unlawful Activities (Prevention) Act (UAPA) (Jaffrelot, 2021, pp. 400-401). Charges are followed by slow investigations and stringent rules for bail. Also, reports have been filed stating the use of excessive force and even torture (CIVICUS, 2022). The fact that restrictions for civil society are directed not only at larger entities but also at individuals is an essential background for the findings of this project.

2.2.1 The Foreign Contribution (Regulation) Act

Parallel to an ever-increasing emphasis on development and economic growth, NGOs gained momentum in India's civil society after 1980 (Baviskar, 2001, p. 4). Although many

organizations work exclusively on national resources, overall access to international funding has increased since the late 1980s (Jalali, 2008, p. 169). More often than not, NGOs are receivers of such funds (Agarwal, 2012, p. 18). They are regulated under the FCRA, which was first passed in 1976 during the state of Emergency under Indira Gandhi (Agarwal, 2012, p. 21). The act has since been replaced and amended with rule extensions. The new version of the FCRA was passed in 2010 and was amended in 2016, 2018, and 2020. Rules for the act were issued in 2011 and 2012 and amended in 2012, 2015, 2019, 2020, and 2022 (MHA, 2023a). There are two main differences between the version from 1976 and 2010. First, the new act is more complex (Agarwal, 2012, p. 16). Second, its purpose is changed from preventing foreign funding for political parties (Agarwal, 2012, p. 18) to preventing financial flow toward civic entities engaging in social and political activism (Agarwal, 2012, p. 35). While the new act was passed under the previous UPA regime, most amendments were made during Narendra Modi's time as prime minister. They made it tougher for foreign-funded entities to use their funds freely (Jaffrelot, 2021, p. 184) and allowed the government to monitor their activities even more closely (Patel, 2021, pp. 402-404).

There has been much noise around the FCRA and canceled licenses in recent years. On the 6th of April 2023, the number of associations with active FCRA licenses was 16.323. In comparison, 13.148 licenses were marked as expired, and 20.691 licenses were listed as canceled (MHA, 2023b).[5] Unfortunately, the graph on the website does not allow comparison with previous months or years. However, Agarwal (2012, p. 27) cites 39.236 active licenses as of 11th of August 2012, and the Indian Express (2016) reported a decrease of valid licenses by 20.000 since May 2014. In an extensive organizational landscape of more than 1 million operations, FCRA-registered entities account for a small segment. However, the number of cancellations within it is significant. In general, the reasons for license cancellations and non-renewals are manifold. However, growing numbers and vague justifications have raised suspicion about the political motive behind the government's handling of the FCRA

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[5] During the research process, the number of active licenses decreased, while canceled and expired licenses increased. On the 21st of October 2022, 16.611 FCRA licenses were active, 12.834 licenses were expired, and 20.688 licenses were listed as canceled (MHA, 2022b).

registrations (Doshi, 2022). Additionally, there is a clear trend in what kind of organizations have been affected more than average post-2014. The next chapter will take a closer look.

2.2.2 *Hindutva*-roots of restrictions

Legislation regulating foreign funding might not be unusual or worrisome in itself (Bauman, 2021, p. 5). Still, it needs to meet certain requirements to be aligned with "international laws, principals and standards" (Kiai, 2016, section 36) and the right to assembly and association in the Indian constitution (Thapa et al., 2020, p. 75). An often-criticized aspect of the FCRA is the vague terminology in the descriptions of activities exempt from foreign funding. For example, the FCRA states that activities "detrimental to national interest" must not be funded with foreign resources (FCRA, 2010, introduction). The imprecise description of what falls under categories like this opens for a partisan use of the law and unjustified allegations (Bauman, 2021, pp. 5-6), a concern that the United Nations (UN) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association voiced in an information note to the Indian government in 2016 (Kiai, 2016, section 6). Subsequently, the BJP government has been accused of using this vagueness in the legislative texts to restrict especially those organizations that are not working in the party's favor (Bauman, 2021, p. 5). Two groups of organizations draw attention at this juncture. First, analyses suggest that dissenting organizations are targeted above average (Bauman, 2021, p. 6; CSIP, 2018, p. 16; CIVICUS, 2017, p. 3; Sahoo, 2021). Greenpeace (Harvey, 2015) and Amnesty International (Limaye, 2020) are prominent examples of organizations that were strongly restricted or even forced to close down. Among others, issues raised around environmental projects and human rights connected to the Gujarat pogroms of 2002 seem to be a trigger (Economic & Political Weekly, 2015, p. 7).

Second, organizations run by the minority religious Other such as Compassion International (Bauman, 2021, p. 6; Duerksen, 2017), Missionaries of Charity, and other Christian and Muslim organizations (Tripathi & Nag, 2022; Singh, 2020) are restricted disproportionately. Moreover, organizations focusing on minority groups that the BJP itself claims to represent, such as Dalits, Adivasis, and women (Sinha, 2021, p. 329), are heavily restricted (CIVICUS, 2017, p. 2; Shah, 2021, p. 18; Thapa et al., 2020, p. 80), a fact that deserves more attention and research.

The abovementioned organizations have varying profiles, from charities to rights-based organizations. Some have international operations, and many others are local organizations. They share two common traits: first, they are officially registered organizations. Otherwise, it would not be possible to influence their operations using laws directed at registered NGOs. Second, they either publicly criticized the government or directed their work and attention toward minorities, be it based on gender, caste, or religions that Hindu nationalism considers as foreign. Parallelly, RSS-related Hindu nationalist organizations are expanding (Andersen & Damle, 2019, p. 267) and continue to receive foreign funding (Basu, 2018, p. 40).

If we cast a wider net and do not only look at NGOs but also individuals who are active in the civil society sphere, such as activists, front figures of movements, or organizations, the same patterns are replicated. Outspoken individuals who opposed the government publicly or contributed to the exposure of "unflattering stories about the administration" (Roy, 2022) have been met with restrictions, such as being held back from international travel (Mohan, 2022; Patel, 2021, p. 409). Another well-known example is the booking of Muslim student leader and activist Umar Khalid under the Unlawful Activities (Prevention) Act for alleged conspiracy (Patel, 2021, p. 223). While these are examples of restrictions in the physical space, online harassment of activists and human rights defenders has become increasingly common (Jaffrelot, 2021, p. 236). In many cases, targeted individuals are minorities or dissenting intellectuals (Bhatia, 2022, p. 8) and, especially in the online space, women (Bhatia, 2022, pp. 14-15; Gittinger, 2019, p. 104).

Previous research has not investigated how the restriction processes are rooted in Hindu nationalism and how they might have contributed to the BJP's power assertion. *Hindutva* is repeatedly described as anti-minority (Chatterjee, 2020, p. 108; Basu, 2018, p. 45; Jaffrelot, 2021, p. 188), elitist, casteist (Natrajan, 2022, p. 306; Thachil, 2014, pp. 76-77), conservative (Jaffrelot, 2021, p. 23) and patriarchal (Kinnvall, 2019, p. 295; Natrajan, 2022, p. 308). That progressive organizations and individuals advocating for religious minority, caste, and gender rights issues are overrepresented among restricted entities, while *Hindutva* organizations are unhindered in their operations, suggests that these restriction processes have ideological roots and objectives. Instead of merely being a sign of autocratization (Papapda et al., 2023, p. 25), they also appear to be a piece in the puzzle of establishing *Hindutva's* idealized society. This thesis investigates this observation in more detail. Moreover, while previous research has

predominantly focused on FCRA-related restrictions, this project looks beyond the direct obstruction, asking about further consequences beneficial to Hindu nationalist objectives and the influence on the relationship between state and civil society.

3. Methodological choices

In this chapter, I present and discuss my methodological choices for this project, address research ethical considerations and reflect on the research process. The level of detail I provide in this chapter deliver transparency and reflexivity, two core aspects of good research quality (Tjora, 2021, pp. 259-260). The transparency I provide here will be continued in the analysis chapter by presenting direct quotes from the data material.

3.1 Reflections on the choice of research method

My primary research question is rather exploratory. I was especially interested in the experiences of individuals who work in the organizational sector. As I aimed to understand the meaning of specific topics in someone's life world, I decided to conduct semi-structured qualitative interviews (Brinkman & Kvale, 2015, p. 32). I wanted to hear the informants' reflections on specific topics but still have the flexibility to allow digressions from the interview guide in case informants mention aspects of the topic that are relevant that were new to me (Tjora, 2021, pp. 127-128). I ended up conducting 15 interviews with representatives of organizations in India on Zoom.

Before this project, I had only known the organizational sector from Norway, which was coloring my understanding of what I was told in the interviews. I decided to use my Fritt Ord research grant to travel to India for two weeks and visit an organization that had experienced restrictions. The objective was to better understand their work and which obstacles they had to face because of the restrictions. This experience gave me a better overall understanding of the context and made it possible to join meetings and events, in addition to further formal and informal conversations. During the stay, I collected field notes that served as data material.

3.2 Sampling and data collection

3.2.1 Interviews

3.2.1.1 Defining the sample and establishing contact online

As I described in the introduction of this thesis, I researched how government restrictions have contributed to Hindu nationalist power assertion since 2014. I was especially interested in how restriction patterns reflect the Hindu nationalist ideology, which consequences of the restrictions benefit the realization of a Hindu nation, and how the restrictions influence the relationship between the state and the oppressed civil society sector. To gain the necessary knowledge to answer these research questions, I needed to find informants who could reflect and talk about topics of interest (Tjora, 2021, p. 145). I applied two sampling criteria. First, the informants needed to be connected to organizations that had experienced restrictions since 2014. Second, all organizations were required to have an English online presence. Otherwise, it would not have been possible for me to contact them, as I reached out from afar and do not speak any regional languages.

I found names of potential NGOs that could provide the project with informants in newspaper articles, research reports, research articles, open letters by organizations, and FCRA-cancellation orders issued by the Ministry of Home Affairs (MHA). An additional source was my professional network in Norway. Two of my informants became important gatekeepers, as they put me in touch with other people from their network. Most of them worked in different organizations than the gatekeepers, while some others had been working with them earlier and had moved on to a new occupation since. The gatekeepers put me in touch with their contacts virtually, and I established one connection at an event to which one of my gatekeepers had invited me during my stay in India.

In the initial e-mail to potential informants, I included basic information about the project, why I reached out to them, and that anonymity in dissemination would be highly prioritized. For credibility, I also included that the research data would be protected by following the guidelines of the Norwegian Centre for Research Data (NSD). To establish trust (Salmons, 2021, p. 17) and to let my informants know who I was, I mentioned my professional experience in the NGO sector and included the link to my LinkedIn profile in the signature of the e-mail.

Overall, I contacted 24 organizations and individuals, excluding the contacts I received via my two gatekeepers. Eleven worked with democracy, human rights, or minority rights, six were Muslim or Christian organizations working on community projects, education, and poverty, and three organizations focused on environmental and agricultural issues. The remaining four were consulting organizations. From these contacts, I received six positive replies, three negative replies, eleven requests were left unanswered, three stopped replying and one lead I did not pursue further. The latter is an example that it can sometimes be difficult to evaluate the authenticity of the person with whom one only has virtual correspondence (Tjønndal & Fylling, 2021, p. 127). In this case, I found the name of an organization focusing on human rights law in a news article. I received a positive response in an e-mail, asking me to write to them on WhatsApp some weeks later. When the time came, we messaged about a possible date and time for the interview. Instead of an answer to my question about their schedule, I received a message that seemed entirely unrelated to our previous conversation, including a suspicious link. For data security reasons, I did not open it. To this day, I do not know whether the message was unintended, whether the account had been hacked, whether the organization was a scam, or whether there was some misunderstanding. As this incident sewed doubt about this potential informant's trustworthiness, I did not pursue the conversation further.

Two of the organizations that replied negatively justified their decision by saying that contributing to this project would be uncomfortable for them or that they refrained from talking to external sources. One did not give a reason for the negative response. Interestingly, none of the organizations with religious roots responded with a positive reply. I only got in touch with representatives of such organizations through the two gatekeepers.

In the final sample I had 15 individuals, six women and nine men. Four of them I had gotten in touch with myself, two contacts were established via my Norwegian connections, while the remaining nine are contacts I found with the help of the two gatekeepers. The informants were located in six different states in India, and two had moved to another country. Their age range was between thirty to around seventy years old. Of these 15 individuals, 12 were working in organizations focusing on democracy, human rights, or minority rights, three of which had a minority religious anchoring. These had varying topical emphases, such as secularism, anti-communalism, religious minority rights, Dalit and Adivasi rights, gender rights, children's rights, or a broader defined focus on civil and political rights. Most of them were working with

rights-based approaches, while two also included charitable programs in their work. Two other informants worked in consulting organizations that supported other associations. Their focus ranged from varied kinds of community concerns to environmental and gender rights. The last informant was a practicing human rights lawyer and activist. I noticed that only one woman in my sample had a leadership position, while six out of nine men were leaders or board members in their organizations. There was a clear gender imbalance regarding employment ranks in the sample. The interviews were conducted on Zoom and lasted 30 to 90 minutes, while most interviews lasted 45 minutes. All of them were recorded, transcribed, and anonymized.

The sample and knowledge I produced in this study might have looked different had I chosen another sampling technique. I could have conducted fieldwork longer and established contact with representatives in-person. This way, I could have added representatives of smaller organizations without any online presence to the sample. Additionally, even though several organizations had field offices or projects, all organizations had their main location in urban areas. Had I included organizations based in rural areas, I might have gathered different kinds of information than I did in this project. This reasoning goes against Oliffe's et al. (2021, p. 4) and Archibald's et al. (2019, p. 4) conclusion that conducting interviews online will make the sample more inclusive because people living in remote areas can be reached as well. While this might be the case for Canada and Australia, where they conducted their research, the contrary is true for India. Several of my informants told me they were unavailable while traveling in what they called "remote areas". Even though internet access is increasing in India, the urban-rural divide is still noteworthy (Economist Impact, 2022; Lele, 2022).

3.2.1.2 Interview guide

For the interviews, I used an interview guide with fully formulated questions which can be found in the appendix of the thesis. The guide consisted of simple opening questions (Rubin & Rubin, 2005, pp. 117-118; Tjora, 2021, p. 159) and main questions that invited reflections closely connected to the research interest (Tjora, 2021, p. 160). The interviews ended with an encouragement to add anything they found important to mention and that I had not asked about yet (Tjora, 2021, pp. 160-161).

Since I had informants who worked in varying roles in different kinds of organizations, and had individual experiences, some questions had to be reformulated, depending on the interviewee. How I posed the questions also depended on the flow of the conversation and which questions informants answered during their narration, without being explicitly asked. Instead of pilot testing, which some literature suggests (Hennink et al., 2020, p. 125), I used the knowledge from early interviews to decide which topics would be especially interesting to investigate further or which questions I should pose differently. Transcribing the interviews shortly after allowed me to follow up with further questions (Rubin & Rubin 2005, p. 138). Even if each conversation had different emphases, the same topics were covered.

3.2.1.3 Conducting interviews on Zoom

In literature about conducting qualitative interviews, meeting informants in person is described as the "golden rule" (Hennink et al., 2020, p. 133) or "gold standard" (Deakin & Wakefield, 2014, p. 604). However, studies have shown that high-quality interviews can also be conducted using videoconferencing technology (Archibald et al., 2019, p. 7; Gray et al., 2020, p. 1294; Deakin & Wakefield, 2014, p. 604). Deakin and Wakefield (2014, p. 604) argue that online interviewing should not be regarded as the second-best option if face-to-face interviews are not possible but as a viable alternative that does not compromise research quality. These findings encouraged me to conduct the interviews on Zoom. I argue that this option came with benefits that would have been lacking had I conducted the interviews in person.

First, Zoom interviews provided flexibility and efficiency. It was easy to schedule interviews on short notice, and they could easily be rescheduled without losing money or time. Second, these interviews could effortlessly be fitted into a daily schedule, as none of us had to travel or commute. Third, conducting interviews over an extended period and interviewing people living in different areas was possible. Archibald et al. (2019, p. 4) found that both participants and researchers value the effectiveness of Zoom interviews, and I had the same experience.

To ensure the experience of interviewing online would be pleasant, I attached the following to the meeting invitation: the information letter about the project and data management and a short checklist with recommended preparations before an online interview (Archibald et al., 2019, p.

6). I also followed Irani's (2019, pp. 6-7) practical recommendations for researchers conducting videoconferencing interviews to avoid or adequately handle unforeseen inconveniences.

Aside from these positive remarks, there were two minor drawbacks. First, the usual chit-chat at in-person meetings was partly lost. Second, disturbances such as an unstable internet connection or difficulties connecting to Zoom are out of one's control. They once called for a forced break, moving to another platform and occasionally opting out of videoconferencing. The lack of visual cues made it sometimes harder to understand an informant and more challenging to grasp irony or sarcasm.

3.2.1.4 Transcription

With the consent of the informants, the interviews were recorded for the ensuing transcription. This way, I could focus on the individual conversation instead of taking detailed notes of what an interviewee said. Before transcription, I created a list of transcript conventions to use the same transcription style for all interviews. I based this list on suggestions by Brinkmann and Kvale (2015, pp. 208-209) and Maynard (1988, pp. iii-iv) but edited them to my preferences. The final list of transcript conventions can be found in the appendix of this thesis.

As suggested by Tjora (2021, p. 185), I decided to transcribe the interviews as detailed as possible. I listened to each interview twice: once to do the first draft of the transcription and the second time to check the transcription for eventual mistakes. This level of detail ensured that the transcripts were as true to speech as possible. It was helpful as I sometimes analyzed my informants' choice of words in addition to their contents, which will be visible in chapters 5.2.1, 5.2.2 and 6.2. The thorough transcription processes ensured the reliability and validity of the data analysis. I also anonymized sensitive information during transcription and replaced it with more generic germs. I kept a handwritten key of the original information and stored it locked.

3.2.2 Visiting the field

In addition to interviewing, I visited an organization for two weeks. Even a short visit provided insightful information contributing to the amount of data I could collect for this project. The

trip also influenced my understanding of the context I would not have had otherwise, providing a better-informed base for the data analysis. I want to highlight four examples. First, I got to see the practical implications of cuts in funding for an organization up close. Second, the visit revealed an outtake of Partha Chatterjee's (2004, pp. 38-39) civil society matrix and where my informants could be placed. Third, I got to know the network character of the civil society sector, which I would not have picked up on otherwise. And fourth, I got an insight into how engagement in an organization and activism were fused with private life. In this environment, being part of an NGO did not mean the role was merely regarded as a bread-winning job. This critique is directed at the organizational sector in some literature (Goswami & Tandon, 2013, p. 655). My insights showed a different side of the sector where the individuals were personally connected with each other, the mandates of their respective organizations, and the overall sector.

In the organization, I observed a lot of coming and going of its representatives, their friends, family, and visitors. The work tasks would melt together with social gatherings and joint meals and were generously spread out over the day. The office was also used for completing other tasks, such as university homework or virtual job interviews. My role was a student researcher "shadowing" (Czarniawska, 2018, pp. 68-70; Tjora, 2021, pp. 77-78) informants to gain insights into the field. More specifically, my role was at times that of a participant observer (Czarniawska, 2018, p. 68) as I participated in meetings and conversations or that of a "go-along" because I joined one or more informants to a work-related outing. I could ask questions there to make sense of what I observed (Kusenbach, 2003, p. 463).

My activities in the field were the following: First, I was invited to the organization's premises for several days. I had informal conversations with the founder, volunteers, and interns, hung out with them, and joined them for lunch and tea. I gained more insights into the day-to-day implications of restrictions which I will address in chapters 4.2.1 and 5.1, and heard about instances of activist harassment. Since I could ask questions about many issues related to my research interest, the conversations from the trip informed many different chapters of this thesis with details. The founder also gave me reading material that the organization had published. Second, I attended two online meetings in a network of different associations organizing a protest, which I later joined as a bystander. These meetings and the protest introduced me to the practical application of "constitutional patriotism" (Biswas, 2020), a concept that I will

discuss in chapter 5.4.2. Third, I was also invited to an informal project presentation, followed by a dinner party with various representatives of organizations in the city. The latter was an occasion that gave insights into the network character of the sector, which I will discuss in more detail in chapter 4.2. Lastly, I was connected to other people working in the civil society sector whom I interviewed on Zoom during and after my stay. While more than half of my informants for the interviews were male, women dominated the field I visited.

The fact that I visited only one urban organization will have shaped my understanding of the context differently than if I had visited several organizations in different parts of the country or rural areas. Additionally, the organization I visited was the only one where I talked to more than one person. It might have been possible to gain more nuanced insights into the impacts of the restrictions had I interviewed several people from one organization in more cases. However, as this project is relatively small, I had to prioritize either breadth or depth in choosing informants. For research ethical reasons, I decided to explore experiences and reflections across different organizations instead of using a depth-oriented case-study setup. I will discuss this in more detail in chapter 3.5.

During my days in the office, after informal conversations, insightful observations, and during events, I wrote down jottings on my phone. To respect the informality of the space and my role in it, I only made mental notes of the conversations and refrained from taking notes while talking. Using the phone for jottings was a natural choice for the environment (Schindler & Schäfer, 2021, p. 17), as most people used their phones constantly for working throughout the day. I translated these jottings into a comprehensive text later. As Schindler and Schäfer (2021, p. 20) suggest, I wrote down my thoughts or questions along with the notes to avoid forgetting them. I separated them clearly to avoid confusing them with what I had observed or heard.

3.3 Description of the collected data

As described previously, I conducted 15 semi-structured interviews and collected field notes during my visit to India. After transcription, I had 150 pages of interview transcripts and 40 pages of field notes.

In each interview, I asked an average of 10 prepared questions and four spontaneous follow-up questions. These numbers largely depended on the interview length and how much an informant disclosed freely without being asked. Most of my informants were very talkative. They often answered several of my questions in one long response. The talkativeness also meant that I did not always get a chance to follow up. Still, the transcripts were dense with relevant information for the data analysis. I was served with new angles that I would not have gained from an interview guide with closed questions or by frequently disrupting my informants. It also led me to change the focus of the questions about the Foreign Contribution (Regulation) Act, as I realized there was more to its workings than I had anticipated.

Another noteworthy deviation from the interview guide is that I became more careful about using the term '*Hindutva*' in my question about the link between the BJP's ideology and the restrictions. In the first four interviews where I used the term, the informants tended to talk about Hinduism and orthodox tendencies of some societal groups. Since I intended to find out if and how they regarded the restrictions as linked to the ideology of the BJP, I used 'ideology' or 'Hindu nationalist ideology' in the question instead. I only used the term '*Hindutva*' in cases where the informant had already used the term before. Alternatively, I framed the term more precisely, saying that I had come across the term when reading about the BJP's ideology.

Even though all informants were asked several different questions, I noticed their tendency to emphasize their interpretations of the restrictions' objectives and the government's underlying ideology. This observation had four exceptions. Two informants were telling their individual cases in detail, one emphasized the larger societal context into which the restrictions for organizations are embedded, and one informant talked particularly much about difficulties that civil society is facing from inside the sector and how this observation is entangled in the obstacles that the government poses.

The field notes served primarily as context for what was said in the interviews. Therefore, the notes have not been as densely coded as the interview transcripts. However, several of the unstructured conversations added detail to information from the interviews.

3.4 Data analysis

Some researchers (Saldaña, 2016, p. 21; Rubin & Rubin, 2005, p. 202) suggest starting the analysis parallel to data collection. I did an orderly and detailed analysis after all interviews had been conducted. However, in the interview phase, I wrote down interesting observations, ideas, and possibly relevant literature in a research journal. After I had analyzed all transcripts in detail, I revisited these earlier notes to see if they were indeed relevant.

Anker (2021, pp. 77-78) and Tjora (2021, pp. 218-225) both present examples of inductive "in-vivo" coding, which means generating codes from the data material instead of from theory. However, their examples differ in a significant way. While Anker's (2021, p. 78) example shows codes with rather general terms that reflect the theme of a quote, Tjora (2021, p. 224) emphasizes the importance of mirroring what is said in a text. Figure 3 illustrates the two approaches applied to an outtake of one of my interviews.

Quote	In-vivo code (Tjora, 2021)	In-vivo code (Anker, 2021)
Dinesh: The scope of implementation, it has killed the scope of local organizations to thrive and survive because you know, FCRA laws were not just for- you know, one of the key acts in another amendment says that you can't subgrant which means most of the international NGOs work in partnership with local organizations et cetera.	"killed the scope of local organizations" "you can't subgrant"	Impact on organizational structures/resources FCRA specifics

Figure 3: In-vivo coding example

I used Anker's approach in my analysis because it seemed more practical for the later categorization of codes. Most of the code names were inductive and based on the material. A few were taken from literature I had read before, such as the code related to the BJP's *Hindutva* ideology or code groups regarding the FCRA. Given these few deductive examples, one can argue that this part of the coding process was abductive (Gleiss & Sæther, 2021, p. 171), meaning a combination of a deductive and an inductive approach. I coded all transcripts with Microsoft Word, using colors for visual cues and margin comments for code attribution. I kept a digital log to jot down observations and questions throughout the process.

