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# Conversion and Cow Protection in India: analysis and critique of Hindutva Politics

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**Abstract:** Since 2014, India has been under the rule of BJP which progressively introduced various Hindutva agenda to usurp social dominance and undermine the minorities, especially Muslims and Christians. This essay concentrates on two issues namely conversion and cow protection which were passionately discussed during the colonial period but resurfaced post-independence thanks to VHP. The new emphasis given on these old topics clearly betray Hindu nationalist pattern of thought and action embraced by the current government. Instead of fomenting unity, strengthening the shared cul-

ture, this option by the Sanghparivar undermines social solidarity and risks civil conflict. To what extent and how Hindutva argumentation deviates from traditional/Gandhian Hindu conceptions and innovates on commonly shared Indic values are analyzed in this paper. It manifests the potential danger of denouncing constitutional secularism and democracy as well as religious freedom guaranteed in the constitution.

**Key Words:** anti-conversion bills; animal protection; secularism; democracy; communalism; agency; Moditva

## Conversión y protección de las vacas en la India: análisis y crítica de la política Hindutva

**Resumen:** Desde 2014, India ha estado bajo el gobierno de BJP, que introdujo

progresivamente varias agendas hinduistas para usurpar el dominio social y soca-



var a las minorías, especialmente musulmanes y cristianos. Este ensayo se concentra en dos temas, a saber, la conversión y la protección de las vacas, que se discutieron apasionadamente durante el período colonial pero que resurgieron después de la independencia gracias a VHP. El nuevo énfasis dado a estos viejos temas traiciona claramente el patrón de pensamiento y acción nacionalista hindú adoptado por el gobierno actual. En lugar de fomentar la unidad, fortaleciendo la cultura compartida, esta opción del Sangh Parivar socava la soli-

daridad social y hay riesgos de conflictos civiles. En este artículo se analiza en qué medida y cómo la argumentación hinduista se desvía de las concepciones hindúes tradicionales/gandhianas e innova en los valores índicos compartidos. Se manifiesta el peligro potencial de denunciar el laicismo constitucional y la democracia, así como la libertad religiosa garantizada en la constitución.

**Palabras clave:** proyectos de ley contra la conversión; protección animal; laicidad; democracia; comunitarismo; agencia; Moditva.

With the second consecutive national election win in 2019,<sup>1</sup> the Bharatiya Janata Party (BJP) of India led by Narendra Modi began to consolidate its nationalist Hindutva<sup>2</sup> agenda especially vis-à-vis the mi-

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<sup>1</sup> <https://www.tribuneindia.com/news/archive/nation/narendra-modi-sworn-in-as-prime-minister-for-second-time-780564> (accessed on 2023-03-12). For a detailed analysis of the Hindutva Politics, see my forthcoming book: *Hindutva Ideology and Politics: Conceptualizing Post-Independence Conflicts in India*.

<sup>2</sup> The term was first used in Hindu reformist cycles especially in Bengal, exemplified by Brahmabandhab Upadhyay (Lipner 1999; Nandy 2014: 94-95), and later adopted into politics by Vinayak Damodar Savarkar contrasting it with Hinduism. The expression *Hindutva* is employed here in *three* senses. *First* it denotes what Savarkar considers the essential cultural characteristic of the Hindu; in this sense, it is intrinsic to the individual who feels an “attachment” (1923: 87) to the Father-Mother-Holy-Land, a sense of belongingness to a sacred space; a passively acquired racial feature and the civilizational sense of unity enabled through its inherent social capital. Briefly, it stands for *Hindu national identity*. *Second*, *Hindutva* denotes *the ideology which legitimizes the Hindu Rashtra*, a territorially and ethnically conceived nation dominating the government (*raj*) thanks to the cultural superiority of the former. Whereas this idea was already advanced by Savarkar, it is Madhav Sadashiv Golwalkar who makes it central to the post-independence conception of India, re-introducing *varnacracy* in society and undermining the status of equal citizenship of minorities. *Third*, *Hindutva* denotes *the various socio-political-religious-cultural groupings and organizations* generally known as the family of organizations (*sangh parivar*) revolving around the triadic center: RSS (*Rashtriya Swayamsevak Sangh* - National Volunteer Association), VHP (*Vishwa Hindu Parishad* - World Hindu Council) and BJP (*Bharatiya Janata Party* – The People’s Party of India).

norities. Indicators of this firm grip on Hindutva ideology were already manifest in Modi's thirteen-year long (2001-2014) rule of the state of Gujarat.<sup>3</sup> However, concrete policy changes and implementation of nationalist agenda appeared only since the second term of Modi as Prime Minister. Modi has been praised for his economic, corporate friendly, agenda in Gujarat during his time as chief minister of the state. The same policies were expanded during his first term (2014-2019) as Prime Minister. Both in Gujarat and in the nation, Modi's political priority was on the middle class (Prabhu 2020: 249-330), a strategic move to undermine the erstwhile Congress dominance on this class irrespective of their religious adhesion. One significant shift in policy to woo the middle class consisted in highlighting the *religious identity* which constitutes the core of Hindutva politics.

This essay undertakes a critical analysis of Hindu nationalism, concentrating on two topics namely *conversion* and *cow protection*, which possess historical import since the British Raj, emerged in different forms during the Indian Independence Struggle and continue to challenge policies of governance under various national and regional governments. Hindutva's embrace of these contested issues not only displays its *political strategy* of social dominance *qua* religion but also its *political justification* of the righteous republic *qua* ethics. Both topics are hence discussed in a historical context to elucidate their contemporary relevance.

In addressing the Hindu resistance to conversion, contemporary scholars have offered various theoretical explanations lately highlighting Hindutva's rejection of Western modernity (Bauman 2020). While acknowledging it as a feature of Hindutva agenda, this study includes it in the *alternative ethics* defended and propagated by the multifaceted movement (III). Unlike the debates on conversion, cow protection has been tacitly included in the Hindu Raj under *animal protection* legislation. How Hindutva deploys the Hindu sensibility towards cow is explained hence in connection to the *communalism* it embraces, which also covers other recent significant events such as the Ayodhya issue, the CAA, etc. (II). This perspective places the conversion issue right within the Indic perspective embraced by M. K. Gandhi, usurped presently by Hindutva. The

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<sup>3</sup> <https://www.firstpost.com/politics/setting-a-record-a-look-at-12-years-of-narendra-modis-rule-in-gujarat-1157069.html> (accessed 2/19/2021).

commonality and distinction between the two results in a major disagreement on secularism and the minorities equitably conceptualized in the constitution (I). Hence the topics of conversion and cow-protection reach beyond any exclusively religious argumentation.

## 1. The Politics of Conversion

Although conversion is *primarily* a religious topic, it has been more and more associated with colonialism especially since 1492, the so-called Discovery of the Americas (Miller et al. 2010). In its specific religious sense conversion denotes *metanoia*, the change of heart implying one's perspective and allegiance with respect to the transcendent reality.<sup>4</sup> This Christian interpretation does not however deprive the significance of the social and political contexts in which one's *inner transformation* takes place, abandoning a way of life and embracing a new one corresponding to the belief and practice of the chosen religion.<sup>5</sup> In politicizing conversion what often occurs is either to *ignore* the issue of inner transformation or to *interpret* it primarily in terms of socio-political or other similar secular parameters.

In the case of India, conversion has been a political issue exclusively linked to the *missionary activity* mostly under the East India Company and the British Raj, and hence often *conflated* with colonialism (Frykenberg 2003: 6-9). The association of conversion with *Christian* missionary activity promotes various assumptions: *first*, Hinduism, the religion of most Indians, discovers its *identity* thanks to the colonial, missionary interaction

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<sup>4</sup> With respect to Paul's Churches and message, Dunn writes: "'Conversion' in the full rounded sense of the word was evidently a profound and life-altering experience for many, an experience of renewal and transformation, of being cleansed, enlightened, and set free" (2009: 657). However, in the history of Catholic Christian Missions, different emphases replaced or modified this original conception (Bevans and Schroeder 2004) which was retained or re-emphasized in contemporary times: "Conversion is ... not the joining of a community in order to procure "eternal salvation"; it is, rather, a change in allegiance in which Christ is accepted as Lord and center of one's life" (Bosch 1997: 488).

<sup>5</sup> Wakankar's (2018) philosophical interpretation of conversion in the Marathi community of the nineteenth century expands this Christian paradigm; see also: Bhagabati (2021).

(Oddie 2003). *Second*, the various autochthonous religions of India may be categorized under the overarching concept of Hinduism, creating thus a *communal/national front* against the Raj (Savarkar 1923). *Third*, belonging to the autochthonous Indic religions constitutes the *requirement* to claim Indian nationality and citizenship (Golwalkar 2015). *Fourth*, missionary activity leading to conversion is *often forced*, and hence must be banned (Bauman 2008). *Fifth*, all laws banning conversion aim at preserving one's *ancestral religion* hence the emphasis on *freedom of religion* (Richards 2021). Especially the last two points created an atmosphere of civil crisis in the 1980s and 1990s which moved the then BJP leader and Prime Minister Atal Behari Vajpayee to call for "a 'national debate on conversion' in January 1999" (Kim 2003:2, 157-160).<sup>6</sup> The current *Anti-Conversion Bills* partially reflect this national tension on changing religious affiliation.

### **I.1 The Freedom of Religion Acts / Anti-Conversion Bills**

To this date (March 31, 2023) *eleven* states in India have promulgated the *Freedom of Religious Acts*. These are chronologically: Odisha (1967), Madhya Pradesh (1968), Arunachal Pradesh (1978), Chhattisgarh (2000 and 2006), Tamil Nadu (2002, *repealed* in 2006), Gujarat (2003), Rajasthan (2006 and 2008), Himachal Pradesh (2006 and 2019), Jharkhand (2017), Uttarakhand (2018), and Uttar Pradesh (2019). Whereas Tamil Nadu repealed its Bill in 2006 due to minority protests, Rajasthan, Uttarakhand, and Himachal Pradesh enacted laws against *marriage by conversion* (popularly known as *love-jihad*). There exist striking similarities between these state legislations despite their differentiated argumentation and motivation. The following table,<sup>7</sup> comprising of *current active laws in nine states*, manifests commonalities in legislation and penalties:

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<sup>6</sup> While Kim (2003) provides a chronological analysis, this study highlights the political dimension and its impact especially concentrating on the anti-conversion bills and the Hindutva ideology.

<sup>7</sup> <https://www.indiatoday.in/news-analysis/story/anti-conversion-laws-in-india-states-religious-conversion-1752402-2020-12-23> (accessed on 2023-03-22). See also: <https://indian-legalsolution.com/anti-conversion-laws-in-india/> (accessed on 7/29/2021).

Table 2: Comparison of anti-conversion laws

	Odisha	Madhya Pradesh	Arunachal Pradesh	Chhattisgarh	Gujarat	Himachal Pradesh	Jharkhand	Uttarakhand	Uttar Pradesh
Latest year of enactment	1967	1968	1978	2006	2003	2019	2017	2018	2020
<b>Prohibition on conversion</b>									
By force, fraud, or allurement	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
By marriage	No	No	No	No	No	Yes	No	Yes	Yes
<b>Procedure for conversion – Declaration to District Magistrate or equivalent officer</b>									
By individual seeking to convert	Advance notice (time not specified)	Nil	Nil	Within one month after conversion	10 days after conversion	One month advance notice	7 days after conversion	One month advance notice	60 days advance notice
By priest / religious convertor performing the conversion	15 days advance notice	Within seven days after conversion	After conversion (time not specified)	30 days advance notice	Advance notice (time not specified)	One month advance notice	15 days advance notice	One month advance notice	One month advance notice
<b>Penalties for causing / abetting conversion</b>									
Imprisonment	Up to 1 year	Up to 1 year	Up to 2 years	Up to 3 years	Up to 3 years	1-5 years	Up to 3 years	1-5 years	1-5 years
Fine	Up to Rs 5,000	Up to Rs 5,000	Up to Rs 10,000	Up to Rs 20,000	Up to Rs 50,000	Amount not specified	Up to Rs 50,000	Amount not specified	Rs 15,000 or more
<b>Penalties for causing / abetting conversion (of a minor, woman, or person belonging to SC or ST)</b>									
Imprisonment	Up to 2 years	Up to 2 years	Up to 2 years	Up to 4 years	Up to 4 years	2-7 years	Up to 4 years	2-7 years	2-10 years
Fine	Up to Rs 10,000	Up to Rs 10,000	Up to Rs 10,000	Up to Rs 20,000	Up to Rs 1,00,000	Amount not specified	Up to Rs 1,00,000	Amount not specified	Rs 25,000 or more
<b>Penalties for violating procedure for conversions</b>									
Imprisonment	Nil	Up to 1 year	Up to 1 year	Up to 1 year	Up to 1 year	3 months – 1 year (individual) 6 months – 2 years (convertor)	Up to 1 year	3 months – 1 year (individual) 6 months – 2 years (convertor)	6 months – 3 years (individual) 1 – 5 years (convertor)
Fine	Rs 1,000	Up to Rs 1,000	Up to Rs 1,000	Up to Rs 10,000	Up to Rs 1,000	Amount not specified	Up to Rs 5,000	Amount not specified	Rs 10,000 or more (individual) Rs 25,000 or more (convertor)

In his analysis of the anti-conversion bills, Richards (2021) highlights *two* waves of legislation, the first comprising of Odisha, Madhya Pradesh, and Arunachal Pradesh and the second consisting of the remaining six states. Although their rationale and penalties are similar, two observations stand out: *first*, the anti-conversion laws argue that conversion “is an act perpetrated upon an individual by another, *not a decision of individual conscience*” (163, emphasis added) and hence is *forced* in a broad sense. This interpretative understanding is crucial in many respects which is taken up below. *Second*, the second wave of anti-conversion bills introduce *more severe punishments* of the converter (agent, instigator, or officiant of conversion) together with extensive constraints placed on potential converts. In other words, *surveillance* is increased and expanded on the *process of conversion* which is both observable and controllable. This *unique* way of understanding conversion, bracketing out its *substantive* sense, emerges from the Hindutva argumentation, characteristically fundamentalist, nationalist, and universalist (Ram-Prasad, 1993, 2003).

## I.2 The Freedom of Religion Acts: Rationale

To capture the singular argumentative stance Hindutva occupies, it is useful to recall the post-independence trajectory of controversies on conversion (to Christianity) highlighting at least *three nodal points*.

**I.2.1 A first dispute** on the legitimacy of conversion occurs during the Indian Independence Struggle, and it is Mohandas Karamchand Gandhi, the Mahatma, who challenges its legitimacy, necessity, and adequacy.<sup>8</sup> The core of Gandhi's argumentation is straightforward and relies on his conception of *religion as universal value* which obliges every believer to *transcend* the confines of one's institutional religious adherence and hold on to the Truth. Religion is hence *dharma* but in a complex and specific sense. Gandhi expresses it succinctly:

Let me explain what I mean by religion. It is not the Hindu religion, which I certainly prize above all other religions, but *the religion which transcends* Hinduism, which changes one's very nature, which binds one indissolubly to *the truth within* and which ever purifies. It is *the permanent element in human nature* which counts no cost too great in order to find full expression and which leaves *the soul utterly restless* until it has found itself, known its Maker and appreciated the true correspondence between the Maker and itself (CWMG 17: 406, emphasis added).

