



The Limits of Exposure
and the Making of Minorities
MOYUKH CHATTERJEE

COMPOSING VIOLENCE

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COMPOSING

Moyukh Chatterjee

DUKE

A THEORY IN FORMS BOOK edited by Nancy Rose Hunt and Achille Mbembe

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The Limits of Exposure

VIOLENCE

and the Making of Minorities

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In memory of Afroz Apa and Ram Narayan Kumar—
my companions on this journey

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CONTENTS

Acknowledgments	ix
Introduction. The Limits of Exposure	1
1. A Minor Reading	34
2. Composing the Archive	56
3. Against the Witness	76
4. Anti-Impunity Activism	93
5. Beyond the Unspeakable	107
Conclusion. Minor, Minorities, Minoritization	127
Notes	139
Bibliography	151
Index	163

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D

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PRESS

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D

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APRIL 2002. Ahmedabad, the largest city in Gujarat in Western India. A cool early-morning breeze before the triumph of the blinding, burning summer sun. I stand in the parking lot of the Kalapur railway station, along with two friends, waiting to be picked up and taken to St. Xavier's College, where we will join volunteers pouring in from all parts of India to help victims of anti-Muslim riots. Since the end of March, we had seen mobs looting shops, burning tires, and brandishing daggers and sticks on television and in the newspapers. Scenes of what the mobs had left in their wake: corpses on the street, men and women standing like ghosts beside their charred houses, a plot of land full of bodies shrouded in white sheets, and families reduced to an eyewitness. Eventually, a man arrives to pick us up at the railway station, and we squeeze into an autorickshaw. Black holes—erstwhile shops, garages, and houses—pass us on both sides as we cross the Sabarmati River to enter the affluent western part of the city.

INTRODUCTION
THE LIMITS OF
EXPOSURE

THE DESTRUCTION BY ITSELF WAS NOT SHOCKING. But I was unprepared to see the juxtaposition of mass destruction with mass pleasure. Smiling shopkeepers and customers inside unharmed shops stood beside gutted gaping holes in the streets. If I had a camera then, I would have made this photograph: two shops beside each other in a multilevel shopping mall, one of them a burned-out hole in the wall and the other a brightly lit square draped in fairy lights bustling with customers. I could touch, hear, and feel

D

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the violence by traveling to relief camps in the outskirts of the city where hundreds of Muslims slept under the open sky clutching bundles that contained everything they now possessed in the world (everything that was not burned or broken or disfigured or stolen by their neighbors). Or I could stop in the heart of the city, the tree-lined neighborhoods of the well-off Hindus and chat with anyone on the road, and I mean anyone at all. Like the jovial owner of a café, where I got my evening shot of special masala chai, who could barely contain his excitement at what had happened. *We finally taught them a lesson.*

The scene of the two shops that I saw on my first day in Gujarat was perhaps my first inkling that there was more to the scene of violence than horror and suffering. I would have to find a way of approaching violence beyond exposure. Why? Because there was no violence to “expose.” The pogrom¹ had been televised. The police told Muslims: “We have no orders to save you,”² and Hindu mobs shouted slogans like “Yeh andar ki baat hai, police hamare saath hai” (This is an inside job, the police are on our side).³ There was no public secret to reveal. Café owners, shopkeepers, and teachers freely expressed their satisfaction in teaching Gujarat’s large Muslim minority community a lesson. Like the rest of India, Gujarat is majority Hindu, but it is also known as India’s Hindu nationalist laboratory. A place where on your way to buy the Sunday papers you may pass a sign on the street urging you to take pride in being a Hindu; a place where an auto driver may ask you if you want to go to Hindustan (India) or Pakistan when you mention your destination is a Muslim-majority neighborhood.

