1 Democracy and vigilantism

The spread of Gau Rakshaks in India

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The question: Indian democracy in crisis

Indian democracy is in crisis. Almost 30 years ago, Atul Kohli, an eminent political scientist, pointed out in his *Democracy and Discontent* that India was facing a crisis of governability (Kohli 1992). What we are witnessing now is not only a crisis of governability but also a crisis of democracy: the suppression of freedom of speech via the arrest of social activists who are critical of the government,[1] the oppression of freedom of thought and creed via control of educational institutions and the media,[2] and the violation of the separation of powers by interference in the judiciary.[3] A human rights advocate describes these actions of the present government as worse than Indira Gandhi's declaration of a state of emergency in 1975.[4]

Under this egregious situation, the activities of vigilante groups are gaining attention. In particular, Gau Rakshaks (cow protection groups) lynch Muslims, sometimes based only on rumours that they slaughter cows and eat beef.[5] As Figure 1.1 shows, the number of violent cow-related incidents increased from 3 to 37 between 2014 and 2017, which is a change resulting from the accession to power of the Narendra Modi–led National Democratic Alliance (NDA) government after the 2014 general election.

The emergence of vigilante groups, however, is not new in the history of post-independence India. In 1967, a group of radical leftists started a land grab movement at Naxalbari in West Bengal, which they believed would be the beginning of a violent revolution sweeping away poverty, inequality, and injustice. Referred to widely as Naxalites, their violent tactics and militarized actions spread to other regions within India. In response, non-state actors, such as landlords, formed their own private armies to defend their land ownership and prestige and defeat the 'Naxalite menace'. Perhaps the most notorious of these private armies was that of the Ranvir Sena, which was formed in the north Indian state of Bihar in 1994.

However, recent vigilante groups are distinct in character from these earlier militant groups of the 20th century. In the 21st century, vigilantism now appears to have created new relationships with the state by not only drawing on the latter for support but also increasingly targeting the Indian constitution and pressing for extra-legal actions.

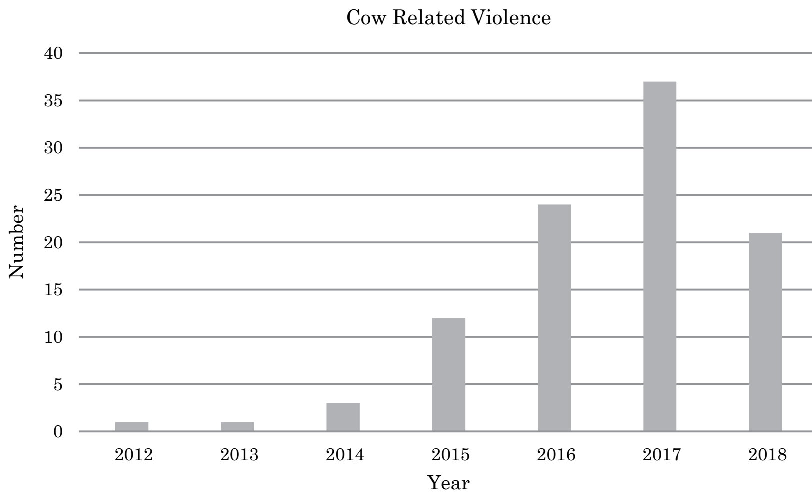

Figure 1.1 Cow-related hate crime in India (2012–18).
Source: Compiled by author based on IndiaSpend database, quated in Alison Saldanha, 'Cow-Related Hate Crimes Peaked in 2017, 86% of Those Killed Muslim', The Wire, 8 December 2017, https://thewire.in/203103/cow-vigilantism-violence-2017-muslims-hate-crime/ (last accessed on 8 December 2017) for 2012-17 data and Varun B. Krishnan, 'The Cow vigilante menace: U.P. records highest number of incidents', The Hindu, 5 December 2018, https://www.thehindu.com/data/data-point-the-cow-vigilante-menace/article25666768.ece (last accessed on 19 January 2020). Date for December 2018 is up to 4 December 2018. Articles of the Wire and the Hindu are based on same data set which was published by IndiaSpend. Now this data set is deleted from IndiaSpend. See, 'FactChecker pulls down hate crime database, IndiaSpend editor Samar Halarnkar resigns', Scroll.in, 12 September 2019. https://scroll.in/latest/937076/factchecker-pulls-down-hate-crime-watch-database-sister-websites-editor-resigns (last accessed on 19 January 2020). FactCheker received Data Journalism Award in 2019 from this survey.

How can we understand this changing character of vigilantism? What does it mean for Indian democracy? These are the questions I seek to explore in this chapter by examining the development of vigilantism in India.

Arguments on vigilantism in India

Before discussing the development of vigilantism, we need to define the term *vigilantism*. Defining *vigilantism* is quite a difficult task due to its complex, changing characteristics and varied range of activities, as noted by Ray Abrahams (1998: 6–10). After carefully examining this definitional problem, Abrahams, an anthropologist who pioneered work on vigilantism, defined *vigilante* and *vigilantism* as follows:

> 'vigilante' and 'vigilantism' have seemed to me 'ideally' to involve an organized attempt by a group of 'ordinary citizens' to enforce norms and maintain law and order on behalf of their communities, often by resort to violence, in the perceived absence of effective official state action through police and courts.
>
> (Abrahams 2007: 423)

Emphasizing this last point, he added, 'Vigilantism cannot exist alone but only alongside and, typically, on the frontiers—structural and/or cultural—of state power' (Abrahams 2007: 423). In short, vigilantism can be described as (1) involving 'ordinary citizens', (2) taking place through organized actions and often violent means, (3) enforcing norms and maintaining law and order on behalf of citizens' communities, and (4) being situated on the frontiers of state power. This chapter basically follows his definitions of *vigilante* and *vigilantism*.