This conceptualization, based on the traditional notion of Hindu *dharma*, recognizes the inter-connectedness of humanity thanks to the inner spiritual principle, *ātman*, in constant and intimate relationship with the cosmic principle *brahman*. Gandhi's genius consists in making the orthodox spiritual principle to substantiate not only the legitimacy of *all* autochthonous and non-autochthonous religions, but also their *equality de jure*, without claiming perfection of any kind; for the religious person (*homo religiosus*) is a *seeker of Truth* (CWMG 44: 166-167). Thereby he upholds *human religiosity* and the *independence of religions from the political structure*. In other words, for Gandhi religion is paramount to human

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<sup>8</sup> For Gandhi's texts on conversion, see Gupta 2017: 189-213; and for analysis see Kim 2003: 23-36.

fulfillment, as a social reality it occupies an *autonomous realm*, and yet would succeed only through service to humanity; alike Thomas Aquinas, Parel (2006: 116) argues, “he was against religion or politics totalizing the whole person.”

However, Gandhi’s stance on religion and conversion is expressed in the context of his *introducing religion into politics* (CWMG 13: 221); it is *not* an academic exercise of defending the *pluralist* perspective à la Hick (1989), for example. Political engagement, from the Gandhian perspective, is *ethical*; its integrity is guaranteed only if it is conducted within the framework of *puruṣārthas* (the ends of human life, Parel 2006). Conversion, from this perspective, is *superfluous*; when confronted with the critique of Hinduism (by missionaries, for example), what is expected of the Hindu religious person is *not* conversion but to become a *better* Hindu instead (CWMG 13: 219-225). Bauman (2021) *rightly* highlights this unique stance of Gandhi<sup>9</sup> in presenting “conversion as an interior process of spiritual transformation” in contrast to “conversion as a change in religious affiliation” (141-142), though *not sufficiently* acknowledges the ethical-political dimension Gandhi promotes: *transcending* the ethnic/cultural confines and exclusive claims on truth is a *requisite* for holding on to Truth.

Gandhi’s critique of conversion makes sense not in polarizing *spiritual transformation* against *religious affiliation* but in comprehending conversion as “a political and social action” (Thomas 1991: 195),<sup>10</sup> emerging from “*dhārmic* agency” (Dalmiya and Mukherji 2018: 14), which for Gandhi is anchored on *niṣkāma karma*. The *niṣkāma karma* as embraced by Gandhi upholds agency as *sthitapraña* (consistent consciousness) which

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<sup>9</sup> “Conversion for Gandhi ... was self- transformation, something one did, or could do, within any religious tradition ... Moral development was possible in all religious traditions, and was the standard by which a religious person, and religious traditions, should be judged. In fact, Gandhi’s primary objection to mass Christian conversions, and missionary attempts to provoke them, was not so much that they would entail Hindu demographic decline, but rather that in his estimation such conversions failed to (and could not possibly) produce moral transformation ... So while conversion as *an interior process of spiritual transformation* was something to be desired, conversion as *a change in religious affiliation* was not, particularly if that change in affiliation required that one cut oneself off from one’s ancestral traditions” Bauman 2021: 141-142 (emphasis added); see also, especially: Kim 2003: 30-36.

<sup>10</sup> For a discussion of this point, see Kim 2003: 26-27.

requires “moral cultivation and discrimination” of ethical agency (27). For, “Being *niṣkāma* or ‘without desire’ is to be ... without ‘attached desires’, that is, without the ‘attachment’ of first-level desires to a consciously constructed self in terms of second order endorsements of desires” (31). Thus, belonging to a religion may define one’s social identity, but a *sthitapraña* would not further ‘attach’ to it, through a second-order adoption of it to constitute the self. In other words, for a *sthitapraña* social identity does *not automatically* translate into social capital. This crucial feature of Gandhi’s critique of conversion<sup>11</sup> is ignored both by Christians as well as by his Hindutva sympathisers, and consequently the debate on conversion in post-independence India brackets out *dhārmic* agency.

**I.2.2** A concrete example constitutes the **debates in the constitutional assembly** which finally settled on *religious freedom as Fundamental Right*. Article 25 of the *Constitution of India*<sup>12</sup> states:

(1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to *freedom of conscience and the right freely to profess, practice and propagate religion*. (2) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law — (a) regulating or restricting any *economic, financial, political or other secular activity which may be associated with religious practice*; (b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus. Explanation I. — The wearing and carrying of kirpans shall be deemed to be included in the profession of the Sikh religion. Explanation II. — In sub-clause (b) of clause (2), *the*

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<sup>11</sup> In concrete terms, missionary activity for the welfare of communities or low-class people must exercise the *dhārmic agency* in ceasing to convert, for it would amount to compounding social identity with social capital. However, in endorsing Gandhi’s critique of conversion one must contrast it with the socio-political-religious identity defended by Bhimrao Ambedkar. While transcending of religion becomes *sine qua non* for Gandhi’s nationalist vision it does *not capture the depth of social suffering* borne by the Dalits especially due to their untouchable social status. For a discussion, see: “The insurmountable grip of Caste” in my forthcoming publication: *Hindutva Ideology and Politics Conceptualizing Post-Independence Conflicts in India*, Chapter 1.

<sup>12</sup> <https://www.constitutionofindia.net> (accessed on 2023-03-27).

*reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly (emphasis added).*

The context of this formulation, discussed by different scholars, concurs on the following: *first*, considering *Hindu sensitivity* and Gandhi's strong stance *against conversion as exchange of religious affiliation, individual freedom of conscience* is assigned priority in matters of religion. This *liberal ideological leaning* reflects the kind of secularism India embraces. Indian secularism is distinct thanks to the following three features: *principled distance from religion; community-specific rights and contextual sensitivity*. The Indian Constitution defends secularism as *differentiated citizenship* and as *religious neutrality sui generis*, based on socio-cultural reasons. It recognizes that multiple irreducible diversities may generate conflict over values, and hence places emphasis on *pragmatic* religious content. This entails the introduction of strategies to reform religious practices which may be socially oppressive, and/or lack organized central institutions (Bhargava 2010: 63-105).

*Second*, while ensuring state *legal dominance* over religious practices and maintaining *de jure* the traditional conception of Hinduism as comprehending all Indic autochthonous religions, *propagation* of one's religion is upheld despite other radical formulations.<sup>13</sup> However, this political compromise occasions the incorporation of Hindutva views into the conversion debate: the "foreignness" of Islam and Christianity, ably argued by Savarkar (1923: 87-88; 100-101); the distinction between conversion as "something done by someone to someone else" and conversion as "something one does to oneself" Richards (2021: 158). Implied in the religious

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<sup>13</sup> For example, the draft articles submitted by K. M. Munshi on 17 March 1947: "VI (1) All citizens are equally entitled to freedom of conscience, and to the right freely to profess and practise religion in a manner compatible with public order, morality or health: Provided that the economic, financial or political activities associated with religious worship shall not be deemed to be included in the right to profess or practise religion. VI (6) No person under the age of eighteen shall be free to change his religious persuasion without the permission of his parent or guardian. VI (7) Conversion from one religion to another brought about by coercion, undue influence or the offering of material inducement is prohibited and is punishable by the law of the Union" (quoted from Kim 2003: 201-202; for a detailed discussion, see pages 37-58; Richards 2021: 158-159).

freedom clause 25(2)(a) of the Constitution are also *cautions against missionary activity* inducing conversion through economic incentives or institutional structures related to religious practice. Hence the ensuing discussion on missionary activity in post-independence India conducted by the Rege and Niyogi Reports of 1956.<sup>14</sup>

*Third*, whereas the Reports reiterate the radical stance on conversion already expressed in the Constitutional Assembly Debates, they provide *adequate rationale* to legislate on conversion. The major points of critique<sup>15</sup> raised in the Niyogi Report hence reflect the first wave of legislation. Key points of these reports have in common the already highlighted Hindutva conception of religion and conversion, for what problematized is only conversion *from, not to*, Hinduism; and the communities targeted are the Adivasi. This enables the Committee to tarnish Christian social activity in the field of education and health services as missionary activity which induces the tribal folk to convert to Christianity, despite those services respond to the human rights of the people.<sup>16</sup>

**I.2.3** A third and final nodal point in the debates on conversion constitutes the theoretical argument that **conversion is violence**.<sup>17</sup> It is Swami Dayananda Saraswati (1930-2015) who advances this opportunist argument<sup>18</sup> which consists mainly of *three* main points: *first*, world religions fall

<sup>14</sup> For a detailed discussion, see Kim 2003: 59-87; Bauman 2008; Richards 2021: 159-161.

<sup>15</sup> Kim 2003: 65-69. Article 25(a) is understood as rights *of* the citizens, hence foreign missionary activity is illegal; religious freedom within a secular state is restricted, hence recalling the concept of *religio licita*; *foreign funds* aid Christian missionary activity especially among the tribals; missionaries *main aim* is conversion, education and health services are mere tools to it. Hence the following recommendations: ban on missionaries pursuing conversion; prohibition of services enabling conversion; clarification of the illegality of conversion through “undue means” (Kim 2003:68); legislative controls on the process of conversion; and ban on (Christian) religious propaganda.

<sup>16</sup> Bauman (2008:188-194) provides a brief discussion and argues that it is more a symptom of “Postcolonial Anxiety” (194-196).

<sup>17</sup> <https://www.hinduismtoday.com/magazine/november-1999/1999-11-conversion-is-an-act-of-violence/> (accessed on 2023/04/13). The entire text of the speech is available as an e-book at: [www.scribd.com/document/27378131/Conversion-is-Violence-Swami-Dayananda](http://www.scribd.com/document/27378131/Conversion-is-Violence-Swami-Dayananda) (accessed on 2023/04/13).

<sup>18</sup> As a spokesperson of the Hindutva, Swami Dayananda, the spiritual Guru of Narendra Modi, makes the argument in a public address of July 17, 1999 at Satguru

within two categories: “aggressive or non-aggressive,” while the former, Islam and Christianity for example, engages in conversion by all means, the latter, Judaism, Hinduism, Taoism for example, does not. *Second*, “Religious conversion by missionary activity remains an act of violence. *It is an act of violence because it hurts deeply*, not only the other members of the family of the converted, but the entire community that comes to know of it. One is connected to various persons in one’s world. *The religious person in every individual is the innermost*, inasmuch as he or she is connected to a force beyond the empirical. *The religious person is connected only to the force beyond he has now accepted*. That is the reason why the hurt caused by religion can turn into violence. That is why a religious belief can motivate a missionary to be a martyr. *When the hurt of the religious becomes acute, it explodes into violence*. Conversion is violence. It generates violence.” *Third*, “*Religion and culture are not often separable ... Therefore, conversion implies destruction of this entire culture ... Religious conversion should stop—the aggressive religions should realize that they are perpetrating violence when they convert*” (emphasis added).<sup>19</sup> For it is violence against a *non-violent* person.

Contextualizing the thesis of Dayananda and analysing its content, Bauman comes to the following conclusion: “the legitimacy of the claim that proselytization is a kind of violence depends not only on one’s definition of “violence,” but also, importantly, on one’s definition of “religion”” (2015: 186). With respect to the former, *cultural violence may* characterize conversion but the *inextricable* connection between religion and culture pits one *contingent* definition of religion, “which asserts that religions are and should be ethnic, not universal,” against another, which holds “religion as something portable, exorcisable from culture, and therefore *indigenizable* in any culture, the very view that animates the Christian impulse towards proselytization” (ibid). This argument does *not* resolve

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Gnanananda Hall, Chennai, in the context of the forthcoming Papal visit of John Paul II to India in December 1999 and the current national debates on conversion initiated by the then Prime Minister Vajpayee in January 1999, consequent to the anti-Christian violence of 1998 in Dangs, Gujarat (Bauman 2015: 180-181). For details and assessment of ‘the Hindutva terror campaign in Dangs,’ see AIFOFR 1999:11-32.

<sup>19</sup> All quotes from: <https://www.hinduismtoday.com/magazine/november-1999/1999-11-conversion-is-an-act-of-violence/> (accessed on 2023/04/13).

the issue *if conversion is violence* but reveals the different definitions of religion held by persons against and for conversion as well as the Hindutva strategy which “resists the expansion of one form of normative religious discourse while simultaneously attempting to impose another” (187).

It is significant to note that Dayananda’s thesis targets mainly Christianity - “the missionary activity” –, does not mention re-conversion (Van-avelde 2011) and legitimizes Hindu violence against Christian and Muslim minorities as *reactions*,<sup>20</sup> foreshadowing a strategy deployed in the 2002 Gujarat Violence (Spodek 2010). Thus, the legitimacy of violence against religious and cultural minorities becomes a core feature of Hindutva ideology and dominance as illustrated in the targeting of Christians in Kandhamal, Odisha, in 2007 and 2008 (Bauman 2020: 143-214), and recently in Manipur.<sup>21</sup>

## II. Cow Protection - Ideology and Strategy

Did Cow Protection - “in the modern Hindu sense, which is characterized by a taboo on slaughter and a prohibition on consumption” (Alsdorf 2010: 69) - ever constitute part of Hindu identity before it was launched first in 1882 (Singh 1903: 151) by Dayananda Saraswati (1824 – 1883), founder of the Arya Samaj? The response rests mainly on textual evidence, socio-cultural transformation of Hindu self-perception and the political, strategical role attributed to the religious duty of Cow Protection.

### II.1 Cow-Protection: historical overview

Three crucial relationships are highlighted in Early Hinduism when human-animal interactions come under discussion; these are interconnect-

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<sup>20</sup> The Hindu is presented as the victim whom the secular state does not protect against the aggressive minorities (Saraswati 1999: 25-27).

<sup>21</sup> The recent outrage against the Christians of Manipur confirms that the anti-conversion violence constitutes a viable strategy of Hindutva. Since the incidents took place after the completion of this essay, no mention was made. For a brief info of the violence, see: <https://www.hindustantimes.com/india-news/clashes-between-kukis-and-meiteis-in-manipur-over-st-status-proposal-for-meitei-community-violence-and-damage-reported-101683225905138.html> (accessed on 2023-06-23).

edness and reciprocity, homology or identification, and hierarchy, all inherent in the Vedic account of creation, the *Puruṣasūkta* (RV 10.90). The story of humans exchanging their skins with the animals (*Jaiminiya Brahmana* 2.182-183), earning them the right to kill and eat animals in this world, explains Doniger (2009), does place ritual killing and eating at a higher plane together with the ethical argument “that the best way of avoiding being eaten in the other world ... was to stop eating them altogether” (149). Animals were however *classified*, based on how they were killed “in a hunt (*mrigas*) or in a sacrifice (*pashus*)” (151); and in sacrifice too there was a classification of victims placing the horse at the topmost. Despite this acknowledged interrelationship of animals and humans, people did eat meat, and killed cows for special occasions, for example “when a guest arrives” (150), though one text (*Shatpatha Brahmana* 3.2.21) explicitly forbids it. But “[c]attle slaughter was also intimately connected with the cult of the dead” (Jha 2009: 34).