The pogrom was on the surface of things: visible in posters and signs on the street, proclaimed at political rallies and speeches, and discussed in everyday conversations inside and outside the house. More than a decade after the pogrom, in 2016, I was sitting in the audience attending a World Cow Devotee’s conference beside a young boy who revealed to me that he was learning to be a flutist. When we started talking and I said that I loved the sound of the flute, he asked me if I was a Hindu. When I said yes, he said that’s why I was speaking to him so nicely. If you were a Muslim, you wouldn’t mix with anyone. They like to be separate. He asked me if I knew about *Godbrakand* (the scandal at Godhra). You should have seen the way Hindus burned down Muslim homes. They entered their homes and burned them alive. After that you could roam the city like a lion. Since he was clearly too young to have witnessed the violence, I asked him how did he know all this? He told me he googled *Godbrakand* and watched videos, and his



1.1 “Say with Pride, We are Hindus,” reads a billboard at a busy intersection in Ahmedabad in Gujarat, India. The billboard here was sponsored by the Hindu nationalist organization World Hindu Council (Viswa Hindu Parishad).

grammar teacher at school told him that when Muslim colonies were burning and if it appeared that the flames were dying, people on the street used their own petrol to rouse the fire. It was like a spring that had been pressed down for too long; when it’s released, it can go anywhere.

On February 27, 2002, the Sabarmati Express arrived four hours late at Godhra in the western state of Gujarat. The train was filled with Hindu nationalists (*karsevaks*) who had gone to Ayodhya as part of a VHP (World Hindu Council) organized religious ceremony. Some of them argued and

fought with the Muslim vendors at the railway station. They refused to pay for tea and snacks, made a failed attempt to abduct a young girl, forced at least one Muslim vendor to chant Hindu slogans, and tried to beat them up. A Muslim mob at the station started stoning the train.⁴ Within fifteen minutes, a coach of the train had erupted in flames. By the time fire trucks arrived, fifty-nine Hindu men, women, and children were dead.

The VHP carried the charred bodies in a public procession across Ahmedabad, Gujarat's largest city. Local Gujarati newspapers printed photos of charred and disfigured bodies on their front pages with headlines like "Avenge Blood for Blood" and published false stories about Muslim mobs raping and cutting the breasts of Hindu women. The ruling Hindu nationalist government endorsed a widespread closure (*bandh*) of the entire state to protest the deaths of Hindus. During the shutdown, Hindu mobs burned, raped, and killed Muslims. Over one thousand people, mostly Muslims, were killed, while one hundred thousand were displaced. Scholarly, journalistic, and activist accounts of the violence have converged on a now well-documented fact: the Gujarat state government did not prevent the attacks on Muslims and even stoked anti-Muslim sentiment.⁵ Even though the state government, led by Chief Minister Narendra Modi, was widely criticized for not stopping the violence, in 2014, Modi won a historic mandate to become India's new prime minister. In 2019, Modi was re-elected as prime minister surpassing his performance in 2014.

What work is possible when violence is *not* repressed, *not* located at the margins of the state, and *not* even disguised by the participants? What forms of legality, sociality, and politics transform spectacular violence into durable order? This book is an attempt at reading and writing violence beyond exposure by composing violence: tracing the forms of legality that make the witness a malicious and unreliable minority; reading archives of violence where patterns of destruction intersect with patterns of intimacy; noting the circulation, dispersal, and proliferation of sexual violence as constitutive of minoritization; and thus making a map that shows how and why political violence plays a key role in the making and maintenance of modern states based on majorities and minorities.

Since 2002, I have been visiting Gujarat, first as a volunteer working in relief camps for Muslim survivors and then as an anthropologist. Over the last decade, I have tracked the afterlives of the violence:⁶ sitting with witnesses in the courtroom; accompanying paralegals as they visited survivors and updated them about their legal cases; listening to human rights activists

talk to witnesses about what, where, when, and how they saw what they saw; watching angry debates between activists and lawyers as their cases collapsed in the courtroom; and accompanying filmmakers, students, artists, and journalists who came to Gujarat to document the horror.

As India's first televised pogrom, the violence in Gujarat received unprecedented media and activist attention. Investigative reports and secret tapes showed men boasting about raping and murdering Muslims;⁷ newspaper editorials and opinion pieces announced the death of Indian secularism; the Supreme Court of India compared the government to "modern day Neros" who looked elsewhere "when innocent women and children were burning." The scenes from the massacre kept changing—the indescribable torture of women and the pleasure of the men who bragged about it, survivors cooking and sleeping in relief camps ankle deep in sewage, pamphlets that asked Hindus to "give the traitorous Muslims a taste of patriotism by boycotting them socially and economically,"⁸ police refusing to register complaints against Hindus—but the frame of analysis remained the same: *exposing the exceptional*. Exposing—state violence, sexual violence, partisan police, bigoted politicians, illegality, impunity, the silence of intellectuals, the rumors of the press. Exceptional—suffering, brutality, terror, horror, breakdown of law and order, the failure of the state, the death of secularism, the collapse of civil society.⁹

I noticed that our response to political violence against minorities continues to treat it as either exceptional (by calling it a genocide) or instrumental (by focusing on political actors fomenting violence for electoral gains). Even perspectives that approach violence from opposite ends of the political spectrum (the left and the right) deal with a familiar cast of characters—partisan police, unscrupulous politicians, and rioting mobs. And familiar objects of analysis—the deadly ethnic riot, the poisonous ideology of communalism, the deep cultural roots of Hindu nationalism, the weak postcolonial state, and its brittle rule of law.