After the initial phase of the coding process, I had 59 codes. These were then clustered further into seven topical categories, which I restructured once more. In the end, I had three main

themes that informed the research interest in a nuanced way. These final three main themes became the three analytical chapters of the thesis. Based on my coding technique and the grouping of themes, the presentation of my findings, their interpretation, and discussion are combined under thematic headlines. Given that the contexts are complex and combine many different aspects of the current political environment, this approach makes it easy to follow the argument of this thesis, alongside receiving additional background information necessary to see the findings in the larger context. The first theme concerns questions about types of organizations and individuals affected by restrictions and harassment. The second theme is dedicated to indirect restrictions, the ripple effects of direct FCRA-related restrictions, and the larger objective of restriction processes, as experienced by my informants. The third theme is related to the question of whose space is shrinking. It refers to different parts of the civil society sector and in which way they are affected by restriction processes, or if at all. It also discusses the restriction patterns' consequences on the relationship between the state and civil society. To gain analytical depth, I used two different approaches to analyze my data. On the one hand, I looked at the contents of my informants' descriptions. On the other hand, I analyzed patterns in their use of language and metaphors. The latter approach was beneficial for taking a meta-perspective to discuss the current state-civil society relationship.

3.5 Research ethical considerations

Three sources influenced my considerations to ensure this research project was conducted ethically. First, I based myself on the guidelines from the Norwegian National Committee for Research Ethics (NESH) (2022). Second, Frydenlund's (2005, pp. 176-177) reflections on fieldwork in a tense South Asian setting were insightful and influenced the research approach. Third, informal conversations with gatekeepers and potential informants had a similarly strong impact on the ethical considerations regarding the design of this project. Based on all three sources, I decided that a case study approach would not be a responsible choice for this project. Given the government's aggressive handling of the sector, which will become visible in my analysis, it was essential to anonymize both individuals and organizations to avoid jeopardizing the organizations' future operations and individuals' safety. The anonymization includes the informants' names, roles, organizations, and location in India. The interviews and job

shadowing aimed to outline the situation for civil society organizations and create an overall picture.

3.5.1 Risk assessment and data security management

I conducted risk assessments at several points in this project: before the interviews, regarding data security, and ahead of the visit to India. I revisited the risk assessments throughout the data collection process. The assessment and my plan for data security management were set up in cooperation with the IT department at my school and with NSD.

To keep the online meetings safe, I used my school access to Zoom. The meeting had an automatically generated ID, was end-to-end encrypted, the waiting room function was active, and I locked the virtual room after the informant had entered. After the interview, the meeting details and any information about the recording were deleted. The interview material was stored in an encrypted file.

I took the following measures regarding securing research data: I purchased a separate laptop to handle research data. It was neither used for private purposes nor by anyone but me. Back-ups were made on a highly robust external hard drive that was only used for research data and stored safely at home. Additionally, I followed the school's (MF, 2022) guidelines for using private devices.

Moreover, data security while traveling was a critical aspect to consider. Regarding using my phone on my travels, I did not jot down sensitive information, names, or places. The jottings were general, and I frequently used abbreviations. My field notes and pictures were stored in an encrypted folder on my laptop, hidden between files for my part-time job. Also, the recordings of the three semi-structured interviews I conducted on Zoom in India were stored there. Otherwise, I did not bring any thesis-related material on my laptop. I took these precautions because I would stay in an environment of political interest, which I knew was under the government's radar and therefore monitored.

The risk assessment for my own safety included considerations regarding the Covid-19 situation in India and the risks of traveling alone. I also needed to consider my professional background as an ex-employee in an NGO whose Indian section had been restricted and how this might

influence the visa-application process. I decided to tone down my connection to the organization on my social media profiles. This decision was based on precedents where researchers who had been working on issues that the government found controversial were denied entry (Biswas, 2022).

I also made sure not to leave any traces online and on social media. I never booked an Uber vehicle directly to the addresses I wanted to visit. I did not follow the organizations or individuals on Facebook, Instagram, or Twitter and refrained from connecting with informants on LinkedIn. I also made sure to delete the phone numbers and chat history on WhatsApp and Signal before traveling and after the project was finished.

3.5.2 Informed consent

To achieve "voluntary" and "informed" participation (NESH, 2022), I briefly presented myself and the project in the first e-mail contact. Once informants had expressed interest in participating and the date and time for an interview were set, they received a detailed information letter[6] about the research project and its procedures. I explicitly asked for their consent to join the interview, which was given verbally and was recorded in all cases. I also asked their permission to tape the conversation for my reference (Tjora, 2021, p. 180). All informants agreed to this.

During my time in the field, I usually[7] introduced myself by mentioning that I was a student studying the current oppression of organizations and visiting the organization to learn more about it. In the office and at exclusive gatherings, everyone got to know my student-researcher identity. Thus, anyone I talked to knew why I was asking the questions I asked. However, informed consent to conversations could not be given in a similarly structured way as in the formal interviews on Zoom. Because I was open about my role, several of my conversation

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[6] The information letter had been approved by NSD prior to the interviews. The letter and the approval can be found in the appendix.

[7] For my own and my host's safety, I did not disclose my student-researcher identity in gatherings that were not exclusive and where I was unsure to whom I was talking.

partners also initiated conversations themselves. Nothing I used from these interactions in my analysis can be traced back to any individual with whom I engaged.

3.5.3 Giving back to my informants

When I visited the organization, it was important to me to express my gratitude for the invitation and the time they used to show me around and talk to me. I did not bring a gift from home but instead asked what I could contribute. The founder suggested providing one of their projects with children's books, which I did.

Additionally, informants ensured me that an international publication was helpful in directing attention to the obstruction of civil society in India. Even though this is a master's thesis with comparatively limited reach, it is publicly available for download. To take my informants' request for more international attention seriously, I intend to look into other dissemination options later. Following the NESH (2022) requirements, the thesis will also be made accessible to informants electronically once the thesis has been handed in and has been approved. That this thesis is written in English is not only a practical choice but also meets the requirement of publishing the research results in an understandable way for the participants.

3.6 Reflections on the research process

3.6.1 Positionality

Regarding interviews, two metaphors are used to describe a researcher's position: the traveler and the miner (Brinkman & Kvale, 2015, pp. 57-58; Salmons, 2021, pp. 18-19). In this project, not the conversations were the research interest but the interviewees' thoughts, reflections, and experiences. Therefore, the miner metaphor adequately describes my role in the interview phase.

My position in the field was that of an outsider. I grew up in an upper-middle-class Austrian family and have only lived in Western Europe. I had no experience in the Indian civil society sector or any work sector in the country, let alone experience in being a part of Indian society.

Yet, I occasionally mentioned my work experience in the Norwegian civil society sector to establish some common ground with my informants, which helped to establish rapport.

Ahead of the protest I watched, I asked one of the coordinators some questions about it. I was thinking back to when I had joined a solidarity event for Ukraine in front of the Norwegian Parliament in Oslo earlier the same year, an open and publicly visible space. I asked whether passers-by often joined events like this. To my surprise, she smiled, seemingly amused by my question. She explained that it was impossible to see from the outside what was going on at the protest site and that it was unlikely that anyone would join spontaneously. This experience proved that even though I did have several years of work experience in the same sector in another country, it was not enough to consider myself an insider in the field I was studying. Thus, job shadowing in an organization was a crucial addition to this project and built a more solid ground for contextualizing and analyzing the interview data. While the outsider position had some drawbacks that I could partly make up for in the visit, it also came with an advantage. Had I been from within the Indian organizational sector, some informants might not have pointed out the internal biases and hierarchies in the sector, which I will address in chapter 6.3.

3.6.2 Limitations of the project

Regarding the limits of this project, three aspects should be addressed: the sample, possibly blurred cultural nuances, and unaddressed questions about the larger political context. I do not regard the following reflections as shortcomings of the project. Instead, they mark the project's scope and the preconditions that influenced the knowledge production.

First, thoughts on alternative sampling methods were discussed in chapters 3.2.1.1 and 3.2.2. Second, as written in chapter 3.6.1, I was an outsider in the field. Therefore, certain nuances of what I was told or observed will have gone unnoticed. To limit the extent of my blind spots, I made an effort to address them with some conversation partners. In addition, I read up on these aspects on my own. This concerned especially matters of caste and class. In addition to cultural nuances, the language barrier was another issue to consider. Parts of the events I joined contained conversations and presentations in Hindi. As I neither speak nor understand Hindi, I might have missed some information that could have been insightful for the project.

Third, my research interest focuses on the current central government. Possible nuances of conditions for organizations in different states have not been considered. This is a potential further research area, especially comparing the conditions for organizations in BJP-led and non-BJP-led states.

Lastly, it must be noted that I entered civil society's discourse about its shrinking space at a particular point in time and, regarding my visit, in a specific place and social environment. My informants, too, were aware that the political circumstances were very dynamic when we talked. Therefore, my research can be understood as a snapshot of the discourse as it was in autumn 2022.

3.6.3 Reflections on the research quality

The research quality was continuously evaluated throughout the project (Hennink et al., 2020, pp. 134-135) and presented and reflected upon in this chapter (Tjora, 2021, pp. 278-281). As usual for qualitative research, the guiding terms for these assessments were reliability, validity, and generalizability (Tjora, 2021, pp. 259-260).

To strengthen the reliability of this project, I presented the methodological choices and ethical considerations in detail to provide transparency. The thorough transcription process contributed positively to the reliability of the data, too. To provide insight into the interpretation process, I frequently included direct quotes from interviews and notes from my visit in the later analysis chapters (Nygaard, 2017, p. 151). In chapters 3.6.1 and 3.6.2 I reflected on my own positionality and blind spots as an outsider and how it might have affected data collection and analysis.

To strengthen validity, I ensured coherence between the research interest and my methodological choices (Tjora, 2021, p. 262). Because this project is rather explorative, interviewees were encouraged to tell what they thought was important to mention in addition to my questions. Likewise, I followed along with my host during my visit instead of imposing a specific schedule myself. As an outsider to the field and with an interest in my informants' experiences and understanding of the political development and its influence on their work, it was essential to let informants point out what they found noteworthy for me to see, hear, and experience. Also, interviews were conducted until saturation was reached.

That I combined interviews with job shadowing will have improved the validity of the research project (Nygaard, 2017, p. 147). Since I chose to stay in the field, even if only for two weeks, I could reduce my preconceptions as a geographic outsider and from previous work experience in a Norwegian NGO (Nygaard, 2017, p. 148). Additionally, it provided further depth and new insights, such as the day-to-day operations in an obstructed organization, activist harassment, the network character of the sector, enclosed protest spaces, and how civil society actors talk about the ongoings among each other.

The conclusions I drew from this project are primarily relevant to the units of my analysis. However, I want to highlight one aspect that strengthens theoretical generalizability. Even though I interviewed individuals about their own experiences and interpretations, I talked to them in their capacities as representatives of organizations in the civil society sector. As mentioned, the sector is interconnected, and regular exchange of opinions and information occurs physically and virtually on social media. Thus, the answers I received can be considered an account of the larger discourse in this part of the sector and for representatives of the same demographical group.

4. Rights-based approaches and minority religious roots

In chapters 4, 5 and 6, I will present, analyze, and discuss my research findings. These three analytical chapters are structured thematically. Instead of a chronological and linear order of presentation, analysis, and discussion of the research data, the circular compilation of the three aspects aims at progressing my argument.

The three chapters are ruled by slightly varying logics. Chapters 4 and 5 will present the data I gathered, my analysis, and a broader discussion of their context and implications. In Chapter 6, I will take a meta-perspective on my field of research. I will draw more extensively on existing literature to bring the research data and their analysis into a closer conversation with the ongoing scholarly debate on civil society's inner dynamics and its relationship with the state. For transparency in my analysis and to illustrate the arguments, I will include direct quotes from my informants throughout the text. The informants' anonymized first names accompany the quotes[8] to clarify which informant is speaking. The quotes are especially telling examples and descriptions of the respective issues. The themes I will address reoccurred throughout the interviews and the conversations in which I participated in the field. A noteworthy exception is civil society's own hegemony, which was only addressed by one informant and which I will discuss in chapter 6.3.

For the description of the field and my findings, I use the terms 'NGO' and 'civil society' alongside each other. The reason is twofold: First, even though I initially contacted NGO representatives, they are connected in networks and active in the larger civil society sphere as activists, researchers, writers, coordinators, and contributors to social movements. Working in an NGO is only one of their capacities. Therefore, speaking of my informants as NGO workers and their work field as the NGO sector does not do their activities and connections justice. Second, my informants perceived themselves as part of civil society and used the term to describe their environment rather than speaking of the NGO sector. That all informants had had access to university education, several held master's degrees and some even PhDs, strongly indicates that they are at least middle-class citizens. Thus, their representativeness of the civil

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[8] The anonymized names of the interviewees are the following: Ayesha, Dinesh, Elizabeth, George, Josephine, Joshua, Mahesh, Maryam, Noor, Pradeep, Rizwan, Sara, Simon, Thomas, and Vikram. Lastly, Priya was a volunteer in the organization I visited, with whom I had several informal conversations.

society sector can be questioned based on Chatterjee's (2004) civil society critique. I will address this issue in chapter 6.3.

Even though previous literature stated that dissenting rights-based, religious, and other minority organizations are met with direct restrictions disproportionally, the sources do not give more detail into the dynamics and Hindu nationalist logic behind this finding. In the following subchapters, I will first present the characteristics of affected organizations and individuals I encountered in my research and discuss how *Hindutva* determines their restrictions. Second, I will discuss how the dynamics behind the restrictions amplify the tensions and opposition between the populist categories of 'people', 'elite', and 'others'. This is an essential observation to take to later chapters.

4.1 Organizational profiles

Existing documentation about organizations that have experienced restrictions since 2014 frequently points to two kinds of organizations that are most affected: organizations that openly criticize the government and work on minority issues, and in some cases, both (Bauman, 2021, p. 6; CSIP, 2018, p. 16). My informants confirmed these findings. Like many scholars and reporters (CSIP, 2018, p. 19; Economic & Political Weekly, 2015, p. 7; Thapa et al., 2020, p. 82), my informants repeatedly referred to prominent restriction cases such as Greenpeace or Amnesty International. Since they are activist organizations, the emphasis on these cases can give the impression that government restrictions for organizations mainly concern rights-based organizations. However, as the chapter 4.1.1 will show, this is not the case.

I am drawing on several sources to present a typology of organizations affected by restrictions above average. The primary source is my informants' accounts and the organizations to which they introduced me. Existing literature and news reports have informed the scaffold as well. I am differentiating between two kinds of organizations: rights-based organizations that do advocacy work and charity organizations that focus on service delivery. Examples of advocacy work are protesting, lobbying, campaigning, fact-finding and writing reports. The mandates of these organizations can take many different forms. Some focus on specific groups and work on Dalit, Adivasi, or gender rights. Others have a more open scope and define their work as advocating secularism or civil and political rights. Examples of charity work are disaster relief

work, health care, and educational afternoon programs for children. Charity work is often religiously inspired. In some organizations, rights-based work overlaps with issues of religion. Examples are organizations with Christian roots that engage in activism for a specific set of rights or a societal group or non-religious organizations that work for the rights of minority religious communities.

4.1.1 From secular activism to religious charity

Some informants differentiated between rights-based and charity organizations in light of restrictions and suggested that the implemented restrictions affect these two types differently. They argued that while two organizations work with weaker sections of society and have a similar topical focus, they can still face different consequences. They reasoned that if an organization asks questions and voices demands instead of merely delivering services to people, they are facing harsher restrictions.

> Everything we do is connected to the larger politics. Others are only focused on a small aspect without questioning why the issue is there ((forming a small box with her hands)). That is the difference between charity and activism. (Ayesha)

One organization might work with weaker sections of society without politically challenging the group's health care, living, working, economic or other conditions. Another organization, however, might question the same system, request debate, offer perspectives for changes in the given system, and demand accountability. "It's the approach they are weary of," Dinesh explained, and elaborated:

> The approach is that you build community institutions, to empower people, *and*[9] you empower people so much that they *have* the ability to *hold* the government accountable. (Dinesh)

With his description of the approach of which the government disapproves, Dinesh opened two different doors. The first is the concern with government accountability and rights advocacy. The second is community empowerment. At this point, I will focus on advocacy work and

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[9] Italic words in quotes signal emphasis.

discuss organizations' community access later in chapters 5.1 and 5.2. Also, Rizwan confirmed this observation and explained:

> The organizations who work on such issues are a threat to them. A threat to their establishment, their power. They are challenging their power. So, they control the organizations that are working with a rights-based approach. (Rizwan)

It is also noteworthy that all rights-based organizations in my sample express that their values are aligned with the Indian constitution as effective since 1950, including its 1976 addition of the term 'secular' (Shah, 2021, p. 23), a point I will come back to in chapter 5.4.2. As indicated in chapter 1.1, Hindu nationalism's issue with secularism and its advocates is that they are perceived as an obstacle to the implementation of a state tailored to Hindu majoritarian interests. It draws a line between the "true Indian" Hindus and "political dissidents" (Nilsen, 2018). Their defense of constitutional secularism is interpreted as a betrayal of the majority and appeasement of religious minorities (Jaffrelot & Tillin, 2017, p. 180). As Jaffrelot (2021, p. 160) reports, secularist NGOs were "the first targets of India's new masters" after the election in 2014 in the promotion of *Hindutva*.

Dinesh continued his reasoning and proposed that the distinction between charity and rights-based work will become less and less relevant for future restrictions of organizations. He argued that any topic of societal interest, even issues such as sanitation or education, can become political and challenge the government line. According to his logic, the potential for future criticism will become enough reason to curb an organization's efforts, irrespective of its primary approach.

> Then, of course, people like us who've talked of human rights directly, freedom of expression, […] those are very high issues on which there's complete no-go and you get completely kicked, but not to say that any other issue is not political, that is the problem. […] and that is what we have been saying here to civil society also, that just because you are working on water [it] will perhaps take another five years, but after five years, it will come to you also. […] precisely because *each* issue is a political issue. If you talk of water, *who* gets water in the country and at *what* price, who doesn't have access is a political issue. If you talk about education, *who* gets education, *who* doesn't get education, under *what kind* of quality and all is a political issue and so on. So anytime we will try and raise those questions, from that lens, will become a political issue, and therefore you *will* be targeted. So in that sense, nothing is, you know, going to escape, and as I mentioned, there may be some top priorities […], but so long as the regime thinks that *each* issue, *any* organization which is working on *any* issue, is taking it up in

a way in which it is going to end up *critiquing* government or government policies are going to face the ire. (Dinesh)

Dinesh pointed to a potential direction of development. However, cases such as Missionaries of Charity or Compassion International, both charity organizations, prove that restrictions beyond rights-based organizations are already happening. Compassion International was forced to close its doors in 2017 (Compassion International, 2017), and Missionaries of Charity faced difficulties with their funding license in December 2021, ironically enough, on Christmas Day (Mehta, 2021). There is mainly one aspect within charity organizations that can explain why also they have had their funding licenses revoked or were even forced to close down their entire operations: their minority religious roots.

> There's also this whole delegitimizing *religious* minorities and a lot of organizations that are registered for welfare for service by religious institutions *are* getting FCRA funds, *are* getting foreign funds. And many of them, not many of them, at least *some* of them certainly are associated with conversion. It's not forced, it is certainly encouraged, you know, so if you *are* technically encouraging a change of, you know, official religion, then it is seen as a threat to the right-wing Hindu dominance. (Elizabeth)

The reason behind the restrictions on Compassion International's operation in India was the government's concern with religious teachings directed at children and an allegedly implied encouragement to convert (Duerksen, 2017). Duerksen (2017) argues that minority religious activities and the feared growth of these communities are seen as "detrimental to national interest", a phrase used to describe those kinds of activities which are ineligible for foreign funding, according to the FCRA (FCRA, 2010, introduction). This argument matches Elizabeth's observation that minority religious activities are perceived as a "threat to the right-wing Hindu dominance".

Josephine also addressed the obstacles Christian and Muslim organizations face, including charities. Likewise, she pointed to the fear of conversion to Christianity and the fear of the communities of religious Others outgrowing the Hindu majority. George and Joshua, two of my other Christian informants, shared this view.

> So according to them, they have this idea, and it is spread this idea that Christians will convert people, and then they convert people and make them Christians, and then Hindus will become the minority, and being minority is *dangerous*. The paradox of it is hilarious, you know that minorities are always in danger ((laughing)), and so you don't want to be a minority. (Josephine)

Both informants, Elizabeth and Josephine, came from a Christian background which is likely why they emphasized the situation for Christian organizations. Priya, who had a different community background,[10] perceived Muslim organizations as more threatened by restrictions than Christian organizations. As we have seen earlier, Dinesh, who had a Hindu background, did not mention minority religious charities among restricted organizations at all. The difference in emphasis suggests that an informant's personal background shapes their perception of the restriction processes and the focus within them.

The fear of conversion to Christianity originates in the debate about Christian missionary work and the fear of a "Christianization of India" (Jaffrelot, 2021, p. 190). Hindu nationalists' fear of conversion activities is certainly associated with British colonialism (Jaffrelot, 2021, p. 188) and imageries of cultural invasion. It also stems from what Jaffrelot (2021, p. 189) calls a "dying race" syndrome, even though no statistical data would suggest that the size of the Christian minority is growing. The adversity against Christian charity work is tied to the decolonization discourse[11]. Hindu nationalists use the prevention of this kind of work as a means for two ends: First, for turning away from everything it regards as foreign, and second, for turning to what it perceives as authentically Indian prior to colonialism. While missionary efforts and encouraged conversions among disadvantaged communities can and should undoubtedly be criticized, this thesis is not the right place. What is central at this point is the way the criticism of colonial influence and missionary work is used in favor of Hindu nationalist power assertion. In the given context, this is done through anti-conversion laws targeting Christian activities (Mullick, 2022) and restricting Christian organizations' work for political and ideological reasons.

Independent news articles also document (Jain, 2021; Muslim Mirror Desk, 2022) that Muslim charity organizations are similarly met with restrictions. Yet, Josephine suggested a striking difference in the rhetoric used by government officials when talking about Christian or Muslim organizations. In contrast to Christian organizations' association with conversion, Josephine told me that Muslim organizations are quickly discussed as terrorist organizations. The

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[10] From our conversation, I did not get certain information about her community background. Based on what she told me about debates within her family regarding the current political situation, I strongly assume that she has a Hindu background.

[11] The decolonization discourse refers to approaches of how to strip modes of thinking, talking and acting from colonial structures (Nye, 2019, pp. 2-3). It can be applied to multiple aspects of society, such as academic disciplines and international political relations.

association of Islam with terrorism is an often-used narrative post 9/11 in media and right-wing populist politics globally (Gittinger, 2019, p. 99; Marzouki & McDonnell, 2016, pp. 5-6). The BJP exploited it after India witnessed several Islamist terrorist attacks in the early 2000s (Jaffrelot, 2021, pp. 74-75). However, recent legislative developments suggest that the fear of conversion is also attached to Muslim organizations and individuals. In one of these new laws, the infamous love jihad conspiracy theory is used to justify the regulation of interfaith marriage and conversion, implying that Muslim men marry Hindu women with the sole intention to encourage them to convert to Islam (Jayal, 2019, p. 46). Love jihad is one example of globally circulating conspiracy theories suspecting Muslims of demographic warfare (Frydenlund, 2022, p. 106).

Both discourses around conversion have in common that the person who wishes to convert is portrayed as manipulated and without valid free will. Instead, they are imagined as unknowing of their own good and simply used by those who want them to convert away from Hinduism. Even Josephine's description of the Hindu nationalist fear of conversion shows that this idea of a puppet convert prevails. In the quote above, she used phrases like "they convert people" and "[they] make them Christians". The convert is never the agent but the object, as if the convert themselves had no say in the matter. The paternalistic character (Teater & Jenkins, 2019, p. 11) of the discourse is then translated into legislation that seeks to administer intimate and personal decisions such as whom to marry, how to view the world, and by which values and traditions to live.

The assumptions that minority religious organizations solely aim at conversion and terrorism are rooted in the majority's fear of losing its majority status. Behind the fear lies the "logic of minority victimisation" and the perception that "Hindus will only be safe in a nation that privileges their interests" (Basu, 2018, p. 45). The religious Other can threaten the hegemony. Hence, foreign funding for minority religious organizations such as Missionaries of Charity is understood as a means to "wipe out the Hindus" (Mehta, 2021). Fear is not only invoked through translating conspiracy theories and debate about neo-colonialism into legislation and related political statements. Similar tendencies of producing fear in the majority community appear online.