There did exist hence an *ambiguity* with respect to killing the cow. According to a myth referenced in RV, and told in MB, King Prithu milks the earth: “It imagines a transition from hunting wild cattle (the earth cow) to preserving their lives, domesticating them, and breeding them for milk, in a transition to agriculture and pastoral life... Cows are clearly of central economic, ritual, and symbolic importance in the Vedic world” (113). This multifaceted conceptualization attributes to cow a *special status* partially shared by other animals too. Stewart (2014) hence argues that Vedic religion “centers on the veneration and slaughter of animals” (625). “The *Manusmṛiti* maintains that since these animals are meant to be killed as part of their very ontological structure, their killing cannot be properly regarded as blameworthy: “Within the sacrifice killing is not killing” (57: 218)” (627; Jha 2009: 91; Alsdorf 2010: 20). Further, the text “interprets cow veneration to mean that cow sacrifice is especially meritorious” (ibid); *improper killing* of cow risks the loss of one’s caste status. “In fact, a cow is so sacred that it is sometimes viewed as equal in worth to that of a Brahmin priest ...” (ibid). The status/sacredness attributed to the cow makes sense hence within the conceptualization of the human-animal world as interconnected, reciprocal, homological and hierarchical. Cow stands at a rank higher, though below the horse, in the category of sacrificial animals. Besides being the nourisher, thanks to the *pañcagavya* (five products of the cow: milk, curd, butter, dung, and urine, as well as the sixth derivative

*gorochan* - cow bile-, Jha 2009: 129-132), it is also the symbol of “purity”, “non-violence and generosity” (Doniger 2009: 42). The purity of the cow is however deficient: “no lawgiver describes the mouth of the cow as pure, though like several other domesticated animals, the cow is an herbivore (Jha 2009: 133). But the possibility of humans becoming the sacrificial victims of gods (homologically animals being the victims of humans) did raise the alarm, seriously questioning the sacrificial ritual. Buddhist critique of ritual sacrifice (Stewart 2014: 629f.) fits within this pattern of thought shared also by classic Hindu texts (Doniger 2009: 191-193; 2014: 501-506).

How does Cow Protection emerge from this larger context of carnivorous and sacrificial life-style typical of Vedic and Brahmanic periods? Three issues, namely killing for survival, ritual killing and non-violence (*ahimsā*), require close attention. Animal food demands killing; the Vedic texts and subsequent legal treatises of Hinduism permit and celebrate meat eating. Eating meat and killing for eating were sanctioned by the Vedas, Manu and other legal as well as medicinal writings. Animal victims were dear to gods, humans participated in the divine sacrificial meal, a guest was honoured by killing a cow, and the ancestors were appeased by carnivorous ritual festivities (*madhuparka* and *śrāddha*). However, the texts demanded caution with respect to *what* one eats and *how* killing is carried out. Procedures were important in the case of ritual/sacrificial killings; gods and the sacrificer as well as the participants ate the victim sacrificed (Jha 2009: 90-103). With the *efficacy* of animal sacrifice challenged both by Buddhism and Jainism, besides the Upanishads, *the emphasis turned gradually from sacrifice to worship: Yajña* was substituted by or undervalued against *Pūjā*. Though this begins the expansion and intensification of the concept of *ahimsā*, as well as the introduction of vegetarianism in Hindu thought, killing and eating beef within and outside ritual continued at least until the middle of the first millennium – a practice to be witnessed also in both Early Buddhism and Jainism (Jha 2009: 61-78).

Alsdorf (2010: 17) explains this inconsistency with respect to cow slaughter found in the legal texts in comparison to the laws of levirate and proposes three developmental stages. “Considered critically and historically, the apparently juxtaposed and contradictory regulations [regarding levirate] become successive stages of historical development and exactly the same holds true of the section on meat-eating in Manu.” Thus, during

the first phase, meat-eating constitutes “the *natural right* of mankind to partake of meat” (21 emphasis added), “which permits the consumption of five five-clawed animals” (18). During the second phase a *compromise* is achieved: “The categorical contention that killing for sacrifice is not killing” (20). And in the third phase “which explicitly appeals to the rule of *ahimsā*, and unconditionally brands any partaking of meat as *immoral*, ...” (21). Further, “vs 51 [of Manu] reads ‘The one sanctioning (the killing), the carver, slaughterer, buyer, seller, cook, servant, and consumer – they are all killers” (ibid). However, Manu (5:56) closes the section with a passage which seems to *weaken* the strict regulations, and “belongs to another context: ‘*There is no offence in the consumption of flesh, intoxicating beverages, and sexual intercourse*; that is in fact the (natural) conduct of living beings; however, abstinence brings great rewards”” (Alsdorf 2010: 22, emphasis added).

Undoubtedly, Hindu tradition attaches *some unique significance* to cow; it shall be understood as discussed above in the context of acceptance and eventual, local, partial, rejection of meat eating, animal sacrifice as well as symbolic value attributed to the cow. The latter consisted in seeing the cow as provider, nourisher, protector, pure and generous. How did this transference of values occur? Jha argues, with respect to the Vedic period, “that a cow belonging to a *brāhmaṇa* came to acquire a certain degree of inviolability” (2009: 38); the donated cow (*dakṣiṇā*) had to be protected, not to be eaten (39). It did not make the cow however sacred, nor an identity mark of the Hindu community or of “the *Brāhmaṇical* social order” (102) at a later stage. Since the middle of first millennium “a qualitative change in agrarian society” resulted, indicative of which are the “Puranic religion, buttressed by a new mechanism of gift-making with emphasis on the donation of land and other agrarian resources like the cattle [which] made it necessary for the law givers to forbid the killing of kine” (114). For it constituted one of the “customs that have to be given up in the kali age (*kalivarjyas*) ... This disapproval ... tended to give special status to the cow [for example, in the *Vaitārini* ritual], and to exclude beef from at least the *brāhmaṇa*’s menu” (ibid). Further, a cow killer was equated to an untouchable (*antyaja*), “and even by talking to him one incurs sin”; “*beef eating*” became thus “one of the bases of untouchability from the early medieval period onwards” (ibid, emphasis added). This perspective has been further endorsed by other law givers, and consequently cow shelters

(*gośālā*) were constructed alongside temple premises, traceable back to the ninth century CE (115). Despite “condemnation of cow killing as a *kalivarjya*,” killing and beef eating continued at various parts of India together with Brahmanical persuasion to abandon the practice (120-121). Hence, Jha (2009: 146) concludes:

... the image of the cow projected by the Indian textual traditions ... over the centuries is polymorphic. Its story ... is full of inconsistencies ... It was killed but the killing was not killing. When it was not slain, mere remembering of the old practice of butchery satisfied the brāhmaṇas. Its five products ... have been considered pure but not its mouth. Yet through these incongruous attitudes the Indian cow has struggled its way to sanctity.

But *the holiness of the cow is elusive*. For there has never been a cow-goddess, nor any temple in her honour. Nevertheless, the veneration of the animal has come to be viewed as *a characteristic trait of modern day non-existent monolithic ‘Hinduism’ bandied about by the Hindutva forces* (emphasis added).

Hindu identity will then have to be refashioned to fit in the *imagined* sacred cow; this is what Dayananda Saraswati attempted, and the VHP now continues: to *universalize and homogenize* this socially constructed, pastoral based, feature attributed to Hinduism.

## II.2 Cow Protection and communalism

If inviolability of the cow, despite its alleged sacredness, did not constitute a universal characteristic of Hinduism, this did not dissuade Hindutva to employ Cow Protection as a mobilizing tool to enhance communalism. Briefly reviewing the history of Cow Protection movement, two points shall be highlighted: first, how the emphasis on Cow Protection implicitly, and gradually in overt actions, *individuate the other* against which Hindu identity is conceptualized; second, how the communalist mobilization cements the *religious nationalism*.

In employing meat eating as a category of discrimination mentioned above, untouchability becomes legitimate (Appadurai 1981; Chigateri 2008); Cow Protection reinforces this implicit rejection of the low caste assuming them to be meat eaters (Srinivas 1962: 66-67). However, the most

overt identification of the other occurs with the individuation of *the Muslim as cow slaughterer*, especially in connection with the Bakr 'Id festival (Jones 1976: 152-153). Ideologically, Swami Dayanand "pleaded for protection to the cow on a utilitarian principle. ... [Whereas] the produce of the descendant of each cow can sustain numerous persons, [t]he flesh of one cow, on the other hand, can feed only 80 flesh-eating persons" (Singh 1903: 151-152; Saraswati 1908: 261-262). This economic argument fits in the colonial context in which the movement emerged (Freitag 1980a, 1980b); however, Cow Protection is rooted also in a vision of *dharma* (Adcock 2015) that would strengthen the alternative sovereignty defended by *Hindutva*.

How does Cow Protection solidify Hindu communalism? Freitag's analysis of the movement clarifies its "ideology, organization, and mobilization" bridging "the gap between town and village" (1980b: 624) in North India during the pre-Independence period. "Its unparalleled success ... can be attributed to at least two important characteristics: first, its platform appealed alike to orthodox, traditionalistic reformist Hindus; and second, its organizational structure united urban centers and their rural surroundings" (606). Whereas in the cities it *integrated* the Hindu population, in the villages it boosted the *upward mobility* of down-trodden Hindu groups. The Arya Samaj served here as a catalyzer, for example, in the case of the Jats (Datta 1997). After the death of Swami Dayanand (who "formed the first Gaurakshini Sabha in 1882") in 1883, the movement was intensified on religious grounds especially "when, in 1888, the North-Western Court decreed that a cow was not a sacred object and hence was not covered by section 295 of the Indian Penal Code" (Freitag 1980b: 606). This *court decision* by the colonial government served the movement at least in two important ways: first, the ruling British could be identified as meat eaters and slaughterers of cattle, alike the Muslims (Yang 1980); colonial hunting addiction corroborated this view (Rashkow 2015). Second, a concrete Hindu dietary trait, namely rejection of meat-eating, provided a *commonality* for various internally different communities. Cow represented the "universal mother": "It was therefore matricide to kill a cow" (Freitag 1980b: 609). Further, slaughtering cattle and meat-eating could from now onwards be considered *the crucial differentiating feature* between the 'unified' Hindu practices and those of the Muslims and Christians, especially of the ruling British. It is this *ideological content* which in

a unique manner shaped post-independence judicial rulings on Cow Protection, and thus unwittingly strengthened the Hindutva stance.

However, in the hands of Hindutva, Cow Protection becomes a political mobilization tool (Katju 2017, Noronha 1994; Barak-Erez 2010) increasingly encroaching the democratic legitimacy of the nation-state. Although the Constitution of India recommends in article 48 the prohibition of cow slaughter, it is “a matter of relevance solely to the states” (Jaffrelot 1996: 205), and the Supreme Court limited its scope in 1958. Even this constitutional recommendation against the cow slaughter was based, argues Gundimeda and Ashwin (2018), on Arya Samaj texts which secularized the sacred cow, insisting on its value as “mother” linking women and cows, “economic utility” and establishing “that beef-eating did not have Islamic sanction” (160, 161). Further, the Supreme Court verdicts of 1958 and 2005 “legitimised *majoritarian sentiments* in the law by conceding valuable ground to cow protectors” (164, emphasis added). The political defense of Cow Protection has been moving since independence towards its national legalization, for which Hindutva first attempted in vain in the 1960s (Jaffrelot 1996: 205-210; Katju 2013: 2:12f.; Copland 2014; Sarkar 2016). It almost succeeded when in 2005 a Supreme Court Bench validated the Bombay Animal Preservation (Gujarat Amendment) Act of 1994, reversing the earlier impingement, claiming “the interest of a citizen or section of a community, howsoever important, is secondary to the interest of the country or community as a whole” (Gundimeda and Ashwin 2018: 167), initiating thus *a conflict between fundamental human rights of the citizens of India versus animal rights*. This expands the Cow Protection debate into the new realm of environmental ethics as well as of violence sanctioned by majoritarian moral imperatives.

Briefly, one may approach Cow Protection from *three* interrelated perspectives, namely religious including the symbolic and the philosophical; political including the legal and the social; and secular, including the economic and the ecological. These provide ample maneuvering room for all stakeholders. In the following we shall examine how Hindutva approaches the issue from an alternative ethical perspective which does include all the above-mentioned perspectives, but adds normative value to its chosen historical, political interpretation – a strategy employed in “highlighting a single aspect of Ayodhya’s religious history at the expense of all others” (Shaw 2000: 698). A key factor in this interpretive stance on

Cow Protection consists in the flexibility incorporated into it, so that the religious/symbolic dimensions become subservient to political/legal perspectives thwarting any exclusively secular approach.

### II.3 Animal Protection as an Ethical Tool

If with integral humanism<sup>22</sup> Hindutva solidifies its claim for Hindu Rashtra, simultaneously it “relinquishes Hinduism and projects itself as an ideological substitution for the latter ... by materialist concerns of territory, culture, xenology and state power” (Bhatt 2001: 160). Communalism plays here a significant role especially by creating “preconditions in social structures for sustained communal violence. ... Religious differences were more likely to become communal conflicts [during the colonial period] when they coincided with shifts in political and economic power” (Bayly 1985: 203). This insight serves well to understand how Hindutva deployed *Cow Protection as an ethical obligation*.

In discussing above the Hindutva stance on Cow Protection various approaches were highlighted. The approach most favoured and has been promoted hitherto is the legal. By explicating briefly, the grounds on which this argument is still maintained shall clarify the *ethical sovereignty* Hindutva subscribes to. It is based on the *integral interpretation* of *dharma* and the consequent obligation under which the democratic state is supposed to act. This Hindutva argumentation shall be followed through the different stages in which Cow /Animal Protection has been constitutionally established.

The post-independence Constitution of India supports Cow Protection through article 48: “The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and *prohibiting*

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<sup>22</sup> Proposed by Deendayal Upadhyaya in the mid-1960s, integral humanism is conceived as the ideology of Bharatiya Jana Sangh (BJS): “The objective of the Bharatiya Jana Sangh is the rebuilding of the Bharat, on the basis of the Bharatiya Sanskriti and Maryada, and as a political, social and economic democracy, guaranteeing equality of opportunity and liberty of person to all its citizens so as to build up a prosperous, powerful and united nation, progressive, modern and enlightened, able to withstand the aggressive designs of others and to exert herself in the comity of nations for the establishment of world peace” (Upadhyaya 2008: 388). Reference to Upadhyaya’s text is to Kindle location, not page.

*the slaughter of cows and calves and other milch and draught cattle*” (emphasis added). As Baxi (1967) rightly points out, “it must be acknowledged that article 48 while being a reluctant compromise is a clever one. It does *not* confer constitutional immunity on cows” (347, italics in the original). But cleverness has eventually become the problem at least in two different ways: first, the ‘directive principle’ is vaguely formulated and hence interpretable both for and against Cow Protection; second, in the pursuant challenges to the interpretation of the article the Indian Supreme Court has continuously sustained it on majoritarian feeling, “popular sentiment” (350), against Cow Slaughter while dismissing any infringement of ‘religious freedom’ of the minorities, especially of the Muslims.

Analyzing in detail the court decisions of 1958 and 2005, Chigateri argues that “judicial discourse on cow slaughter, supposedly based on an economic and ecological understanding of the *use* value of cows in a predominantly agrarian economy, is predicated on a fundamental constitutive elision of the religious aspects of cow slaughter” (2011: 8.4, italics in the original). While it ‘masks’ the prioritization of ‘dominant-caste Hindu identity’ (ibid), it favors its secular ethics and ignores religious differences over the sacredness of the cow. There are hence three interrelated issues in the legal discourse on Cow Protection: *first*, the utilitarian value perspective according to which cows would not fair better than buffalos; if the ‘use value’ were to be central in the ethical argument, it is not unique to the Hindus. *Second*, the symbolic/sacred value perspective which makes the cow instrumental in obtaining religious merit. Reverencing the cow, however, does not have to be exclusively by not slaughtering it. “Love towards animals and eating their meat for survival is not a contradiction but a dialectical process” (Ilaiah 1996: 1445). Further, reverencing of animals, including the cow, is not a prerogative of the Hindu. *Third*, the inconclusive ethical stance of the superiority of the cow demanding prohibition of its slaughter or the inviolability of the cow thanks to majoritarian (Hindu) ethos. By upholding the ban on Cow Slaughter, the courts defend “highly contested values” and possibly act illegitimately. For neither the basis of Cow Slaughter Prohibition, nor “the persistent negation of diverse modes of being” (Chigateri 2011: 8.24) is interrogated. Whether the ethical argument is presented in economic, religious, or cultural terms, it affirms the *perceived stance of the majority* which the Court decision of 2005 clearly demonstrates.