Ultimately, this *mise-en-scène* frames political violence within a familiar problem-space¹⁰ that entails a mode of analysis I call the *politics of exposure*: exposing the partisan state, biased police and politicians, and the failure of the rule of law. A problem-space, Scott elaborates, is an "ensemble of questions and answers around which a horizon of identifiable stakes (conceptual as well as ideological-political stakes) hangs."¹¹ In this sense, the politics of exposure is a mode of reading and writing violence that flows through both academic and nonacademic work. One can find its traces in investigative

journalism and activist writing but also in political theory and scholarly work that seeks to expose violence.¹²

This book argues that the politics of exposure is inadequate to understand violence against minorities within liberal democracies. First, the politics of exposure assumes that violence is hidden across cultural contexts and, once exposed, will invite predictable effects (justice) and positive affects (like condemnation and empathy). Second, the exposure model predominantly works with concepts like erasure and repression that do not help us understand the productive life of violence within democracies—the procedures and techniques immanent to the rule of law, the making of news, and archives that produce majorities and minorities. Third, the politics of exposure does not reflect on the paradoxes entailed in acts of exposure—like reproducing the modes of address and affects that frame the object that one is seeking to unveil in the first place. Finally, the politics of exposure exceptionalizes political violence as a peculiar pathology of societies in the Global South. This gesture risks setting up an imaginary normative democracy elsewhere (usually understood to be somewhere in North America or Western Europe)¹³ and obstructs our understanding of the place of political violence within democracies across the Global North and South. The politics of exposure is like taking a well-trod path in the aftermath of political violence. It is familiar, even comforting; it takes us to a place where we see terror and suffering, victims and perpetrators, and it satisfies our desire to unveil hidden actors and conspiracies with the clarity of anger and moral outrage. And yet this comforting attitude may not be adequate to our present moment because far-right movements across the world are based on forms of violence that are fundamentally transformational and productive, public and collective, illegal but licit, often sanctioned by the state, and foundational to the making of “the people.”

To be clear, I have experienced the pleasures and disappointments of exposure and can hardly speak of completely abandoning it, insofar as it would mean that I abandon the ground on which this project started. The politics of exposure is part of my journey. I have worked alongside human rights activists and paralegals and lawyers who are invested in the politics of exposure and that it was no doubt the politics of exposure in the form of newspaper editorials, human rights reports, and investigative journalism that produced the feelings of outrage and anger that set me on the path to understanding the significance of public violence against minorities in India. Exposure has immediate and important effects: it sparks into being

new publics and produces affects that motivate actions and feelings for justice and truth beyond the scene of violence. So, what I am proposing is not an abandonment of exposure but a side-stepping, walking around it when there is nothing to unmask.¹⁴

Given the limits of exposure, how do we approach public and collective forms of antiminority violence? There are several ways to avoid, exceed, and work beside exposure. One approach is to acknowledge that liberalism as a loose bundle of ideas, practices, and attachments has always coexisted with institutional and unofficial violence against minorities. And at different points in time across world areas, the authority of the violent mob has happily coexisted with the rule of law.¹⁵ In other words, the ability to kill and punish, the heart of sovereign power, is deployed not only by state actors like the police but also nonstate actors like local “big men” and political activists and organizations. Another route to think about violence beyond exception begins with a reexamination of the everyday and the routine. Taking this path means tracking the tentacles of violent events within everyday social life and exploring the histories, archives, and languages that mask the exceptional as routine.¹⁶ Violence viewed through this lens appears less as a breakdown and more as a continuation of social ties and political arrangements.