In India, the emergence of these militant vigilante groups has been a subject of considerable academic debate and discussion. The most compelling arguments, however, have sought to suggest that violence has been a result of the failure of the state to perform its expected roles, which I would prefer to term as 'state deficit'.[6] In brief, *state deficit* means that the state fails to deliver the political goods of security, like the protection of life and property, economic welfare, and basic infrastructure like health services, educational institutions, and social welfare schemes – whether by design or otherwise. For instance, the emergence of Naxalite/Maoist movements could be potentially traced to the Indian states' inability to meet a number of popular expectations and responsibilities to solve socio-economic problems, such as actions disregarding the social oppression of disempowered castes, aggravating the economic oppression of marginal communities by not implementing land reforms, and failing to implement meaningful schemes to promote economic development, in addition to the disinterest of parliamentary parties in solving these problems (Louis 2002; Banerjee 2006; Gupta 2006; Mohanty 2006; Sagar 2006; Singh 2006).

The links between such kinds of state deficit frameworks and growth in anti-Naxalite/Maoist vigilantism was also suggested in studies analysing the role and emergence of landlord militias in Bihar in the 1980s. Prasad's excellent work on the subject, in fact, revealed how the prevalence of semi-feudal agricultural relations in Bihar was not solved due to the inaction of the state government to implement land reform laws (Prasad 1987). In a subsequent study, Kolhi illustrated how the declining capacity of political parties, especially the once-dominant Congress Party, further aggravated the political violence involving militant vigilante groups in the region (Kohli 1992: 205–237). Kumar's (2008: 170–171) analysis of the Ranvir Sena similarly follows the state deficit framework.

However, recent vigilante groups have characteristics that are markedly different from those of past militant vigilante groups in the 20th century. In the 21st century, these vigilante groups appear to be acquiring their momentum and strength from tacit governmental support. That is, rather than state deficit, we are now witnessing a reversal in the sense that vigilante groups in India are increasingly drawing their impetus from state support. The Salwa Judum (Purification Hunt), for example, was organized by a local member of the state legislative assembly and had the strong support of the Indian state. The recent Gau Rakshaks have a similarly close relationship with the state machinery, such as the ruling parties at both the central and state levels and the police. Recent vigilante groups, in other words, appear to have emerged not only to fill the vacuum created by state deficit but also to act as de facto 'agents of the state'. This is the new tendency in the history of militant vigilante groups in India. Let us next examine their development in detail.

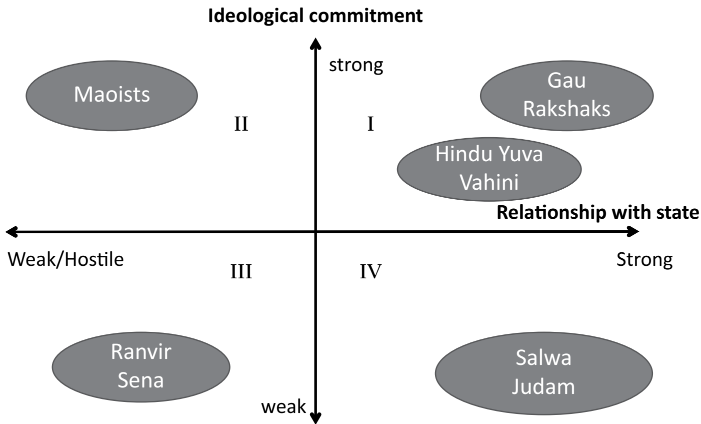

Figure 1.2 Classification of militant groups in India.
Source: Prepared by author.

Development of militant vigilante groups

Typology of militant vigilante groups

First, I classify these militant groups into four categories using two indicators: their relationship with the state and the degree of their ideological commitment. The relationship with the state has two directions: 'strong or agent of the state' and 'weak or hostile relationship with the state'. The degree of ideological commitment also has two directions: 'strong' and 'weak' (Figure 1.2).

Gau Rakshaks are located in the first quadrant, that is, the 'strong or agent of the state and strong ideological commitment' quadrant. The second quadrant, that is, the 'weak or hostile relationship with the state and strong ideological commitment' quadrant, includes organizations such as the Maoists/Naxalites. In the third quadrant, the Ranvir Sena is the typical case, having a 'weak or hostile relationship with the state and weak ideological commitment'. In the fourth quadrant, that is, 'strong or agent of the state and weak ideological commitment', the typical example is the Sarwa Judam, which was formed by a local Congress leader and was supported by the Bharatiya Janata Party (BJP) government in Chhattisgarh to crush the Maoists. First, I want to explain the Maoist movements in the second quadrant, then the Ranvir Sena in the third quadrant, Sarwa Judam in the fourth quadrant, and, finally, Gau Rakshaks in the first quadrant based on their chronological order to show the changing characteristics of vigilantism.

Maoist/Naxalite movements

Maoist movements may arguably be regarded as militant vigilante groups. According to Abrahams's definition, Maoist movements fulfil the requirements of (2) using violent means and (4) being situated on the frontiers of state power; however, we need to consider the requirements of (1) subject and (3) purpose.