The 2005 Supreme Court judgement concerns with “the Bombay Animal Preservation (Gujarat Amendment) Act of 1994” which expands “the prohibition of slaughtering bulls and bullocks below the age of 16 years to a total ban on slaughter of cows and their progeny” (Gundimeda and Aswhin 2018: 167). It annuls the previous High Court verdict (based on Fundamental Rights) against the Amendment. Consequently, the issue of Cow Slaughter becomes now *a contest between Animal Rights versus Human Rights* on the one hand and *a challenge against constitutional secularism* on the other hand. On both counts Hindutva claims victory thanks to the alternative ethical sovereignty which it defends. This ethical stance continues the strategy and claim which Swami Dayanand employed against the British Raj: “cow protection was advocated not simply for material reasons but also for *moral reasons*. The cow was held to occupy a pivotal position in the moral order of *dharm [dharma]*” (Adcock 2010: 309, emphasis added). Key to this strategy consists in presenting an argument for *undifferentiated public welfare* at the root of which stands the symbolic cow. For *dharm* in Arya Samajist parlance signifies “this-worldly welfare; material prosperity for all irrespective of confessional community; a material moral substrate produced by diet” (311). Has this strategy succeeded? If yes, to what extent? If not, why? We shall address the issue in the following section.

### III. Conversion and Cow Protection: Assessment

The Hindutva alternative discussed above placed attention on communalism as conceived and fostered by it since Independence. Its ideology originating with the RSS was strengthened organizationally and politically since the 1950s by BJS/BJP and VHP especially since 1960s reaching momentum in the 1980s. Whereas Hindutva communalism shared the pre-Independence characteristics of identity and self-assertion generated from official communal classification and acknowledgement, during the post-independence period it concentrated on majority identity building and Hindu mobilization vis-à-vis Islam and other minority religious/cultural groups. The main strategy, “convert Hindus to Hinduism” (Malkani 1980: 158),<sup>23</sup> re-

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<sup>23</sup> Attributed to Swami Chinmayananda, it forms part of the comments made on the resolution against untouchability adopted during the world congress of VHP in January 1979 at Prayag.

inforced a radical revival of Hindutva's political, religious, and cultural ideology. It shall be understood as a forceful move towards *ethical sovereignty* placing Hindu dharma as the criterion and telos not only of Indian but global society. Both the Ayodhya conflict and Cow Protection movement make sense in this ethical context of *asserting sovereignty* in terms of culture, religion, and economy. Irrespective of the specific language employed, the claim rested always in the affirmation of the *superiority* of Hindu dharma in all spheres of life. For it alone provides the *wholistic or integral* achievement to the human person and society everywhere. Against this background cow slaughter has been legally contested. Does this challenge stand on current democratic grounds embraced by the Indian citizenry?

Two points shall be briefly highlighted: (a) constitutional secularism and equal treatment of religions; (b) animal rights versus human rights. It is constitutional secularism which guarantees 'freedom', 'equality' and 'neutrality' of religion in India (Crossman and Kapur 1997: 141) despite "an interventionist as well as a reformist role for courts" (Chigateri 2011: 8.26). Since this constitutional arrangement did not demonstrate 'substantive equality' in the Supreme Court decisions on cow slaughter, and the legitimacy of interventionism must be challenged, Chigateri (8.31), besides other arguments, concludes: "If secularism is to have any coherence as a fundamental principle of democratic India, then both article 48 as well as the laws on cow slaughter have to be repealed." Does this signal success to the Hindutva argumentation? It surely shows the need to re-think the correct/just application of core characteristics of Indian secularism: 'principled distance' and 'context sensitivity' (Bhargava 2010: 87-105).

Rethinking constitutional secularism entails situating the ban on cow slaughter in larger contexts including those of ecology, spirituality (Korom 2000; von Horn 2006) and "'casteised speciesism', or discriminatory practices towards non-humans, in this case by imposing casteist hierarchies on all bovines—the ostensibly protected cow as well as the unprotected buffalo" (Narayanan 2018: 351). With respect to these, the Supreme Court decision of 2005 highlights both economic/ecological as well as compassionate grounds for not slaughtering 'milch cattle' and 'draught cattle' past service. For they still supply 'dung' the value of which "is much more than even the famous 'Kohinoor' diamond" (Gundimeda and Aswhin 2018: 170)! Obviously, this argument is flawed as it ignores the damage done to

Muslim butchers and other minority groups who rely on meat as “cheap protein” (ibid), and the verdict is also biased towards the majority ‘sentiment’ as discussed above. Further, the whole judgement is based on a Hindutva influenced study, “the report of the National Commission of Cattle, set up by the BJP-led NDA government in 2002” (ibid). It leads one to the conclusion “that the judiciary does not hold an apolitical status in Indian democracy” (171). Hindutva’s claim to ethical sovereignty in legal terms expresses itself again: “the BJP-led government in Gujarat passed an amendment to the Gujarat Animal Preservation (Amendment) Bill on 31 March 2017 that prescribed life imprisonment for those found guilty of slaughtering cows. This law has also a provision for a 10-year imprisonment for transportation, storage, or sale of beef” (ibid). This not only raises issues regarding human rights versus animal rights but also incites violence against meat eaters, as it has already happened though sporadically in various parts of Northern India. An escape from this predicament suggested by the authors consists in re-instating the original article 48 (contrary to what Chigateri stood for), for “India’s cow protection debate is really no longer about any perceived hurt to religious sentiment but has become a *tool in stoking fear*” (173, emphasis added). The issue of Cow Protection becomes thus *an assertion of ethical sovereignty couched in religious, cultural, economic, and legal terms defying constitutional secularism and democracy*. It approaches to a fundamentalist stance.

The *unique defining feature* of contemporary Moditva consists perhaps in its Cow Protection policies which reflect adequately its ethical sovereignty, religious legitimacy, and socio-anthropological differentiation of Indian citizenship, thereby enabling defiance of secularism, plurality, and constitutional values. Since 2015<sup>24</sup> Cow Protection policies achieved a new significance transforming the hitherto ethical ideology into a *political tool of surveillance and disciplining* à la Foucault. Its targets are predominantly Dalits and Muslims traditionally engaged in meat industry.

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<sup>24</sup> The Maharashtra Animal Preservation Bill (Amendment) “was effected by the BJP-led state government on March 4, 2015. Under the law, anyone found selling beef or possessing it could be jailed up to five years, besides being fined.” It triggered the extension of cow slaughter bans in many other states. <https://indianexpress.com/article/india/india-news-india/maharashtra-beef-laws-victims-mostly-transporters-and-mostly-muslim-beef-ban-2789749/> (accessed on 6/5/2021).

Parikh and Miller (2019) argue persuasively that the ‘political technologies’ – for example “Beef detection kits (BDKs)” (845) and “cattle unique-identification numbers (UIDs)” (848) – boost “the confluence of animal symbolism, surveillance and nation-making” and serve “to reinforce caste and species hierarchies and to discipline those deemed outsiders” (851). The study further shows, how the political technologies do *not* dissuade cow vigilante groups while “the development of these technologies *normalizes* the banning of beef in India and extends the state’s ability to monitor certain groups, including cows the state aims to protect” (851, emphasis added). From an ethical perspective, such normalization serves to “reify the centering of upper-caste Hindus as ideal Indian citizens,” extols the sacredness of cow making it lose its “animal status becoming a symbol of the nation and thus objectified” and creates “speciesist hierarchies” (852). With respect to Dalits and Muslims, they too become objects of surveillance and discipline especially by “sharing vulnerability with the cow due to their *positionality*; out of line, unacceptable, and illegal ... a vulnerability to violence through governmentality; bodily and through objectification, surveillance, and dispensability” (852-853, emphasis added). It is this *vulnerability to violence through governmentality* which Modi refuses to engage with; hence silence when confronted with violence against minorities.

The shift in ethical sovereignty from religious efficacy to political surveillance was rapid under Moditva and shall be demonstrated thanks to the bills of protection and implementation of laws against cow slaughter. Whereas cow protection emerged as a right against the colonial regulation of animal slaughter, post-independence India provided only general regulative principles with respect to trade, protection/slaughter of animals including cows. The absence of all-India wide legislation banning cow-slaughter permitted independent states to come up with regional bills (Parikh and Miller 2019: 861-872).<sup>25</sup> Thus state laws designed and imple-

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<sup>25</sup> See Appendices I and II. Parikh and Miller (2019) provide a figure indicating all states/UTs with “some form of ban on cow slaughter” (838). State-level regulation of beef ban policy is given in detail in appendix I (861-872); an updated and partially modified version of it is included as Appendix II. To be added to the list of states/UTs without cow-slaughter ban is Lakshadweep. In this Union Territory, the Modi government is attempting to introduce the ban, and other reforms consonant to BJP ideology. <https://www.sabragindia.in/article/lakshadweep-centre-proposes-ban-cow-slaughter-beef> accessed 6/2/2021.

mented the cow protection regime basing their arguments on varied but similar conceptualizations shared equally by different political parties such as BJP, INC, etc.<sup>26</sup> However, the momentum of cow protection increased with the emergence of *vigilante groups* which enforced cow slaughter bans especially in states with strict laws of animal protection despite the PM spoke against such violence.<sup>27</sup> That these action groups linked with Moditva engage in fear-mongering and violence is evidenced by recent attacks on Dalits and Muslims.<sup>28</sup>

The second domain the VHP currently occupies is that concerning the minorities, especially the Muslims and Christians besides Dalits and Tribals, and its othering and assimilating strategy both continues and differs from the hitherto ideology employed by Savarkar, RSS and Sangh Parivar. With respect to the majority Muslim minority, the VHP has been engaged in the new “Discourse of Punishment” (Bhatt 2001: 196), namely *violence*, manifested in the Ayodhya Conflict, Cow Protection Movement, and the Gujarat Pogrom of 2002. This pattern continues entrenching the involvement of various Sangh Parivar groups as well as serving officers of the Indian Army. Crucial here are two points: *retaliatory violence*, irrespective of its intensity, brutality, casualness, and organization, is justified morally, politically, and legally. The latter arrogates more and more power for the Hindu Rashtra conception evidenced in the 2005 Supreme Court decision concerning Cow Protection (Chigateri 2011), the final SC Verdict of Novem-

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<sup>26</sup> A clear example is Maharashtra. On cow-slaughter regulations in each state/UT, see Appendix II. Modifications of legislation to make the ban stricter are evident especially since 2015.

<sup>27</sup> <https://time.com/4838566/india-beef-lynching-attacks-muslims/> (published on June 29, 2017; accessed on 6/4/2021); <https://www.bbc.com/news/world-asia-india-40505719> (published on 10 July 2017; accessed on 6/4/2021); <https://www.hrw.org/news/2017/04/27/india-cow-protection-spurs-vigilante-violence#> (accessed on 6/6/2021). For a statistics of contemporary killings due to cow vigilantism, see <https://acleddata.com/2021/05/03/cow-protection-legislation-and-vigilante-violence-in-india/> (accessed on 6/5/2021). One state, Madhya Pradesh, sets fines of 25,000 to 50,000 rupees (\$340 to \$680) and prison sentences of six months to three years for “cow vigilantism,” i.e., committing violence in the name of protecting cows. This is the *first law* of its kind in the country. <https://www.state.gov/reports/2020-report-on-international-religious-freedom/india/> (accessed on 7/28/2021); see also Rajeshwar and Amore 2019.

<sup>28</sup> Parikh and Miller 2019; <https://www.reuters.com/investigates/special-report/india-politics-religion-cows/> (reported on Nov. 16, 2017; accessed on 6/4/2021).

ber 9, 2019, on Ayodhya dispute,<sup>29</sup> and the recent 2016 violence against its perceived offenders: Dalits in Gujarat.<sup>30</sup> Second, the Hindutva promoted by VHP transforms Hinduism into a mirror image of *political Islam* without which it would lose the newly constructed strongman identity.

As for the Christian minority, the VHP strategy fluctuated continuously (Bhatt 2001: 198-202) starting with the adoption of Shuddhi language and practice,<sup>31</sup> casual violence, restrictions on social engagement and educational activities in tribal areas.<sup>32</sup> Besides, defamation of charitable activities such as engaged by Mother Teresa,<sup>33</sup> her, and other con-

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<sup>29</sup> [https://www.sci.gov.in/pdf/JUD\\_2.pdf](https://www.sci.gov.in/pdf/JUD_2.pdf) (accessed on 2020/04/17); for the SCV on the demolition of Babri Masjid, see: <https://www.ndtv.com/india-news/babri-case-verdict-updates-lk-advani-murli-manohar-joshi-to-skip-court-uma-bharti-admitted-in-hospital-2303034>; <https://www.thehindu.com/opinion/editorial/justice-in-ruins-the-hindu-editorial-on-babri-masjid-demolition-case-verdict/article32735773.ece> (accessed on 8/12/2021).

<sup>30</sup> <http://www.thehindu.com/news/national/other-states/gujarat-has-history-of-atrocities-and-discrimination-against-dalits/article8876913.ece?w=alauto> (accessed on July 21, 2016); <http://indianexpress.com/article/india/india-news-india/dalits-thrashing-suicide-attempts-arson-all-you-need-to-know-about-una-protest/> (accessed on July 21, 2016); on Cow Protection Violence, see also Ganguly 2019: 87-88.

<sup>31</sup> Vandeveld (2011) provides an overview and clarifies the different types of reconversions. Large scale conversion (*shuddhi*) initiated by Arya Samaj disappeared after 1930, “and was reduced to the initiatives of local swamis and to the diminished work of associations such as the Indian Hindu Purification Council. It was subsequently picked up again by different RSS affiliates: while the Centre for Tribal Welfare, established in the 1950s, partly aims at reconversion and assimilation of tribals, a campaign exclusively preoccupied with reconversion was not started until the 1980s by the VHP. Since then, reconversion has taken different names and shapes: *ghar vapasi* (home-coming), *dharm parivartan* (religious return/exchange) or just *paravartan* (turning back)” (40).

<sup>32</sup> Bauman (2013) argues that “the uptick in anti-Christian violence is linked substantially with the increasingly powerful and tangible impact of globalization in India after the early 1990s, and with the way that Indian Christianity has come to stand, symbolically, as a proxy for it” (635). For a detailed study see, Bauman 2020.