> The online discourse on Hindu nationalism promotes the fear of cultural appropriation
> and loss of Hindu identity to mobilize support for the BJP. Deviance from this Hindutva

ideology is disciplined, and offenders are punished through online practices such as trolling, abusing, reporting, stalking, and offline harassment. (Bhatia, 2022, p. 3)

The violent reaction towards deviance from the Hindu nationalist rhetoric against the religious Other, both online and offline (Bhatia, 2022, p. 2), also leaves these minority communities and their supporters fearful. Most of my informants described the current climate for civil society organizations and activists as a "climate of fear".

In the debate about fear of conversion and loss of majority status, it is important to note that only Islam and Christianity are at the center. None of the informants mentioned India's Sikh, Buddhist, and Jain minorities in this context. Against the backdrop of a Hindu nationalist discourse, this is hardly surprising. Because Sikhism, Buddhism, and Jainism have their roots in the Indian subcontinent, their holy land is *Bharat* (cultural India). Thus, according to Hindu nationalist views, they belong to what is called *sanatana dharma* (Hinduism) and are included in the Hindu nationalist idea of who politically counts as Hindu (Frydenlund, 2022, p. 107; Gittinger, 2019, p. 9). However, Muslims and Christians have other holy lands and are spiritually devoted to different geographical areas. In the Hindu nationalist reasoning, this makes Islam and Christianity foreign to the idea of a Hindu *rashtra* (Frydenlund, 2022, p. 107). Hence, conversion to Sikhism, Buddhism, and Jainism is not portrayed as a threat to Hindu political dominance, which also shows in their explicit exemption in proposed anti-conversion bills (Rajeshwar & Amore, 2019, p. 8).

4.1.2 Hindu nationalism's struggle with caste

My informants repeatedly pointed out that the religious Other is not the only minority group that is affected by restrictions for organizations. Similar processes concern internal dynamics within the Hindu community itself.

The informants described the *Hindutva* ideology repeatedly as Brahmanism. It is characterized by "a commitment to essentialized views of 'human nature', the patriarchal family structure, caste endogamy, and valorization of casteized capital in India" (Natrajan, 2022, p. 309). Even

though there is a debate about whether the BJP can still be regarded as an upper-caste party[12], my informants unmistakably viewed the BJP as such. Furthermore, several times, my informants referred to rights-based Dalit and Adivasi organizations as among the most affected by restrictions. In the following, I will discuss how this refers to *Hindutva's* difficulty in successfully including Dalits and Adivasis in the Hindu fold.

On the one hand, the *Hindutva* idea of a unified Hindu fold tries to incorporate Hindus across castes (Gudavarthy, 2018). On the other hand, *Hindutva* faces an internal struggle rooted in casteism that continues to exist as part of it (Natrajan, 2022, p. 306; Thachil, 2014, pp. 76-77). Building the *Hindutva* hegemony means the maintenance of caste differentiation and, with it, the stigmatization and oppression of Dalits. Advocates of the ideology are therefore left with the question of how to incorporate Dalits who oppose casteism. Natrajan (2022, p. 309) argues that Hindu nationalists tend to either defend, deflect or deny the caste issue and its "brutal hierarchy". Cyber activists do the same online (Gittinger, 2019, p. 99).

Additionally, Hindu nationalist politicians portray Dalits as an ethnic group that has a rightful place within Hinduism "so that they appear as simply "different" rather than as dominated and exploited" (Natrajan, 2022, p. 309). A similar mechanism is true for incorporating Adivasis, who are seen as a primitive and original form of Hindus (Natrajan, 2022, p. 311). This framing downplays that the Dalit and Adivasi reality is anything but benign and experienced as utterly brutal instead (Gittinger, 2019, p. 99; Natrajan, 2022, p. 310). A telling example of the clash between the ideal of a unified Hindu society and casteist violence against Dalits in the name of *Hindutva* is the lynching of Dalits by self-acclaimed *gau rakshaks* (cow protectors) (Jayal, 2019, p. 47). Jayal (2019, p. 47) argues that cow vigilantism "is clearly aimed at the economic disenfranchisement of Dalits" who live off clearing local streets from cow carcasses and the processing of beef and leather products (Daniyal, 2016), an occupation traditionally associated with Dalits. Such lynchings and their context render the *Hindutva* rhetoric of a united Hindu

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[12] In an interview with Scroll.in, political scientist Vinay Sitapati argued that the BJP has progressed from an upper-caste party to a more caste-inclusive party (Venkataramakrishnan, 2020). While the BJP has indeed managed to mobilize votes from lower castes (Jaffrelot, 2021, pp. 330-331; Thachil, 2014, p. 282) and appointed lower-caste candidates (Jaffrelot, 2021, p. 348) its interpretation as a step away from its Brahminical doctrine is contested in many places. Thachil (2014, p. 58) argues that even though the BJP is generating lower caste votes, the party's ideological orientation and its support for caste segregation has not changed. Natrajan's (2022) argumentation cited in this text is one of many examples that emphasizes this important detail as well.

fold baseless. It also shows that "to be different and unequal is not just to lack well-being, but to be subjected, over and above that lack, to violence and/or oppression that is no longer episodic and finds public justification as legitimate" (Jayal, 2019, p. 47). This is also grounded in the lack of legal consequences in cases of cow vigilantism, the increased formation of cow protection groups, and generally accelerating crime rates against Dalits since 2014 (Jayal, 2019, pp. 47-48).

Not only cases of vigilantism illustrate *Hindutva's* internal struggle with caste. Even though the RSS successfully recruits lower castes into some of its organizational wings (Jaffrelot, 2021, p. 83), other research on vote generation among lower caste groups shows that *Hindutva's* ideological ideal and the argument of Hindu unity is often little attractive to lower castes. Instead, implementing social services delivered by the RSS and catering to basic material and social needs helps establish goodwill and generate votes from these communities (Thachil, 2014, p. 24). In this case, Hindu nationalists do not generate party support through symbolically including, denying, or defending caste hegemony but through building social relationships and providing basic services such as health and education (Thachil, 2014, p. 148). Hence, using social services to draw lower caste communities to a Brahminical elite party is a deflection from the injustices attached to the hegemony the party supports ideologically.

However, this strategy does not succeed in every context, as Thachil (2014, p. 183) found in his research. One barrier is self-organization and advocacy against caste discrimination. Organized Dalit groups fight against said caste discrimination (Jakobsen et al., 2018, p. 103), and Adivasi groups advocate against their displacement in the face of large industrial projects (Oskarsson, 2018, pp. 40-41). The presence of these politicized caste groups reduces the likelihood of success for social services related to the Hindu nationalist RSS to gain social influence and its translation into a political grip (Thachil, 2014, p. 265).

The obstruction of Dalit and Adivasi organizations undercuts the advocacy efforts of these groups. This weakens their possibility of highlighting injustices and discrimination with enough visibility, which hampers their impact, as Elizabeth explained. Additionally, their obstruction hinders the translation of organizations' advocacy into oppositional electoral votes (Thachil, 2014, p. 232). I conclude that both effects, the low visibility and prevented political assertion,

play into the hand of the Hindu nationalist vision of a Hindu political unity without abolishing caste. This secures hegemony for the BJP's upper caste leadership and core constituency.

In these cases of deviance from the *Hindutva* line and resistance against their ascribed place in the *Hindutva* hegemony, Dalits and Adivasis face becoming outcasts and are labeled accordingly (Natrajan, 2022, p. 311). This exclusion places Dalit and Adivasi organizations in a similar position as the religious Other, which explains why my informants mentioned Dalit and Adivasi organizations alongside Muslim and Christian organizations as excessively restricted. Because of their political projects that oppose the Hindu nationalist worldview and societal order, these groups have lost their ascribed and cynically secure space. The origin of the BJP's resentment of Muslim, Christian, Dalit, and Adivasi organizations may be different. But their organizations, representing the external and internal Others, face similar fates.

4.1.3 Gender rights advocacy in the male public sphere

One of the central aspects of *Hindutva's* Brahmanism is the patriarchal family structure it promotes (Kinnvall, 2019, p. 295; Natrajan, 2022, p. 309). Therefore, it is hardly surprising that my informants also mentioned organizations advocating for gender rights as specifically affected by government restrictions. A prevailing gender imbalance and discrimination of women, sexual and gender minorities is nothing new. This chapter does not seek to discuss gender discrimination as such but instead sheds light on "gendered national identity" (Kinnvall, 2019, p. 293) that is characteristic of Hindu nationalism. I argue that *Hindutva's* patriarchal structure is the backdrop of why gender rights advocacy work has come under scrutiny and why the Hindu nationalist government seeks to restrict the work of such organizations. Since most of the informants who worked on gender specialized in women's rights and emphasized it in their accounts on the fate of gender rights advocacy in general, I will focus on women's rights organizations in the following.

The gendered characteristic of Hindu nationalism becomes visible in the imagination of India itself. India is imagined as *Bharat Mata* (Mother India), the goddess and holy land, illustrated by the mother cow (Kinnvall, 2019, p. 295). Moreover, India as the female land is regulated and protected by the perceived masculine Hindu state (Kinnvall, 2019, p. 296). According to the *Hindutva* logic, the land must be protected, especially from the Muslim Other. The logic

propagates that Hindus' "property, women and survival are at stake" (Kinnvall, 2019, pp. 295-296). The ideas of an endangered people-nation, its (female) land, and its women refer to the already discussed "dying race" syndrome and the resulting anti-conversion laws, which play out on women's bodies and choices.

In the given context, the definition of women's roles within the Hindu nationalist worldview is of interest. Even though experienced and ascribed gender identities do not come in fixated and static forms (Sethi, 2002, p. 1551), there are two accepted female ideals in the Hindu nationalist discourse which I want to emphasize: the nurturing mother and the avenging warrior. First, the devotion to Mother India emphasizes the ideal of the wife and mother. The role's status is not only derived from the imagery of the motherland but expressed more explicitly in Hindu scriptures (Gittinger, 2019, p. 137). Moreover, in a nationalist context, it is seen as the woman's role to be the bearer of spiritual tradition within the private sphere (Chatterjee, 1993, pp. 121, 126), a quality she must not risk losing (Chatterjee, 1993, p. 126). Second, the female warrior is symbolized by the goddess Durga. The two ideals allow "women to become avenging angels in moments of crisis, and when these moments ebb away, they can return to the mode of nurturing mothers and obedient wives" (Sethi, 2002, p. 1551). Both identities are institutionalized in the *Hindutva* context through marriage and membership in militant Hindu nationalist organizations such as the Durga Vahini.

But what about women who oppose these roles and advocate for other values and against patriarchal structures? Kinnvall (2019, p. 298) describes questioning *Hindutva's* gendered stereotypes as a "disintegration of hegemonic tradition from within". The case is similar to that of lower castes opposing caste hegemony and disturbing the societal order that Hindu nationalism imagines. Both lower castes and women are essential for the symbolic and political creation of a united Hindu fold. Here, women oppose their ascribed place in the Brahminical patriarchy. Kinnvall (2019, p. 298) further argues that this hegemony is challenged effectively if "vulnerable people and communities acquire the tools, knowledge and resources needed to exercise greater leverage within the groups as well as within the greater community". The organizations in which I got insight do precisely that. They inform, educate, campaign, and lobby. Thus, they help provide tools, knowledge, and resources for their cause that could build alternatives to *Hindutva's* gendered narrative and norms.

Disintegration and advocacy are problematic junctures for Hindu nationalism. As indicated earlier, Elizabeth explained the following:

> The way you advocate for rights is by being visible. And if you can't be visible, you're very much limited in your reach and in your impact. (Elizabeth)

However, visibility is limited through the direct withdrawal of funding licenses by their cancellation, suspension, and non-renewal. Moreover, issues on gender are notably underfunded by national donors in India (Dasra, 2020). Elizabeth elaborated:

> Civil society, with the support of global solidarity, is the *only* voice that amplifies or has a strength to mobilize, you know, *given* the fact that our local structures are so regressive, so caste biased, so gender biased, so if you want support on lgbtq, no traditional *local* agency would openly support you. Because it is against our religious practices, it's against our social norms, it is not something that people are wanting to change. Even when it comes to gender bias, when it comes to caste bias. So those are the things that foreign contributions actually make a difference for. There is local assertion, there is local people's movement, but it *does* benefit from global solidarity. (Elizabeth)

Based on my observations during job shadowing and on Gittinger's (2019, p. 147) writing on the predominantly male public sphere, I argue that the limited visibility of public gender rights advocacy through government restrictions mirrors the limited visibility of women in the public space in general. By this, I mean the obvious imbalance of visible gender diversity in the streets. It became most apparent in the evenings and on the weekends when many were off school and work. Especially notable was my commute home from the office, when I was the only woman in a large crowd who switched metro lines at a major interchange station.

Women occupying public space has reportedly led to harassment, from verbal assault to physical attacks. In such cases, Hindu nationalists, hereunder BJP politicians, have often resorted to blaming the victims for the incidents. Not the assault is condemned, but female behavior and assertion of public space (Gittinger, 2019, pp. 147-148). A project aimed at women's increased assertion of public space was organized night marches across India. The objective was to collectively occupy public space at night, "arguing that women have as much right to be out at night as men do" (Gittinger, 2019, p. 148). Josephine took part in one of the organized marches. They were repeatedly met with adverse reactions, which makes the prevailing male privileges the more obvious, given that her group did nothing but walk.

For civil society organizations, public visibility is predominantly understood as a core requirement for social and political impact (Chaney & Sahoo, 2020, p. 193; Piliavsky, 2013, pp. 106-107). In contrast, Piliavsky (2013, p. 117) argues that political influence is equally achieved in more secluded arenas. For example, Thachil (2014, p. 24) shows the possibility of asserting influence on attitudes and political choices via everyday social interactions. Also, some informants emphasized the potency of social relations in communities for establishing alternative political narratives. This is an important detail to which I will return in chapter 5.2. Yet my informants repeatedly emphasized how essential visibility and reach are for the causes of rights-based organizations, including those working on gender rights. Based on the presented literature and my informants' accounts, I argue that the publicly visible questioning of patriarchal structures threatens the Hindu nationalist society ideal with its prescribed gender roles. Women might impersonate Durga in their defense of *Hindutva's* social order but not in defense of the opposite. Based on this layout of gendered Hindu nationalism, the direct limitation of gender rights organizations is one of the means to secure its envisioned hegemony.

In chapters 4.1.1 to 4.1.3, I have laid out the ideological roots of direct government restrictions for secularist, caste and gender rights organizations and minority religious charities. For a full picture of how limitations on this work are achieved, it is necessary to look beyond FCRA-related processes. My informants explained that the harassment of individuals active in the civil society sector is an equally vital factor to consider. I will present and discuss this issue in chapter 4.2 and its subchapters.

4.2 Mapping individuals and their networks

During my visit to India, when I joined the office and several events, it became apparent that working or volunteering for an NGO is only one part of getting involved in the larger civil society scene. I noticed that the people I met were not only engaged in one specific organization but tended to have broader networks. These networks comprised activists, organizers, writers, academics, and grassroots workers. Work-related interactions were not limited to one's immediate organizational ties but cast much wider. In India, I was invited to several activities that brought different players from the sector together. The density of activities showed that network activities are not something that happens now and then but are the norm.

A part of the interconnectivity has practical reasons, such as organizing a joint event to share costs. The need to split expenses is a reality for organizations that have lost funding sources, like the organization I visited. But there is another side to this interconnectedness, namely genuinely shared causes that bring people together and enhance the fluidity across organizations within the civil society sector. As a result, they magnify each other's voices because they are repeated in many different physical and online arenas. I base this conclusion on the following observations: First, all the informants founded or joined their organizations because of intrinsic motivation. Some called this work a career, but it was rooted in the conviction of the importance of their work. Second, several informants were involved in committees, networks, collectives, or other inter-organizational platforms. These collaboration efforts aim at amplifying demands and increasing the impact of their sector's overall efforts. This is an even more critical issue now that many organizations' funds are being cut. Ayesha explained that large-scale campaigns are only possible if they are organized with joint effort. Otherwise, they would have no means to reach the visibility necessary for effective and successful advocacy and rights-based work.

This interconnectedness is only achieved by individuals' efforts to establish networks and to keep them alive. In every case, it is the individuals who keep the wheels of these organizations turning. Thus, the voices of the individuals engaging with the organization and identifying with its purpose are not automatically shut down with an organization's operations. Even though some informants told me that many other civil society workers had silenced themselves, they themselves continued voicing their opinions. Joshua described his choice as his way of "liv[ing] as a real human being". Ayesha explained her disdain for self-censorship in the following way:

> I do it because it keeps me sane. If you stop and think too much about what is happening, you get depressed. If you keep working, you still feel that you are doing *something*. (Ayesha)

From what I was told, my informants understood that the government had caught up on the fact that obstructing organizations is not enough to silence criticism or prevent committed individuals from engaging in rights-based or religiously inspired work. At a dinner party, a guest said what my informants had observed as well:

> Funds are one thing. But they [authorities] have come to understand it is not just about organizations, it is the individuals that are interconnected. So they have started to map the individuals and their networks. (Female guest)

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Literature and news reports inform about individuals who are banned from international flights (Patel, 2021, p. 409), are the targets of hate campaigns, charged under the Unlawful Activities (Prevention) Act (UAPA) (Jaffrelot, 2021, pp. 400-401) or colonial sedition laws (Jayal, 2019, p. 49; The Wire Staff, 2021). My informants also told me that outspoken individuals who are employees, leaders, or board members of organizations receive threatening messages, phone calls, and home visits and are monitored via spyware.

The objective of the following chapters is to present and discuss the harassment of individuals engaged in the civil society sphere. My analysis shows that restriction patterns for organizations are replicated for individuals, both in quality and ideological motivation. An important observation is that women and individuals with a minority religious background are affected disproportionately. Lastly, I will argue that harassment and unlawful treatment do not only concern well-known and connected activists but also protesters with neither name nor status. Based on Chatterjee's (2004, pp. 39-40) distinction between civil and political society, harassment and unequal treatment before the law affects both groups and, in each case, rests on religious community affiliation.

4.2.1 Online harassment and hate speech

In the context of Hindu nationalist discourse, online harassment of individuals who are civil opposition and minorities is heavily used. Online vigilantism experienced a rise along with the rise of the BJP itself (Jaffrelot, 2021, p. 236). Verbal violence is orchestrated from above (Jaffrelot, 2021, pp. 237-238) and moves uncontrollably in the hands of volunteer online users dedicated to the BJP and Modi (Pradhan & Sriram, 2013). They see themselves as warriors (Chaturvedi, 2016, pp. 139-140) who "spend hours commenting, posting, tweeting and sharing to ensure that the Hindutva ideology is protected and promoted" (Bhatia, 2021, p. 31). Even bots are used to fulfill this task (Bhatia, 2021, p. 10).

> The government does have a whole troll army which comes out with, you know, any statement made by human rights defender, an activist, or *anybody* of any significance against the state is *immediately* met with very devious, very derogatory remarks, responses on Twitter, on Instagram, you know, you name it, *especially* against women. You know, it is openly violent, sexually, you know, violent comments that are made, like you will be raped, you will be deformed, things that you wouldn't assume can be done. (Elizabeth)

Two aspects of Elizabeth's comment are particularly noteworthy: that online trolling and divisive language are government-related and the gender specification in online harassment.

Ayesha was one of those who had repeatedly been the target of online harassment. She is a profiled Muslim activist, heading an organization that lost its foreign funding source several years ago. When we spoke, the organization was running primarily voluntarily and on individual donations. The NGO has a rights-based approach to its work, with values rooted in the preamble of the Indian constitution: secular, democratic, and non-discriminatory. In our conversation, she explained what online harassment against her looks like in practice:

> 10 days it is on social media, on Twitter, on WhatsApp, and hundreds of thousands of messages […]. The BJP IT-cell is attacking from all sides. And even their official handle has tweeted. […] This is how they first malign, they intimidate, they send various agencies to your office, to your house, they hound you. And then they file a case and arrest you. This is happing with thousands of activists, of journalists, with artists, cartoonists, and this is happening across India. (Ayesha)

Dealing with such issues had become a regular aspect of her life. Time again and again, she spent hours discussing harassment incidents with colleagues and friends, debating whether to respond and, if so, how. During my visit, I experienced her constantly being available on the phone, responding to messages and phone calls. Her work on her organization's projects had to be done at night until long after midnight.

Spreading hateful language against political opponents or critics of the government is not limited to often anonymous users on Twitter (Bhatia, 2022, p. 10) but is common among government officials themselves. Studies show that the incidences of hate speech by leading politicians went up by 500% during the BJP's first four years in power, and 90% of these incidences of divisive language stemmed from BJP politicians themselves (Basu, 2018, p. 43). Divisive language has even actively fueled deadly incidences at rallies (Thapa et al., 2021, p. 59) and protests (CIVICUS, 2020). It has also directly led to assassinations of critical voices, such as in the case of the journalist Gauri Lankesh in 2017 (Jayal, 2019, p. 40) and religious minorities (Bhatia, 2022, p. 2). This shows clearly that online and offline harassment are tightly connected, as also Ayesha's account illustrated. Jayal (2019, p. 49) comments on this trend in the following way:

> The normalization of patterned violence is now pervasive, and recent writings have demonstrated the role of Hindu nationalist ideology and mobilization in facilitating it.

> Physically and discursively, it has rendered violence a legitimate means to whatever one's goal is, avenging dishonor to women, the nation, the cow, or indeed any other purpose that has been unilaterally determined to be morally right or culturally superior. Violence then is no longer pathological; it has become normalized as an acceptable and justifiable way of pursuing the social and political objective of using fear and intimidation to entrench power over the powerless.

On the one hand, political leadership, including the prime minister, supports online vigilantism by retweeting online volunteers' posts and following their accounts (Gittinger, 2019, p. 104; Varadarajan, 2019, p. 63). Also, Gauri Lankesh's murder was publicly supported by an active BJP politician (Jaffrelot, 2021, pp. 244-245). On the other hand, politicians have repeatedly remained silent after deadly mobs, communal violence, and vandalism inspired by verbal violence (Gittinger, 2019, p. 109). When active politicians do not condemn or even explicitly support physical violence resulting from online verbal abuse, the normalization of either form of violence in the name of Hindu nationalism is indeed observable.

The second aspect of Elizabeth's comment at the beginning of this chapter was that women are the primary targets of online harassment. This observation is not only accurate for the Hindu nationalist discourse on Twitter (Bhatia, 2022, pp. 14-15) but for the global scale (Gittinger, 2019, p. 147). Gender-based verbal abuse and sexual and violent threats toward women were obvious in the Tweets Bhatia (2022, p. 14) analyzed in her study. Udupa (2018, p. 1509) characterizes this practice as "the masculinist logic of shame with effects of intimidation". The private and domestic sphere, represented by the female body, is re-politicized (Udupa, 2018, p. 1509). Women are tried to be silenced through sexualized threats or simply "noised out" by a wave of harassing responses. Gittinger (2019, p. 104) suggests this is a symptom of "the hypermasculinity of the Hindutva mindset". The gender-specific verbal violence sheds light on some of the logic behind the Hindu nationalist patriarchy, its misogynist tendency, and its liking for masculine control. These aspects also come to life in religion-related issues, such as the paternalistic anti-conversion laws directed at to-be-married women.

4.2.2 Religious hegemony in activist harassment

Though the type of monitoring and subsequent repression is different for individuals than for organizations, the same tendencies apply. Government agencies disproportionately scrutinize those organizations that are critical of them, practice a rights-based approach or have some

minority religious connection. In some cases, these criteria overlap. Regarding individuals, my informants pointed out that those who speak up and have a minority religious background are targeted above average.

> But this [is an] open use of the communal strategies to question anybody who supports a Muslim girl, who supports a Muslim survivor. The editor of something called Alt News, you know, in India, which actually checks facts that are presented as news, he was arrested for being anti-national, so there is a targeting of Muslims in a very, very distinct and consistent way. Especially those who have raised their voice. So when you have civil society in a country that is so diverse, there would be activists who are Muslims, who are Christians, who are Hindus, but then if you are a Muslim activist, a human rights activist, then you are under a lot more threat than another, you know, those kind of issues are certainly much more perceptible now and also it's no longer a theory. You see the impact of people being jailed, of people being questioned, of people being tortured, of people being put under false cases more often, more frequently, in many places. The people who have some kind of a name or fame are at least visible and are being followed up. There are so many nameless people who are also suffering whom you wouldn't even know the names of. (Elizabeth)

Elizabeth was not the only informant who pointed out that Muslim activists are more scrutinized than others. While some informants also described similar situations for Christian, Dalit, Adivasi and lower caste activists in general, most emphases were still put on conditions for Muslim activists.