None of these paths are isolated from each other, and I imagine them less as forks in the road and more as trails in the forest that crisscross each other, weaving in and out, running parallel to my own path.¹⁷ At the beginning, however, I abandon the framework of norm-exception that characterizes normative political theory’s approach to postcolonial politics.¹⁸ More specifically, the foundation of Western states like the United States and Canada on the expulsion and subjugation of Indigenous and Black people, and contemporary violence against these communities in Western liberal democracies, is a reminder that violence against minorities is not a deviation from modernity but an integral aspect of the making of the modern nation-state itself. If mass political violence against minorities plays a key role in the making of the nation-state, then forms of collective violence like pogroms can help us understand the production and reproduction of permanent majorities and minorities within modern nation-states.¹⁹ Pogroms are attempts to constitute a society based on what B. R. Ambedkar called a “permanent majority.” Ambedkar made a crucial distinction between a political majority, which is “always made, unmade and remade,” and a “permanent majority,” which is fixed and immutable.²⁰ This book maps the power of violence to create permanent majorities and minorities.

D

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PRESS
INTRODUCTION

From Exposure to Composition

I suggest that one way of working beyond the politics of exposure is to compose violence. This means giving an account of violence not as a dark object that will wither in the light of critique but as a force that flows through spaces and bodies creating new attachments and feelings, new subjects and subjectivities. Take, for instance, my initial example of the photograph that I wish I had composed when I first arrived in Ahmedabad, a photograph that would show the juxtaposition of pain and pleasure, the distant and the intimate,²¹ the destructive and the productive in the same frame and, in doing so, show the afterlife of a pogrom that is not a public secret but is worn on the sleeve of a regime and a people as a matter of pride. To make up for that lost opportunity, in these pages, I compose what to my mind are objects that keep recurring in discussions of political violence—event, archive, witness, the rule of law, the unspeakable, and justice. I look at police reports that do not erase mass violence against Muslims but aggregate different instances of arson and destruction into a single report that attributes the violence to colonial racial categories of “communal mobs”; a form of police writing to keep violence visible yet unaccountable; police writing that makes connections with a supremacist social order being forged outside the archive; legal trials that use the survivors’ testimonies to transform them into malicious sectarian subjects who are falsely accusing Hindus; and anti-impunity activism that in trying to expose state violence through proceduralism ends up reinforcing the second-class status of Muslims in a Hindu-dominated society.

This approach is different from trying to represent the unrepresentable, speak the unspeakable, and unveil the dark, deep world of hidden violence. To compose violence, then, is to show how violence persists, motivates, and animates social and political life beyond the scene of horror. To compose is to take on board Walter Benjamin’s distinction between law-preserving and law-making violence,²² and move away from the idea that violence is always a breakdown, interruption, and exception. Instead, a compositional account gives us a sense of how violence stitches together new scenes, bodies, and spaces²³ to create a majority and minority population. To compose violence is to describe violence as a constitutive force that produces and reproduces the permanent majority and the minority—on the street, in the courtroom, and in the police archive.

Composition requires a way of touching, feeling, reading, and writing violence²⁴ that moves away from what Saidiya Hartman calls ritual invoca-

tions of the “shocking and the terrible.”²⁵ And to ask, “And what virtue remains in the act of unmasking when we know fully well what lies beneath the mask?”²⁶ In situations where violence is on the surface of police reports, courtroom proceedings, legal judgments, newspaper reports, and mainstream media, then scholarly work cannot sequester itself from concerns that are addressed more squarely in the realm of art. J. M. Coetzee argues that novelists writing about torture confront a challenge: “how not to play by the rules of the state, how to establish one’s own authority, how to imagine torture and death on one’s own terms.”²⁷ I feel that this challenge of writing violence in a new key is not solely a novelist’s burden but a question about form that confronts anyone who wants to do more than simply expose violence. If form is understood as “an arrangement of elements—an ordering, patterning, or shaping,”²⁸ then specific forms of violence produce their own configurations of time, space, body, and affect.

Consider the pogrom: mobs, police, and ordinary people kill, loot, and attack minorities with impunity. Men with swords and sticks dance on the streets beside burning shops and bodies. If we focus on exposure, we risk overlooking the pogrom as a public spectacle, as a technique to make the insider outsider.

What kind of belonging is produced during massacres when the government of the day shuts down the city so that ordinary people may participate in the public punishment of Muslims? And how is this violence reproduced over time and across sites—in the police archive and police station, inside the courtroom, at home, in the offices of NGOs, and in the everyday lives of victims and perpetrators, who are also neighbors and survivors. To ask such questions helps us to understand the role of pogroms in state formation and the making of “the people,” which is inseparable from the making of the majority/minority.