<sup>33</sup> Mohan Bhagwat, the RSS chief, comments in 2015: “Mother Teresa’s service would have been good. But it used to have one objective, to convert the person, who was being served, into a Christian ... The question is not about conversion but if this [conversion] is done in the name of service, then that service gets devalued.” <https://www.thehindu.com/news/national/mother-teresas-aim-was-conversion-says-bhagwat/article6926462.ece>. See Navin B. Chawla (her biographer) who already responded to similar views: “In my 23 years of close association with her, she never once whispered that perhaps her religion was superior to mine, or through it lay a shorter route to the Divine. Which is also why, when I asked

gregations, “the Home Ministry issued a circular instructing the police to undertake a census of the Christian population in Gujarat. Christian schools in the state also received a further circular requesting information on their ‘country affiliations and foreign funds’” (202; Sud 2008: 1270-71). In all these intrusions, different layers of Hindutva organizations who share the “Hindu supremacist ideology” (199) took part which the cognizant leadership initially dismissed but later supported as action against “‘a world-wide Christian conspiracy’” (202).<sup>34</sup> Bauman’s globalization thesis makes sense in this context:

In so many ways ... Christianity represents all that threatens the “traditional” order, whether imagined by Hindu nationalists or by the CCTs [coterminous castes and tribes]. Hindu nationalists have done well to forge the rhetorical link between the challenge posed by globalization and that posed by the existence of a minority Christian community. And ... the CCTs have in many cases embraced that linkage because it gives voice to their particular concerns and serves their purposes as well (2013: 650).

In theory anti-Christian activity denoted Hindu self-assertion while in practice it assimilated all autochthonous groups under Hinduism, an ethical strategy of vote-buying, appropriating religious-cultural symbols for violent political ends (Sen and Wagner 2009: 312-321). However, its current significance consists in a stronger embrace of an alternative ethical sovereignty based on anti-secularism and Bills of Religious Freedom.

The linkage between secularism and conversion emerges from two antithetical perspectives attributable to Hindutva and Gandhi, respec-

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Jyoti Basu, that redoubtable leader of West Bengal, what he, an atheist and communist, could possibly have in common with Mother Teresa for whom god was everything, he replied simply that “we both share a love for the poor.” <https://www.thehindu.com/opinion/lead/the-mother-teresa-her-critics-choose-to-ignore/article5058894.ece> (all links accessed on February 11, 2021). Since 2014, the Hindutva changed its approach to Christians; and the Christian response to secularism is also not uniform (Devika and Varghese 2011).

<sup>34</sup> For recent reconversion, see: <https://indianexpress.com/article/india/gujarat-144-tribals-reconverted-to-hinduism-in-dang-6235405/> (accessed on 7/31/2021); for the violence in the Kandhamal district of Orissa, see Wankhede 2009; Bauman 2020: 143-214; for the current situation, see: <https://gaurilankeshnews.com/remembering-the-kandhamal-massacre-twelve-years-on/> (accessed on 7/28/2021).

tively. With respect to Gandhi, it has already been highlighted above that his firm advocacy for ‘transcending religion’ disavows any need for conversion, while constitutional secularism in the post-independence political context meant differentiated citizenship, religious neutrality *sui generis* and context sensitivity,<sup>35</sup> hence intrinsically ambiguous, that is requiring interpretation. In concrete praxis, both these Gandhian stances presuppose a realm of common values shared by humanity, and in the political sphere equal access to one’s religious adherence and the right to act accordingly in the public sphere. The inherent potential conflict between one’s religious adherence and other’s freedom may be considered salutary for it elicits communication, dialogical exchange and reciprocal claims of truth and legitimacy demanding a pluralist democratic society. On the other hand, denouncing secularism and banning conversion become necessary from the homogeneous conception of Hindu Rashtra and varṇacracy (Clarke 2002: 200-208). This latter conceptualization underlies the so-called Bills of Freedom, with anti-conversion rhetoric.<sup>36</sup>

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<sup>35</sup> From a legal perspective Stephens (2010: 255-265) finds this conceptualization wanting clarity, liable to activism and accusations of pseudo-secularism, and concludes: “although freedom and equality are both stated goals of the Indian Constitution [constitutional secularism], when in conflict, the value of social equality repeatedly receives preference over individual freedom” (265). Madan (2009: 233-265) “argues that special efforts are needed to give it [secularism] clear definition, work out its relation to civil society, and reinforce it ideologically” (261); Nandy (2015) adopts the Gandhian stance, but points out that banning conversion would only “push proselytisation underground. People will not publicly or openly disown Hinduism but do so clandestinely.”

<sup>36</sup> Fernandes (2011) argues that the conception “of religion as a *social territory* in which membership was linked to membership in the national territory of the state” (120, emphasis added) is preserved and shared by the post-independence state and Hindutva; hence: “The contemporary Hindu nationalist definition includes Sikhism, Buddhism, and Jainism as Hindu-Indian religions but excludes Christianity and Islam as non-Indian or foreign religions” (121). Further: “In the Indian context, the *politics of conversion* has provided an everyday mechanism that has opened up a set of practices that have begun to substantively limit the terms of citizenship” (123, emphasis added). “The framing of religious conversion through anxieties over religious territories and the fluidity of caste anxiety that were at the heart of nationalist debates, continue to shape the structures and practices of the contemporary state in India” (130). While conversion to Christianity is derided, contemporary Hinduism provides a process to enter into it formally: <https://www.hinduismtoday.com/hindu-basics/how-to-formally-enter-hinduism/> (accessed on 2023-04-14).

Post-independence anti-conversion laws, called Bills of Religious Freedom (Stephens 2010: 253), result from *political expediency* as well as an awfully *specific legal interpretation* of Hinduism. Stephens argues that this legal interpretation entails first, “descriptions of Hinduism as it is” (266), and second, the continuous utilization of the category of ‘caste’ for governmental and/or administrative purposes<sup>37</sup> (already pointed out above). Further, the same legal framework is used in assigning the Backward Class status to non-Hindus, thus creating an overarching legal ‘caste’ Hinduism with entitlements, while the Christian Adivasis, Dalits are barred from state subsidies (268-69). Despite this legal framework, the constitutional secularism guarantees that social justice prevails over communitarian/religious idiosyncrasies; this implies that caste system does not (*pace* Stephens) constitute “the natural order of society” (270). For social reform required by the constitution may demand also religious reforms, a uniform civil code, abolition of untouchability, etc.<sup>38</sup> as demonstrated in the recent Supreme Court decision favouring women’s unrestricted entry to the Sabarimala Pilgrimage Site (Pandimakil 2019). Such decisions may not be forthcoming if Hindutva manages unduly to influence the law and courts, as exemplified by the verdict on Ayodhya dispute.

## Conclusion

The above given analysis of *conversion and cow protection* argues that despite they were hot topics of debate during the colonial period, it is Hindutva’s socio-political strategy of dominance which thrust them to the forefront in the post-independence India. Especially since the BJP achieves political significance since 1990s, both topics are deployed against minorities with a special emphasis on secularism and Hindu culture. Conversion is hence interpreted as *a political act of changing religious affilia-*

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<sup>37</sup> “Within Article 25 of the Indian Constitution, persons who profess the Sikh, Buddhist, or Jain religion, for legal purposes, may be considered to be Hindus” (Stephens 2010: 266).

<sup>38</sup> “India’s constitutional commitment to secularism is ... neither indifferent nor impartial to religion; rather, it seeks to ensure that all religions are accorded equal treatment ... while simultaneously subjugating religious freedom to the project of social reform” (Narula 2010: 237-38). The Hindutva, however, insists “that the only traditions that have to be dealt with by the secular state are those of the minorities” (Van der Veer 2012: 729).

tion disadvantaging one's ancestral religion namely Hinduism. For Hindutva *presumes* that every citizen of India is born Hindu, irrespective of belonging to Buddhism, Jainism, Sikhism, or the tribal religions. The Constitution of India classifies them for all legal ends under the Hindu category according to article 25, Explanation 2, and thus *excludes* Christians and Muslims from all autochthonous status. Hindutva capitalizes on this legal *fine print* and considers these minority groups as *foreigners*. Conversion, understood as an exchange of religious affiliation with non-autochthonous religions, is hence challenged, considered as violence against the indigenous, and legally prohibited by Bills of Religious Freedom.

In further enhancing this position are the unique conceptualizations of religion and state advanced by Hindutva. Swami Dayananda Saraswati of Rishikesh argues that the inextricable connection between religion and culture is annihilated by conversion. This *primordial* conception of religion will hence consider exchange of religious affiliation as "cultural aggression" (1999: 3), an affirmation tenable only if one holds to this perspective but utterly challengeable under alternative conceptualizations of religion (Bauman 2015: 185-186). However, the Hindutva perspective amounts to a *fundamentalist* position<sup>39</sup> which in the end results in making Hinduism the *only true* religion (Golwalkar 1939: 94-95; Ram-Prasad 2003: 167). Similarly, the *nation* overrides the democratic state, which is subservient to the former,<sup>40</sup> and consequently secularism consists in respecting and protecting the *religious sentiment* of the "basic person" (Saraswati 1999: 6). Despite this rapprochement to the *interiority* of the human person, Swami Dayananda fails to embrace the Gandhian conception of religion nor the dhārmic agency but reduces conversion to *an act done on someone by another person*, a post-independence *legalist* position which transforms the spiritual belonging to a mere *institutional adherence*.

Hindutva communalism claims ethical sovereignty over civil society on multiple grounds but especially through religious nationalism and the symbolism of *cow protection*. Freitag (1996: 223) rightly points out to two

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<sup>39</sup> As employed in this study, fundamentalism/extremism denotes three interrelated features: *cultural exclusivism*, *collective authoritarianism*, and *legitimization of nationalist violence*.

<sup>40</sup> "'Nation' and 'State' are, not synonymous, ... in the 'State', the 'Nation' should be supreme" (Golwalkar 1939: 92, emphasis added).

crucial post-independence tensions, namely “the state’s relationship with the individual versus its relationship with the group” and the activities of public interest through institutions versus the private activities through communities. In both cases religion constitutes the middle ground or connecting link. Whereas the state attempted to bridge societal gaps through institutional policies of welfare targeting poor, landless and peasant bodies, often continuing the colonial categorization based on caste/religion, Hindutva agitations concentrated on the building up of the majority, urban, upper caste communities, especially by usurping the ritual and symbolic realms of religion. Hence the emphasis on *ritual* mobilization and the re-introduction of Cow Protection agenda.

Significant however is also the philosophical argumentation, reviving, reinterpreting, and extending the Indic/Hindu heritage. Thus, Golwalkar’s claim of unity-in-diversity, societal harmony and social hierarchy based on advaita transforms *communitas* (Turner 2017), the nationally imagined community, into an epiphenomenon which guarantees unity at the risk of equality: “Equality is applicable only, on the plane of the Supreme Spirit. But on the physical plane the same Spirit manifests itself in a wondrous variety of diversities” (Golwalkar 2015: 18). The Hindutva agenda of cow protection falls within this larger context wherein Hinduism becomes the national religious and cultural resource which would *not* constitute any danger *if not* wielded as the hegemonic structure of ethical sovereignty.

## References

- Adcock, C. S. 2010. “Sacred Cows and Secular History: Cow Protection Debates in Colonial North India.” *Comparative Studies of South Asia, Africa, and the Middle East*, 30.2: 297-311.
- AIFOFR [All India Federation of Organisations for Democratic Rights]. 1999. *Then They Came for the Christians – a Report to the Nation*. Mumbai: AIFOFR.
- Alsdorf, Ludwig. 2010. *The History of Vegetarianism and Cow-Veneration in India*. (Translated from the German by Bal Patil. Revised by Nichola Hayton. Edited with additional notes, a bibliography and four appendices by Willem Bollée). London and New York: Routledge.

- Appadurai, Arjun. 1981. "Gastro-Politics in Hindu South Asia: Symbolism and Cognition," *American Ethnologist* 8.3: 494-511. <http://www.jstor.org/stable/644298>
- Barak-Erez, Daphne. 2010. "Symbolic Constitutionalism: On Sacred Cows and Abominable Pigs." *Law, Culture, and the Humanities* 6.3: 420–435.
- Bauman, Chad M. 2008. "Postcolonial Anxiety and Anti-Conversion Sentiment in the Report of the "Christian Missionary Activities Enquiry Committee." *International Journal of Hindu Studies* 12.2: 181-213.
- Bauman, Chad M. 2013. "Hindu-Christian Conflict in India: Globalization, Conversion, and the Coterminal Castes and Tribes." *The Journal of Asian Studies* 72.3: 633–653.
- Bauman, Chad M. 2015. "The Violence of Conversion: Proselytization and Interreligious Controversy in the Work of Swami Dayananda Saraswati." *Open Theology* 1: 175–188.
- Bauman, Chad M. 2020. *Anti-Christian Violence in India*. Ithaca and London: Cornell University Press.
- Baxi, Upendra. 1967. "'The little done, the vast undone' — some reflections on reading Granville Austin's "The Indian Constitution" ." *Journal of the Indian Law Institute*, 9.3: 323-430.
- Bayly, Christopher Alan. 1985. "The Pre-history of 'Communalism'? Religious Conflict in India, 1700–1860." *Modern Asian Studies*, 19: 177-203.
- Bevans, Stephen B., and Roger P. Schroeder. 2004. *Constants in Context. A Theology of Mission for Today*. Maryknoll, NY: Orbis Books.
- Bhagabati, Dikshit Sarma, and Prithvi Sinha, and Sneha Garg. 2021. "Baptising Pandita Ramabai: Faith and religiosity in the nineteenth-century social reform movements of colonial India." *The Indian Economic and Social History Review* 58.3: 393–424.
- Bhargava, Rajeev. 2010. *The Promise of India's Secular Democracy*. New Delhi: Oxford University Press.
- Bhatt, Chetan. 2001. *Hindu Nationalism. Origins, Ideologies and Modern Myths*. New York: Berg.
- Bosch, David J. 1991. *Transforming Mission. Paradigm Shifts in Theology of Mission*. Maryknoll, NY: Orbis Books.