Regarding the subject of such movements, the activists in Maoist movements are literally not ordinary citizens. Abrahams repeatedly reminds us that his definition concerns ideal types and that his analysis of vigilantism includes political activities in the case of South Africa (Abrahams 1998: 90); therefore, we can include Maoists in his definition. Regarding the purpose of their activities, Maoist movements are revolutionary movements that aim to realize justice in India, which has severe poverty and inequality. In this sense, their aim is not to protect existing norms or to maintain law and order but instead can be interpreted as realising new norms for an ideal society. In this respect, we find commonality with Abrahams's definition. Moreover, in practice, Alpa Shah reveals that the activities of Maoist movements include vigilante actions based on a study of the Maoist Communist Centre (MCC), a Maoist group (Shah 2007: 295–296).

Maoist movements started as Naxalite movements in the late 1960s. In West Bengal, the Indian National Congress lost the assembly election held in 1967, and the United Front government was established and included the Communist Party of India (Marxist; hereafter CPM) as one of its main components. The leader of the CPM, Hare Krishna Konar, who came into office as the minister in charge of land reform, presented a proactive policy promoting land reform. CPM radicals responded by forming farmer committees in the Naxalbari area of the Darjeeling district and began a redistribution of agricultural lands. At first the United Front government asked the radicals to strictly observe legal procedures, the government eventually changed direction and began suppressing them when the radicals rejected mediation and escalated their activities. The radicals formed the Communist Party of India (Marxist-Leninist) to resist this attempt at suppression, and as a result, the CPM was split. Their movement was called the Naxalite movement, which takes its name from the starting location of the movement (Louis 2002: 51–56).

The Naxalite movement has existed since that time. The Naxalites, as with all radical leftist movements, have repeatedly been beset by the development of very complicated competing factions based on differences in ideology and strategy.[7] Those factions that still exist as the main groups in the movement are as follows: first, the Communist Party of India (Marxist and Leninist) Liberation (hereafter ML); second, the Communist Party of India (Maoist; hereafter, Maoist); and, finally, other parties that are associated with the CPI (ML) (Mohanty 2006: 3165-3167).

Focusing on these movements' strategy and organizational form, we can divide the stages of development into three phases (Louis 2002: 4–8; Bhatia 2005: 1536–1537; Mohanty 2006: 3165–3167; Singh 2006: 163). The first phase extends from the armed uprising in 1967 to the end of the Emergency in 1977. During this time, the strategy of 'annihilation of class enemies', in which violent struggle was the main activity, was the mainstream position. The second phase extended from 1977 to 1998. It was during this period that the ML switched to an electoral strategy. On another front, the MCC and People's War Group (PWG) continued during this time to develop the violent revolutionary strategy pioneered in the first period. The third period extends from 1998 to the present. During this time, the Communist Party of India (Marxist-Leninist) Party Unity (CPI-ML [PU]) merged with the PWG, and other parties that pursue a violent revolutionary strategy also gradually merged and reinforced the ongoing militant struggle. In 2004, the MCC and

PWG merged and formed a new party, the Communist Party of India (Maoist). The faction pursuing the strategy of violent revolution was revived by this merger.

In these Maoist/Naxalite movements, there are two characteristics of note. First, they have strong ideological commitments. The strategies and styles of these movements are basically based on interpretations of communist ideologies, which mainly explain the internal conflicts among Maoist/Naxalite movements. As Shah points out in the case of the MCC in Jharkhand, support for the MCC is not necessarily ideologically bounded; rather, protection from them is expected to capture state resources (Shah 2007: 310). Although it is real, it is also certain that activists have a firm ideological commitment.

Second, their relationship with the state has been hostile in the case of Maoist, although, in some cases, the situation is more complex. Indian governments, regardless of whether they are central/state governments ruled by the Congress, BJP, or other parties, have suppressed Maoist movements in a very harsh manner using extra-judiciary measures, such as 'crackdowns', 'encounters', 'enforced disappearances', and the employment of special police officers (SPOs).[8] Operation Green Hunt, which started in 2009, is a typical case of severe oppression by the state (Sundar 2016: 16). On the other hand, Shah (2007) made clear the cooperative relationship between the lower strata of state machinery and the MCC in the informal economy and politics. The MCC engaged in business extortion, and local politicians used the influence of the MCC for their electoral victories in Jharkhand. These kinds of symbiotic relationships are not necessarily applicable to all areas of Maoist movements, but we need to keep these complex relationships between such movements and the state in mind. Additionally, in the case of the ML, their relationship with the state is not as harsh as that of Maoist due to their base in legislative bodies. However, they are generally unable to expect government protection because of their critical stances against sitting governments. Thus, Maoist/Naxalite movements can be located in the second quadrant.

Ranvir Sena

The Ranvir Sena was formed in 1994 in the village of Belaur in the Bhojpur district in one of the poorest states, Bihar.[9] Using the name of Ranvir Choudhary, who was a legendary fighter against Rajput landlords in the 19th century, they claimed to be an army composed of upper castes. From 1995 to 2005, the Ranvir Sena massacred almost 300 lower castes and poor farmers (Kumar 2008: 188, Table 8). It fits Abrahams's ideal definition mentioned earlier. How was the Ranvir Sena formed?

We can point out three factors for the emergence of the Ranvir Sena. First, as a precondition, there was harsh oppression of lower-caste farmers by upper-caste Bhumihar landlords in Belaur before 1990. These lower-caste farmers suffered humiliation, including violence in several cases, but they did not have any means of expressing their anger.