In her study of Hindu nationalist discourse on Twitter, Bhatia (2022) draws conclusions that can shed light on Ayesha's case and Elizabeth's explanation of what Muslim activists face. In the discourses Bhatia (2022, p. 8) analyzed, both the Muslim Other and intellectual critics of the government were constructed as a threat to a Hindu nation. The Muslim Other is dehumanized in the online discourse and portrayed as a threat to the nation's security and the Hindu majority (Bhatia, 2022, p. 12). Parallelly, the same online users have popularized the idea that dissenting activists and intellectuals will break their imagined Hindu unity into pieces by supporting the idea of a secular and diverse India (Bhatia, 2022, p. 8). In Ayesha's case, these two discursively created groups meet each other. She is a Muslim herself, as are many within her network. At the same time, her own and her organization's values support a secular and diverse idea of India. The categories of the secular intellectual and the Muslim Other are fused in many other prominent cases, too. Examples are the case of student activist Umar Khalid

and of journalist and fact checker at Alt News, Mohammed Zubair, whom Elizabeth referred to above.

While this chapter focused mainly on the rhetorical harassment of outspoken minorities from above and below, I will focus on the unequal treatment of minority activists before the law in the following section. As my argument will show, the tendencies in the treatment of activists tie in with observations of the overall unequal treatment of minorities before the law, and of Muslims especially.

4.2.3 Inequality before the law

That authorities use laws arbitrarily to decimate equality before the law is observable in civil society and ordinary contexts. It is done in different ways and on different levels: by passing vague law texts, unequal application of the laws, deliberately redirecting legal cases in favor of one religious group over another, and explicitly excluding Muslims from citizenship regulations. Thus, Muslim activists are not only more often the target of harassment from both political hate speech and volunteer vigilantism but from a legal aspect as well.

Regarding the civil society context and laws directed at individuals, informants repeatedly described the authorities as "playing with laws" (Rizwan). Josephine told her impression in the following way:

> Let's look at the individuals because this is when you will also see the criminal justice system, *hand in hand* with the government, arresting people. […] But most of the prisons in the country in India right now are filled with minorities of *lower* castes. So you'll find Muslims, Christians, Adivasis, the jails are *full* with them. Since this regime has started, it has targeted very specific people and kept them in jail for a long time. […] Some students who are arrested, some organizations that were led by *specific* people, they were let off the hook. But the Muslims, and the Christians and the Adivasis, they are still in prison. So, if for two years, for four years, fourteen years, doesn't matter. (Josephine)

Rizwan expressed a similar observation:

> Rizwan: And they keep the persons in jail and not giving bail to them and if they get bail from one case, the other case is also there, it is also pending. So, they keep the person in jail for long time. With the name who are Muslims.

Interviewer: You mean activists?

Rizwan: Yeah, yeah, activists.

Previous research suggests that the same applies to Christians accused of forced conversion. Bauman (2021, p. 8) refers to data from lawyers who confirm that people booked under freedom of religion laws, often referred to as anti-conversion laws, are more likely to spend more time in jail than anyone charged under different laws of similar severity.

The "play with laws" that Rizwan addressed is partly made possible by including indeterminate legal concepts in law texts. They leave lots of room for interpretation, which can lead to a misuse of these laws. Since the UAPA amendment from 2019, any individual can be labeled a 'terrorist' (UAPA, 2019, section 4). It also includes the assumed likelihood of threat or terrorist action as a base for applying said law "without these acts actually being committed" (Patel, 2021, p. 379). As mentioned earlier, this draconian law has been used against activists several times. Also, in the FCRA text, terms such as "undesirable purposes" (FCRA, 2010, section 12.4.a.vi), "reasonable" (FCRA, 2010, section 12.4.b), or "public interest" (FCRA, 2010, section 12.4.f.iii) provide ground for misuse of the law for political purposes. The expressions had indeed been part of the law text before 2014. The current context highlights how and for which ideological purposes, indeterminate legal concepts can be misused.

Many more recent cases illustrate how authorities are playing with laws that exceed the civil society context. One well-known example is the case of Mohammad Akhlaq, who was killed by a lynch mob after being accused of killing a cow and consuming its meat (Jayal, 2019, p. 46). Instead of prosecuting those involved in his murder, BJP politicians in Uttar Pradesh requested that Akhlaq's family be investigated, suggesting that they must have also been involved in the alleged cow slaughter (Mathew, 2016). With this accusation, the politicians redirected attention from the question of who murdered Akhlaq in the lynching "to the question of what he was eating. The victim was reinvented as the aggressor, and a police case was filed against Akhlaq's wife and mother for slaughtering a cow" (Jayal, 2019, pp. 46-47). Similar instances of redirecting cases of violence against Muslims have become increasingly common. "Whose ever fault it might be, the case will be against the Muslim, " said Ayesha, explaining that Muslims have stopped reporting minor crimes, especially in small places. Anti-Muslim police bias (Ellis-Petersen & Rahman, 2020; Jaffrelot, 2021, p. 421), police complicity and

impunity in riots (Amnesty International India, 2020, p. 18), as well as bias inside courts (Jaffrelot, 2021, pp. 425-427), have been documented.

Less play and a more direct pretext for inequality before the law was attempted via the CAA in 2019. First, the bill would give automatic citizenship to Hindus, Christians, Jains, Sikhs, and Buddhists who had settled in India before the end of 2014 but excluded Muslims from the list. Second, it only addressed refugees from Afghanistan, Bangladesh, and Pakistan (CAA, 2019, section 2), suggesting that persecution only happens in Muslim-majority countries, despite the inaccuracy of this assumption (Patel, 2021, pp. 386-387). Both aspects feed the specific image of the Muslim Other, which the BJP popularizes: violent, dangerous, and unwanted. The National Register of Citizens, which underwent an update starting in 2014, adds fuel to the fire. It requires "doubtful" citizens, again an unspecified term (Jayal, 2022, p. 22), to prove their citizenship. Many who had submitted their papers in the first round were excluded from the NRC. In the aftermath, this incident was used politically to further unequal treatment of those affected, most of them Muslims (Jayal, 2019, p. 39).

The introduction of the CAA led to protests around the country. Authorities cracked down violently on protests (Jaffrelot, 2021, p. 360), even if they were peaceful (Amnesty International India, 2020, p. 2). In Delhi in early 2020, the crackdown spiraled into riots where police officers were accomplices. These riots led to over 50 deaths, most of them Muslims (Ellis-Petersen & Rahman, 2020). However, it was not the rioters or the Delhi police officers who were detained. Instead, it was students, professors, and human rights activists who had peacefully protested against the CAA and were accused of conspiring and causing the violence (Amnesty International India, 2020, p. 2). Again, the attention was redirected from those who had participated in the violence. Also, the target pattern was the same as I have shown earlier: either minorities or intellectuals and activists who come with a rights-based and secular agenda. In these cases, unconstitutional treatment and disrespect for citizenship rights are doubled: first, through Muslim's exclusion from the CAA and their portrayal as dangerous, and second through the violent disrespect of their and their supporters' right to peacefully protest against the amendment.

The Akhlaq, UAPA, and CAA-related cases show that Muslims have become second-class citizens or are left without citizenship in India today. Laws are used deliberately, unevenly, and

based on religion and ideological orientation. In practice, the constitutionally envisioned equality before the law is rendered ineffectual. This does not only concern minorities who speak up but is effective in everyday lives as well, as the Akhlaq-case illustrated. The "dying race" (Jaffrelot, 2021, p. 189) syndrome and the fear it imposes in the *Hindutva* context is translated into intimidation and strategic persecution of those potentially threatening the majority status: minority individuals and those who advocate for their rights and against injustices. The targeted and disproportionate use of the FCRA against minority religious and dissenting organizations indicates that inequality before the law also applies to organizations.

4.2.4 A restructured political society

In earlier chapters, I have emphasized online harassment, accusations, and extensive legal cases as ways to malign individual activists. The cases I have referred to and gotten to know through conversations are primarily cases of well-known individuals with a public profile. They fronted organizations, headed protests, were organizers in a larger organizational network, or engaged in journalistic work. Their faces and names were known. They were usually highly educated. This applies to the examples I have mentioned and to all of my informants.

In the matrix of a diverse civil society (Chandhoke, 2011, p. 176), my informants fit significantly well into Chatterjee's definition of civil society, namely "a small section of culturally equipped citizens" (Chatterjee, 2004, p. 41). This does not only appear through educational degrees but the social network resources they draw from. These resources come from across organizations, from other individuals dedicated to the same cause, and from within families and circles of friends. Based on what Ayesha and Dinesh shared, family and friends contribute in two ways. First, economically, such as when organizations are defunded, and the work must be pursued without salary. Consequently, one spouse is left to bear the family expenses alone. In other cases, friends help with practicalities, such as lending office equipment or a space to work. Second, they contribute emotionally by accepting to live with unease, for example, when a spouse works in a politically tense environment. When I interviewed him, Dinesh said:

> I can't imagine what it must be like for people who actually have much less of
> social capital. (Dinesh)

Dinesh touched upon a side to harassment of dissenting and minority individuals that I have not yet discussed but was mentioned in several interviews. As cited earlier, also Elizabeth talked about what she called "nameless people" in her description of individual activists harassed by government-related Hindu nationalist groups. In contrast to harassment cases against known activists, their cases will neither become known nor be followed up comparably. In the following, I will present an account that will shed light on what can happen in the harassment of those involved in activism, yet with neither network, name nor status.

During the past years since the latest national election in 2019, 'bulldozer action' has made an appearance in cities across different Indian states, meaning the demolition of settlements with bulldozers. What is noteworthy in the context of dissent and activism is that these demolitions have happened after protests, such as following anti-CAA (Pandey, 2022) and other protests in Uttar Pradesh (Hasan, 2022). There is an important nuance to which settlements and houses are taken down. Rizwan elaborated:

> They just bulldozed the houses of the activists. And they do it in a very selective way. There are so many illegal colonies, houses and lands, and constructions there. But they just identify a person with a Muslim name, and then they do it. But in a way, it is a legal action. Because the constructions were illegal. […] they do it in a very selective way. They do not harm the illegal constructions owned by Hindu people. (Rizwan)

In some cases, the government indeed claimed to be taking down what had been illegal houses in the first place (Hasan, 2022; Mahmudabad, 2022). As Rizwan suggested, in case houses had been set up illegally, tearing them down would be located among the grey areas of legality, depending on if and how the authorities follow the according statute (Hasan, 2022). However, according to news reports covering 'bulldozer action', the correct application of relevant regulations was often not the case. The action was used as a punishment and threatening tool for a particular group, namely Muslims. In the cases where issued court orders to stop the demolition were ignored (Mahmudabad, 2022), the authorities were not even "playing with the law" (Rizwan), as they have done in other cases. Instead, it was as a blunt abuse of force to destroy the religious Other's livelihoods and "any hope […] in the institutions of India" (Mahmudabad, 2022).

Looking back at Chatterjee's differentiation between civil and political society, one could argue that with post-protest 'bulldozer action' in Muslim neighborhoods, where settlements violated

certain regulations (Chatterjee, 2004, p. 76), authorities target political society. By singling out Muslim protesters, even though people with Hindu and other religious backgrounds had also been involved, authorities did not try to eradicate political society altogether. What follows is its restructuring in a way that favors the Hindu nationalist politics of the BJP. Restructuring institutions and social formations is an important issue in the present political environment. I will elaborate on it further in chapter 6.1.

4.3 Vertical and horizontal oppositions: The populist core

In the presented examples of organizations and individuals who are met with extensive restrictions and severe harassment, the populist strategy of creating social opposition becomes very apparent. In the following, I will explain further what this entails in the given context.

The characteristics of the organizations and individuals I presented can be categorized into two groups. First, some organizations and individuals dissent against the existing BJP government and Narendra Modi, either in their values or through public critique. Second, other organizations and individuals have a religious minority background and have therefore come under scrutiny, irrespective of whether they have publicly denounced government strategies and values. In some cases, these two categories overlap.

The obstruction of civil society activities illustrates how the populist strategy of dividing a population works discursively, legislatively, and through law enforcement. The dissenting group, largely consisting of highly educated individuals who work in NGOs, journalism, academia, and similar areas, is the 'elite' which populist Modi opposes (Jaffrelot & Tillin, 2017, p. 184), and they are seen as the "enemy within" (Nilsen, 2018). They often share certain qualities with 'the people' the populist leader and party claim to represent, such as religious affiliation. But other than the 'people', the 'elite' challenges the political decisions and priorities of the government. 'People' and 'elite' are vertically opposed (Brubaker, 2017, pp. 362-363).

In addition, the 'people' are horizontally divided from the 'others'. The division creates a contrast between those "inside" and those "outside" (Brubaker, 2017, p. 363). In the given context, the 'others' are minority religious individuals and organizations. The party claims that they do not rightly belong. In contemporary India, these religious 'others' have a Muslim or

Christian background. As discussed, the category is not extended to other religious minorities such as Sikhs, Buddhists, and Jains. Politically, Hindu nationalism considers them as Hindus (Frydenlund, 2022, p. 107), and therefore they are easily included in either 'people' or 'elite'. In some cases, the categories of 'elite' and 'others' overlap. I have explained this in Ayesha's case.

The division between 'people', 'elite', and 'others' is a populist core element and can be found in many other examples of populist leadership's rhetoric and governance. However, the discursive creation of the 'other' along cultural or ethnical boundaries is especially common in right-wing-oriented populism, as in the Indian case (Brubaker, 2017, p. 363; Marzouki & McDonnell, 2016, p. 5). This threefold is not thought of as independent from each other. The categorization of the three groups comes with the invoking of tension between them. As presented, the tension not only exists discursively but is materialized through executive force, judicial bias, legislative changes, verbal and physical attacks, and related processes such as excessive surveillance. This is true for organizations and individuals alike.

The created tensions between these groups can be imagined as a triangle: 'us' Hindus against 'them', comprising the 'elite' and the 'others'. One tension is the accusation of the 'elite' serving the 'other'. The idea is that the 'elite' is ideologically oriented toward safeguarding the 'other' instead of caring about majoritarian interests. Secular dissenting organizations and individuals are accused of counterworking 'us' Hindus by supporting the 'other's' rights and legitimate status as equal Indian citizens. The second tension is created between the 'people' and the 'other', most notably between Hindus and Muslims, as scholars repeatedly point out (Chatterjee, 2020, p. 108; Natrajan, 2022, p. 305). However, the examples from the data material I have presented so far warn from brushing aside worsening conditions for Christians, Dalits, and Adivasis, as the latter two are caught in the tension between 'people', 'elite' and 'other'. The same is true for gender rights activists with a majority religious background. Their placement in the triad of 'people', 'elite' and 'others' is less clearcut than it is for other intellectual activists and religious minorities. As the BJP envisages a Hindu unity where each member should adhere to its prescribed place, Dalits, Adivasis and gender rights activists are considered part of the 'people' in the first place. If, however, these organized groups oppose *Hindutva's* societal structure, they forfeit their place among the 'people'. Whether they are

subsequently categorized as 'elite' or 'other' depends on the individual cases. Either way, they are perceived as ideological enemies.

Dissenting organizations have repeatedly been accused of conspiring against the government and working against the country's interest. In 2016, Narendra Modi called these organizations a "disease" in one of his speeches (Mohanty, 2016). Their presentation as illness plays on the sentiment of majority victimization. It activates the fear that the 'elite', with its allegedly foreign Western values, will hinder the creation of a state tailored to the Hindu majority and a strong, independent India. The intellectual 'elite's' dissenting ideas are therefore perceived as harmful. Following this presentation, India's society will be healthy once these dissenting voices have lost their influence. The authorities bring this about by curbing international funding. They promote the cutting of funds by saying that international, Western influence is limited and that no so-called "foreign hand" (Baydas, 2018, p. 67) will have a say in how India's society is built and what values prevail.

However, as I gather from my research, forcing organizations to shut down does not stop the individuals behind the entities from thinking, speaking, and dissenting. Thus, attacks on individual civil society members and the build-up of a politics of fear are seen as necessary tools to stop the proclaimed "disease" from lingering or flaring up again and spreading further.

The restrictions on organizations and the attack on individuals are part of the BJP's and Modi's populist repertoire. Irrespective of whether an organization or individual is dissenting or has a religious minority background, the populist authorities consider 'them' as enemies of the 'people' either way. These groups of 'us' and 'them' have materialized beyond speech and imagination. Instead, their formation has been manifested through a multi-layered web of actions, from legislative changes to deadly violence.

4.4 Summary and outlook

This chapter presented two types of organizations most affected by direct FCRA-related restrictions, as they appeared from my material and my informants' accounts. The first group is rights-based advocacy organizations, which include organizations working for secularism, Dalit, Adivasi, and women's rights. The second group is charity organizations with a minority

religious anchoring. However, to get a more thorough picture of restrictions for the civil society sector, it is not enough to look at FCRA-based restrictions for NGOs. Civil society spaces are populated with interconnected individuals who keep organizations and cross-organizational networks running, despite restrictions. Therefore, authorities are also targeting outspoken individuals. The restriction patterns for organizations are replicated in the harassment of individuals.

In chapters 4.1 to 4.3, I presented the ideological background for this restriction pattern and how it is entangled in the BJP's populist rhetoric. At the very core lies the *Hindutva* sentiment that "Hindus will only be safe in a nation that privileges their interests" (Basu, 2018, p. 45). Muslim and Christian minorities, the religious 'others', are associated with either terrorism or conversion and are seen as a threat to national security. Secular activists are considered the 'elite', traitors, and enemies within. They allegedly jeopardize the idealized Hindu unity by supporting the idea of a diverse India and by supporting minority religious rights. Similarly, lower caste and gender rights activism is seen as a disturbance to *Hindutva's* imagined hegemonic society.

In the cases that I presented, restrictions and harassment either came from authorities or volunteer vigilante groups. Each case referred to direct actions towards a specific organization, individual, or group, as in the case of bulldozed settlements. Also, previous literature focuses mainly on these direct mechanisms. However, I gathered from my data that restriction and harassment processes come with multiple ripple effects, and some of those can be described as indirect yet concerted efforts. I will focus on these issues in the next chapter.

5. Of ripple effects and concerted efforts

In chapters 5.1 and 5.2, I will first present characteristics of targeted organizations hardly addressed in the literature about the obstruction of organizations under today's government. The organizations in my sample had either access to an international platform or an active presence in local communities. These characteristics are central to answering the question about the consequences of direct restrictions that benefit the realization of a Hindu nation. As my argument will show, their obstruction contributes to increased communal polarization. Moreover, I will address my informants' perception of how bureaucratic processes are weaponized in the restriction and how they describe their roles in the formation of a counternarrative to challenge *Hindutva*.

Second, in chapter 5.3, I will address ripple effects of direct restrictions. I emphasize changes in local donation behavior and in organizations' activities and profiles. I will argue that these reinforce Hindu nationalist exclusion mechanisms and aid the silencing of dissent and minority voices further along.

Third, in chapter 5.4, I will discuss my informants' unison statement that they regard the obstruction of civil society actors as one among many means to the end of creating a Hindu majoritarian state, an ethnic state. In defense of a diverse and secular India, they counter Hindu nationalism with constitutional patriotism. The conflict's antagonistic dynamics will be discussed in later chapters.

5.1 From mobilizing on the ground to mobilizing the world

All representatives of organizations that I interviewed were engaged in either community work on the ground, meaning working locally on a grassroots level with ordinary community members, operating internationally, or could voice concerns before an international audience, such as the UN-bodies. Maryam summarizes my observation precisely:

> There are two types of people they [the government] are looking for. One is people who can mobilize on the ground, a lot of people, second are people who can mobilize the world. (Maryam)

Numerous times, informants mentioned that raising international attention was one of the reasons why their respective organizations had been restricted. They interpreted the action as grounded in the allegation of "bringing India into bad light" (Simon) and the government being "too much concerned about their international image" (Vikram). This perception aligns well with their answers to my question about what they think would help create headwinds for the ongoing restrictions. In several interviews, informants suggested that the organizational sector needed more international solidarity, questioning, condemnation, and action. However, through restrictions, organizations with an international audience are prevented from doing their work and using the global stage to bring their concerns forward. With office raids, frozen bank accounts, more compliance demands, donors dropping off, and employees being intimidated, less work can be done to build and publish cases for an audience. In turn, this leads to limited international reactions.

A recent incident that showcases the BJP government's sensitivity toward negative international attention is the handling of the BBC documentary about the Gujarat pogroms from 2002, which was released in January 2023. The Modi government banned the documentary by using an emergency law (Ellis-Petersen, 2023a). Subsequently, university students who had gathered to watch the documentary were met with police arrests and violence from Hindu right-wing groups (Patel & Ganguly, 2023). A few weeks later, the BBC offices in Mumbai and New Delhi were raided under the pretext of tax evasion. Independent media thought the timing of the raids was suspicious (The Guardian, 2023). Similar cases with the same pattern had happened before, such as with NDTV in 2016 and 2017, The Quint in 2018 (Jaffrelot, 2021, p. 300) or the Dainik Bhaskars media group in 2021 (Jakobsen & Samuelsen, 2023). In each case, the media house had criticized or exposed the government prior to the raids and inquiries. The strategy strongly resembles the tactics used for oppressing organizations. In our conversation, Vikram told me the following:

> They were raided, saying you have financial irregularities, they don't prove it, but they just say it out loud, and then the owners or the other party needs to basically prove that they are *not* guilty of it. (Vikram)

Pradeep, among several other informants, confirmed Vikram's understanding of the government's strategy:

> What actually the government's strategy is, is to actually first […] identify people whom they don't like, apply the laws and *then* try to find the evidence to justify the targeting. (Pradeep)

Government agencies choose organizations and media houses for political reasons and treat them as guilty until proven otherwise. The BBC case also shows that not only Indian independent media content is being controlled, which Reporters Without Borders supports as well (RSF, 2022). Instead, also critical international news is banned from circulating inside the country.

Central to the turmoil around the BBC documentary is not that it is raising critical questions. What matters is what these questions are about, namely the massive communal violence between Hindus and Muslims in Gujarat in 2002. The tension between ethnic communities has worsened since Modi came to power in 2014, both locally and online, mirrored in public political statements. As a major international media house, the BBC also reaches viewers unfamiliar with Modi (Ellis-Petersen, 2023b). Its critical questions about Modi's involvement in the Gujarat pogrom, including the current handling of minority issues, can kickstart a series of questioning of the incumbent government. It could complicate international relationships and negatively influence voter turnout in the next national election, given that "his [Modi's] growing international prominence is a vote winner at home" (Ellis-Petersen, 2023b). In our conversation, which happened some months before the BBC documentary aired, Dinesh mentioned:

> What they [the government] have done successfully, they have fed this *huge* propaganda to the national audience, native audience that actually Modi is already an international star and every country loves him, believes him. So *that* job is done. (Dinesh)

Since much of the BJP's success has grown out of Narendra Modi's popularity (Jaffrelot, 2021, pp. 311, 343), an increase in international criticism can have unfavorable consequences for voter support. This will especially concern those voters the party attracts with its awareness of India's international image and economic development agenda (Palshikar, 2017, p. 15). Whether the incident with the BBC will indeed result in criticism, international consequences, and lost votes in 2024 remains to be seen. What can be said at this point is that the state-administered turmoil around the documentary definitely increased the attention toward its contents more than it otherwise would have had (Jakobsen & Samuelsen, 2023). Like media

outlets, several organizations in my sample had access to international arenas where they could present cases that could have contributed to international critique. Thus, by obstructing such organizations, authorities try to keep their project of Hindu nationalist power assertion and religious polarization undisturbed.

Apart from access to international arenas, I detected another quality of organizations in the interviews that is likely to have made them prone to restrictions. Two of my informants told me detailed stories about their organizations' fates and the obstruction they experienced. Mahesh's account is a good example of how bureaucratic procedures are used to impair an organization's day-to-day operations. After Mahesh had received an unreasoned notice of non-renewal of the organization's FCRA license, the organization's leadership challenged the decision in court. According to Mahesh, the authorities refused to explain the non-renewal in the hearing and demanded an oral presentation of the organization's work and more documents. Months after this hearing, Mahesh received a written document with a reasoned order of the non-renewal. The grounds were counterfactual. Mahesh explained:

> So these four [reasons] were very general, and they had no merit in fact, so it's clear we are being targeted for reasons best known to themselves, and they are not willing to disclose the real reason. (Mahesh)

What is interesting about this case is that Mahesh's organization was neither working on an international stage nor actively voicing critique against the government nor having any minority religious roots. Instead, Mahesh's organization worked closely with communities and had direct access. Community access was given for most of the organizations I was in touch with, except those who only focused on an international arena. In either case, it was the one or the other, and sometimes both.

The following shows that organizations that "can mobilize on the ground" (Maryam) are deliberately impeded in their work. Mahesh's organization is just one among many examples. In some cases, restrictions happen directly through processes related to the FCRA, such as canceled or not renewed licenses. These are the instances that were covered in news reports. As described in chapter 2.2.1, this concerns a comparatively small number of organizations within the Indian associational sector directly (Tandon, 2017, p. 81). Therefore, the legislative restrictions seem to have affected only those organizations receiving foreign funding. However, in other cases, organizations with community access are affected indirectly by these restrictions.

This fact seems to have been largely overlooked in previous research and reports covering restrictions for organizations since 2014. In the following, I will discuss how these indirect restrictions come about.