- Chigateri, Shraddha. 2011. "Negotiating the 'Sacred' Cow: Cow Slaughter and the Regulation of Difference in India," in: Monica Mookherjee (ed.), *Studies in Global Justice, Democracy, Religious Pluralism and the Liberal Dilemma of Accommodation*. Springer E-Book.
- Clarke, Sathianathan. 2002. "Hindutva, Religious and Ethnocultural Minorities, and Indian-Christian Theology." *Harvard Theological Review* 95.2: 197–226.
- Copland, Ian. 2002. "Crucibles of Hindutva? V.D. Savarkar, the Hindu Mahasabha, and the Indian Princely States." *Journal of South Asian Studies* 25.3: 211-234.
- Cossmann, Brenda; Ratna Kapur. 1997. "Secularism's Last Sigh: The Hindu Right, the Courts, and India's Struggle for Democracy," *Harvard International Law Journal*, 38.1: 113-170.
- Dalmiya, Vrinda, and Gangeya Mukherji. 2018. "Introduction: To Do," in: *Exploring Agency in the Mahābhārata: Ethical and Political Dimensions of Dharma*, edited by Sibesh Chandra Bhattacharya, Vrinda Dalmiya, and Gangeya Mukherji. London and New York: Routledge, 1-86 (Kobo eBook).
- Datta, Nonica. 1997. "Arya Samaj and the Making of Jat Identity." *Studies in History* 13.1: 97-119.
- Devika, J., and V. J. Varghese. 2011. "To Survive or To Flourish? Minority Rights and Syrian Christian Community Assertions in Twentieth-century Travancore/Kerala." *History and Sociology of South Asia* 5.2: 103–128.
- Doniger, Wendy. 2009. *The Hindus. An Alternative History*. New York: The Penguin Press.
- Drèze, Jean and Sen, Amartya. 2013. *An Uncertain Glory: India and Its Contradictions*. Princeton and Oxford: Princeton University Press.
- Dunn, James D. G. 2009. *Beginning From Jerusalem*. (Christianity in the Making volume -2). Grand Rapids, Michigan: Eerdmans.
- Fernandes, Leela. 2011. "Unsettled Territories: State, Civil Society, and the Politics of Religious Conversion in India." *Politics and Religion* 4: 108–135. doi:10.1017/S1755048310000490.
- Freitag, Sandria B. 1980a. *Religious Rites and Riots: From Community Identity to Communalism in North India, 1870-1940*. (University of

- California, Berkeley. ProQuest Dissertations and Theses) ANN ARBOR, MI: University Microfilms
- Freitag, Sandria B. 1980b. "Sacred Symbol as Mobilizing Ideology: The North Indian Search for a "Hindu" Community." *Comparative Studies in Society and History*, 22.4: 597-625.
- Freitag, Sandria B. 1996. "Contesting in Public: Colonial Legacies and Contemporary Communalism," in: *Making India Hindu. Religion, Community, and the Politics of Democracy in India*, edited by David Ludden. New Delhi: Oxford University Press, 211-234.
- Frykenberg, Robert Eric. 2003. "Introduction: Dealing with Contested Definitions and Controversial Perspectives" in: *Christians and Missionaries in India. Cross-Cultural Communication since 1500*. Edited by Robert Eric Frykenberg, London: Routledge, 1-32.
- Gandhi, Mohandas Karamchand. 1958-1994. *The Collected Works of Mahatma Gandhi, 100 vols*. New Delhi: Publications Division, Ministry of Information and Broadcasting, Government of India. [<https://www.gandhiheritageportal.org/the-collected-works-of-mahatma-gandhi>]
- Ganguly, Sumit. 2019a. "India under Modi: Threats to Pluralism." *Journal of Democracy* 30.1: 83-90.
- Gold, Daniel. 1991. "Organized Hinduisms: From Vedic Truth to Hindu Nation," in: Martin Marty and Scott Appleby, eds. *Fundamentalism observed*. (The Fundamentalism project; v. 1) Chicago: University of Chicago Press, 531-591.
- Golwalkar, Madhav Sadashiv. 1939. *We or Our Nationhood Defined*. Nagpur: Bharat Publications. (e-book: <http://hinduebooks.blogspot.com/>)
- Golwalkar, Madhav Sadashiv. 2015 (1966). *Bunch of Thoughts*. Bangalore: Jagarana Prakashan. [https://www.thehinducentre.com/.../02486/Bunch\\_of\\_Thoughts\\_2486...](https://www.thehinducentre.com/.../02486/Bunch_of_Thoughts_2486...) · PDF file
- Gundimeda, Sambaiah and V.S. Ashwin. 2018. "Cow protection in India: From secularising to legitimating debates." *South Asia Research*, 38.2: 156-176.
- Gupta, Neerja Arun (ed.). 2017. *Views on Hindu Dharma by M.K. Gandhi*. London: Routledge.

- Hick, John. 1989. *An Interpretation of Religion*. New Haven: Yale University Press.
- Ilaiah, Kancha. 1996. "Beef, BJP and Food Rights of People." *Economic and Political Weekly* 31.24: 1444-1445.
- Jaffrelot, Christophe. 1996. *The Hindu Nationalist Movement in India*. New York: Columbia University Press.
- Jha, D. N. 2016. *The Myth of the Holy Cow*. New Delhi: Navayana.
- Jones, Kenneth W. 1976. *Arya Dharm: Hindu Consciousness in 19<sup>th</sup> -Century Punjab*. New Delhi: Manohar.
- Katju, Manjari. 2013 [2010]. *Vishwa Hindu Parishad and Indian Politics*. Hyderabad: Orient Blackswan (e-book).
- Katju, Manjari. 2017. *Hinduising Democracy. The Vishva Hindu Parishad in Contemporary India*. New Text. Kindle E-book.
- Kim, Sebastian C. H. 2003. *In Search of Identity. Debates on Religious Conversion in India*. Oxford: Oxford Uni. Press.
- Korom, Frank J. 2000. "Holy Cow! The Apotheosis of Zebu, or Why the Cow is Sacred in Hinduism." *Asian Folklore Studies*, 59: 181-203.
- Lipner, Julius J. 1999. *Brahmabandhab Upadhyay. The Life and Thought of a Revolutionary*. Oxford: Oxford University Press.
- Malkani, K. R. 1980. *The RSS story*. New Delhi: Impex India.
- Miller, Robert J., Jacinta Ruru, Larissa Behrendt, and Tracey Lindberg, 2010. *Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies*. Oxford: Oxford University Press
- Nandy, Ashis. 2014. "A disowned father of the nation in India: Vinayak Damodar Savarkar and the demonic and the seductive in Indian nationalism." *Inter-Asia Cultural Studies* 15.1: 91–112.
- Nandy, Ashis. 2015. "Ashis Nandy on being an Indian Christian, Julio Ribeiro's pain and why he opposes conversion." Interviewed by Ajaz Ashraf. <https://scroll.in/article/718353/ashis-nandy-on-being-an-indian-christian-julio-ribeiros-pain-and-why-he-opposes-conversion> (accessed on 8/13/2020).
- Narayanan, Yamini. 2018. "Cow Protection as 'Casteised Speciesism': Sacralisation, Commercialisation and Politicisation." *South Asia: Journal of South Asian Studies* 41.2: 331–351.

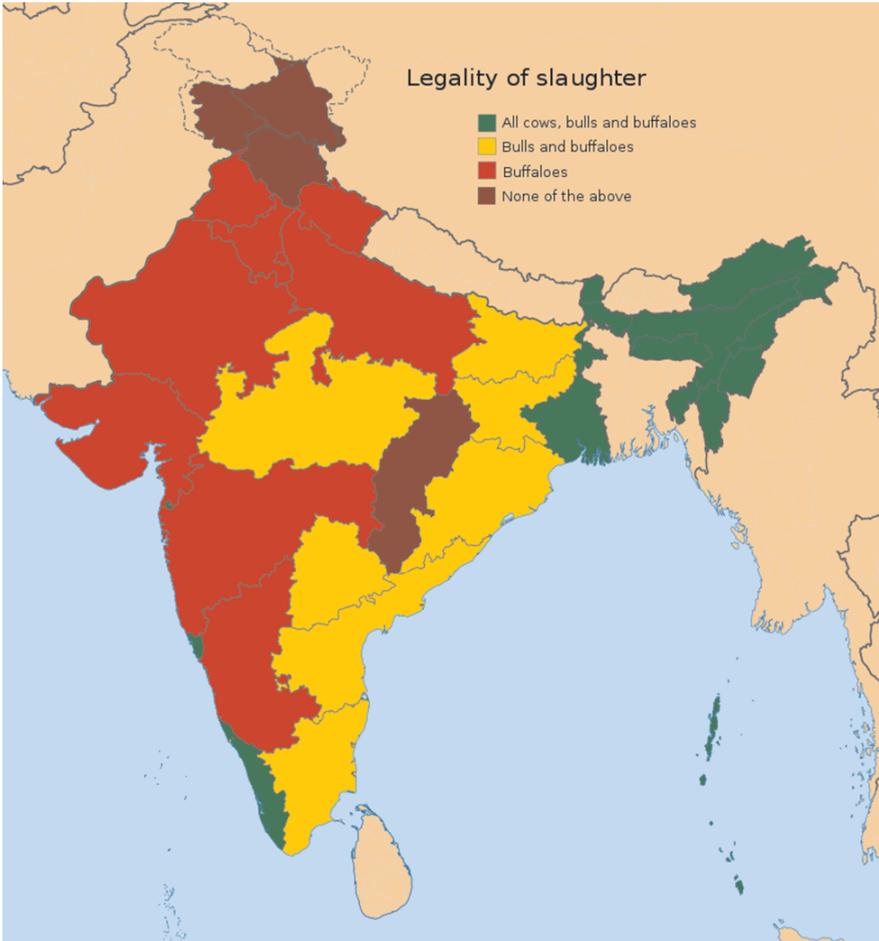
- Narula, Smita. 2010. "Law and Hindu Nationalist Movements," in: *Hinduism and Law*, edited by Timothy Lubin, Donald R. Davis, Jr., and Jayanth K. Krishnan. Cambridge: Cambridge University Press, 234-251.
- Noronha, Ernesto. 1994. "BJP: Cow as a Political Symbol." *Economic and Political Weekly* 29.24: 1447-1448.
- Oddie, Geoffrey A. 2003. "Constructing "Hinduism": The Impact of the Protestant Missionary Movement on Hindu Self-Understanding," in: *Christians and Missionaries in India. Cross-Cultural Communication since 1500*. Edited by Robert Eric Frykenberg, London: Imprint Routledge, 155-182.
- Pandimakil, Peter. 2019. "Sabarimala: Religion and Law in Democratic Politics." *Estudio Agustiniano* 54 (2019) 239-268.
- Parekh, Bhiku. 1989. *Colonialism, Tradition and Reform. An Analysis of Gandhi's Political Discourse*. New Delhi/Newbury Park/London: Sage Publications.
- Parel, Anthony J. (ed.) 1997. *M. K. Gandhi. Hind Swaraj and Other Writings*. Cambridge, UK: Cambridge University Press.
- Parel, Anthony. 2006. *Gandhi's Philosophy and the Quest for Harmony*. Cambridge, UK: Cambridge University Press.
- Parikh, Aparna and Clara Miller. 2019. "Holy Cow! Beef Ban, Political Technologies, and Brahmanical Supremacy in Modi's India." *ACME: An International Journal for Critical Geographies* 18.4: 835-874.
- Prabhu, Nagesh. 2020. *Middle Class, Media, and Modi: The Making of a New Electoral Politics*. Mathura Road: Sage Publications.
- Rajeshwar, Yashasvini and Roy C. Amore. 2019. "Coming Home (Ghar Wapsi) and Going Away: Politics and the Mass Conversion Controversy in India." *Religions* 10.313: 1-16; doi:10.3390/rel10050313.
- Ram-Prasad, Chakravarthi. 1993. "Hindutva ideology: extracting the fundamentals." *Contemporary South Asia* 2.3: 285-309.
- Ram-Prasad, Chakravarthi. 2003. "Contemporary Political Hinduism," in: *The Blackwell Companion to Hinduism*, edited by Gavin Flood, Oxford, UK: Blackwell, pp. 526-550.
- Rashkow, Ezra. 2015. "Resistance to Hunting in Pre-independence India: Religious environmentalism, ecological nationalism or cultural conservation?" *Modern Asian Studies* 49.2: 270-301.

- Richards, Ian. 2021. "Anti- Conversion Laws in Post-Independence India," *Convergence, Conversion, and Conflict in Early Modern Religious Encounters*. Edited by Nicholas Terpstra, London: Routledge, 155-168.
- Saraswati, Swami Dayananda (1930-2015). 1999. Conversion is Violence. [www.scribd.com/document/27378131/Conversion-is-Violence-Swami-Dayananda](http://www.scribd.com/document/27378131/Conversion-is-Violence-Swami-Dayananda)
- Saraswati, Swami Dayananda. (1908) 1970<sup>2</sup>. *Light of Truth. An English Translation of Satyarthprakash*. [Being A Guide to Vedic Hermeneutics by Shri Durga Prasad], edited by Acharya Vaidyanath Shastri, Acharya Jagdish Vidyarthi M.A., and Bharatendra Nath. New Delhi: Jan Gyan Prakashan (open resource, made available by Center for Research Libraries).
- Sarkar, Radha, and Amar Sarkar. 2016. "Sacred Slaughter: An Analysis of Historical, Communal, and Constitutional Aspects of Beef Bans in India." *Politics, Religion & Ideology* 17.4: 329–351.
- Savarkar, Vinayak Damodar. 1923. *Hindutva*. Nagpur: Kelkar. Electronic version: [http://savarkar.org/en/encyc/2017/5/28/Hindutva\\_1923.pdf](http://savarkar.org/en/encyc/2017/5/28/Hindutva_1923.pdf) (accessed on 04/07/2017).
- Sen, Ragini and Wagner, Wolfgang. 2009. "Cultural Mechanics of Fundamentalism: Religion as Ideology, Divided Identities and Violence in Post-Gandhi India." *Culture & Psychology* 15.3: 299–326.
- Seunarine, James F. 1977. *Reconversion to Hinduism through Suddhi*. Madras: Christian Literature Society.
- Shaw, Julia. 2000. "Ayodhya's sacred landscape: ritual memory, politics and archaeological 'fact'." *Antiquity* 74: 693-700.
- Singh, Ajai R., and Shakuntala A. Singh. 2004. "Gandhi on Religion, Faith and Conversion: Secular Blueprint Relevant Today." *Mens Sana Monographs* 2.1: 79-88.
- Singh, Bawa Ghhajju. 1903. *Life & Teachings of Swami Dayanand Saraswati*. New Delhi: Jan Gyan Prakashan.
- Spodek, Howard. 2010. "In the Hindutva Laboratory: Pogroms and Politics in Gujarat, 2002." *Modern Asian Studies* 44.2: 349–399.
- Srinivas, M. N. 1962. *Caste in Modern India and Other Essays*. Bombay: Asia Publishing House.

- Stephens, Robert J. 2007. "Sites of Conflict in the Indian Secular State: Secularism, Caste and Religious Conversion" *A Journal of Church and State* 49.2: 251-276.
- Stewart, James. 2014. "Violence and Nonviolence in Buddhist Animal Ethics." *Journal of Buddhist Ethics* 21: 623-655.
- Sud, Nikita. 2008. "Secularism and the Gujarat State: 1960–2005." *Modern Asian Studies* 42.6: 1251–1281.
- Thomas, M. M. 1991. *The Acknowledged Christ of Indian Renaissance*. Madras: Senate of Serampore College.
- Turner, Victor. 2017 [1969]. *The Ritual Process: Structure and Anti-Structure*. Oxon: Routledge [e-book].
- Upadhyaya, Deendayal. 2008. *Integral Humanism. An Analysis of Some Basic Elements*. Prabhat Prakashan. Kindle Edition.
- Van der Veer, Peter. 2012. "Religion, Secularism and National Development in India and China." *Third World Quarterly* 33.4: 721–734.
- Vandavelde, Iris. 2011. "Reconversion to Hinduism: A Hindu Nationalist Reaction Against Conversion to Christianity and Islam." *South Asia: Journal of South Asian Studies* 34:1, 31-50. DOI: 10.1080/00856401.2011.549083.
- Von Horn, Gavin. 2006. "Hindu traditions and nature: Survey article." *Worldviews* 10.1: 5-39.
- Wakankar, Milind. 2018. "The Crisis in Religion: Christianity and Conversion in the Marathi Nineteenth Century." *South Asia: Journal of South Asian Studies* 41.2: 468–482. <https://doi.org/10.1080/00856401.2018.1443241>
- Wankhede, Harish S. 2009. "The Political Context of Religious Conversion in Orissa." *Economic and Political Weekly* 44.15: 33-38.
- Yang, Anand A. 1980. "Sacred Symbol and Sacred Space in Rural India: Community Mobilization in the "Anti-Cow Killing" Riot of 1893." *Comparative Studies in Society and History*, 22.4: 576-596.