Second, the radical leftist party, the ML, succeeded in uniting and mobilizing these lower-caste farmers, who began protesting against oppression by upper-caste Bhumihar landlords. In 1994, they held several demonstrations against the misdeeds of Bhumihar landlords by blocking roads. More important, they

succeeded in raising agricultural wages during the peak season of transplanting in July 1994, which caused Bhumihar landlords to perceive them as grave threats. After this negotiation of the wage increase, Bhumihar landlords beat an ML leader who had led protest movements among the lower castes since 1990, which resulted in clashes between lower-caste farmers and Bhumihar landlords.

Finally, and most important, the state government at the time was somehow neutral in this conflict. In Bihar, radical political change occurred with the formation of the Laloo Prasad Yadav–led Janata Dal government. Under his government, the backward castes, especially the upper-backward castes, succeeded in gaining and consolidating political power in place of upper castes, who had enjoyed political dominance under the Congress governments since independence (Nakamizo 2020a: 233–336). Laloo Yadav himself has expressed sympathy for the cause of lower castes, stating in the assembly that 'if the agricultural labourers and landless grab land, police will not fire at them' (Louis 2002: 139). As if to honour this sympathy, local police did not actively intervene to support upper castes in this fight, which would have been unimaginable under the previous Congress regime. Upper castes, feeling very insecure, then decided to form their own private army to defend themselves. In an interview, the commander Brahmeshwar Singh told me, 'The police under Laloo's control would not protect us; that's why we had to protect ourselves'.[10] One Dalit (scheduled caste, formerly untouchable) villager also told me, 'The Rashtriya Janata Dal was there for the Yadavs, and the ML was there for us. There was nothing for the Bhumihars, and that's why they created the Ranvir Sena'.[11] We can confirm that the Ranvir Sena was formed from this kind of threat perception. In its perception, the state is not completely reliable, and for this reason, the Ranvir Sena was formed—to realize its own 'justice' by killing lower-caste farmers, thereby filling the power vacuum within the state.

Considering these three factors of emergence, we can point out two characteristics of the Ranvir Sena. First, its ideological commitment is weak. It was formed in opposition to the menace of radical leftist parties, which means that the organization is defensive by nature. It is said that most members of the Ranvir Sena are criminal gang members who are employed by upper-caste landlords. According to my interview, some members of the Ranvir Sena worked as the private security guards of apartment houses in normal times and were then summoned to perpetrate attacks and to kill poor farmers at the requests of landlords.[12] In my interview, the organization's commander, Brahmeshwar Singh, claimed that the Ranvir Sena is fighting for the cause of farmers, but it does not have a clear ideology of its own.

Second, the organization's relationship with the state is not as hostile as that of the Maoists, but it is weak. As the process of formation shows, the Ranvir Sena was formed as a reaction to the inaction of the state. It had been acting for an extraordinarily long period of eight years from 1994 to 2002 when its commander, Brahmeshwar Singh, was arrested, but its longevity was not the result of tacit governmental support. Rather, it was the result of the ineffectiveness of the state, as the Laloo government had always been severely criticized for the 'jungle

raj', that is, the lack of 'law and order'. The case of the Ranvir Sena fits well with the state deficit thesis, which can be positioned in the third quadrant.

Salwa Judam

Salwa Judam (Purification Hunt) was formed in June 2005 to crush the Maoist movements in the Dantewada district in the central state of Chhattisgarh.[13] According to Nandini Sundar, who has performed thorough and extensive work on this topic, preparation for the formation of Salwa Judam can be traced back to early 2005, and its original form can be found in the Jan Jagran Abhiyan (Public Awakening Campaign) of 1990–1991. Jan Jagran Abhiyan was a 'local resistance group' fighting Maoist that beat sangham members (members of village-level organizations set up by Maoist), raped women, and forced the sangham members to surrender. However, there is a dispute about whether it was created by the police or as an initiative of the local village elite. Following the BJP-led NDA central government's policy of forming a 'local resistance group' in 2003–2004, the Chhattisgarh government decided to revive Jan Jagran Abhiyan under the cover of a new name: Salwa Judam (Sundar 2016: 91–99).

To annihilate Maoist, Salwa Judam employed every means possible: beating, killing, and raping sangham members and even tribal people who did not have any relationship with the Maoists; burning the entire villages of sangham members; and forcing them to migrate to 'camps' to sever their supposed connections with Maoist (Sundar 2006: 3187–3188, 2016; Chenoy and Chenoy 2010: 101–104). This 'strategic hamletting' originated in the 'New Villages' strategy against the Communist Party of Malaya during the British Malaya period. Salwa Judam continued its activity until the Supreme Court declared that it was illegal and unconstitutional to deploy tribal youth as SPOs and ordered their immediate disarming.[14] After this order, the Chhattisgarh state government changed its name and has been continuing its counter-Maoist operations in different forms.

Salwa Judam has two characteristics. First, although the government claimed that it was a 'spontaneous, self-initiated people's movement against the Naxalites', it was organized by the police and politicians (Sundar 2016: 15–16). Congress leader Mahendra Karma, who was later killed by Maoists in 2013,[15] was widely considered the leader of Salwa Judam, and then BJP chief minister Raman Singh and his government supported it. BJP ministers and Mahendra Karma held many public meetings and rallies as a form of Jan Jagran Abhiyans to target Maoist (Chenoy and Chenoy 2010: 101; Sundar 2016: 16, 103). According to Chenoy and Chenoy (2010: 105), 'Local officials admitted off the record that it was the state government that armed people to fight militants and protect themselves'. The deputy superintendent of the police testified that they gave the arms licenses. The district collectors also confirmed governmental support for Salwa Judam by sponsoring and training SPOs (Chenoy and Chenoy 2010: 104–105).