To examine the long arc of violence, I turn to police paperwork that inscribe pogroms as ethnic violence, forms of media that reproduce the colonial logic of ancient racial hatred, and forms of legality that are techniques to create and govern a social order divided into the “minority” (Muslim) and the “majority” (Hindu). By paying attention to these forms and feelings that often lie on the surface of police documents, courtroom proceedings, human rights activism, and media, I show how violence is a force that is used by a range of actors to forge new scenes that brings together new sets of actors, materials, and affects.

In my efforts to compose violence, I have been inspired by recent debates in literary studies and critical theory around the limits of critique, which

D

UNIVERSITY
PRESS

INTRODUCTION

for me also reads as the limits of exposure. I was struck by the key role of “violence” within these debates. Take this sentence from Eve Sedgwick’s now classic essay on paranoid and reparative reading: “Why bother exposing the ruses of power in a country where, at any given moment, 40 percent of young Black men are enmeshed in the penal system?”²⁹ I read this as an example of the limits of “exposing” anti-Black violence and racism, which pervades American society; the limits of the idea that anti-Black violence is a hidden aspect of an otherwise liberal democracy. In the same essay, Sedgwick develops her influential concept of reparative reading, which is a form of critical work based on love and amelioration rather than suspicion and exposure. The fact that Sedgwick’s push toward reparative reading is worked out through the public knowledge of structural anti-Blackness—the mass incarceration of Black people in the United States—tells us that the object violence plays a pivotal role in instigating a search for new forms of reading and writing. Similarly, the influential call for “surface reading” uses the example of torture to express its frustration with an older symptomatic method of interpretation that focuses on unveiling hidden meanings underneath the text. “Those of us who cut our teeth on deconstruction, ideology, critique, and the hermeneutics of suspicion have often found those demystifying protocols superfluous in an era when images of torture at Abu Ghraib and elsewhere are immediately circulated on the internet.”³⁰ In both reparative and surface reading, I detect an exhaustion with the politics of exposure, and in this sense, they are paths that run along the one I sketch out in this book.

In a similar vein, Bruno Latour offers compositionism as an alternative to critique, insofar as it underlies that “things have to be put together (Latin *componere*) while retaining their heterogeneity.”³¹ For Latour, composition helps us move away from the “irrelevant difference between what is constructed and what is not constructed, toward the crucial difference between what is *well* or *badly* constructed, *well* or *badly* composed.”³² Composition, in this sense, is a practical question, a question of choosing the right tool for the right situation because “it is no more possible to compose with the paraphernalia of critique that it is to cook with a seesaw.”³³

The impulse to compose violence begins by acknowledging that the covers are off: there is no shame, no guilt, and thus the toolkit of exposure comprising terms like silencing, erasure, and repression can feel like cooking with a seesaw. Instead, there is an atmosphere of public and festive violence. To compose such scenes is to make a map where violence is not a hidden spot

marked X that lies behind locked doors but is instead a force that motivates, persists, and animates. In this sense, this book is not so much about defining what is violence, or whether to call what happened in Gujarat a pogrom, riot, genocide, or massacre, but rather: how does it persist, and what does it have going for it?³⁴ By focusing on the surface, on what is repeated, aggregated, circulated, and distributed and thus flourishes in conditions of visibility, I try to forge an ethnographic approach to violence that does not assume it is always already invisible, erased, and repressed. And neither is it a place of return, the universal ground to feel a common humanity with others based on suffering and pain.³⁵

Instead, I focus on the transformational quality of political violence. I follow the pogrom as it is debated in the courtroom, inscribed in police reports, framed by activists as state impunity, and disseminated in the media as ethnic violence—producing and reproducing the majority and the minority. Put differently, I focus on how Muslims become malicious and unreliable witnesses in the courtroom, how the police inscribe anti-Muslim attacks as a war between Hindus and Muslims, how the judge transforms rioting Hindus into passive bystanders, and how the spectacles of the pogrom become blank documents in the police archive. These enduring effects of violence suggest that violence against minorities is better understood as a catalyst. In fact, the transformations brought about by political violence against minorities (the violence is both targeted at minorities and plays an important role in making them minorities) is integral to both the making and maintenance of the modern nation-state and the performance of democracy itself. In trying to link the productive life of antiminority violence to the performance of the law and the making of the public, I focus on how particular forms of violence are “intrinsic to the production of liberal democracy in which state actors simulate social actors and social actors bring into play quasi-state categories and practices in order to maintain representational continuity across the formal state-society division.”³⁶ By highlighting legality, archives, media, and activism that give meaning, value, and significance to the core of democratic politics like majority, minority, the state, and the people, impunity is not the perversion of democracy but is intrinsic to the performance of liberal democracy based on its logic of number and majoritarianism.³⁷