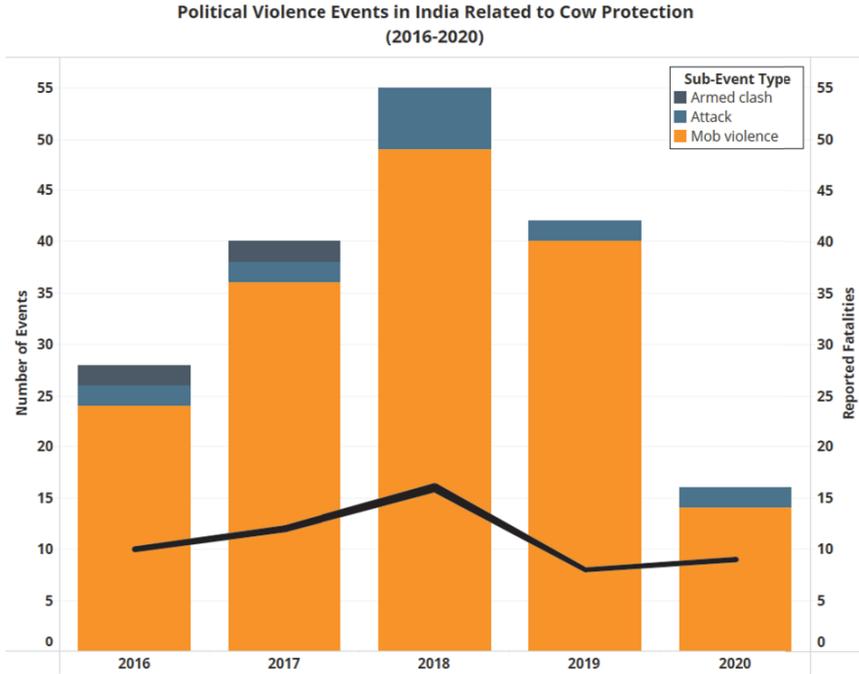
**Appendix I**

[https://upload.wikimedia.org/wikipedia/commons/0/09/India\\_cow\\_slaughter\\_map.svg](https://upload.wikimedia.org/wikipedia/commons/0/09/India_cow_slaughter_map.svg)



### Appendix II

<https://acleddata.com/2021/05/03/cow-protection-legislation-and-vigilante-violence-in-india/>



### Appendix III

<b>STATE LEGISLATION ON CATTLE SLAUGHTER, TRANSPORT AND MEAT CONSUMPTION</b>					
<b>States</b>	<b>Title of Current Legislation</b>	<b>Cattle Definition</b>	<b>Status of Ban on Slaughter</b>	<b>Penal Provision</b>	<b>Offences</b>
1. <b>ANDHRA PRADESH</b>	The Andhra Pradesh Prohibition of Cow Slaughter and Animal Preservation Act, 1977. Valid also for Telangana.	“Cow”- includes heifer, or a calf, whether male or female of a cow. “Calf”- age not defined.	Slaughter of bull, bullock allowed on ‘fit-for-slaughter’ certificate, to be given only if the animal is not economical or is not likely to become economical for the purpose of breeding or draught/ agricultural operations.	Violation of the law is punishable: imprisonment up to maximum of 6 months or fine of up to Rs 1,000 or both.	Cognisable
<a href="https://cjp.org.in/wp-content/uploads/2017/12/ANDHRA-PRADESH-PROHIBITION-OF-COW-SLAUGHTER-AND-ANIMAL-PRESERVATION-ACT-1977.pdf">https://cjp.org.in/wp-content/uploads/2017/12/ANDHRA-PRADESH-PROHIBITION-OF-COW-SLAUGHTER-AND-ANIMAL-PRESERVATION-ACT-1977.pdf</a>					
2. <b>ARUNACHAL PRADESH</b>	NO LEGISLATION				
3. <b>ASSAM</b>	The Assam Cattle Preservation Act, 1950	“ C a t t l e ” means Bulls, bullocks, cows, calves, male and fe-	Slaughter of all cattle allowed on ‘fit-for-slaughter’	Imprisonment up to maximum of 6 months or fine of up to	Cognisable only

	(amended in 1962)	male and female buffaloes and buffalo calves.	certificate, to be given if cattle is over 14 years of age or has become permanently incapacitated for work or breeding due to injury, deformity or any incurable disease.	Rs 1,000 or both.	
<a href="https://cjp.org.in/wp-content/uploads/2017/12/ASSAM-CATTLE-PRESERVATION-ACT-1951.pdf">https://cjp.org.in/wp-content/uploads/2017/12/ASSAM-CATTLE-PRESERVATION-ACT-1951.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/ASSAM-CATTLE-PRESERVATION-AMENDMENT-ACT-1962.pdf">https://cjp.org.in/wp-content/uploads/2017/12/ASSAM-CATTLE-PRESERVATION-AMENDMENT-ACT-1962.pdf</a>					
<b>4. BIHAR</b>	The Bihar Preservation and Improvement of Animals Act, 1955.	Bull – uncastrated male of above 3 years. Bullock - castrated male of above 3 years. Calf - male or female below 3 years. Cow - female above 3 years.	Slaughter of cow and calf totally prohibited. Slaughter of bull or bullock of over 15 years of age or has become permanently incapacitated for work or breeding due to injury, deformity or any incurable disease. Export of cows, calves, bulls and bullocks	Imprisonment up to maximum of 6 months or fine of upto Rs 1,000 or both.	Cognisable only

			from Bihar is not allowed for any purpose.		
<a href="https://cjp.org.in/wp-content/uploads/2017/12/AR-01-04-06-2008-2.pdf">https://cjp.org.in/wp-content/uploads/2017/12/AR-01-04-06-2008-2.pdf</a> ; <a href="https://www.indiacode.nic.in/bitstream/123456789/12218/1/biharpreservationandimprovementofanimalsact-1955_02-1956.pdf">https://www.indiacode.nic.in/bitstream/123456789/12218/1/biharpreservationandimprovementofanimalsact-1955_02-1956.pdf</a>					
<b>5. CHHATTIS-GARH</b>	The Madhya Pradesh Agricultural Cattle Preservation Act, 1959 serves as legislation.		Slaughter of cow, buffalo, bull, bullock, calf, and possession of their meat banned. However, bulls and bullocks over 20 years, if unfit for work or breeding shall be slaughtered. No transport or export of cattle, especially to states without cow-slaughter ban.	Imprisonment of 7 years, fine up to Rs 50,000. Claims to introduce capital punishmentf or cattle slaughter. Burden of proof on the accused.	Cognisable.
<a href="https://cjp.org.in/wp-content/uploads/2017/12/CHHATTISGARH-AGRICULTURAL-CATTLE-PRESERVATION-ACT-2004.pdf">https://cjp.org.in/wp-content/uploads/2017/12/CHHATTISGARH-AGRICULTURAL-CATTLE-PRESERVATION-ACT-2004.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/CHHATTISGARH-AGRICULTURAL-CATTLE-PRESERVATION-AMENDMENT-ACT-2011.pdf">https://cjp.org.in/wp-content/uploads/2017/12/CHHATTISGARH-AGRICULTURAL-CATTLE-PRESERVATION-AMENDMENT-ACT-2011.pdf</a>					

<b>6. GOA</b>	The Goa, Daman & Diu Prevention of Cow Slaughter Act, 1978.	Cow includes cow, heifer or calf. Age of calf not defined.	Total ban on slaughter of cow except when cow is suffering pain or contagious disease or for medical research. Prohibition of sale of beef or beef products in any form.	Imprisonment up to 2 years or fine upto Rs 1,000 or both.	Both cognisable and non-bailable
	The Goa Animal Preservation Act, 1995	Applicable to bulls, bullocks, male calves and buffaloes of all ages.	All the animals can be slaughtered on 'fit-for-slaughter' certificate which is not given if the animal is likely to become economical for draught, breeding or milk (for she/buffaloes) purposes. Prohibition of sale of beef obtained in contravention of above provisions, except beef imported from other States.	Imprisonment up to maximum of 6 months or fine of up to Rs 1,000 or both.	Cognisable only

<a href="https://cjp.org.in/wp-content/uploads/2017/12/The-Goa-Daman-and-Diu-Cow-Slaughter-Act-.pdf">https://cjp.org.in/wp-content/uploads/2017/12/The-Goa-Daman-and-Diu-Cow-Slaughter-Act-.pdf</a> <a href="https://ahvs.goa.gov.in/sites/default/files/Download%28118%20KB%29_0.pdf">https://ahvs.goa.gov.in/sites/default/files/Download%28118%20KB%29_0.pdf</a>						
7. <b>GUJARAT</b>	The Bombay Animal Preservation Act, 1954 (Applied to Gujarat)	Applicable to bulls, bullocks, cows, calves and male/female buffalo calves.	Slaughter of cow, calf, bull or bullock totally prohibited. Slaughter of buffaloes permitted on certain conditions.	Life sentence		Cognisable only
	The Gujarat Animal Preservation (Amendment) Act, 2011		No animal transport for the purpose of slaughter; confiscation of the vehicle carrying cow meat.	Imprisonment up to 7 years and a fine of maximum Rs 50,000.		
	The Gujarat Animal Preservation (Amendment) Act, 2017			Imprisonment of minimum 10 and maximum 14 years, and a fine of RS 1 lakh to 5 lakh.	Non-bailable	
<a href="https://cjp.org.in/wp-content/uploads/2017/12/GUJARAT-ANIMAL-PRESERVATION-ACT-1954.pdf">https://cjp.org.in/wp-content/uploads/2017/12/GUJARAT-ANIMAL-PRESERVATION-ACT-1954.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/GUJARAT-ANIMAL-PRESERVATION-AMENDMENT-ACT-2011.pdf">https://cjp.org.in/wp-content/uploads/2017/12/GUJARAT-ANIMAL-PRESERVATION-AMENDMENT-ACT-2011.pdf</a>						

<p>8 <b>HARYANA</b></p>	<p>The Punjab Prohibition of Cow Slaughter Act, 1955 (Applicable to Haryana)</p>		<p>Provisions same as for Punjab except penal provisions</p>	<p>Rigorous imprisonment up to 5 years or fine up to Rs 5,000 or both.</p>	
	<p>Haryana <i>Gauvansh Sanrakshan</i> and <i>Gausamvardhan</i> Act, 2015</p>		<p>Total ban on slaughter of cow which includes bull, bullock, ox, heifer or calf, and its progeny. Prohibition on export of cattle for slaughter, and sale of beef, except what is imported in sealed containers. Hence no ban on beef consumption.</p>	<p>Imprisonment up to 10 years, and/or fine of Rs 1 lakh.</p>	<p>Cognisable and non-bailable.</p>
<p><a href="https://indiacode.nic.in/handle/123456789/3463?sam_handle=123456789/2193">https://indiacode.nic.in/handle/123456789/3463?sam_handle=123456789/2193</a> !!!</p>					
<p>9. <b>HIMACHAL PRADESH</b></p>	<p>The Punjab Prohibition of Cow Slaughter Act, 1955</p>	<p>(All provisions same as for Punjab)</p>			
<p><a href="https://cjp.org.in/wp-content/uploads/2017/12/HIMACHAL-PRADESH-PROHIBITION-OF-COW-SLAUGHTER-ACT-1979.pdf">https://cjp.org.in/wp-content/uploads/2017/12/HIMACHAL-PRADESH-PROHIBITION-OF-COW-SLAUGHTER-ACT-1979.pdf</a></p>					

10. <b>JHAR-KHAND</b>	The Bihar Preservation and Improvement of Animals Act, 1955 serves as legislation.		Slaughter of cows and oxen; possession, consumption of their meat, banned.	Violators face up to 10 years' jail and/or Rs 10,000 fine.	Cognisable
11. <b>KARNATAKA</b>	The Karnataka Prevention of Cow Slaughter and Cattle Preservation Act, 1964.	Animal - means bull, bullock, and all buffaloes. Cow – includes calf of a cow, male or female.	Slaughter of cow, calf of a cow or calf of a she-buffalo totally prohibited. Slaughter of bulls, bullocks and adult buffaloes permitted on 'fit-for-slaughter' certificate provided cattle is over 12 years of age or is permanently incapacitated for breeding, draught or milk due to injury, deformity or any other cause. Transport for slaughter to a place outside a state	Imprisonment up to maximum of 6 months or fine of upto Rs 1,000 or both.	Cognisable only

			not permitted.		
			Sale purchase or disposal of cow or calf for slaughter not permitted.		
	The Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020	Cattle denotes a cow, calf of a cow, bull and bullock of all ages and he or she buffalo below the age of thirteen years.	Slaughter is permitted for: terminally ill cattle or with contagious disease; buffaloes over 13 years if certified by competent authorities.	Imprisonment of up to 3 to 7 years and a fine of Rs 50,000 to Rs 5 lakh. Repeated offenders: imprisonment of up to 7 years and a fine of Rs 1 lakh to Rs 10 lakh.	
<a href="https://cjp.org.in/wp-content/uploads/2017/12/KARNATAKA-PREVENTION-OF-COW-SLAUGHTER-AND-CATTLE-PRESERVATION-ACT-1964.pdf">https://cjp.org.in/wp-content/uploads/2017/12/KARNATAKA-PREVENTION-OF-COW-SLAUGHTER-AND-CATTLE-PRESERVATION-ACT-1964.pdf</a>					
12. <b>KERALA</b>	No state legislation only Panchayat-Act/Rules	Panchayat laws provide for prohibition of slaughter of useful animals in Panchayat areas in the State. Under the Kerala Panchayat (Slaughter Houses and			

		Meat Stalls) Rules, 1964, no certificate shall be granted under Rule 8 in respect of a bull, bullock, cow calf, he- buffalo or she- buffalo or buffalo calf unless the animal is over 10 years of age and is unfit for work or breeding or the animal has become permanently incapacitated for work or breeding due to injury or deformity.			
<a href="http://www.sanchitha.ikm.in/node/2451">http://www.sanchitha.ikm.in/node/2451</a>					
13. <b>MADHYA PRADESH</b>	The Madhya Pradesh Agricultural Cattle Preservation Act, 1959.	Agricultural cattle means cows of all ages, calves of cows, bull, bullocks and all buffaloes.	Slaughter of cow, calf of cow, bull, bullock and buffalo calf prohibited. However, bulls and bullocks are being slaughtered	Imprisonment up to 3 years and fine of Rs.5,000. Normally imprisonment shall not be less than 6 months and fine not less	Cognisable only

			<p>in the light of Supreme Court judgement, provided the cattle is over 15 years or become unfit for work or breeding. Transport or export for slaughter not permitted. Export for any purpose to another State where cow slaughter is not banned by law is not permitted. Sale, purchase, disposal of cow and its progeny and possession of flesh of cattle is prohibited.</p>	<p>than Rs.1,000. Burden of proof is on the accused.</p>	
<p><a href="https://cjp.org.in/wp-content/uploads/2017/12/MADHYA-PRADESH-DHARMA-SWATANTRYA-ADHINIYAM-1968.pdf">https://cjp.org.in/wp-content/uploads/2017/12/MADHYA-PRADESH-DHARMA-SWATANTRYA-ADHINIYAM-1968.pdf</a>;  <a href="https://cjp.org.in/wp-content/uploads/2017/12/2011-12-31-594.pdf">https://cjp.org.in/wp-content/uploads/2017/12/2011-12-31-594.pdf</a></p>					