Adding to the testimonies described earlier, the state-supported Salwa Judam used a variety of means, as Sundar's study (2006, 2016) reveals. Salwa Judam's operations were accompanied by police and paramilitary forces. The government set up camps for tribes as mentioned in the activities of Salwa Judam and allotted

a sizable budget to their operation.[16] Their attacks on villages were thoroughly and comprehensively organized. Based on the scope and the impunity of Salwa Judam, the organization is a de facto government agent; indeed, its members constitute 'death squads', in Abrahams's (1998: 122–136) term, even though they pretend to be ordinary citizens. Thus, its relationship with the state is remarkably different from that of the Ranvir Sena. The state deficit thesis does not fit in the case of Salwa Judam.

Second, regarding ideology, it does not have a clear ideology. It was formed against the Maoist movements, which is the entire reason for its formation. Similar to the Ranvir Sena in Bihar, it is defensive by nature.

Considering these characteristics, Salwa Judam can be placed in the third quadrant. As Sundar (2016: 345) rightly pointed out, '[t]he biggest problem in Indian law, however, is that the masterminds of the Salwa Judam strategy — both at the Centre and in the state — cannot be held to account for command responsibility'. This evasion of responsibility is exactly the main purpose of the organization.

At best, however, Salwa Judam can be conceptualized as a local experiment of sorts that was only relevant to the Chhattisgarh state. As Sundar (2016: 16) pointed out, state-sponsored vigilantism has spread throughout all of India under the current Modi government.

Gau Rakshaks

The Gau Rakshaks represent a new form of vigilantism that has a tacit and strong relationship with the state. Their main aim is to oppress the Muslim minority and secure their obedience to realize the 'Hindu *rashtra*' (Hindu nation).[17] As mentioned earlier, they lynch Muslims, but the number of victims is less than that due to attacks by Salwa Judam. Gau Rakshaks are not death squads in the sense that killing is not their primary purpose. However, they have many similarities with Salwa Judam, especially regarding their relationship with the state, even though their relationship is more implicit. In fact, they constitute an advanced form of Salwa Judam, inviting less criticism and spreading their ideology throughout all of India. They represent Modi's new two-sword strategy, which worked well in Modi's victory in the 2019 general election (Nakamizo 2020b: 77–84). Here, I select two cases of Gau Rakshaks to identify their characteristics.[18]

Case 1: cow protection group

This group is based in the western state of Maharashtra. It began its activities in 2000, aiming to protect the Hindu community from 'the attacks of Muslims'. Its founder stated that

> Muslims are killing and eating cows not to obtain nutrition but to humiliate Hindus. By slaughtering cows, they try to show that Hindus are weak.
>
> (When I asked about the criticism that the activities of the cow protection groups threatened the lives of muslims) It is a total lie. Their aim is only to insult Hindus.[19]

This organization has two main characteristics. First, it has a strong ideology, basically following Hindutva ideology, which worships cows as sacred animals and regards Muslims as 'Others' and, more explicitly, as enemies. In fact, the founder himself and his organization have strong connections with the Sangh Parivar.[20] The founder belonged to the Rashtriya Swayamsevak Sangh (RSS) and received training as a cadre. For various reasons, he is not an RSS member, but his brother was a member of the RSS at the time of the interview. Since his father was also an active member of the RSS, the organization's relationship with the RSS runs deep. This strong ideological inclination is quite different from the Ranvir Sena and Salwa Judam.

Second, it has a strong relationship with the state. Regarding this second point, we can identify two characteristics. First, this organization recognizes itself as an arm of the state. In the case of Maharashtra, the state government enacted 'The Maharashtra Animal Preservation (Amendment) Act, 1995' and received the assent of the president in 2015.[21] Following this enactment in 1995, the organization began its activities long before the assent of the president, and its members had captured almost 800 trucks by the time of my interview. After seizing trucks that carry cows, buffalos, or beef, the police are instantly informed, and the cases are handed over to them. In this sense, the organization is a de facto agent of the state. Second, the commander is active in politics and has the protection of the state. He has been a long-time elected member of the municipal corporation, and he tried to obtain a BJP ticket for the 2014 Maharashtra state assembly election. He failed to do so but managed to run as a Shiv Sena candidate, which did not bring him success in winning a seat. When I visited his home, at least three policemen were protecting him as security guards. At the time of the interview, his sister-in-law was a member of the municipal corporation representing the BJP; thus, the BJP flag was hoisted at the gate in front of his house.

Its relationship with the state is naturally in stark contrast with that of the Maoists and that of the Ranvir Sena. In the case of the Maoists, the states obviously oppress them harshly. In the case of the Ranvir Sena, when I met with its commander, Brahmeshwar Singh, he was detained in the prisoner's quarters of Patna Medical College and Hospital, which is like a smaller version of London Tower. Of course, the activities of the organization are quite different from those of the Ranvir Sena in terms of its mode of operation and number of victims. Even considering this difference, its close relationship with the state is remarkable. This organization is a developed form of state-sponsored vigilante groups such as Sarwa Judam.