Scholars of violence contend that postcolonial sovereignty and statecraft is based on the “subjugation of life to the power of death,”³⁸ exhibiting a theatrical and dramaturgical mode of power,³⁹ proliferating techniques of violence including disappearance, torture, and secrecy.⁴⁰ Building on this

D

UNIVERSITY
PRESS
INTRODUCTION

rich body of work that highlights the continuity between war and peace, rationality and violence, order and disorder, this book grapples with legality, archives, and procedures that transform ongoing violence against minorities into durable forms of democratic rule. This transformation is key in contexts across the Global South and North where the necropolitical project⁴¹ is championed by the state and nonstate actors attack, subjugate, and intimidate minorities as a matter of pride. Put differently, across contexts, whether it is the Rohingyas in Myanmar or Kurds in Turkey or Palestinians in Israel and Gaza, violence against minorities as a mode of people and state making is now hyper-visible across many world contexts. This ongoing minoritization is based on affects, temporalities, and techniques that proliferate and absorb violence in modern states to constitute the political. The political, here, is understood as the process by which modern states absorb, capture, and frame violence to secure, consolidate, and invent forms of dualistic rule based on majorities and minorities. This is the deep political work done by antiminority violence insofar as it touches the very ground on which nation-states stand and endure.

What is the space of the minor and the minority within modernity? Juxtaposing the Jewish question in Europe with the Muslim question in India, Aamir Mufti argues that “the terrorized and terrifying figures of minority”⁴² are at the heart of the crisis of modern secularism and liberalism. The “repeated explosions of intolerance in American history,” Talal Asad writes, “are entirely compatible (indeed intertwined) with secularism in a highly modern society.”⁴³ This perspective frames the question of violence against minorities as wholly modern and foundational to modern ideas of nationalism, liberalism, and secularism. In other words, the truly extraordinary quality about the public murders of Muslims on the streets of India and the transformation of India into a de facto Hindu State is the compatibility of anti-Muslim violence with the everyday functioning of a modern secular state and its rule of the law.⁴⁴ Even though all minorities occupy a vulnerable position within modern states, there is something about a certain kind of minority—whether Jews in Europe or Muslims in India and Europe—that brings to fore the anxiety of who really belongs to the nation-state. This is linked to the two contradictory conceptions of belonging, the cultural/popular (the nation) and the constitutional/legal (the state),⁴⁵ that reside inside the concept of the nation-state. This creates an “irresolvable tension” at the heart of the concept of the minority. On the one hand, “a minority is supposed to be an equal partner in the building of the nation; on the other

hand, its difference (religious, racial, ethnic) poses an incipient threat to the identity of the nation that is grounded in the religious, linguistic, and cultural norms of the majority.”⁴⁶

While there may be many ways to resolve this tension, riots, pogroms, gas chambers, lynching, displacement, and dispossession shadow minorities, especially those perceived to pose an existential threat to the “mainstream of the natural political community”⁴⁷ that constitutes the nation-state. In this sense, the minor and minorities are a permanent critique of the dominant and the normative since they bring to fore the unresolved question of difference and its politicization.⁴⁸ Minorities, even as they are supposed to be a part of the national, contain within them differences that can unravel the fantasies of the majoritarian machine within modern states.

This larger question casts its shadow on the Indian attempt to settle the minority question through displacement, riots, pogroms, and lynching and its relationship with processes of minoritization in other parts of the world. Talal Asad has argued that the status of Muslims and Islam in Europe is a good place to understand the effects of the myth of Europe as a homogenous space within which Muslims become a minority who must shed their religious symbols and practices before they can be tolerated and assimilated. Asad argues that “it is precisely because Muslims are external to the essence of Europe that ‘coexistence’ can be envisaged between ‘us’ and ‘them.’”⁴⁹ This idea of us versus them is possible only when we consider what Asad calls the “cultural idea of a minority,” which is not quantitative but refers to the creation of a group, a community, outside the culture of “the People” (nation) who stand in for “the majority.” Minorities may be inside the state (and enjoy all the privileges that come with formal citizenship) and yet be outside the culture.⁵⁰ This idea makes sense only within the modern conception of the nation-state where each people has a singular culture, identity, religion, and language.