Most of my informants' organizations had FCRA licenses at some point. For organizations to keep up with the necessary compliance an FCRA registration entails, they must be equipped with the time and human resources to handle all related affairs. These requirements include writing recurring reports, filing quarterly financial audits, and keeping track of changing compliance demands and rules. In 2020, a new amendment to the FCRA was passed. Though five main aspects were changed in the amendment, there are two that I find particularly worth highlighting in this context. The first aspect concerns the redistribution of foreign funds. While it had previously been possible to subgrant foreign funding to smaller organizations, this was made impossible through the 2020 amendment (FCRA, 2020, section 3). That this change limits organizations' possibilities of working together in networks (Patel, 2021, p. 403) is only one part of the problem. The domino effect also brings community organizations on the verge of shutdown:

> Not just many international NGOs now struggle to survive, but much worse for many of the small organizations, national, local organizations working on the ground. (Dinesh)

I discovered in my research that even though only FCRA-registered organizations are hit by cancellations, denials, and suspensions first-hand, a whole network of organizations is affected in extension. What initially seems relevant for only a limited number of organizations in the associational sector has consequences for a much wider web of organizations.

As many of my informants pointed out, recent amendments have also led to rising reporting demands in terms of quality and quantity. They do not only keep well-resourced organizations occupied with paperwork instead of their actual mandates. The heightened compliance demands also make it impossible for smaller organizations that are financially dependent on better-funded entities to meet the requirements to handle funding applications and related processes themselves. Priya, a volunteer in an organization that lost its FCRA license some years ago and now operates entirely on private donations, explained:

> And they are sending us forms for reporting to fill out, with many pages. You spend a long time filling them out, then you send it. Once you have sent it, they

send you another long form you have to fill out. When should you do your work? You are stuck with all these tasks and cannot do your work. (Priya)

It is important to add that my informants do not question the necessity of proper reporting and compliance. Our conversations did not circle around the issue that some organizations that lost their licenses failed to meet legal standards adequately, as other reports state (CSIP, 2018, p. 15; Doshi, 2022). The perception is that parts of the new procedures have the sole purpose of making it harder for organizations to function effectively.

This leads me to the second aspect of the FCRA amendment from 2020 that I want to highlight. The allowed maximum amount of resources used on administrative tasks was lowered from fifty to twenty percent (FCRA, 2020, section 4). The parallel occurrence of growing compliance demands and limits on resources used for administrative purposes does not add up. Hence, organizations risk shutdown if they do not comply with the bureaucratic demands (Hayes et al., 2017, p. 5) or become entirely reliant on unpaid voluntary assistance. Organizations are worn out by bureaucratic overload.

In this context, Vikram and Josephine shared their worries about the mental health of people working in the associational sector. The never-ending government-requested paperwork, the uncertainty regarding future funding, and harassment cases, on top of their actual work in the organizations, have started to fatigue people. Thus, not only an organization's financial resources but also its human resources are being drained.

As a result, organizations with community presence are restricted in two ways: by directly curbing their funding or by limiting lead-NGOs' funding that had redistributed their funds to smaller community associations. Additionally, compliance demands increased while the limit for allowable administration costs was lowered. The changes in the 2020 amendment set a large wheel of consequences in motion that affect the sector and its employees in much more profound ways than the amendment would initially suggest. While FCRA amendments only affect a small number of organizations directly, many more bear their cost and are simply getting worn out. This is not only felt by the organizations and their workers but also by the communities in which the organizations were active. The next chapter will elaborate on these effects.

5.2 Increasing polarization

Questions of whether and how the BJP is encouraging the spread of communal polarization, hate, and violence have been circulating in media and academia for a while, especially since Gujarat, 2002. For instance, it is still debated whether the communal violence in Gujarat should be called a riot or even a pogrom (Varshney & Gubler, 2013). The official reaction to the critical BBC documentary from January 2023 further stimulated questions about active government involvement. Statistical data shows that communal tension has risen since the BJP government was elected. The year following Modi's assumption of office, between 2014 and 2015, Hindu-Muslim communal incidences grew by 17% (Basu, 2018, p. 40). By 2017, these numbers had further grown, especially in BJP-led states (Basu, 2018, p. 40).

In accordance with these findings, my informants observed increased communal tensions under the current government. Priya explained that hatred towards minorities is now much more openly communicated. The aforementioned rise in public hate speech by political leaders on the state and national levels is one example of openly communicated hatred. Another is online harassment by volunteers (Bhatia, 2022, p. 3) and bots (Bhatia, 2022, p. 10). In the following, I will argue that restricting organizations with direct access to communities also contributes to increased communal tensions.

In our conversation, Josephine told me of a fact-finding trip she went on in 2017 after what supposedly was a communal incident in northeastern India. She described that engaging at the grassroots level gives insights into the spreading of hate in communities that previously had been peaceful.

> When you interview people from there, they are saying that you know, we used to drink tea together, I don't know how this happened. This is how we used to be. And then suddenly there were groups from this party or this, the current regime who came in, and then they created this atmosphere of hate […]. In a sense, you feed people hate, right? You don't just wake up someday hating somebody ((audibly smiling)) in that community. So, I suppose the regime is successful in that kind of mobilization. (Josephine)

Rizwan even put it this way:

> Communalism is not just a cultural or religious issue. Culture and religion are the tools. But it is a very highly political issue. So the government, the ruling government, is in power just because of this issue.

From their work experience and interpretation of the political environment in which they operate, Josephine and Rizwan concluded that the BJP is actively involved in spreading communal hate and violence.

Before I continue my argument to show how restricting organizations contributes to increased communal tensions, it is important to point out that scholars warn from a one-sided view of communal tensions (Shah, 2021, p. 19). Nevertheless, minority communities in today's India disproportionately bear the costs of communal conflicts (Basu, 2019, p. 29; Shah, 2021, p. 19). This detail has not gone unnoticed by my informants either. Basu (2019, pp. 2-3) conducted a quantitative analysis of reported hate crimes in India between 2009 and 2018, motivated by the question of whether there is a causal connection between the BJP's electoral success in 2014 and the increased number of hate crimes against religious minorities since then. He writes that not only have hate crimes against minorities increased, but it has also increased significantly compared to the number of hate crimes committed against the Hindu majority (Basu, 2019, pp. 24, 29). Most importantly, Basu (2019, p. 65) found that the BJP's electoral success has indeed causally affected the rising numbers of anti-minority hate crimes. The effect is noticeable on a national level and in a difference in hate crime statistics between BJP-led and non-BJP-led states (Basu, 2019, p. 66).

The BJP is currently forming a government independently. Its largest national political opponent, the Indian National Congress, struggles to form a significant and comparable follower base and coalition (Nielsen & Samuelsen, 2023). Since a lack of political competition means a lack of demands for compromise (Wilkinson, 2004, p. 238), the BJP's realization of its polarization agenda is met with little political resistance. As little party fractionalization correlates positively with high rates of communal incidences (Wilkinson, 2004, p. 237), the BJP's polarization efforts are embedded in already favorable conditions. Its success depends on a conglomerate of additional factors. As I will show in the following, it also includes the obstruction of community organizations. The strategies I will present are not a complete list but highlight aspects relevant to the civil society context.

One strategy to polarize communities in favor of BJP support concerns the BJP's organizational root, the RSS. Pai and Kumar (2018, p. x) argue that establishing low-key everyday communal tensions that keep constantly simmering has become an election strategy for the BJP and a

scheme for the long-term establishment of Hindu majoritarian attitudes in society. Outside the party's core constituency and disconnected from election campaigns, this is done in two ways: Securing votes for the BJP through social service provision (Thachil, 2014, p. 24) and recruitment into RSS-related vigilante groups among lower caste communities (Jaffrelot, 2021, p. 83). These mechanisms do not exist in a vacuum. They are for example underpinned by the erosion of independent media and education institutions, which I will return to in chapters 5.4.1 and 6.1.2.

Like political parties' agendas, the RSS thrives when competition is lacking (Thachil, 2014, p. 183). Its success becomes more likely if rights-based organizations encouraging intercommunal dialogue, teaching constitutional literacy, and challenging the *Hindutva* mindset are prevented from operating. Varshney and Gubler (2013) argue that state action is not the most influential factor for communal harmony. Instead, the presence of communally well-integrated, interethnic civil society organizations, such as NGOs, interest clubs, and business associations, contributes most to communal stability. They based their conclusion on a study conducted by Varshney in 2002 that compared six different Indian cities. Services and activities provided by organizations strengthened intercommunal ties and, therefore, helped prevent violence and uptear in times of tension (Varshney & Gubler, 2013). However, organizations with community access that could unite people from different backgrounds and help create bonds are currently being restricted. If local grievances are not addressed across communal lines, the creation of divisions between different religious communities is only accelerated. With weak political opposition and limited space for secular community building, this spiral will continue faster than if pluralistic organizations that challenge *Hindutva* could operate freely.

Rizwan's organization was one of those with community access. His account portrayed how the activities of rights-based organizations with community access are obstructed outside FCRA-related regulations.

> So the government, the ruling government, is in power just because of this issue [communalism]. And if we take this kind of issues to the youth, so definitely government is not very pleased with us ((smiling audibly)). Because it is a kind of anti-establishment work, however, we work in a constitutional framework *and* on the constitutional values, *and* we take the constitutional literacy to the community, but it is not in a favor of the ruling party. So, government, the ruling party, looks at our work you know, not very pleased. (Rizwan)

In Rizwan's organization, a core issue is to equip youth with what he calls constitutional literacy: "we focus on values, equality, justice and the idea of India, for what our freedom fighters fought," Rizwan elaborated. What shines through is the wording of the preamble of the Indian constitution, which my informants suggest is disrespected and threatened by the current government. The constitution and its preamble have become a protest symbol for dissenting organizations, activists, and people's movements (Biswas, 2020; Mandhani, 2019), an observation I will return to in chapter 5.4.2. Rizwan continued by elaborating on specific incidents that support his point. On several occasions, permissions for organizing rallies or sit-in protests were initially granted but suddenly canceled during the event. Their activities frequently came to halts and had to be changed last minute. Given the frequency of such incidents and that permissions were suddenly revoked during programs, he interpreted these incidences as "a strategy to disrupt our programs". Josephine's reading of said development supports Rizwan's interpretation as well:

> 2016 onwards, it was happening, so then people also said that no, this is a clear targeting of organizations that are doing grassroots work, that have *access* to people, and who talk about human rights. And so, you know, having that kind of a connect may be seen as dangerous or something by the present regime. (Josephine)

The danger to the present regime becomes apparent in Dinesh's account below. He explained the importance of not losing the connection on the ground for creating an alternative to the Hindu nationalist narrative that is gaining popular support.

> What will be important therefore is to continue actually speaking, engaging with *those* people who have had experience of working *on* the ground, *with* civil society, NGO-organizations who have massive or *some* significant presence on the ground, acceptance of the people, through movements, through grassroots work et cetera. Now, the conversation definitely needs to happen as to how do you convert *that* social capital, years of *earned* social capital, into some kind of more political voice. (Dinesh)

When organizations are prevented from conducting their work on the ground, the likelihood of political debate and a successful translation of social connections into a dissenting political voice is increasingly limited.

The unfavorable development for dissenting rights-based organizations and increased communal tension is accelerated through the augmented presence of organizations related to the Hindu nationalist RSS. This was hinted at by Josephine when she said:

> Suddenly there were groups from this party or this- the current regime who came in, and then they created this atmosphere of hate. (Josephine)

While certain organizations are "squeezed out of existence" (Pradeep), organizations that share the BJP's values and ideological roots are boosted and often funded internationally (Basu, 2018, p. 40). The RSS' number of *shakas*, regular training camps for its members, has jumped since 2014 (Andersen & Damle, 2019, p. 260). Organizations are a central player in the foundation of attitudes and political opinions and in (de-)stabilizing communities. This potential is exploited by the BJP, as the obstruction of dissenting organizations benefits their polarization efforts.

5.2.1 Weaponizing the bureaucracy

During the interviews, I noticed how my informants talked about the ongoings in the organizational sector. The way they expressed their perceptions of the harassment and restrictions of civil society actors strongly reminded me of violent encounters, much alike communal violence. My informants talked of the government "demonizing" organizations, being "angry" about the work that is done in this sector, and wanting to gain "full control" over it. Furthermore, they talked of the government "going after" and "hounding" organizations and activists before they carried on talking of the government "attacking", "strangulating", "stifling", "drowning out", "kicking" or more generally of "killing" or "eliminating" the organizational sector. Simon compared the targeted use of laws against organizations and individuals and the frequent ratification of amendments to the use of a sharp knife as a weapon. Some others described the process as a "witch-hunt" carried out by government agencies and their army, Hindu right-wing vigilante groups, and online trolls.

Regarding civil society's emotions and actions, my informants talked about "fearing", "resisting", "fighting" and "escaping", and finally, "dying" or "surviving".[13] I vividly remember Ayesha's voice when she declared during a conversation about open dissent:

> If you die, rather die fighting. Don't die as a coward. (Ayesha)

This language is also used in some of the literature I consulted. Patel (2021, p. 409) describes the restriction and harassment processes as "Modi's crusade against India's civil society". He literally compares the ongoings to a religious war. Fittingly, Chaturvedi (2016, pp. 139-140) writes that Hindu nationalist online trolls see themselves as warriors for the *Hindutva* project, fighting against dissenting voices, political opponents, and minorities.

The government-imposed harassment and restrictions for organizations and outspoken individuals are experienced as a violent conflict. Government agencies such as the Enforcement Directorate (ED), the Income Tax Department (ITD), or the Central Bureau of Investigation (CBI), their employees, and Hindu nationalist volunteer vigilantes are perceived as the driving forces behind the conflict. Laws, compliance demands, court cases, and words are used as weapons against the civil society sector. The restrictions put organizations' existence and the livelihoods of their employees and target audiences at stake.

Regarding civil society's response to harassment and restrictions, Chatterjee (2020, p. 147) argues the following in his latest book:

> But when a populist regime becomes arbitrary and authoritarian, and tramples on civic freedoms and institutional norms in order to satisfy popular demands, civil society makes up for its deficiency in the electoral arena by seeking the intervention of the courts of law. If this fails, however, the urban propertied classes organized in civil society may turn against electoral democracy itself, usually with the help of the armed forces.

The informants repeatedly voiced their disappointment and mistrust of the courts. Yet, they did not describe their opposition to the political regime and its ill-treatment of the organizational sector in similarly offensive language as they had used to describe the government's handling

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[13] For readability, I have not inserted the list of names behind every cited term in the above paragraphs, as each of them was uttered by several informants. Even though some informants used this kind of language more excessively than others, I found it in all interviews.

of the sector. Instead, they emphasized the importance of cultivating a political opposition bottom-up, much like in Rizwan's example of teaching constitutional literacy to the youth in his area. Instead of using expressions associated with physical violence, my informants talked of conversation and cooperation when they described civil society's possibilities of contributing to social change. While this might sound promising at first, much of their language use in this context suggests an experience of helplessness and passivity and starkly contrasts the force with which they describe government and vigilante action against the sector. I will discuss this in further detail in the upcoming chapter.

5.2.2 An absent counternarrative?

Dinesh is not the only one who pointed out the importance of finding, framing, and promoting an alternative narrative that can connect people across social groups. As presented earlier, he explained in our conversation that organizations with presence, established relations, and trust in communities need to find a way to turn their social capital into a firm political voice. Several of my informants mentioned the necessity to create a counterweight to the Hindu nationalist narrative of what it means to be Indian. And even though many informants explicitly said that they are eager to stay positive, none mentioned names nor specific, existing movements that could help create and popularize an alternative narrative. I heard phrases like "opposition will come" (Mahesh), "maybe something might happen" (Noor), "civil society will find its way" (Dinesh), and "let's see, somebody succeeds" (Thomas). None of these phrases suggests that these individuals viewed themselves as an active part in creating and promoting an alternative narrative, despite their active involvement in organizations and networks that openly opposed the government's Hindu nationalist worldview. Linguistically, they projected this task to impersonalized and unspecified subjects instead. They agreed it needs a mass movement, starting at the grassroots level. They agreed it would take a "social reconstruction" because the "poison has gone too deep", as Elizabeth put it. They also agreed that a strong enough counternarrative would come eventually. But no one presented an idea of who should take responsibility for bringing this about.

Nilsen (2018) has formed an argument closely aligned with my informants' argument: that a counterhegemonic narrative needs to be formed in a bottom-up process and by

"consolidate[ing] scattered forms of resistance". Nilsen published his argument half a year before the last Indian national election. Four years later, the need for a deepened democracy through open debate and demands in the form of a popular movement that can challenge the hegemonic *Hindutva* narrative is the same. Based on the conversations with my informants, Nilsen's text might as well have been published in 2022. If anything, one can argue that the political situation has further deteriorated since 2018. Many of my informants would agree with this conclusion, as they pointed out that the situation for dissenting and religious minority organizations and individuals has worsened since the election in 2019. The law amendments that have been presented or even passed since, such as further amendments to the FCRA or the CAA, also strongly support the argument.

Chatterjee (2020, p. 109) writes that a counternarrative would need to "project the idea of the Indian nation-state as one founded not by a unitary people-nation but by a number of federating people who came together", a narrative which "would allow for not only the equal presence within it of many languages, religions, and ethnicities but also of several civilizational narratives, including those of the minority religions" (Chatterjee, 2020, p. 109). He reasons that it will need more than a rationalized critique of the Hindu nationalist narrative but a narrative with the "emotional power to draw people into collective political action" (Chatterjee, 2020, p. 152). This sounds like Dinesh's emphasis on the need to turn "years of earned social capital into some kind of more political voice". Chatterjee (2020, p. 152) argues that the transformation and the creation of a strong counternarrative start with intellectuals' groundwork, and Dinesh agreed that "the conversation definitely needs to happen". Again, there was no mention of who needs to have the conversation and figure out how to convert grassroots connection and trust into political action. In my interviews and during my job shadowing weeks in India, I talked to individuals considered part of an intellectual elite, both by scholars and the current political regime. Therefore, it is surprising and somewhat demoralizing that they did not describe themselves as in the driver's seat of a counterhegemonic project. Many of them continued their work in any way they could and refrained from self-silencing. Yet, in our conversations, they did not assign themselves a more active role in a potential counterhegemonic transformation. One can only hope that this passive presentation was rooted in modesty and that Chatterjee will be proven right after all.

In chapter 5, I have so far shown that direct restrictions for organizations with foreign funding are only one aspect of the restriction maze. Largely unmentioned in previous literature, direct restrictions affect associations with access to an international platform and a much wider web of small organizations on the ground. Community access is crucial for forming politically impactful narratives and intercommunal peace. The BJP and RSS exploit this potential for establishing Hindu nationalist values and community polarization. Much like increased communal violence since 2014, my informants described the government's handling of organizations with violent language. In contrast, they described their own responses and solutions rooted in dialogue and pedagogical approaches. However, to my surprise, they did not describe themselves as in a key role in bringing about an alternative narrative challenging *Hindutva*. Chapter 5.3 will highlight additional ripple effects of direct restrictions that potentially tie civil society's hands in a needed counterhegemonic project even more.

5.3 Local funding and organizational representation

Apart from direct and indirect restrictions through FCRA, government agencies, and harassment cases, the interviews showed further layers of the obstruction processes that have hardly been touched in previously written contributions. My informants' accounts lay bare ripple effects of the top-down strategies. These ripple effects concern behavioral changes for national donors on the one hand and altered means of operation within organizations on the other. Again, the prevailing emotion that my informants repeatedly state in this context is fear. Fear among larger donors to face repercussions, fear among individual financial contributors to come under scrutiny, fear among employees regarding their private online and offline activities, and fear among organizers regarding the work they are doing or from which they have started to refrain.

In the interviews, I was told that local donors are now rethinking their financial support to organizations on the government's radar. Maryam recalled that government offices even had started tracking ordinary individual donors who support organizations monthly, which is reported back to the government with their tax returns.

> The [government] office was calling to people who were donating to [us]. And ask oh have you donated to [this organization], we're just *cross-checking* to make

sure it was a *legit* transaction ((dramatically mimicking another voice)), but *obviously,* it was to scare people off. So, a lot of people started dropping off. (Maryam)

Priya told me a very similar story.

> There are only so many organizations an individual can support, you know. We encouraged people to give like 1000 rupees a month, instead of giving 12000 in one go. But there is also fear among these people. They rather want to give differently. They don't want their names to be signed to it so that they will not be bothered by the government. (Priya)

These accounts clearly show that the restriction processes directed at organizations do not stop with government or vigilante actions. Additionally, the restrictions also led to the loss of local financial support. Not only individuals' donation behavior is influenced, but also that of larger donors who have started to "play it safe," as Pradeep put it, and which has been written about elsewhere as well (Doshi, 2022). The government's tactics have often effectively worked as warnings, scaring off donors.

Ayesha complained to me about the changes she had observed regarding inner-organizational alterations. She said:

> I mean people with whom we work, I work very closely, closest of our friends, we were discussing a program only the day before yesterday, and I saw so much of fear. We can't do this, we would not do this, we will not do this ((mimicking other voices)), I mean, there is this whole atmosphere of fear […]. *Even* if things are possible to do, even then, people are, you know, restraining themselves. That if I do it, maybe there would be repercussions. (Ayesha)

Based on Ayesha's account, organizations, collectives, and networks no longer use the full range of possible activities. They restrain their programs to shield themselves and their work from negative consequences, which Thomas also told me about in our conversation. Self-censorship does not only concern what is said by an organization and with what issues an organization engages. It also includes how they work on these issues and their planned activities.

Self-censorship is a process that has been observed and discussed in other contexts as well, most notably in journalism and academia. In its evaluation of India's independent media status, Freedom House (2023) writes: "Authorities have used security, defamation, sedition, and hate speech laws, as well as contempt-of-court charges, to quiet critical voices in the media. Hindu

nationalist campaigns aimed at discouraging forms of expression deemed "antinational" have exacerbated self-censorship." During my stay in India, I overheard or took part in several conversations covering the issue. Since some activists engaged in interviews or published in newspapers and online platforms, they had experienced being demanded to censor themselves or had been censored by an editor. They dealt differently in the cases about which I heard. They either stayed as neutral in their writing as possible or withdrew their contribution due to the enforced censorship.

Similar tendencies are observed in academia. Scholars (Jaffrelot, 2021, pp. 167-177; Jayal, 2019, p. 40; Zachariah, 2021) and my informants noted that the academy is changing. Staff is replaced with pro-government scholars who use their scholarly privileges to support and spread Hindu majoritarian views. Moreover, self-censorship is applied to avoid exclusion from academia (Zachariah, 2021) through the withdrawal or alteration of publications (Jayal, 2019, p. 40). The same practices apply to all three spaces, journalism, academia, and civil society. Government agencies meddle in the running of these entities, their funding, and day-to-day operations. Additionally, they scrutinize individual staff and donors. Each of these mechanisms works as a scare tactic that leads leadership and staff into silence, compromising the content of their work.

The compromising of work comes with one more layer of internal adjustments which mirrors communal polarization in society. Noor told me of an instance that illustrates that organizations are also shaping their profiles to avoid more severe restrictions. She told of careful considerations regarding which donors of which religious background to approach. Noor also observed that some organizations were making sure to cater their programs no longer only to Muslim communities and that some even chose carefully whom they employed or let represent them publicly. The red thread through all the examples Noor gave in her story was religious affiliation.

> I got an opportunity, I still remember. It was an international organization, I could have been sent to the UN to speak. Okay, and I remember the discussion, one of my friends told me that, you know, we don't want a Muslim person to *represent* our organization. And that *struck* me, that hit me. (Noor)

Also, on the news, audits have been reported where auditors questioned NGOs about their Muslim donors and employees (Subramanian, 2021). According to Noor, the fear of negative

attention and following repercussions led some organizations to reproduce the government's and related agents' exclusion mechanisms.

The presented examples show that the active restrictions that the government implements have set ripple effects in motion. Organizations' operations and mandates are jeopardized not only by direct government efforts but also by the consequences national donors and the organizations themselves draw from the authorities' handling of the sector. In their altered behavior, donors, organizations, and individual civil society actors reinforce the government's agenda by refusing to continue to fund the government's "enemies within" (Nilsen, 2018) and by terminating or tailoring their engagement with the religious 'Other'.

5.4 A very clear objective

In chapter 2.2.1, I introduced the FCRA, which has been used and amended to restrict NGOs before the present government came to power but even more excessively after 2014 (Doshi, 2022; Patel, 2021, p. 402). All informants emphasized that even if there had been restrictions under previous governments, they noticed a change in the quantity and quality of the restrictions for organizations since 2014. "The one [BJP] has the cow, and other one [Congress] doesn't have the cow", Thomas said jokingly. In unison, my informants interpreted the restriction processes as directly connected to the government's "very clear objective of establishing a Hindu majoritarian state," as Sara described her interpretation. Other informants depicted the party's ideology as the origin and "driving force" (Noor) behind the restrictions. The informants were undivided in their understanding of the processes as not only symptoms of an autocratizing state but as part of a "concerted effort" (Sara) and an element in a "larger design" (Dinesh) where society is transformed based on a majoritarian worldview.