Case 2: Hindu Yuva Vahini

The Hindu Yuva Vahini (HYV) was formed in 2002 by the current chief minister of Uttar Pradesh (UP), Yogi Adityanath, who is the *Mahant* (chief priest) of Gorakhnath Temple and is well known for disseminating anti-Muslim propaganda (Jha 2017: 35–58). The formal aim of the HYV is to protect Hindus from the menace of Muslim terrorists and Maoists and from conversion to other religions.[22] However, the organization's covert (or, rather, overt) aim is to engineer support for Yogi Adityanath by creating communal division.[23] The general secretary of

the HYV told me that the HYV is working for Hinduism: ‘We cannot be Ram, but we can follow the practice of Ram’.[24] Gau Raksha is one of the main activities among the organization’s numerous activities. Similar to Case 1, the HYV captures trucks carrying cattle and surrenders them to the police. The general secretary of the HYV said, ‘The cow is a sacred animal, so we cannot discard it’. When I asked about Muslims’ claim that Gau Rakshaks threaten their lives, he said, ‘They want to create a divide between Hindus and Muslims. We have a law prohibiting the slaughter of cows, so they should obey it’. I point out two characteristics of this organization.

First, it has an ideological inclination, although its commitment is rather weaker than that of Case 1, in the sense that its main aim is to mobilize support for Yogi. However, its founder, Yogi Aditiyanat, is the Mahant of Gorakhnath Temple, which has been politicized from the time of Digvijay Nath, who was the leader of Hindu Maha Sabha and was arrested as part of the conspiracy to assassinate M. K. Gandhi. Yogi Aditiyanat follows this ideological line, and he himself is notorious for his harsh anti-Muslim propaganda. According to Harris, Jeffrey, and Corbridge (2017: 6), he is reported to have said, ‘I will not stop until I turn the UP and India into the Hindu rashtra’.

Second, this organization has a strong relationship with the state. Regarding this second point, there are two characteristics. First, the HYV regards itself as an agent of the state, especially in relation to Gau Raksha activities. The organization’s style of activities is the same as that of other Gau Raksha groups, such as those of Case 1. Second, the HYV’s relationship with politics is very strong; in fact, it is a political group (Jha 2017: 43). As mentioned, the covert aim of the HYV is to engineer support for Yogi, and its members have political ambitions. Although the founding members of the HYV left the organization and themselves fought election after they were not allowed to obtain BJP tickets in the 2017 UP state assembly election, its founder Yogi Aditiyanath is now the chief minister of UP. Its close relationship with the state is without doubt, although its relationship with the Sangh Parivar is unclear.

In short, the HYV has an ideology of Hindutva and a strong connection with the state. At present, it has become a state-sponsored vigilante group, as its founder, Yogi Aditiyanat, is the chief minister of India’s largest state.

As shown by these two cases, they are de facto and hidden agents of the state. Their activities are actually acts of the state and do not result from state deficit. Thus, the emergence of the Gau Rakshaks is the result of state action to spread Hindutva ideology, placing Gau Rakshaks in the first quadrant.

Conclusion: the meaning for Indian democracy

How can we understand this changing character of vigilantism? What does it mean for Indian democracy? By focusing on the development of vigilante groups, this chapter specifies the changing characteristics of vigilantism, from initially emerging as the outcome of ‘state deficit’ to evolving into a capacity for extra-constitutional violence that is harnessed by ‘state support’. How can we understand this discernible shift and transition in vigilante violence?

By using vigilante groups, the state can evade direct responsibility as Sundar points out in the case of Salwa Judam (Sundar 2016: 345). In the same way, the ferocity and regularity of Gau Rakshak attacks reflect the 'two-sword strategy' of Narendra Modi's government, which mixes economic development with the realization of the Hindutva agenda (Nakamizo 2020b: 81–82). In this new strategy, the state can terrorize Muslim minorities by inspiring fear until they feel their lives are precarious due to their inability to predict when, where, and how they might be attacked. The Gau Rakshak violence, moreover, has avoided the harsh criticism and systematic scrutiny that followed the 2002 Gujarat carnage. This is the devious invention of oppression that characterises the politics of obedience under the new BJP system.[25]

What does this shift and transition in the capacity for violence mean for Indian democracy? As the Introduction points out, the demarcation between democracy and authoritarianism is becoming blurred both in the contemporary world and in India. To understand the current spread of Hindu majoritarianism, various analytical frameworks have been proposed, such as authoritarian populism (Harris, Jeffrey, and Corbridge 2017), illiberal democracy (Hansen 2019), and ethnic democracy (Singh 2000: 35–55, 2019; Jaffrelot 2017, 2019). Apart from these typological frameworks, Chandra proposed exploring authoritarian elements in democracy (Chandra 2017). Although their approaches are different, they share a common perception: what is happening right now is a systematic infringement on and steady undermining of constitutional liberalism. Interestingly, Fareed Zakaria, the proponent of the notion of illiberal democracy, declared at the end of the 1990s that '[d]emocracy is flourishing; constitutional liberalism is not' (Zakaria 1997: 23).