14. <b>MAHARASHTRA</b>	The Maharashtra Animal Preservation Act, 1976	'Cow' includes a heifer or male or female calf of a cow.	Slaughter of cow totally prohibited. Slaughter of bulls, bullocks and buffaloes allowed on fit-for slaughter certificate, if it is not likely to become economical for draught, breeding or milk (in the case of she-buffaloes) purposes.	Imprisonment up to maximum of 6 months and fine of up to Rs1,000. Burden of proof is on the accused.	Cognisable only
	The Maharashtra Animal Preservation Act, (amendment) 2015		Ban on sale and export of beef.	Imprisonment of 5 years, and/or a fine of Rs 10,000.	
<a href="http://www.livelaw.in/beef-ban-bombay-hc-declares-sections-5d-9b-maharashtra-animal-preservation-act-unconstitutional;">http://www.livelaw.in/beef-ban-bombay-hc-declares-sections-5d-9b-maharashtra-animal-preservation-act-unconstitutional;</a> <a href="https://cjp.org.in/wp-content/uploads/2017/12/MAHARASHTRA-ANIMAL-PRESERVATION-ACT-1976.pdf">https://cjp.org.in/wp-content/uploads/2017/12/MAHARASHTRA-ANIMAL-PRESERVATION-ACT-1976.pdf;</a> <a href="https://cjp.org.in/wp-content/uploads/2017/12/MAHARASHTRA-ANIMAL-PRESERVATION-AMENDMENT-ACT-1995.pdf">https://cjp.org.in/wp-content/uploads/2017/12/MAHARASHTRA-ANIMAL-PRESERVATION-AMENDMENT-ACT-1995.pdf</a>					
15. <b>MANIPUR</b>	Royal Edict by Maharaja - Darbar Resolution of 1936	"According to Hindu religion the killing of cow is a sinful act. It is also against			

		Manipur Custom. I cannot allowed such things to be committed in my State. So if anyone is seen killing a cow in the State he should be prosecuted.”			
<a href="https://www.eastmojo.com/news/2021/02/05/fir-against-ukhrul-cow-killing-reinforces-colonialism-racism-against-indigenous-people/">https://www.eastmojo.com/news/2021/02/05/fir-against-ukhrul-cow-killing-reinforces-colonialism-racism-against-indigenous-people/</a>					
16. <b>MEGH-ALAYA</b>	NO LEGISLATION				
17. <b>MIZORAM</b>	NO LEGISLATION				
18. <b>NAGA-LAND</b>	NO LEGISLATION				
19. <b>ODISHA</b>	The Orissa Prevention of Cow Slaughter Act, 1960	‘Cow’ includes heifer or calf.	Slaughter of cow totally prohibited. Slaughter of bull, bullock on fit-for-slaughter certificate if cattle is over 14 years of age or has become permanently unfit for breeding, draught.	Imprisonment up to maximum of 2 years or fine up to Rs 1,000 or both.	Cognisable only

<a href="https://cjp.org.in/wp-content/uploads/2017/12/ORISSA-PREVENTION-OF-COW-SLAUGHTER-ACT-1960.pdf">https://cjp.org.in/wp-content/uploads/2017/12/ORISSA-PREVENTION-OF-COW-SLAUGHTER-ACT-1960.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/ORISSA-FREEDOM-OF-RELIGION-ACT-1967.pdf">https://cjp.org.in/wp-content/uploads/2017/12/ORISSA-FREEDOM-OF-RELIGION-ACT-1967.pdf</a>					
20. <b>PUNJAB</b>	The Punjab Prohibition of Cow Slaughter Act, 1955	“Cow” includes bull, bullock, ox, heifer or calf.	Slaughter of cow (and its progeny) totally prohibited. Export for slaughter not permitted.	Imprisonment up to maximum of 2 years or fine up to Rs 1,000 or both. Burden of proof is on the accused.	Cognisable and non-bailable.
<a href="https://cjp.org.in/wp-content/uploads/2017/12/PUNJAB-PROHIBITION-OF-COW-SLAUGHTER-ACT-1955.pdf">https://cjp.org.in/wp-content/uploads/2017/12/PUNJAB-PROHIBITION-OF-COW-SLAUGHTER-ACT-1955.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/PUNJAB-PROHIBITION-OF-COW-SLAUGHTER-AMENDMENT-ACT-1981.pdf">https://cjp.org.in/wp-content/uploads/2017/12/PUNJAB-PROHIBITION-OF-COW-SLAUGHTER-AMENDMENT-ACT-1981.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/PUNJAB-PROHIBITION-OF-COW-SLAUGHTER-AMENDMENT-ACT-2011.pdf">https://cjp.org.in/wp-content/uploads/2017/12/PUNJAB-PROHIBITION-OF-COW-SLAUGHTER-AMENDMENT-ACT-2011.pdf</a>					
21. <b>RAJASTHAN</b>	The Rajasthan Bovine Animal (Prohibition of Slaughter And Regulation of Temporary Migration or Export) Act, 1995. Bill No. 16/2015 bans Camels migrated out of State and slaughtered.	‘Bovine’ - means and includes cow, calf, heifer, bull or bullocks. ‘Bull’ - means uncastrated male above 3 years ‘Bullock’ - means castrated male above 3 years ‘Calf’ - means castrated or uncastrated male of 3 years and below.	Slaughter of all bovine animals prohibited. Possession sale, transport of beef and beef products is prohibited. Export of bovine animal for slaughter is prohibited. Custody of seized animals to be given to any recognized voluntary animal	Rigorous imprisonment of not less than 1 year and up to maximum of 2 years and fine upto Rs 10,000. Burden of proof is on the accused.	

		‘Cow’ - means female above 3 years; ‘Heifer’ is female of 3 years or below.	welfare agency failing which to any <i>Goshala</i> , <i>Gosadan</i> or a suitable person who volunteers to maintain the animal.		
<a href="https://cjp.org.in/wp-content/uploads/2017/12/The-Rajasthan-Bovine-Animal-Act-1995.pdf">https://cjp.org.in/wp-content/uploads/2017/12/The-Rajasthan-Bovine-Animal-Act-1995.pdf</a>					
22. <b>SIKKIM</b>	2008 Sikkim Police Act		Cow slaughter prohibited only in public spaces. Monetary penalty only for unsanitary slaughter.		
	The Sikkim Prevention of Cow Slaughter Act, 2017		Ban on cow slaughter		non-bailable
<a href="https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&amp;p_isn=93739">https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&amp;p_isn=93739</a> <a href="http://www.bareactslive.com/SIK/sik071.htm">http://www.bareactslive.com/SIK/sik071.htm</a>					
23. <b>TAMIL-NADU</b>	The Tamil Nadu Animal Preservation Act, 1958 Government orders banning cow	‘Animal’ means bulls, bullocks, cows, calves; also, buffaloes of all ages.	All Animals may be slaughtered on ‘fit-for-slaughter’ certificate. Certificate	Imprisonment of up to 3 years or fine up to Rs 1,000 or both.	

	slaughter dt. 30th August, 1976	.	given if animal is over 10 years of age and is unfit for work and breeding or has become permanently incapacitated for work and breeding due to injury deformity or any incurable disease. Slaughter of cows and heifers (cow) is banned in all slaughter houses in Tamil Nadu.		
<a href="https://cjp.org.in/wp-content/uploads/2017/12/1958TN10.pdf">https://cjp.org.in/wp-content/uploads/2017/12/1958TN10.pdf</a>					
24. <b>TELANGANA</b>	Same as Andhra Pradesh		Slaughter of "Cow" prohibited	Imprisonment up to maximum of 6 months or fine of up to Rs 1,000 or both.	Cognisable
<a href="https://timesofindia.indiatimes.com/city/hyderabad/hc-notice-to-telangana-centre-for-failing-to-stop-cow-slaughter/articleshow/77254249.cms">https://timesofindia.indiatimes.com/city/hyderabad/hc-notice-to-telangana-centre-for-failing-to-stop-cow-slaughter/articleshow/77254249.cms</a>					
25. <b>TRIPURA</b>	NO LEGISLATION				

26. <b>UTTAR PRADESH</b>	The Uttar Pradesh Prevention of Cow Slaughter Act, 1955 Since 6 June 2017, the National Security Act and the Gangster Act applies also against cow-slaughter and cattle smuggling.	'Beef' means flesh of cow and of such bull or bullock whose slaughter is prohibited under the Act, but does not include such flesh contained in sealed containers and imported into U.P.'Cow' includes a heifer and calf.	Slaughter of cow totally prohibited. Slaughter of bull or bullock permitted on 'fit-for-slaughter' certificate provided it is over the age of 15 years or has become permanently unfit for breeding, draught and any agricultural operations. Transport of cow outside the State not permitted for slaughter. Prohibition on sale of beef.	Rigorous imprisonment up to 2 years or fine up to Rs 1,000 or both.	Cognisable and non-bailable
<a href="https://cjp.org.in/wp-content/uploads/2017/12/UTTAR-PRADESH-PREVENTION-OF-COW-SLAUGHTER-ACT-1955.pdf">https://cjp.org.in/wp-content/uploads/2017/12/UTTAR-PRADESH-PREVENTION-OF-COW-SLAUGHTER-ACT-1955.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/UTTAR-PRADESH-PREVENTION-OF-COW-SLAUGHTER-AMENDMENT-ACT-1979.pdf">https://cjp.org.in/wp-content/uploads/2017/12/UTTAR-PRADESH-PREVENTION-OF-COW-SLAUGHTER-AMENDMENT-ACT-1979.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/UTTAR-PRADESH-PREVENTION-OF-COW-SLAUGHTER-AMENDMENT-ACT-2002.pdf">https://cjp.org.in/wp-content/uploads/2017/12/UTTAR-PRADESH-PREVENTION-OF-COW-SLAUGHTER-AMENDMENT-ACT-2002.pdf</a>					
27. <b>UTTARA- KHAND</b>	The Uttar Pradesh Prevention of Cow Slaughter Act, 1955	Same as Uttar Pradesh	Slaughter of cow totally prohibited. Slaughter of bull or bullock	Rigorous imprisonment up to 2 years or fine up to Rs 1,000 or both.	Cognisable and non-bailable

			permitted on 'fit-for-slaughter' certificate provided it is over the age of 15 years or has become permanently unfit for breeding, draught and any agricultural operations. Transport of cow outside the State not permitted for slaughter. Prohibition on sale of beef. No ban on imported beef in sealed containers.		
<a href="https://cjp.org.in/wp-content/uploads/2017/12/2007UK61.pdf">https://cjp.org.in/wp-content/uploads/2017/12/2007UK61.pdf</a> ; <a href="https://cjp.org.in/wp-content/uploads/2017/12/UTTARAKHAND-PROTECTION-OF-COW-PROGENY-AMENDMENT-ACT-2015.pdf">https://cjp.org.in/wp-content/uploads/2017/12/UTTARAKHAND-PROTECTION-OF-COW-PROGENY-AMENDMENT-ACT-2015.pdf</a>					
28. <b>WEST BENGAL</b>	The West Bengal Animal Slaughter Act, 1950  The Animal Slaughter Control Act, 2009	Scheduled animals – bulls, bullocks, cows calves and buffaloes of all types/ages.	Slaughter of all animals permitted on 'fit-for-slaughter' certificate. Certificate given if animal is over	Imprisonment up to maximum of 6 months or fine up to Rs 1,000 or both.	Cognisable only

			14 years of age and unfit for work or breeding or has become permanently incapacitated for work and breeding due to age, injury, deformity, or any incurable disease.		
<p><a href="https://cjp.org.in/wp-content/uploads/2017/12/WEST-BENGAL-ANIMAL-SLAUGHTER-CONTROL-ACT-1950.pdf">https://cjp.org.in/wp-content/uploads/2017/12/WEST-BENGAL-ANIMAL-SLAUGHTER-CONTROL-ACT-1950.pdf</a>;</p> <p><a href="https://cjp.org.in/wp-content/uploads/2017/12/WEST-BENGAL-ANIMAL-SLAUGHTER-CONTROL-AMENDMENT-ACT-1979.pdf">https://cjp.org.in/wp-content/uploads/2017/12/WEST-BENGAL-ANIMAL-SLAUGHTER-CONTROL-AMENDMENT-ACT-1979.pdf</a>;</p> <p><a href="http://www.darahwb.org/actandrules.php">http://www.darahwb.org/actandrules.php</a></p>					

<b>Union Territories</b>	<b>Title of Current Legislation</b>	<b>Cattle Definition</b>	<b>Status of Ban on Slaughter</b>	<b>Penal Provision</b>	<b>Offences</b>
<b>A. AN-DAMAN AND NICOBAR ISLANDS</b>	The Andaman and Nicobar Islands Prohibition of Cow Slaughter Rules 1967		Fit-for-slaughter certificate issued by competent authority is required.		
<p><a href="http://extwprlegs1.fao.org/docs/pdf/ind132149.pdf">http://extwprlegs1.fao.org/docs/pdf/ind132149.pdf</a></p>					
<b>B. CHANDI-GARH</b>	Same as in Punjab				

<b>C. DADRA AND NAGAR HAVELI AND DAMAN AND DIU</b>	Same as in Goa				
<a href="https://cjp.org.in/wp-content/uploads/2017/12/The-Goa-Daman-and-Diu-Cow-Slaughter-Act-.pdf">https://cjp.org.in/wp-content/uploads/2017/12/The-Goa-Daman-and-Diu-Cow-Slaughter-Act-.pdf</a>					
<b>D. JAMMU AND KASHMIR</b>	The Ranbir-Penal Code, 1932 (repealed now but not yet replaced).		Voluntary slaughter of any bovine animal such as ox, bull, cow or calf shall be punished with imprisonment of either description which may extend to 10 years and shall also be liable to fine. Fine may extend to five times the price of the animals slaughtered as determined by the Court. Possession of flesh of killed or slaughtered animals is		

			also an offence punishable with imprisonment up to 1 year and fine up to Rs500.		
<a href="https://www.indiacode.nic.in/bitstream/123456789/5857/1/ranbir_penal_code.pdf">https://www.indiacode.nic.in/bitstream/123456789/5857/1/ranbir_penal_code.pdf</a>					
E. <b>LADAKH</b>	Same as in Jammu and Kashmir				
F. <b>LAKSHA-DWEEP</b>	NO LEGISLATION.				
<a href="https://www.livelaw.in/columns/lakshadweep-development-authority-act-lakshadweep-prevention-of-anti-social-activities-regulation-kerala-legislative-assembly-175279">https://www.livelaw.in/columns/lakshadweep-development-authority-act-lakshadweep-prevention-of-anti-social-activities-regulation-kerala-legislative-assembly-175279</a>					
G. <b>NATIONAL CAPITAL TERRITORY OF DELHI</b>	The Delhi Agricultural Cattle Preservation Act, 1994	Agricultural Cattle- cows of all ages, calves of cows of all ages, bulls and bullocks.	Slaughter of all agricultural cattle is totally prohibited. Ban on Transport or Export for slaughter is also prohibited.	Imprisonment up to five years and fine up to Rs. 10,000, provided that normally imprisonment should not be less than 6 months and fine not less than Rs 1,000. Burden of proof is on the accused	Both cognisable and non-bailable
<a href="https://www.latestlaws.com/bare-acts/state-acts-rules/delhi-local-laws/delhi-agricultural-cattle-preservation-act-1994/">https://www.latestlaws.com/bare-acts/state-acts-rules/delhi-local-laws/delhi-agricultural-cattle-preservation-act-1994/</a>					