> The increasing focus of the new government on demonization of minorities, they have been working on this in a very planned, systematic way, be it laws, be it culturally, be it socially, be it economically, be it every way. They were making sure that marginalization was felt, was pronounced. (Maryam)

In this systematic, planned, concerted effort, civil society is one of the institutions that have to be "replaced or completely transformed or hijacked," told Dinesh. He described that parliament,

judiciary, and media had undergone the same "capture" and "decimation" as the civil society sector is facing[14], and many other informants explicitly agreed with this view.

Several informants described the present time as a transition period where the dismantling of institutions vital to democracy is still ongoing. Many of them voiced uncertainties about the future regarding their work, livelihoods and the country's political future. None of them expressed a view that would suggest that the BJP's political project of building a Hindu *rashtra* has fully succeeded yet, a view which was often accompanied by references to the Indian constitution, which defines India as socialist, secular, and democratic (Constitution of India, 2022, preamble). However, they emphasized that they see the country on an obvious path heading toward a Hindu majoritarian state, with some aspects of it already established. Examples are the systematic bias in the legal system or law enforcement, or laws rendering Muslims second-class citizens (Jayal, 2022, p. 16).

5.4.1 New India

That India will change was unmistakably promised by the BJP in their election campaign in 2014, with their election slogan *achhe din aane waale hain* (good days are coming). Linguistically, using the present continuous form for a future clause suggests a plan or arrangement likely to occur based on already made preparations. This slogan encompassed two directions of change, one economic and one cultural. These mark the two cornerstones of the BJP's and Narendra Modi's politics (Palshikar, 2017, p. 15). Both shape the vision of the new India the party promised to bring about. My research showed that the obstruction of civil society contributes to the envisioned cultural change.

On the one hand, this new India would be characterized by opportunity (Palshikar, 2017, p. 15) and prosperity, as the BJP itself states in its party constitution (BJP, 2012, p. 1). Palshikar (2017,

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[14] As introduced in chapter 2.2, media and judiciary have been compromised during the last decade. Media houses are in the hands of a few (RSF, 2019). Independent media have increasingly been scrutinized with similar direct tactics as against the civil society sector with raids, bans, direct personal threats or arrests (Jaffrelot, 2021, pp. 299-302; Sinha, 2021, p. 329). Jaffrelot (2021, p. 289) also suggests that the independence of judiciary has been increasingly jeopardized, such as the independence of the Supreme Court through "government pressure, ideological affinities, and blackmailing". Anti-Muslim bias in courts has been observed as well (Jaffrelot, 2021, pp. 425-427).

p. 15) suggests that the BJP noted the power that lies in the promise of "a politics of hope and expectation". They took advantage of the fact that no other political opponent had utilized the promise in a similarly potent way. The focus on development and economic advance was clearly visible in the 2014 election campaign and the image Modi created around his person. By presenting himself as a successful CEO of his home state Gujarat, someone who "get[s] things done" (Jaffrelot & Tillin, 2017, p. 185), Modi had laid the base for the promise "to be the embodiment of a New India, an economic powerhouse based on development" (Chatterjee et al., 2021).

On the other hand, this new India would have undergone a cultural change. This change would be brought about by the *Hindutva* hegemony the party stands for, the "hegemonic struggle to achieve a convergence between the nation-state […] and a people-nation that is unitary, homogeneous, and transcends the various regions within India" (Chatterjee, 2020, p. 108). This vision entails the "upper-caste Hindu male speaking a northern Indian language [as] the normative, unmarked, Indian", the ideal below which all other identities are subordinated (Chatterjee, 2020, p. 108). Given the social heterogeneity of the country, the list of subordinated groups is long. However, the Muslim is placed at the bottom of said hierarchy (Chatterjee, 2020, p. 108). Hence, the *Hindutva* project intends to shape society, creating and maintaining hegemony along this imagined societal order.

My informants repeatedly referred to both cornerstones of the BJP's political discourse in the interviews. Yet, the idea of *Hindutva* was by far the most significant element that my informants identified as the very origin, fuel, and objective for the restrictions their organizations had been experiencing. Vikram explained:

> It is one of the modes of achieving that Hindutva, I think, in tomorrow's world. (Vikram)

For the BJP to bring about tomorrow's hegemonic society, two things must happen regarding civil society: critical voices must be curbed so as not to disturb the project, and minority groups must be kept in their rightful place, according to the *Hindutva* image. This concerns religious minorities, lower caste groups, women, sexual and gender minorities. As I have argued earlier, this process also includes restricting direct access to communities to prevent a systematic build-up of a counternarrative and increased communal tensions. The ripple effects on donors and inner-organizational dynamics help this undertaking further along.

The imagination of a different and enhanced world of tomorrow that can be brought about by political change is what da Silva and Vieira (2018, p. 11) call a "politics of redemption". Even though the authors draw from writings and discussions of populist politics in Christian contexts (da Silva & Vieira, 2018, pp. 11-15), the redemptive character of populist politics is useful for the contemporary Indian context as well. In the following, I will present how.

According to da Silva and Vieira (2018, pp. 11-12), redemptive politics has two dimensions: temporal and moral. Regarding the temporal dimension, the authors describe redemptive politics as "decidedly future-oriented but it involves a reference to *a* past – historical or archetypal – and to present experience" (da Silva & Vieira, 2018, p. 11). In the BJP's case, the reference to a past is invoked in the *Hindutva* discourse. There are three examples I want to use to illustrate this point.

The first example is prime minister Modi's speech at the international Summit for Democracy in 2021. In his address, Modi invoked a "civilizational narrative" (Nagda & Choudhury, 2021), portraying India as the world's oldest democracy by referring to allegedly democratic civilizations on the Indian continent that date 2500 years back. He said: "This very democratic spirit and ethos had made ancient India one of the most prosperous. Centuries of colonial rule could not suppress the democratic spirit of the Indian people. It again found full expression with India's independence, and led to an unparalleled story in democratic nation-building over the last 75 years" (Modi, 2021). Nagda and Choudhury (2021) argue that Modi's civilizational reference "fits exceptionally well with his government's cultural nationalism". Moreover, it is an excellent example of how the past is used as a reference for the political present and aspired future.

Second, this historical past is invoked in the renaming of Indian cities carrying a name associated with Islam. The authorities justified the name change by saying that they "were merely reverting to the cities' historical names, which, according to them, were changed by Muslim emperors that governed the Indian sub-continent prior to British rule" (Krishnan, 2018). In both cases, the archetypical era, the "original India" (Jaffrelot & Tillin, 2017, p. 180), which serves as the role model for India's present and the ideal for its future, is an era before either Christianity or Islam had arrived on the Indian subcontinent. Neither of these religions had even

existed. While Modi's speech was rhetorically bridging the idealized past, present state and imagined future, the bridge between the eras materializes in renaming Indian cities.

The third example of how the past is invoked in the *Hindutva* discourse goes further. The renaming of cities affects the outer environment of Indians. However, authorities are taking measures to affect individual and collective memory and knowledge. Since the beginning of Modi's tenure, curriculum, and schoolbook changes have been on the BJP government's agenda, which included a close collaboration with the RSS. Their education and re-education efforts came with a particular emphasis on the teaching of history (Jaffrelot, 2021, p. 169). Again, the Hindu civilization is a prominent reference point, mythology is presented as historical accounts (Jaffrelot, 2021, p. 171), and teachings about the Muslim-ruled Mughal Empire are cut drastically or left out entirely (Jaffrelot, 2021, p. 173). The re-education efforts in schools resemble the prevention of secular pedagogical activities on the community level in Rizwan's case. It also reminds us of the decimation of independent news channels that seek to educate instead of entertain, as Ravish Kumar argues in Shukla's (2022) documentary about the obstruction of the news channel NDTV, 'While we watched'. In both cases, alternatives to the Hindu nationalist worldview are either publicly denunciated or removed from public influence to tailor individual and collective knowledge to the *Hindutva* ideology.

I interpret the working of these three examples as follows. First, the BJP bridges what it describes as the first democratic settlements and today's democracy and portrays the archetypal past as today's ideal. Second, the eras between the Hindu civilization and today are described as disrupted by the Mughal Empire and British colonialism, each of which period is associated with Islam and Christianity, respectively. Third, framing democracy's origin and persistence in this way and attaching it to religion allows the BJP to promote Hindu superiority in today's India (Jaffrelot, 2021, p. 171). The supremacist narrative underpins the othering of religious minorities and justifies the ongoing establishment of an ethnic state. Lastly, removing information and knowledge that question *Hindutva*, be it in the education system, the media or organizational spaces, helps establish this narrative within the population, starting with its youngest and most impressionable groups.

According to da Silva and Vieira (2018, p. 11), the orientation towards the future in redemptive politics often appears as utopianism. The BJP's vision is an example of programmatic

utopianism, meaning that the *Hindutva* project presents a clear picture of the future, including suggestions for how to get there. The steppingstones towards the imagined future have repeatedly been politically concretized. The renaming of cities and textbook changes illustrate it, as do the CAA from 2019 or intensified restriction processes for organizations with community access. As I have argued earlier, these restrictions have set many processes in motion that play into the hands of the visionaries of the *Hindutva* hegemony and the realization of a Hindu nation.

Da Silva and Vieira (2018, p. 12) describe the idealism attached to the imagined future as the moral dimension of redemptive politics. Elizabeth addressed the "temporal-moral structure" (da Silva & Vieira, 2018, p. 20) of the BJP's politics in our conversation.

> Right now, there is a backlash everywhere. […] You know, people in power are *uncomfortable* with the inclusion that has happened in many places because the power still rests with either the previous generation of people with that kind of ideology, and there is a support for technically tradition, you know going back to our roots, which is *often* seen as going back to *orthodox* roots, which are divisive, which are very narrow. […] So it's *one* land, *one* religion, *one* culture, *one* language, you know, *only* no one caste, other castes are recognized, no one gender, you know, gender is stereotyped and differentiated. (Elizabeth)

Inclusive changes and enhanced appreciation for diversity in society are met with resentment. They ought to be stopped and redirected. Obstructing dissenting organizations is one way to make this happen, as many of them advocate for religious and cultural pluralism and oppose gender and caste discrimination. The restriction is not an end in itself but a means to prevent civil society actors' efforts from having societal influence that opposes the government line.

While the ideal country lies ahead in the future, its constitutive values are not found in liberal progression but in regression instead. This stands in contrast to the party's vision for economic development. The progressiveness particular to the development discourse, is inverted in the party's *Hindutva* discourse.

5.4.2 Hindu nationalism vs. constitutional patriotism

Not only has the BJP occupied the economic development discourse and held on to its *Hindutva* discourse. Additionally, it merged these two discourses with nationalism (Palshikar, 2017, p.

15). Since *Hindutva* is commonly equated with Hindu nationalism in disseminations about the BJP's politics today, the observation that the party merged their two core discourses with nationalism is, of course, nothing new. In the context of restrictions for organizations and activists, it still deserves special attention. As my argument will show, Modi and the BJP have monopolized patriotism in a way that undermines any other worldview than Hindu nationalism and renders it illegitimate, unpatriotic, or even dangerous for the country and its citizens.

An example of this merger that almost speaks for itself is Modi's post on Twitter after his party won the national election in 2014.
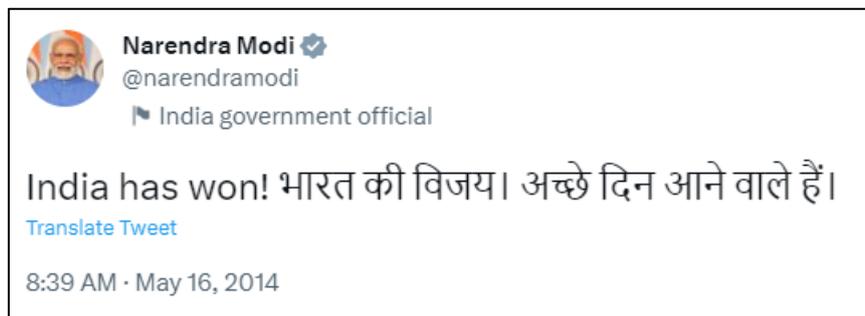
Figure 4: Narendra Modi's post-election tweet, 2014

In the post, he equates the BJP with India. With this rhetorical move, the groundwork was laid for calling anyone who does not align with the BJP "anti-national" (The Wire Staff, 2021). Palshikar (2017, p. 15) argues that the strike of merging nationalism with the *Hindutva* and development discourses strengthens the BJP's hegemony and draws new potential voters closer. While this suggests that Hindu nationalism is created top-down, Bhatia (2022, p. 15) argues that a top-down inculcation only covers half of the story. Based on her study of Hindu nationalist discourse on Twitter, she concludes the following:

> The term anti-national effectively roots the definition of nationalism in discourses of exclusion. The discursive intentionality of this term is to prevent people from practicing or articulating different versions of nationalism. The term anti-national is used to center the majoritarian Hindutva identity and deny other identities their right to identify with the Indian state. (Bhatia, 2022, p. 3)

That this monopoly on nationalism creates conflict becomes apparent in my informants' stories. Almost all of them reported that they themselves or their organizations had been called anti-national. Some even said that the entire section of civil society that engages in community and minority work or expresses criticism publicly had been labeled anti-national. Other authors

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have observed this as well (The Wire Staff, 2021; Patel, 2021, p. 60). The tendencies of calling secular activists, students, academics, journalists[15] , and religious minorities anti-national points back to the populist categories of 'us' and 'them', and of 'people', 'elite' and 'others'. The 'people', who the BJP claims to represent, are portrayed as pro-BJP, pro-India, and pro-national. On the contrary, 'elite' and 'others' are not, either because of their dissenting worldviews or the apparently wrong religious affiliation.

In defense, my informants argued that criticizing and identifying weak spots in policies and government efforts is anything but against the country, but in the country's and its citizens' favor instead. It becomes evident that there are two different understandings of patriotism, two polarized camps in the debate about what it means to contribute to one's country's improvement.

> They [government] think these people are doing work which is not binding our nation, which is breaking our nation. [...] If you are holding them accountable, if you're pushing them to work harder, then you are basically [...] more national than other people, I think, but they don't look at you like that. (Vikram)

My informants often defended their critical engagement with political issues by referring to the Indian constitution.

> Actually, when we give our opinion or when we come back to some small level struggles or give a press note, we say that the constitution of India says that it is a socialist, secular, democratic republic, and that's what we are talking about, because, you know, this government beliefs in Hindu nationalism. We say this is not a Hindu rashtra, this is a secular country. (Joshua)

Also, during my field trip, I heard and saw the constitution, especially its preamble, as a frequent point of reference. I noticed it in discussions about which values the nation should be built on and on posters. Using the constitution in defense of raising questions, working on the ground and with minorities, and standing up for the idea of a secular, diverse nation, is not unique to the context I have researched. Protesters have, on previous occasions, used the constitution as a protest symbol, such as in the anti-CAA protests in 2019 and 2020 (Biswas, 2020; Mandhani, 2019). In an interview, the scholar Rohit De explained that by using the constitution as a symbol

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[15] In Shukla's documentary 'While we watched' (2022), the aggressive and frequent accusation of dissenters and minorities of being anti-national can be seen in the many sequences throughout the film. Repeated examples are live broadcast debates and news reports on the channel Republic TV featuring its news anchor Arnab Goswami.

in demonstrations, the protesters oppose the government's accusation of being anti-national. With it, they create and partake in a "constitutional patriotism", which forms a counterweight to the *Hindutva* version of nationalism and devotion to one's country (Biswas, 2020).

During my visit and interactions with civil society activists associated with different organizations, it became apparent that they regard the constitution as something that needs to be defended, even saved. The current political direction of the BJP is perceived as a threat to a secular, democratic, and egalitarian India. The sentiment is that the present government, though legally bound to the constitution, is not safeguarding values enshrined in the constitution and even has the objective to change it. In a meeting, an informant and her colleagues spoke of the constitution being turned upside down.

The first page of the BJP's own party constitution and rule book states that the party is loyal to India as a socialist, secular, and democratic country (BJP, 2012, p. 1). However, party politicians have openly and directly argued against the constitution's wording (Jaffrelot, 2021, p. 165) and information about their objection can be seen in ideological texts and legislative actions (Puniyani, 2018). For example, article 370 of the constitution concerning the autonomous status of Jammu and Kashmir was revoked in 2019 (Patel, 2021, pp. 296-298). It is the country's only Muslim-majority state, and the government referred to its autonomy as a security issue (Jaffrelot, 2021, p. 316). The revocation was interpreted as a stepping stone toward changing the demography of the region (Jaffrelot, 2021, pp. 370-371), an understanding I also heard in my interview with Dinesh. Moreover, several state-level changes regarding article 25 about the freedom of religion have been issued since 2014. These changes concern the so-called anti-conversion laws that target Christians and Muslims, either through the prevention of proselytization activities or interreligious marriage.

Furthermore, Jayal (2022, p. 21) argues that recent legislative changes, particularly the CAA and the NRC, suggest India is heading in a different political direction than the constitution foresees. While the constitution portrays an idea of India as a "civic community", the popular view and government position have shifted toward the idea of India as an "ethno-national community" (Jayal, 2022, p. 26). She suggests that the BJP aims to "reinvent the nature of the Indian republic, from a pluralist, multi-ethnic and multi-religious civic community to a political community marked by ethno-religious majoritarianism" (Jayal, 2022, p. 17).

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In light of the character of recent legislative changes and in the occasion of their continuation in a similar fashion, civil society actors' resort to the constitution as a symbol of loyalty to India, and the legitimacy of their patriotism might be rendered ineffective. If the constitution is indeed going to be changed in the substantive way my informants' underlying fear suggests, it will no longer serve as a base to challenge *Hindutva*.

5.5 Summary and outlook

In chapter 5, I argued that a rights-based and minority religious profile are not the only characteristics of obstructed organizations. All organizations in my sample had either access to an international audience or communities. I argued that curbing these accesses aids Hindu nationalist power assertion in two ways. First, international critique is limited if organizations are held back from raising issues on international platforms. Second, when dissenting organizations have a limited presence in communities, popularizing *Hindutva* will be easier, as there will no longer be platforms and programs that advocate for an alternative.

Furthermore, I addressed that communal violence has risen since the BJP assumed power and is directly related to its electoral success. Based on previous literature, I argued that the obstruction of organizations contributes to this development. The restrictions lead to the removal of intercommunal meeting places that could help build collaboration between different communities. With the BJP's popularity, weak political competition, and a deteriorating community presence for dissenting organizations, the outlook of forming a counternarrative and bridging efforts between the two polarized camps is scarce.

I also presented ripple effects of direct restrictions for organizations reinforcing the authorities' agenda. My informants said that local donors have started dropping off, and organizations are altering their activities, profiles, and representatives to avoid repercussions. These ripple effects speed up the limitation of rights-based, secular, and minority religious organizations' work even more.

Both direct and indirect restrictions, as well as their by-products, are elements in the effort to build a Hindu nation. Since Hindu nationalists perceive both secular entities and religious minorities as threats to this undertaking, their influence has to be curbed. Thus, authorities

prevent the systematic build-up of a counternarrative in communities and on larger platforms. Moreover, the BJP, Modi, and their sympathizers are labeling any attempts to advocate for a diverse India and minorities' rights as anti-national. With this step, they have monopolized patriotism and equated the party and Modi with India. Civil society actors are answering Hindu nationalism with constitutional patriotism, which shows in their use of the constitution as a rhetorical and visual reference point in protests. The conflict is playing out on India's most central political document, whose core principles, as informants and scholars argue, are increasingly disregarded by the Modi government. This leaves a value-based conflict between the BJP, its majoritarianism and strongly hegemonic vision of society on the one side, and civil society, which renders itself democratic and non-discriminatory, on the other. In chapter 6, I will discuss the antagonistic dynamics between these two camps and civil society's own structures, which negatively influence its robustness in the dispute.

6. Shrinking space for whom?

In the literature, restriction processes for organizations are often described as a "shrinking space for civil society" (Arora, 2020; Baydas, 2018, p. 70; Joshi, 2021, p. 28, Sahoo, 2021). Not all, but many of my informants agreed with this description. Most of them talked of "*the* civil society" which made it seem like a flat and poorly nuanced concept. For the given context, Hayes et al. (2017, p. 6) importantly point out that "not everyone's space is shrinking in the same way". As the following will show, *Hindutva* organizations are growing in numbers and are important in the BJP's mobilization strategy, while dissenting and minority organizations are restricted from public platforms and community access. At the same time, lower caste and poorer social groups and individuals have never had enough presence to actually feel the current 'shrinking space' because "there is not and never has been one single space in which everyone participates on an equal footing" (Hayes et al., 2017, p. 6). As already established, the civil society spaces into which I gained insight were primarily populated with well-educated civil society leaders and employees who were well-connected among each other as well as with the academic and journalistic spheres. Their experience of a shrinking space for political participation and free expression has always been felt by people in the margins, both publicly and privately (Hayes et al., 2017, p. 10), irrespective of the incumbent government.

In the following, I will discuss the unevenly shrinking space for different civil society actors. In chapter 6.1, I will address the dynamics between obstructed organizations, Hindu nationalist organizations, and the state. *Hindutva* organizations appear to be meant to replace secular and minority services, leading to restructuring and erosion of the civil society space.

In chapter 6.2, I will elaborate on central aspects of the relationship between state and obstructed organizations as it appeared from my material. I am taking up an earlier argument where I discussed my informants' language use in describing the government's handling of organizations. My informants' descriptions indicate an antagonistic conflict between the state and the obstructed civil society sphere.

In chapter 6.3, I will discuss hegemonic dynamics within the sphere of restricted associations. I will argue that the civil society sector I have studied largely presents itself as a "realm of freedom" (Gudavarthy, 2013, p. 48) and equality. While it does appear as such in comparison with Hindu nationalist authorities, it does not entirely live up to its standard internally due to

its caste and class disbalance. Overall, my argument will show that all three elements, the emergence of an 'ersatz' civil society with the authorities' backing, the antagonistic relationship between the state and obstructed civil society, and its internal hegemony contribute to the shrinking of space the sector is experiencing.

6.1 The BJP's 'ersatz' civil society

6.1.1 Replaced organizations and votes for the BJP

The tightened working conditions for and harassment of dissenting rights-based and minority religious organizations must not be mistaken for the government's wish to decimate all civil society organizations. As introduced at the beginning of the thesis, the BJP itself is the political wing of the RSS, a Hindu nationalist movement with organizational branches all around the country. These RSS-related organizations share a mutual ideological background with the BJP and are, in fact, an essential asset in the BJP's political mobilization on the community level (Andersen & Damle, 2019, pp. 239-240, 400; Jaffrelot, 2021, p. 324; Thachil, 2014, pp. 103-104; Vijayan, 2018, p. 20).

These organizations' community access is a crucial factor at this juncture. Tariq Thachil (2014, p. 34) conducted a mixed-methods, in-depth study of Hindu nationalist organizations, primarily the Vanvasi Kalyan Ashram (VKA) and, secondarily, the Seva Bharati. He compared the organizations' success in Chhattisgarh with their performance in Kerala and Uttar Pradesh. Thachil's research shows that *Hindutva* organizations do well in voter mobilization in environments where alternative choices for welfare services are poor (Thachil, 2014, p. 280) and other community-based political organizations are weak or non-existent (Thachil, 2014, p. 232). In the following, I will present three examples that shed light on the fact that "conservative civil society has been aided and abetted by the rise to power of conservative political forces, and vice versa" (Vijayan, 2018, p. 20). The examples are rooted in my interviews and supported by previous empirical studies and theoretical perspectives. They illustrate that dissenting and minority religious organizations' operations are not only meant to come to a halt, as discussed in chapter 5.2 but are meant to be replaced by *Hindutva* programs.

First, while organizations that advocate for democratic and Indian constitutional values such as equality, non-discrimination, secularism, and minority rights have been increasingly decimated, authorities welcome RSS organizations in the public sphere (Jaffrelot, 2021, p. 186). RSS organizations have continued to expand since the current government took office (Andersen & Damle, 2019, p. 267; Basu, 2018, p. 40) and are expected to grow further (Andersen & Damle, 2019, p. 242). Interestingly, while foreign funding for dissenting rights-based and minority religious organizations has been blocked and limited in many cases, said *Hindutva* organizations have been financially heavily supported by foreign sources (Basu, 2018, p. 40). This is a detail that has not gone unnoticed by my informants either.