Although Zakaria's framework seems to be applicable to India, this analytical demarcation between constitutional liberalism and democracy is misleading and dangerous in a sense because it provides a democratic disguise to an undemocratic regime and possibly justifies it. As Müller rightly points out (Müller 2017: 49–60), constitutional liberalism is integral to democracy, even though their respective historic origins draw from different trajectories. Democracy can function well due to the existence of the protection of fundamental rights such as freedom of speech, thought, religion, and association, personal liberty and 'checks and balances', represented by the separation of powers. Without constitutional liberalism, not all citizens can elect their own government at their own will. In this sense, the separation of liberalism and democracy is misleading. Thus, the crisis of constitutional liberalism is itself the crisis of democracy. The increasing shift and transition in India from state deficit–caused vigilantism towards a state-supported mode of violence, I argue, indicate and strongly suggest a crisis in democracy rather than a mere qualification of democracy. This strong use of the term *crisis* for India's current situation is, in fact, in sync with the recent study of Levitsky and Ziblatt (2018) of mainly American cases in their *How Democracies Die*.

Is democracy in India dying? We still have a ray of hope. As examined above, the activities of Salwa Judam were restrained through public interest litigation, in which a civil rights group that included Nandini Sundar as a core member sued in Indian courts (Sundar 2016: 310–331). The Anti-CAA (Citizenship

[Amendment] Act, 2019) movement was the largest civil society movement since the inauguration of the Modi government at the time of writing, although it was crushed by the all-India lockdown related to COVID-19. Although the situation is very tough under the 'politics of obedience' of the BJP system, Indian democracy still lives. Citizens' tenacious initiatives and courageous actions are urgently necessary to prevent Indian democracy from dying.

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Notes

1 Many social activists, lawyers and academics who are critical of the Modi government have been arrested. For instance, 10 activists, lawyers, and academics have been arrested and charged under several sections of the Unlawful Activities Prevention Act (UAPA), an anti-terror law. They are alleged to have instigated violence in Bhima Koregaon in January 2018 and to have collaborated with the banned Communist Party of India (Maoist) in a plot to assassinate the prime minister. See Rajshree Chandra, 'Activists' Arrests: The Exceptional Has Been Made the New Normal', *The Wire*, 1 November 2018. (https://thewire.in/rights/activists-arrests-the-exceptional-has-been-made-the-new-normal, last accessed on 14 July 2020). Nandini Sundar concludes that the recent arrests of the anti-CAA (Citizenship [Amendment] Act, 2019) activists is the developed form of the 'Bhima Koregaon' model. See Nandini Sundar, 'Amit Shah's "Bhima Koregaon Model" Used for Anti-CAA Protests', *NDTV*, 26 May 2020. (https://www.ndtv.com/opinion/amit-shahs-bhim-koregaon-model-used-for-anti-caa-protests-2234716, last accessed on 14 July 2020).

2 For intervention in educational institutions, see D'Souza (2018) and Sundar (2018). For oppression against journalists, see Siddiqui (2017).

3 For instance, the Modi government transferred the High Court judge who directed the police to take 'conscious decision' with respect to the lodging of first information reports against alleged hate speeches by three BJP leaders that caused the 2020 Delhi riots. Former Assam chief minister Tarun Gogoi denounced this decision, saying, '[T]he Modi government has not allowed the judiciary to function independently which is dangerous to the democracy of the country'. See Hemanta Kumar Nath, 'Modi Government Interfering with Judiciary Puts Democracy at Peril: Former Assam CM Tarum Gogoi', *India Today*, 27 February 2020. (https://www.indiatoday.in/india/story/modi-government-interfering-with-judiciary-puts-democracy-at-peril-former-assam-cm-tarum-gogoi-1650567-2020-02-27, last accessed on 12 July 2020). Also see 'Take Decision on Lodging FIRs for Hate Speeches by 3 BJP Leaders, Delhi HC Tells Police', *The Hindu*, 26 February 2020. (https://www.thehindu.com/news/national/take-decision-on-lodging-firs-for-hate-speeches-by-3-bjp-leaders-delhi-hc-tells-police/article30922359.ece, last accessed on 12 July 2020).

4 Prashant Bhushan, 'Worse Than Emergency', *The Indian Express*, 30 August 2018. (https://indianexpress.com/article/opinion/columns/worse-than-emergency-activists-arrest-elgar-parishad-sudha-bhardwaj-indian-express-columns-5331634/, last accessed on 5 September 2018).

5 See Puniyani (2015, 2017) and Dabhade (2017). Cows are considered holy in several interpretations of Hinduism, and therefore, slaughtering cows is treated as a religious taboo. See Nakamizo (2020b: 77).

6 I would like to thank Prof. Rohan D'Souza for formulating the framework of state deficit. In fact, he proposed this concept in our discussion for refining the analytical framework.

7 For instance, please see Louis (2002: 198–199, Chart 7.1).

8 The legal proviso for appointing an SPO is stipulated by Article 17 in The Police Act (1861), which is still valid in India. According to Article 17, it is stated that '*When it shall appear that any unlawful assembly, or riot or disturbance of the peace has taken place, or may be reasonably apprehended, and that the police-force ordinarily employed for preserving the peace is not sufficient for its preservation and for the protection of the inhabitants and the security of property in the place where such unlawful assembly or riot or disturbance of the peace has occurred, or is apprehended, it shall be lawful for any police-officer not below the rank of Inspector to apply to the nearest Magistrate to appoint so many of the residents of the neighbourhood as such police-officers may require to act as special police-officers for such time and within such limits as he shall deem necessary; and the Magistrate to whom such application is made shall, unless he see cause to the contrary, comply with the application*' (pp. 9–10). In practice, the SPOs, it is often alleged, are mostly drawn 'former insurgents', who have quit their groups for a variety of reasons and become police informers (Chenoy and Chenoy 2010: 92–101). In the opinion of many human rights activists and observers on the ground, the police often use these SPOs, who are now salaried by the state, to then carry out a range of extra-judicial killings.

9 I conducted fieldwork in Belaur village, the birthplace of the Ranvir Sena and where villagers murdered each other, intermittently from November 2002 to September 2003. At the time of the interview, the deep divisions between the upper castes and the scheduled castes still remained, as it had been only eight years since the first clash in 1994. I interviewed 64 villagers there. For details, see Nakamizo (2020a: 307–327).

10 Interview with Ranvir Sena commander Brahmeshwar Singh, 5 November 2002.

11 Interview with a Dalit agricultural labourer, 9 February 2003.

12 Interview with Mr Kahniya Bhelari (senior correspondent, *The Week*, at the time of interview), 30 January 2003.

13 The explanation of Salwa Judam is based on Sundar (2006, 2016), Chenoy and Chenoy (2010: 101–107). The government translated 'Salwa Judam' as 'peace march'; however, Sundar translated it as 'purification hunt' (Sundar 2016: 99).

14 J. Venkatesan, 'Salwa Judum Is Illegal, says Supreme Court', *The Hindu*, 5 July 2011. (https://www.thehindu.com/news/national/Salwa-Judum-is-illegal-says-Supreme-Court/article13639702.ece, last accessed on 12 December 2018).

15 Ejaz Kaiser, 'Chhattisgarh Attack: Maoists Danced on Karma's Body after Killing Him, say Survivors', *Hindustan Times*, 27 May 2013 (https://www.hindustantimes.com/india/chhattisgarh-attack-maoists-danced-on-karma-s-body-after-killing-him-say-survivors/story-gHbdngJ4vqaJ3U5jkLdXwN.html, last accessed on 12 December 2018).

16 Chief Minister Raman Singh sanctioned nearly 860,000,000 rupees for Salwa Judam in November 2005. However, most of the budget was spent on banners, hoardings and leaflets praising Salwa Judam and condemning Maoists. They did not pay much attention to the living conditions of the camps. See Sundar (2006: 102).

17 The goal of Hindu supremacists is to turn India into the 'Hindu rashtra'. Their concept of 'Hindu' can be traced back to Savarkar's *Hindutva* (Hinduness) which describes Hindus as a people belonging to a common nation (*rashtra*), common race (*jati*) and common culture (*sanskriti*) and for whom India (*Sindhusthan*) is their fatherland (*pitribhu*) and holy land (*punyabhu*). For this reason, a person who has converted to Islam or Christianity cannot be a Hindu, even though this person shares the same fatherland and culture with Hindus, because this person's holy land is outside of India. See Savarkar (1989: 113, 115–116). Vanaik points out that the Sangh Parivar upholds a highly exclusive form of Hindu nationalism, which asserts that India must recognize itself as a Hindu nation and that it needs an effective Hindu state to gain national and international strength and prestige (Vanaik 2017: 368). See also Nakamizo (2020b: 79).

18 The sources are anonymized due to the sensitivity of this issue.
19 Interview with its founder, 5 September 2017.
20 Sangh Parivar (family of organizations) is an umbrella organization for Rashtriya Swayamsevak Sangh (national volunteer corps) and other affiliated groups, and the Bharatiya Janata Party forms its political arm. Their main purpose is to turn India into the Hindu rashtra, as mentioned in note 17. For details, see Nakamizo (2020a: 148–151).
21 See A. G. Noorani, "The Ban on Cow Slaughter," *Frontline*, 8 June 2016. (http://www.frontline.in/social-issues/the-ban-on-cow-slaughter/article8700526.ece?css=print, last accessed on 26 November 2017). The Maharashtra government created the post of 'honorary animal welfare officer' and placed one in each district. All publicly known applicants for these posts have been Gau Rakshas. See Jaffrelot (2017: 56) and Sumita Nair, 'Refrain in Sangh Turf: Cards Will Give Us Power', *Indian Express*, 27 January 2017. (http://indianexpress.com/article/india/india-news-india/maharashtra-government-beef-ban-gau-rakshak-id-cards-animal-husbandry-modi-sangh-turf-2991489/, last accessed on 6 December 2017).
22 Interview with senior local journalist Manoj Singh on 15 March 2018.
23 See Jha (2017: 35–38). The general secretary of the HYV denies this charge and said that the group's aim is to unite society by overcoming division.
24 Interview with the general secretary on 15 March 2018.
25 I analyse the current one-party/alliance dominance by the BJP as the 'BJP system'. One characteristic of the BJP system is 'the politics of obedience', which contrasts with 'the politics of consensus' under the 'Congress system' (Kothari 1964). 'The politics of obedience' means that if people obey the BJP's rule, they will receive rewards (the fruits of economic development); otherwise, they will receive punishments (oppression). The BJP's main agenda is the realization of the Hindu Rashtra, as mentioned earlier. Under this BJP system, three pillars can be identified to realize the Hindu rashtra. The first is economic development, which works as a bond to unite Hindus. The second is the institutionalization of the Hindu rashtra, for example, through the September 2019 abolition of Article 370, which gave special autonomous status to the Muslim-dominant states of Jammu and Kashmir, and the implementation of a national register of citizens and the Citizenship (Amendment) Act 2019, which aims to exclude religious minorities, especially Muslims. The third pillar is a new strategy for Hindu extremism such as vigilante activities, which is the topic of this chapter. I develop this argument in Nakamizo (2020b).

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