> However, there is a version of the civil society sector which is sympathetic or supportive or outrightly in the pockets of the current regime. Their numbers are increasing. *They* have never been targeted, *their* accountability has not been questioned, *their* transparency is not insisted upon on such a large extent. So therefore, what we are seeing is that one part of civil society which is sympathetic or supportive of government is having a free run, whereas the other one, which is more focused on *citizens* and *their* empowerment and *their* rights, *their* wellbeing, […] they're the ones who have been targeted. (Pradeep)

In light of the above, I argue that when reporters and researchers write about the restriction processes of organizations and describe them as obstruction or shrinking space for *the* civil society, the framing hides that RSS-related organizations are growing in numbers and that the BJP itself relies on them for vote generation.

Second, it has been the Hindu nationalist organizations' incentive to compete against Christian service organizations. They fear that Christians would carry out proselytization activities among Dalit and Adivasi communities (Thachil, 2014, p. 105), something that also Sahoo (2014, p. 484) found in his study of the RSS-related "non-secular, politically exclusivist" Rajasthan Vanvasi Kalyan Parishad (Sahoo, 2014, p. 495). The RSS-related services are strong in quality and quantity if their funding remains untouched or increases and if new services are implemented. If Christian welfare organizations are decimated, either by direct cutting of funds or by obstructing lead-organizations, "undercut[ting] the appeal of Christian missionary welfare" (Thachil, 2014, p. 105) will be even easier to achieve. What happens is that "these [NGOs] are replaced by 'ersatz' civil society' forms, associated with the Hindu far right, that mimic civil society's associational forms while assisting Hindutva's project of violent

exclusion, and which now have prominent positions in development planning and delivery" (Sinha, 2021, p. 329).

Some informants voiced the concern that the replacement of organizations also affects rights-based organizations working with communities, as Mahesh laid out for me. Even though he did not explicitly mention any RSS-related organizations by name, the process Mahesh described resembles observations mentioned by Sinha (2021, p. 329) and Sahoo (2014, p. 484):

> But when *these* funded groups started trying to occupy that space, they were very narrow in their focus. […] [They] work closely *with* authorities. You know, to try and negotiate a deal which authorities are *willing* to give, rather than what are the entitlements of the people […] I can't even think of one that has gone into a mode of challenging. (Mahesh)

Also, Dinesh had a similar interpretation of the ongoings:

> They are hoping that RSS will gradually increase national presence on the ground in one of the larger network schools across India and so on. They are some of the other humanitarian programs, supposedly, I'm saying. So, they are hoping that RSS then take over all of these government programs on the ground, which [are] funded by donors, international and national donors, and let them operate rather than these, and in *that* context, therefore, the new FCRA laws […] have been very, very fully used to decimate the existing, not just at the national level that I'm talking about, on the state level also but actually grassroots CBOs, you know, community-based organizations and so on. *They* have been decimated in that process. (Dinesh)

That the concept of an 'ersatz', meaning the replacement or mimicking of an earlier version, fits for rights-based values can also be seen in the following instance. BJP ministers have urged to redefine "Western" human rights standards for the Indian context (The Wire Staff, 2019). This incentive is placed in the decolonization discourse, which is being (mis-)used for Hindu nationalist purposes. The discourse has been addressed earlier in relation to the restriction of Christian organizations and also shines through in re-writing history textbooks.

Third, the *Hindutva* organizations' influence among recipients of services in Thachil's (2014, p. 280) study resulted in a genuine choice in favor of the BJP in elections. Additionally, it proved to have a spillover effect on the larger community. Thachil (2014, p. 168) concludes that social service provision not only works as a direct technique for vote generation among lower castes but also leads to a more general "shift in public opinion". RSS service provision and advocacy for the BJP are often unmarked as such in communities (Thachil; 2014, p. 181).

Even in these cases where the presence of RSS-related organizations is neither openly partisan nor directly encouraging vigilantism, ideological influence is still asserted via everyday social relations (Jha, 2021, p. 16; Thachil, 2014, p. 181). Through her contact with organizational grassroots workers, Josephine witnessed this exact mechanism.

> When you have nothing, it's *very* easy to go to the side of violence, *very* easy. A lot of grassroots organizations, the regime's entities like the RSS […], they promise people day-to-day food, they promise people that we will give you food, you come work with us, you spread the hate we are trying to spread. […] And the RSS is very clever about this on the ground. They know how to play the game. […] And nobody knows that RSS are doing this, these things will *not* come up. Only grassroots workers will tell you stories like this and what is happening in their day-to-day life. That way, RSS is very, very grounded, you know. There are people in our day-to-day lives who have been trained by RSS, and we don't even know that. And the way they pitch themselves, we do service and, you know, about doing service and being of service to *others*. Well? This is the service they have been doing, they've been able to leverage certain things that they do in order to sew hate, and this is the oldest trick in the book when you want communities to hate each other. (Josephine)

Moreover, RSS influence is enhanced through active RSS membership recruitment (Jaffrelot, 2021, p. 83) and voter mobilization ahead of elections (Jha, 2021, pp. 16-17).

The potential of organizations to influence attitudes was mentioned to me in interviews several times. Some of my informants held community training programs with a secular and rights-based pedagogical approach for different social groups. For example, Rizwan worked on what he called "constitutional literacy" programs for youth, while Vikram engaged in community leadership training programs. Dinesh talked about how this kind of social capital, which has been won through years of community work, must be turned into a more profound political voice to counter Hindu nationalist mobilization efforts. Elizabeth, too, expressed the hope that civil society efforts can achieve a build-up of alternative attitudes:

> I'm hoping that civil society keeps asserting itself, you know, builds up. You know, the build-up can be in neighborhoods, in churches, in colleges, wherever, in unions, in trade unions. (Elizabeth)

However, like Rizwan's constitutional literacy programs, secular and rights-based pedagogical activities and advocacy programs are prevented. As addressed in chapter 5.2, he told me that his organization came under the radar because of the anti-communalism and constitutional

framework of its activities. Consequently, the organization's programs had repeatedly been systematically disrupted.

With not only religiously inspired minority services but also secular, rights-based programs that promote diversity obstructed and replaced, there is little room to challenge *Hindutva* organizations' teachings and influence in attitudes. Tendencies such as religious polarization, resentment against interreligious marriage and conversion, and violence against minorities that develop noticeably in communities with RSS presence (Sahoo, 2014, pp. 492-292) are institutionalized by authorities as well. Examples of their implementation are the already discussed anti-conversion laws targeting Christian and Muslim associations and interreligious marriage. Thus, the same Hindu nationalist attitudes are promoted bottom-up and top-down.

6.1.2 An illusion of public consensus

There are two common reactions by Narendra Modi toward criticism of India's democratic status. Either he points toward the fact that the BJP has been democratically elected or frames India as the world's oldest democracy (ET Bureau, 2023), suggesting that any idea of India not being democratic is flawed. As introduced, elections only comprise one part of a functioning democracy: its formal aspect. But undermining institutions such as the judiciary, academia, media, and civil society account for the decimation of other integral elements of democracy. The judiciary becomes less impartial, science becomes less free, media becomes less fact-based and independent, and civil society becomes less diverse and, thus, less robust. Previous research and my data show that these spaces are turned into echo chambers, not by eradicating them but by eroding them from the inside out through strategic (re-)placement of staff, leadership, and programs. As discussed in chapter 4.2.4, the same is happening to political society, which the government is strategically restructuring along religious lines.

India's effective democracy, constituted by a vibrant and free civil society (Heller, 2000, p. 488), is reduced in function. As my argument in chapter 6.1.1 showed, civil society is undergoing an erosion process. While one part of the sector is obstructed, another is strengthened and functions as a replacement. And instead of being passive, civil society actors that are ideologically related to the BJP play an important part in undermining effective democracy. It becomes less lively due to its increasing lack of diversity and less free because

of its strong ideological ties to the government and its ideological family. This is not only a theoretical conclusion but also a development my informants had observed themselves within their work sphere.

> *This* diversity of civil society is under serious threat, […] international NGOs, that's one element, *national* organizations, community-based organizations on the ground, we had state-funded NGOs, and then you have, of course, social movements of *all* kinds, and there are trade union movements, many are part of that and so on. They all looked suspiciously at each other, they were all critics of each other and so on. The problem is that *all of this* is being brushed aside in one stroke, and *that* diversity itself is getting completely choked. And in their [government] space only one singular kind of identity, breed which will be whatever [they] say […] it's like the same people here and same people there, but they are saying okay we are speaking on behalf of people, but we are also running the government. (Dinesh)

An independent and vibrant civil society can make a "state and its agents more accountable by guaranteeing that consultation takes place not just through electoral representation (periodic mandates) but also through constant feedback and negotiation" (Heller, 2000, p. 488). This function of civil society has not only been undermined through the restriction of specific organizations but also through the removal of institutionalized forms of dialogue and debate between the state and civil society actors. In several cases, committees for policy advisory were removed under the BJP's leadership (Economic & Political Weekly, 2015, p. 7; Sahoo, 2021). Ayesha told me that she was sitting on several of those committees, and none are still operating. She said:

> During UPA, it was possible to comment on policies and to put in suggestions. Even if you change a small detail in policy, you can make a big difference. […] I was sitting in several committees […]. But since BJP, all have been removed. (Ayesha)

In cases where councils keep operating, members are replaced with functionaries close to the government (Joshi, 2021, p. 29), giving the impression that dialogue and exchange with civil society actors are tended to. Elizabeth called this procedure a "façade of dialogue" and elaborated:

> So, technically, there is participation in a *lot* of things. But it's state actors from within the government and outside the government that fill out that space. It's not dialogue in its true sense. (Elizabeth)

Input from organizations or civil society members who do not share the government line is unwelcome. The "invited space" has been shrinking, as Sahoo (2021) puts it.

Pluralism is often referred to as civil society's main characteristic (Chandhoke, 2011, pp. 179-180; Sahoo, 2014, p. 483) and as a necessity for its potency (Chandhoke, 2011, p. 176; Heller, 2000, p. 488). However, this is no longer politically encouraged. According to Mouffe (2003, p. 123), the restriction of pluralism in political debate clearly indicates a weakening democracy since disagreement is an unavoidable necessity in a democratic society (Mouffe, 2003, p. 122). As dissenting and minority voices are banished from the public sphere and political dialogue, the government creates the illusion of public consensus (Mouffe, 2003, p. 123). The public sphere is being eroded and left with a single set of values, an ideological framework that opposes the Indian constitution of today. This is not only true for civil society but also for the judiciary, media[16] , and academia.

6.2 Antagonistic dynamics

In chapter 5.2.1, I addressed the language my informants used to describe the authorities' restriction processes against the organizational sector. I noticed their use of words that are connotated with violence. The same kind of language was continued when my informants talked about the imbalance within the civil society sector and that the *Hindutva* organizations are receiving a very different kind of treatment. For instance, Vikram talked of the government "pushing" their own organizations ahead, "planting their own people" in institutions, "occupy[ing]" spaces, and "killing" institutions. Ayesha added:

> The democratic space is shrinking by the day. […] I mean, the initial years, we were saying, you know, that every month or every five months you find that you

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[16] Journalist Siddharth Varadarajan (2019, p. 59) discusses the pressures on and erosion of the media landscape in India since Modi. Not only far-right media are joining in the government rhetoric and the fabrication of news, but also mainstream media (Varadarajan, 2019, p. 61). Economic pressures and threats lead media houses to cave in (Varadarajan, 2019, pp. 62-66). The spreading of hate and fear which my informants repeatedly addressed, is thus not only visible in the civil society space, but in broadcast journalism as well.
In Shukla's (2022) documentary 'While we watched', journalist Ravish Kumar argued for the understanding of diligent broadcast journalism as a pedagogical task. But with the obstruction of independent media and its replacement, there is no space left for any other media houses than the ones repeating after the government, instead of asking questions, educating the public and holding authorities accountable. The pattern resembles the processes I have described for the obstruction and replacement of dissenting and minority religious civil society activities.

have lost more space, but *here*, almost every *day* you realize that you are *losing* spaces. (Ayesha)

The overall language use of forcefully taking spaces, eroding or killing institutions resembles descriptions of advances in a military context, two forces opposed to each other, fighting. These rhetorical dynamics in my data can be described as what Mouffe (2003, p. 123) calls antagonistic politics. The language the civil society representatives in my sample used to describe their field's relationship with the government did not portray mere disagreements. Instead, the government and my informants' organizational spaces were presented as enemies. The differentiation between an 'us' and 'them', which according to Mouffe (2003, p. 122), is always given in multiple constellations in a functioning democracy, is no longer between different political standpoints or opinions. Rather, the conflict has been moved to a moral level, where the fight plays out between the moral and democratic 'us' and the evil and extreme 'them'.

As discussed in chapter 4.3, the differentiation between 'us' and 'them', loaded with moral connotations, is characteristic of populist politicians and parties rhetorically constructing the categories of 'people', 'elite', and 'other'. Interestingly, the same rhetoric was used by my informants. Both sides condemn each other and use moral categories to constitute 'us' and 'them'. The BJP and Modi claim to represent a moral and pure 'people', the Hindus (Sinha, 2021, p. 331), as opposed to an immoral, corrupt, and arrogant 'elite' which includes civil society actors (Jaffrelot, 2021, pp. 175, 311-312) and which are portrayed as Modi's enemies (Chatterjee, 2020, p. 110). I heard a similarly moral presentation of 'us' and 'them' in the interviews, except that the categories were inverted.

The main differences in the two constructions of 'us' and 'them' are the values presented as morally right and, of course, the significant power imbalance between the two parties. While the civil society actors advocating for equality and non-discrimination are increasingly silenced, the political actors promoting an authoritarian and majoritarian agenda enjoy a significant electoral majority. As presented throughout this thesis, this agenda is tied to violence, harassment, denunciation of minorities and political opponents, and inequality before the law. The morality both parties apply to their version of 'us' is therefore rooted in opposite value bases. Also, the range of the two narratives can hardly be compared, with the electoral strength of the BJP, the RSS's growing presence in communities, and decimated alternative programs.

Mouffe (2003, p. 124) argues that in the case of moral categories, an agonistic debate, meaning a debate where pluralism is institutionalized, recognized, and appreciated on both sides (Mouffe, 2003, p. 123), is no longer possible. In the interviews, it became apparent that the informants did not regard their organizations', the government's, and RSS' values as negotiable in a way constitutive of a functioning democracy. Secular and rights-based values were presented as diametrically opposed to Hindu nationalist and antiminority values. Josephine described the communication culture in the following way:

> And if dialogue is happening, it's between people who agree with each other. You know, it's like it's become echo chamber […] And we need to be comfortable, we need to come back to being comfortable living with differences. Right now, people are very uncomfortable being different from each other. And I don't think the whole idea of peace is to be like hunky-dory and holding hands, and that's not peace. But the fact that you and I can still have this conversation from halfway across the world, have completely different opinions, and still not want to strangle each other to death ((audibly smiling)). (Josephine)

Most of my informants assured me that there is no longer dialogue between their kind of organizations and the government. An already mentioned example was policy advisory committees which the BJP government removed or where it strategically placed individuals close to its ideology. Furthermore, informants classified their work as "anti-establishment" (Rizwan), described that "civil society as a *whole* is considered an enemy to the govern[ment], to the state" (Simon), and talked of the (in)ability of "taking on" (Ayesha) the government. This kind of perception of their work and its opposition to the government suggests that from the informants' standpoint, either one set of values or the other can unfold in society, but no common denominator can be found. This relies on the lack of institutionalized and invited space for negotiation and feedback and the significant ideological and moral rift between the two opponents. The question is no longer how a constructive dialogue can be kept upright and used to preserve pluralism. On the contrary, both sides ask how to remove the other from the public sphere. What is left is a zero-sum conflict which appeared very clearly from my research material.

It must be emphasized that the civil society representatives I talked to regretted that possibilities for dialogue and feedback had been removed. Thus, my informants and authorities have an essential difference in attitude and approach. One party considers criticism and feedback as

essential in improving policies, while the other discontinues meeting opportunities that could have brought opposing opinions and approaches together for negotiation.

Gudavarthy (2013, p. 43) describes a situation of this sort as a "*state versus civil society framework*". The same occurred as an answer to "authoritarian and centralizing tendencies" (Gudavarthy, 2013, p. 42) in light of the Emergency period in the mid-1970s, which was marked by increasing restrictions for civil society organizations (Sahoo, 2021). At the time, civil society actors attempted "to build a unity between various democratic movements around a singular anti-state focus" (Gudavarthy, 2013, p. 228). Gudavarthy (2013, p. 43) writes that "in such a context civil society made sense only in its confrontation with the state." To apply Gudavarthy's analysis to the contemporary context, two points need to be made. First, the civil society that makes sense in confrontation with an autocratizing government is only that part of the sector that wishes to hold the government accountable. It does not account for the Hindu nationalist organizations closely and complexly entangled with the government and ascribed to the same societal vision (Gupta, 2023). Second, obstructed civil society representatives who portray themselves and their colleagues as "we the people" or the unified "masses" against the government (Gudavarthy, 2013, p. 233) present the sphere as a homogenous entity. The necessary opposition to the government is put in the foreground, leaving aside and downplaying the internal diversity and power relations within the sector they represent. This bears the danger that civil society ceases to address its own hegemonic structures that are at odds with its promise of being a pure "realm of freedom" (Gudavarthy, 2013, p. 48). I will turn to this issue in the next chapter.

6.3 Lower caste voices in civil society's shrinking space

Because of the articulated moral rift between authorities and the organizations in my sample, civil society was indeed presented as a unified "realm of freedom" (Gudavarthy, 2013, p. 48) opposed to and independent of the incumbent government in the interviews. Occasionally, some informants pointed out that technically, RSS-related organizations have to be counted as a part of civil society as well. Yet, this was largely the only line drawn regarding internal differences within civil society. Again, several informants painted a very black-and-white picture: either an

organization is part of the RSS family or is not, is either uncivil or civil, is either undemocratic or democratic. In this context, Gudavarthy (2013, p. 10) argues that:

> […] newer and autonomous versions of civil society with a focus on opposing the state emerge but in the processes only obscure the power relations within those 'autonomous' realms. These 'autonomous' realms are imagined and constructed as mirror images of the state – equally cohesive and centralized – in order to equip and strengthen themselves to face and withstand the transgressions of the state – executed in the name of constitution and democracy.

While the construction of a unified, "cohesive civil society" (Gudavarthy, 2013, p. 49) might, in theory, amplify the voices of civil opposition to the government in power, it undermines "the conflicts and power plays within the civil society" (Gudavarthy, 2013, p. 228). To be precise, this does not happen between RSS-related organizations and others but within the very realm which the informants regard as the democratic, constitutional, and moral civil society. Based on the literature and how my informants expressed themselves, I want to address two difficulties that civil society has in tidying up within its own realm: the multiple layers in the caste hegemony and the sense of urgency in the deteriorating situation for civil society actors that my informants voiced.

One difficulty in addressing these imbalances is that the caste system is not a dichotomy between one oppressing and one oppressed group. Its characteristic is the "splitting of the oppressor and the oppressed into many internal divisions" which makes it "difficult to fight oppression by all the oppressed groups coming together (Chakravarti, 2018, p. 16). This texture "'invisibilizes' the oppressor/s" and "blunts the capacity to identify the basis of oppression" (Chakravarti, 2018, p. 16). Only one of my informants addressed the inner caste-based power plays within civil society, which only highlights Chakravarti's point.

The other aspect is that my informants experienced the current political situation as a breaking point for civil society's fate. It threatens the immediate work- and livelihoods of not only 'political society' à la Chatterjee but also of civil society members. My informants told me of layoffs in their organizations, overworked staff, scarce funds, and uncertainties about how long their organizations will manage to operate under these circumstances. Descriptions such as "the attack is coming from everywhere" (Sara) or "getting worse day by day" (George) give the situation a strong sense of urgency. Josephine expressed this urgency even more directly:

> I think we have gone past the time when we should have talked about the issues that we have *within* us. There is no time to do that anymore. (Josephine)

It appears that this urgency creates the need to direct civil society's forces outwards toward the state instead of addressing its own shortcomings, such as gender and caste exclusion. Thus, my finding exemplifies Gudavarthy's (2013, p. 10) observation that civil society presents itself as "cohesive and centralized – in order to equip and strengthen [itself] to face and withstand the transgressions of the state." However, Josephine also argued that civil society hinders its effectiveness by leaving internal hegemonies and inequalities unaddressed.

> See, something like shrinking space looks like a shrinking space for people who have *been* speaking for a very long time. Mhm. So let's begin with that ((audibly smiling)). Public intellectuals in this country, and I use public intellectuals like in air quotes, these are usually people from upper castes. Upper class as well. They have had generational access to education, they've had generational access to wealth, they've had generational access to the words we are using to articulate the oppression of the masses ((chuckling)). […] *Many* of the people who are talking about shrinking space are people who have always had the mic. In fact, they possibly funded the fates they stand on. So, that is *one* truth we *have* to have on the table when we talk about shrinking space. Because simultaneously, there are people from marginalized communities who have *tried* to speak, *hold* a voice, and they have been constantly shut down. […] It's very largely romanticized, and you know, shrinking space, for what? For whom? Would be a good question at this juncture. So that is the first thing I also noticed that, you know, the people who were screaming the loudest were also people who shut down a lot of voices. […] And so they *lose* out on critical support when they don't address their own issues of casteism within their organization, their own issues of transphobia, their own issues of homophobia, their own issues of sexual harassment and things like that. […] And not being able to address that and to work on that is possibly also something that the current regime has used as an *advantage*. If we are refusing to speak to people within our own, it's easier to create divides among people who *anyway* don't care about each other. (Josephine)

The part of civil society that presents itself as a free and democratic, unified space and is portrayed in literature and news as such looks suddenly less like it. Some of my informants described the political ongoings as a "shrinking of democratic spaces" (Ayesha, Rizwan, Sara & Thomas). While the reference to their organizational sector as "democratic space" captures its theoretical ambitions, it does not capture the persistent imbalances that mirror the overarching social hierarchies. In light of the arguments made in this thesis, I argue that speaking of a "shrinking space" for the sector I have researched is accurate. But it is essential to note that due to internal hegemonies in the sector, lower caste, economically poorer, female,

sexual, and gender minority voices had had little space to raise their voices already before the restriction processes since 2014. The suppression of specific voices now also happens to privileged groups who had been used to speaking and being heard, which has strongly contributed to the current outcry of "shrinking space". One must therefore be careful not to overlook discrepancies between the sector's theoretical standards of being egalitarian, free, and democratic and its actual fulfillment thereof.

Gudavarthy (2013, p. 15) argues that the flattened construct of civil society that presents itself as unified naturalizes differences instead of acknowledging them as made and historical. In turn, this leaves the distance between social groups unresolved. This dynamic strongly resembles Natrajan's (2022, p. 309) description of the BJP's and other Hindu nationalists' deflection of caste hegemony in India's society. As presented in chapter 4.1.2, Natrajan (2022, p. 309) argues that Hindu nationalists often downplay caste hegemony to create an image of a unified Hindu fold encompassing all Hindus, irrespective of caste, to consolidate their influence. Their shared religious affiliation is put in the foreground of identity-building, while the inner dynamics and injustices are left as is. This is a telling backdrop for when Gudavarthy (2013, p. 10) writes that civil society mirrors the power relations of the state when experiencing transgressions from authorities. This observation might lie at the core of the difficulty of forming a powerful counternarrative (Chatterjee, 2020, p. 152; Nilsen, 2018) that can mobilize the masses, including lower castes and classes. If there is no internal power redistribution (Heller, 2000, p. 518), civil society itself lacks the substantiveness to which it aims to hold the government accountable.

Also, Gudavarthy's (2013, p. 9) analysis suggests that as long as civil society, in a zero-sum conflict with the incumbent government, stays "stripped of, in denial of, its own 'dark sides and oppressions'", the conglomerate of associations within the space will face difficulty coming together, let alone merging with the poorer political society into a mass movement. If there is indeed no time to address civil society's issues in the urgency of its precarious situation today, as Josephine suggested, organizations would need to use similar tactics to win support from lower caste groups as the BJP does. This would include grassroots work, recruitment to organizational programs, service provision, and establishing social relations in communities. But with organizations' shrinking reach and presence on the ground, the government ensures

that a translation of "social capital into some kind of more political voice" (Dinesh) is left with no viable ground to take shape.

6.4 Summary

In chapter 6, I presented that the gap the obstructed organizations leave in communities creates space and a need for 'ersatz' organizations that deliver social services. This gap is filled with *Hindutva* organizations. In general, organizations have the potential to influence attitudes in society in both democratic and anti-democratic directions. In the given case, secular voices that celebrate diversity and advocate for minority rights, as well as minority voices themselves, are drowned out in the obstruction processes. Thus, Hindu nationalist and communal attitudes receive less and less resistance among all age groups in the communities.

As a result, the obstruction of organizations weakens effective democracy. Since civil society is not eradicated, but its actors are replaced, authorities create the illusion of public consensus. This is not only the case for civil society but concerns other institutions of the public sphere as well. The resolute action against dissenting and minority voices has created antagonistic dynamics between authorities and the obstructed civil society sphere. There is an obvious power imbalance embedded in this moral conflict, as it plays out between the incumbent government and weakened civil society actors that are met with rhetorical, legal, and physical aggression.

My informants experienced the situation in their sector with great urgency. In their descriptions, they constructed an antagonistic, moral conflict in which their part of civil society was presented as a unified mass. This flattened concept of civil society hides internal hegemonies and might hinder forming a cohesive counternarrative that opposes *Hindutva* across social groups, as not even civil society actors themselves manage to come together.

7. Conclusion

In this thesis, I have investigated how the restriction processes for civil society have contributed to Hindu nationalist power assertion in India since 2014. I operationalized this research interest by formulating the following research questions:

1) In what ways do restriction patterns for non-governmental organizations and related individuals reflect the Hindu nationalist ideology?
2) How do consequences of direct restrictions benefit the realization of a Hindu nation?
3) How do the restrictions influence the relationship between the state and the civil society sector?

In the following, I will answer each of these questions explicitly, based on my research findings.

First, both rights-based, and charity NGOs are affected by restrictions. In many cases, these organizations have minority religious roots, advocate for religious minorities', caste, and gender rights, or promote secularism. In each case, they promote values that counter the Hindu nationalist majoritarian project and its envisioned societal design marked by Hindu supremacism, caste hegemony, and a patriarchal social order. Their obstruction points back to Hindu nationalism's "dying race" syndrome (Jaffrelot, 2011, p. 189), the fear of losing majority status, and political dominance. Muslim and Christian minorities are being associated with terrorism and conversion and thus perceived as a threat to the nation's security, equated with majority dominance. Advocates of secularism are accused of jeopardizing the envisioned Hindu supremacy. Similarly, supporters of lower caste and gender rights are seen as a disturbance to *Hindutva's* idealized hegemonic society. Therefore, organizations that work with either of these groups' values or on their rights are deliberately targeted and obstructed to prevent them from interfering with the *Hindutva* project.

These types of organizations are closely tied to the populist categories of 'people', 'elite', and 'others'. While minority religious organizations and ones promoting secularism are clearly categorized into 'others' and 'elite', caste and gender rights organizations are caught in the tension between them. Lower castes and women are essential in the formation of the Hindu unity Hindu nationalists envision. Hence, they are initially encompassed in the Hindu nationalist idea of the 'people'. However, these organizations use their channels to challenge

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their ascribed subordinated places in the *Hindutva* hegemony and, thus, endanger the Hindu nationalist project. Subsequently, they are excluded from 'us', the 'people'. The fusion of the *Hindutva* ideology and the populist repertoire is clearly visible in the restriction patterns for NGOs.

My research also showed that it is not enough to study the restriction of non-governmental organizations in the given context. Committed individuals are the driving forces behind the organizations' efforts, creating networks and coming together to amplify each other's voices. In the current context, collaboration has become necessary to achieve visibility, as the resources of individual organizations are increasingly limited. The government hampers the sector's efforts not only by targeting larger entities but also key organizers, activists, and other representatives. The restriction patterns I observed for organizations are replicated in the harassment of individuals active in the civil society sphere. This has gone as far as to crack down on individual protesters with neither name nor fame who have a Muslim background and publicly, yet peacefully, oppose the government. As shown in chapter 4.2.4, also protesters from illegal settlements are met with this force. Thus, members of both 'civil' and 'political' society (Chatterjee, 2004, pp. 39-40) are at the receiving end of restriction processes that reach beyond NGOs.

Their obstruction is accompanied by the build-up of an 'ersatz' civil society. On the one hand, this shows in the strategic replacement of secular, rights-based, and minority organizations with RSS-related organizations. The obstruction of secular and minority organizations creates a need and a favorable environment for alternative voluntary service providers. They assert their influence via their programs and ordinary day-to-day interactions, in addition to RSS recruitment and open voter mobilization for the BJP. On the other hand, the government places ideologically related individuals on advisory committees unless these forums have been removed altogether. The intended replacement of organizations and the creation of an illusion of dialogue between state and civil society actors leads to an erosion of the sector. Like media, academia, and even the judiciary, the institution is not eradicated but changed from the inside out. As we have seen, the same restructuring is happening in 'political society', and is, in each case, aligned with the BJP's Hindu nationalist ideology.

Second, I have identified three levels in the restriction processes. These are direct restrictions, indirect restrictions, and ripple effects. Their parallel occurrence leads to multiple consequences that aid Hindu nationalist power assertion. Organizations affected directly, such as through the denial, suspension, and cancellation of FCRA licenses, are left with less financial and, thus, human resources to fulfill their mandates and administrative compliance tasks. Their national, international, and local visibility shrinks, as does criticism of the regime. This is true for national criticism, as there are fewer resources to work on fact-finding projects and presenting their results, including their practical implications for future policy. It also concerns international criticism, as the restrictions reduce the capacity of the organizations to further cases before an international audience. If an organization is forced to close its operations entirely, there will be none. Furthermore, the capacity limitations from direct restrictions reduce charitable and rights-based organizations' national and local influence.

Changes to the FCRA also often lead to indirect restrictions. Amendments have led to decreased support for small community organizations, higher compliance demands, and a cut in permitted expenses for administrative costs. Staff is worn out, and the number of organizations present in communities is further decreased. With the help of previous research, I have argued that the loss of community presence is a crucial factor in the restriction maze and its contribution to Hindu nationalist power assertion. The less influence secular rights-based and minority organizations have in communities, and the fewer intercommunal programs are available, the easier it is to polarize communities. Meeting places disappear, and common grievances are no longer addressed across different social groups. The country's political polarization (Papada et al., 2023, p. 26) becomes visible in community polarization, which is accelerated by the removal of intercommunal civil society organizations and by strengthening exclusivist *Hindutva* organizations and service providers as their replacements.

The ripple effects I have identified are national donors dropping off as a precaution and inner-organizational adjustments. Examples of the latter are strategy changes in donation applications and employment procedures, altered target groups of programs, types of activities, and organizational representation. The red thread through these adjustments is religion, meaning that religious minorities, predominantly Muslims, are increasingly excluded. These ripple effects speed up the shrinking of spaces and aid the creation of a new cultural India, as the mentioned precautions benefit *Hindutva's* envisioned societal structure in two ways.

Organizations that have been stripped of their international funding by the authorities due to ideological differences are subsequently losing national funding. Projects that challenge *Hindutva's* envisioned social order are financially starved out faster and, in the worst case, forced to terminate their operations. Additionally, the authorities' marginalization of Muslims is replicated in inner-organizational alterations.

Third, I observed and discussed how the restrictions have led to antagonistic dynamics between the obstructed section of civil society and the state. On the one hand, the state forcefully cracks down on dissenting and minority actors, processes my informants described in language associated with violence. How they expressed their experiences suggests that civil society sees itself as in an urgent situation, facing a breaking point. On the other hand, they assigned themselves roles with a much softer approach compared to the government. They emphasized conversation, cooperation, and pedagogical processes as their contribution to the betterment of the relationship between the state and civil society and a change in attitudes in society. However, in its power to enable and disable civil society efforts (Chandhoke, 2001, p. 9) and to define politically permissible exchanges between state and civil society (Chandhoke, 2001, p. 10), the state constrains this sector's influence. It closes the invited spaces for negotiation between the state and specific civil society actors. Exempt are branches of their own root organization and their representatives. In the exchange between the two spheres, criticism that challenges *Hindutva*-driven politics is not permitted and is labeled 'anti-national'. Thus, the dispute between the state and obstructed civil society is not only at the policy level. Instead, it has become centered around what it means to belong and be loyal to India. In their populist rhetoric, the BJP and Modi equate themselves with the country and render any critique directed at their politics an attack on the country's integrity. In turn, the obstructed civil society shields itself with the constitution in defending its efforts to raise awareness around what it regards as insufficiencies of the authorities. This framework of Hindu nationalism versus constitutional patriotism is a morally loaded conflict. It appears as a zero-sum dispute. The BJP-led state and dissenting civil society regard each other as enemies instead of two distinct players in constant negotiation on a playing field that permits and invites constructive arguments.

In this conflict, both sides present themselves as internally unified entities. Hindu nationalism is defined by an ideologically founded ideal of ethnic unity. Civil society presents itself as in opposition to the government and as a civic unity associated with freedom, democracy, and

constitutional rights. While the BJP is in many ways effective in deflecting its hegemonic social order and attracting voters from across castes and classes, my analysis of the obstruction of civil society actors suggests that they lose more and more of their resources, visibility, and connections to bring about a similarly strong social influence. Moreover, civil society cannot be conceptualized as absolute in its self-ascribed values of freedom and democracy. It is as entangled in power relations as any other sphere of society (Chandhoke, 2001, p. 13; Gudavarthy, 2013, p. 248). Thus, it does not live up to its theoretical standard. In order to assert strength in light of the urgency of the situation with the state's aggressive handling of the sector (Gudavarthy, 2013, p. 10), it leaves its internal hegemonies unaddressed. In the process, civil society possibly becomes its own obstacle in building and promoting a potent counternarrative that has the power to connect people across social groups into a mass movement. Such a counterhegemonic project must start with critiquing existing "practices of power" (Chatterjee, 2020, p. 151), recognizing their intersectionality, and overcoming them, also internally (Gudavarthy, 2020, p. 267). If ignored, and where its criticism of the government's neglect of cornerstones of democracy includes references to India's weak scores of 'substantive democracy' (Heller, 2000, p. 486), the critics themselves will lack the substantiveness they demand from authorities and weaken the traction of their critique. Thus, civil society actors need to address these hegemonies and the ways they contribute to civil society's increasingly weakened position opposite the state.

In her analysis of the relationship between civil society and the state, Chandhoke (2001, pp. 8-10) presents the state as civil society's enabler. The state can enforce civil liberties and define the borders of politically, socially, and culturally permissible civil society action. Even though I have shown that legal definitions of permissible actions for civil society associations are vague, the state's crackdown on specific civil society actors shows distinctive patterns of how current authorities fill indeterminate legal concepts with ideologically informed content. While it is true that civil society can theoretically monitor and challenge these transgressions and demand accountability (Chandhoke, 2001, p. 10), civil society's reality is changing. The harsh consequences result in the state hindering specific civil society actors from fulfilling this task or civil society associations giving in to state pressure to keep their operations running and to avoid endangering the individuals active in these spaces.

The relationship between the state and enabled civil society actors, the organizations aligned with the Sangh Parivar, is strikingly different. On the one hand, the BJP, as today's government and hand of the state, is enabled by the RSS, as it is its political wing. RSS, on the other hand, is enabled by the BJP-led state to carry out its majoritarian mandate in communities. The RSS-related organizations are not the state's civil opposition, as opposed to how civil society has otherwise been theorized (Chandhoke, 2001, p. 10; Heller, 2000, p. 488), and practically positioned itself. They are much rather both the ideological base and the practical extension of state power.

As of now, there continues to be activity in dissenting and minority religious organizations. But their capacities and their space are shrinking. They struggle to come together to form an attractive counternarrative that can help bring social change in favor of a civic democracy framework. They note a gaping silence from the international political community, and national political opposition fails to enforce political compromise. Additionally, RSS entities are supposed to become the dominant associational form. In light of the shortcomings and the distinctive relationship between the state and expanding RSS-related associations, the question needs to be asked whether it will be legitimate to continue speaking of this associational sphere as a 'civil society', should it develop as the authorities envision it. As presented, a central characteristic of civil society is its diversity, the myriad of different associational forms, methods, mandates, and values. However, this diversity is being flattened out. When values, mandates, and methods become more alike, and the associational sphere is filled with more of the same, it erodes the core of the concept. Does it not fuse state and civil society much more than it otherwise has been? Does this process not turn the original 'civil society' into a different kind of social sphere altogether? The answer to these questions lies in the future, as it concerns fast-paced processes in a country with an immense population. Also, despite the obstructed civil society's many obstacles, be they government- or self-inflicted, the fact that my informants agreed to speak and open their doors for me and this project, welcomed its objective, and voiced the necessity of attention to their struggle, proves that their hope is not lost. The resilience of civil society is not only determined by its diversity and free space. My informants' accounts also showed that, in a politically tense environment like theirs, civil society is only as resilient as the individuals who populate it. And that they are. Despite many organizations being increasingly restricted, they continue to engage in their work, to connect with each other and

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communities, and their organizations continue to operate, no matter how limited their capacities.

In sum, secular and minority voices are drowned out through direct targeting, indirect measures, and ripple effects in the obstruction process. At the same time, *Hindutva* organizations are strengthened. That secular and minority efforts lose presence on the ground provides an ideal environment for the thriving of Hindu nationalist organizations. On the one hand, a service gap needs to be filled. On the other hand, these *Hindutva* organizations experience little programmatic competition. Thus, the establishment of Hindu nationalist attitudes bottom-up meets fertile ground. Moreover, the obstructed organizations and networks struggle to form an alternative constitutional narrative due to their dwindling ties with communities and their largely unaddressed inner hegemonies. The lost diversity in attitudes and values on the ground and in the public arena influences all age groups in a manner favorable to Hindu nationalism. These sentiments experience fewer challenges which contribute to societal rifts. This is visible in increased communal violence since 2014 (Basu, 2018, p. 40), which is positively influenced by RSS presence in the communities and directly correlated to the BJP's electoral strength in the respective area (Basu, 2019, p. 66). The relationship between the BJP and the RSS is one to observe closely in the future. Because they are each other's enablers, politically and ideologically, their relationship is distinct from how state-civil society relations are usually described.

The little competition the BJP enjoys in the political sphere is not only enforced in the civil society sector. The undermining of critical voices challenging *Hindutva* is happening across public institutions. It concerns media houses, courtrooms, academia, and the educational system. Hindu nationalist attitudes are reinforced and repeated across these spheres while their critics are removed from and silenced in their respective arenas. India's profile is unmistakably being changed. Jayal (2022, p. 17) describes the change as a turn away from a "pluralist, multi-ethnic and multi-religious civic community to a political community marked by ethno-religious majoritarianism", what Jaffrelot (2021) describes as "the rise of ethnic democracy". However, the aggressive crackdown on civil society actors, the erosion of central public institutions constitutive of a functioning democracy, the termination of dialogue and negotiation with civic critics, the programmatic promotion of majoritarian attitudes bottom-up, and their top-down

legislative reinforcement do not merely testify to a change in democratic profile, but a turn away from democracy itself.

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9. Attachments

9.1 Interview guide

Opening Questions

Can you tell me a bit about your professional background?

What is your role in the organisation?

For how long have you been working in the organisation?

Has your role in the organisation changed during that time?

What is the focus of your organisation?

What was your motivation to work in an organisation like this?

Has the organisation always been working on these topics or has the focus changed over the years?

How does the organisation work to achieve its goals?

I have read that your organisation (had to close down / has closed one of its offices / does not receive foreign funding anymore but is operating / etc.). Can you say a bit more about the current status of the organisation?

> *if applicable*: What happened to the employees that had to be laid off when you had to close?

How is the organisation structured?

Key questions

Restriction process

What do you think, which role does the organisation play in India's society?

> Follow-up: What about yourself – do you regard yourself as an activist?

How does/did the government perceive the organisation's work?

> Follow-up: Has it changed over time?

Which measures has the government taken to restrict your organisation's work? (*or: "is the government taking", if the organisation is still operating*)

> Follow-up: To what extent were they avoidable?

If applicable: Can you tell me about the time the government closed down your organisation/offices?

How did the government justify their measures to you?

How do you make sense of the restriction? Why did this happen?

The FCRA-law

The first version of the FCRA was replaced by a new one in 2010. From your perspective, has the FCRA been used differently under Modi and the BJP than under Singh and the Congress? And if so, how?

> Follow-up (*if applicable*): What do you think is the reason for the differences you described?

After 2014, the government implemented several amendments to the FCRA-rules. Which practical consequences did these changes in rules have, from your experience?

How would you explain the government's need to change the rules several years in a row?

When restrictions or stricter rules are put in place, how does the communication between an affected organisation and the government work? Has this changed over time?

<u>Climate for civil society and organisations since 2014</u>

In the media, we can read about a „crackdown of civil society", „shrinking space" and about „silencing". How would you describe the current climate for organisations in India in your own words?

This (insert: shrinking space, crackdown, silencing), do you see this in any way connected to the BJP's Hindutva ideology?

Follow up (*if applicable*): Can you explain how?

Which aspects of the current climate you just described would you say are particular for the time Modi has been prime minister?

Closing Questions

How do you see the future of your organisation in India?

What can your organisation do to regain space to conduct its work?

What would be the ideal relationship between the government and organisations like yours in the future?

I have no further questions at this point. Do you have anything you would like to add on this topic, that you find important to mention and that we have not talked about yet?

9.2 Information letter to participants

Purpose of the project

You are invited to participate in a research project for a master's thesis where the main purpose is to find out more about the conditions NGOs have found themselves in since 2014 and restrictions they have experienced. While official publications and statements from government representatives give some insights, a full picture will only be gained by additionally hearing from NGO representatives about how restriction processes went and what information and arguments were given.

Which institution is responsible for the research project?

The MF School of Theology, Religion and Society in Oslo is responsible for the project (data controller). The master's program in which the project is written, is called "Religion in Contemporary Society: Public Issues – Global Perspectives".

Why are you being asked to participate?

I researched about NGOs that have experienced restrictive measures during the past eight years in India. Your organisation was one of many on the list. It is my intention to talk to about three to four representatives of three different organisations. I chose your organisation because it is or was operating in India, has been restricted since 2014, and is working internationally. I am asking to talk to you specifically, because you have been connected to the organisation during the time period I am focusing on in my research.

What does participation involve for you?

If you choose to take part in the project, this will involve that you take part in an in-depth interview. It will take approximately 1 to 1,5 hour(s). The interview includes questions about your organisation's work in India and the process around the government restrictions your organisation has experienced during the past eight years. The interview will be recorded electronically and transcribed and completely anonymised after. Should you not consent to the interview being recorded, there is the option of taking notes during the interview instead.

Participation is voluntary

Participation in the project is voluntary. If you chose to participate, you can withdraw your consent at any time without giving a reason. There will be no negative consequences for you if you chose not to participate or decide later to withdraw. You can withdraw before, during or after the interview. In case you decide to not take part after the interview has been conducted, you can easily get in touch with me by using my contact information that you already have received. In this case, all data will be deleted.

Your personal privacy – how we will store and use your personal data

We will only use your personal data for the purpose(s) specified here and we will process your personal data in accordance with data protection legislation (the GDPR).

- Only me, the master's student conducting the research, will have access to the collected data.
- Recordings will be made with a device without internet connection.
- The recordings will be stored in an encrypted file and will not be brought to any public places, like the library or university. The recordings will be deleted once they have been transcribed.
- The transcripts will be stored in an encrypted file as well.
- I will replace your name, function in the organisation (e.g. board, management, middle-management, employee) and contact details with a code. The name, function, contact details and codes will be stored separately from the recordings and the transcripts in an encrypted file.
- The device where recordings and transcripts are stored, will be stored in a physically locked place.
- To ensure anonymity, neither your name nor the place where the interview was conducted will be named in the publication of the thesis. All transcripts will be anonymised, and it will not be possible to identify you with any of the answers portrayed in the publication.

What will happen to your personal data at the end of the research project?

The planned end date of the project is the 15th of May 2023. All personal data and digital recordings will be deleted once the research project is over.

Your rights

So long as you can be identified in the collected data, you have the right to:

- access the personal data that is being processed about you
- request that your personal data is deleted
- request that incorrect personal data about you is corrected/rectified
- receive a copy of your personal data (data portability), and
- send a complaint to the Norwegian Data Protection Authority regarding the processing of your personal data

What gives us the right to process your personal data?

We will process your personal data based on your consent.

Based on an agreement with MF School of Theology, Religion and Society, Data Protection Services has assessed that the processing of personal data in this project meets requirements in data protection legislation.

Where can you find out more?

If you have questions about the project, or want to exercise your rights, contact: MF School of Theology, Religion and Society via *name* (master's student conducting the research, *e-mail*) and *name* (supervisor, *e-mail*). Our Data Protection Officer: *name* (*e-mail*)

If you have questions about how data protection has been assessed in this project, contact:

Data Protection Services, by email: (*e-mail*) or by telephone: *number*.[17]

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[17] Names, e-mail addresses and the telephone number were disclosed in the original letter but removed for this publication.

9.3 Transcript conventions

(...)   indicates a gap between utterances

::   indicates a prolonged sound

italics indicates stress on a word or phrase

WO   indicates high volume

( )   indicates that the transcriber could not hear what was said

(( ))   description of an utterance, rather than its content

=   indicates no break between two utterances from different people

-    indicates that a sound or word was cut off

?   indicates the voice going up

.   indicates the voice going down

,   indicates the voice going slightly up

((?))   indicates an uncertainty if the word was understood correctly

Dato

07.07.2022

Kommentar

OM VURDERINGEN

Personverntjenester har en avtale med institusjonen du forsker eller studerer ved. Denne avtalen innebærer at vi skal gi deg råd slik at behandlingen av personopplysninger i prosjektet ditt er lovlig etter personvernregelverket. Personverntjenester har nå vurdert den planlagte behandlingen av personopplysninger. Vår vurdering er at behandlingen er lovlig, men du må oppdatere informasjonsskrivet før du starter (se neste avsnitt).

INFORMASJONSSKRIV

Informasjonsskrivet ditt mangler kontaktopplysninger til personvernombudet ved MF. Du må derfor legge til dette punktet i informasjonsskrivet før du gir dette til forskningsdeltakerne dine. Du trenger ikke å laste opp den oppdaterte versjonen i meldeskjemaet.

TYPE OPPLYSNINGER OG VARIGHET

Prosjektet vil behandle alminnelige kategorier av personopplysninger frem til den datoen som er oppgitt i meldeskjemaet.

LOVLIG GRUNNLAG

Prosjektet vil innhente samtykke fra de registrerte til behandlingen av personopplysninger. Vår vurdering er at prosjektet legger opp til et samtykke i samsvar med kravene i art. 4 og 7, ved at det er en frivillig, spesifikk, informert og utvetydig bekreftelse som kan dokumenteres, og som den registrerte kan trekke tilbake.

Lovlig grunnlag for behandlingen vil dermed være den registrertes samtykke, jf. personvernforordningen art. 6 nr. 1 bokstav a.

PERSONVERNPRINSIPPER

Personverntjenester vurderer at den planlagte behandlingen av personopplysninger vil følge prinsippene i personvernforordningen om:

- lovlighet, rettferdighet og åpenhet (art. 5.1 a), ved at de registrerte får tilfredsstillende informasjon om og samtykker til behandlingen
- formålsbegrensning (art. 5.1 b), ved at personopplysninger samles inn for spesifikke, uttrykkelig angitte og berettigede formål, og ikke behandles til nye, uforenlige formål

- dataminimering (art. 5.1 c), ved at det kun behandles opplysninger som er adekvate, relevante og nødvendige for formålet med prosjektet'
- lagringsbegrensning (art. 5.1 e), ved at personopplysningene ikke lagres lengre enn nødvendig for å oppfylle formålet

DE REGISTRERTES RETTIGHETER

Så lenge de registrerte kan identifiseres i datamaterialet vil de ha følgende rettigheter: innsyn (art. 15), retting (art. 16), sletting (art. 17), begrensning (art. 18), og dataportabilitet (art. 20).

Personverntjenester vurderer at informasjonen om behandlingen som de registrerte vil motta oppfyller lovens krav til form og innhold, jf. art. 12.1 og art. 13.

Vi minner om at hvis en registrert tar kontakt om sine rettigheter, har behandlingsansvarlig institusjon plikt til å svare innen en måned.

FØLG DIN INSTITUSJONS RETNINGSLINJER

Personverntjenester legger til grunn at behandlingen oppfyller kravene i personvernforordningen om riktighet (art. 5.1 d), integritet og konfidensialitet (art. 5.1. f) og sikkerhet (art. 32).

Ved bruk av databehandler (spørreskjemaleverandør, skylagring eller videosamtale) må behandlingen oppfylle kravene til bruk av databehandler, jf. art 28 og 29. Bruk leverandører som din institusjon har avtale med.

For å forsikre dere om at kravene oppfylles, må dere følge interne retningslinjer og/eller rådføre dere med behandlingsansvarlig institusjon.

MELD VESENTLIGE ENDRINGER

Dersom det skjer vesentlige endringer i behandlingen av personopplysninger, kan det være nødvendig å melde dette til oss ved å oppdatere meldeskjemaet.

Før du melder inn en endring, oppfordrer vi deg til å lese om hvilken type endringer det er nødvendig å melde: https://www.nsd.no/personverntjenester/fylle-ut-meldeskjema-for-personopplysninger/melde-endringer-i-meldeskjema

Du må vente på svar fra oss før endringen gjennomføres.

OPPFØLGING AV PROSJEKTET

Personverntjenester vil følge opp ved planlagt avslutning for å avklare om behandlingen av personopplysningene er avsluttet.

Lykke til med prosjektet!