There is then an enduring tension between the imagined abstract individual of liberal democracy (the vision defended by human rights activists), political rule based on “number,”⁵¹ and the minority as a cultural group that is defined by its difference from the majority.⁵² This tension imperils minorities who are considered an impediment to the nation’s attempts to unify and homogenize a territory under one flag, one religion, and one culture. Any group classified and perceived by the state and the people as a minority is always available for violence in the name of nationalism and the will of the majority. Nationalism, in this sense, “continuously constructs social

and political hierarchies, privileged languages, and relations of dominance and subordination, not only outside but *within* the natural modern political community and state.”⁵³

Can a book that so explicitly revolves around violence against minorities take up the minor as something more than subjection and abjection? Since the overall aim of the book is to compose violence, I turn to the minor not as a quantitative category, or even a site for social suffering, but a way of reading the scene of violence and its afterlives. To track the formation and circulation of violence in mainstream media, and its patterning in police archives as a lens to understand the limits of human rights activism and the law itself, and finally to understand the production of the “Hindu” and “Muslim” not as fixed categories but as sliding signifiers that are given a meaning and significance in the present.⁵⁴

To do so, I derive minor concepts—repetition, aggregation, exaggeration, distribution, and circulation—that absorb, sustain, and proliferate violence. The minor can be the vantage point to understand the artificiality of the major. It is the minor incident that triggers the “communal riot” but remains unexplained in mainstream media, the minor name (alias) that is used by judges and lawyers in the courtroom to dismiss testimony. The minor is also the atmosphere in the courtroom, the endless waiting that exhausts witnesses to the point that they begin to lose faith in those who are trying to help them; and it is often the minor characters in mainstream media that interrupt the seamless narrative of majorities versus minorities. The minor is like a little thread that, if you pull for long enough, may unspool the stability of the major. All this is to say that to follow the minor is to compose violence in ways that allow us to see what was always visible differently. In this book, it gives us a sense of how minorities and majorities are produced and reproduced, and how that is inseparable from a wider political struggle to define the terms of belonging and citizenship within liberal-democratic regimes.

JULY 2008. I reach Ahmedabad on the first day of the Rath Yatra, the mega Hindu religious procession that courses through the narrow veins of the old city at glacial speed accompanied by elephants, drummers, and song. I want to see the procession, but friends warn me against going. “There’s always some trouble, especially when they pass Muslim neighborhoods.” “You’ll be waiting for hours and still miss it because of the crowds.” I pick up my camera and backpack and still go to see it. I see a river of young men, flanked by drummers, elephants adorned with colorful jackets, priests showering flowers at spectators, and little

kids picking up the flotsam and jetsam that trails the procession. I find a corner from where I think I have a good vantage point to photograph the idols and the procession. In the balconies around me, windows are open, and men, women, and children are peering out to catch a glimpse of the gods. The terraces are packed with kids.

Suddenly, I feel someone tugging at my backpack and instinctively grab it. I notice that two men have created a small ripple in what was earlier a moving body of people. Two policemen. One is significantly younger than the other; he's the junior one, clean shaven, wearing tight-fitting trousers and shiny schoolboy black shoes; he's the one who does all the shoving and pushing, while the older presumably senior policeman stands behind him asking questions. The questions come so fast I feel like I am drowning in them. I barely notice that the younger one has taken off my backpack and is examining my camera as I try to answer their questions.

What's your name? Why are you here? What's in your bag? What's inside your pockets?

I am a student . . . just came to see the procession . . .

The people in the crowd start arranging themselves around me in the shape of a ring, and I can feel eyes all over me. I am no longer a spectator. I am the spectacle. I see amused faces, faces with the holy mark on the forehead, tonsured heads, and men standing with their arms linked together. I am the only one with a beard. The younger policeman empties the contents of my bag on the street. I make some weak noises of protest. There is laughter in the background. The older policeman is flipping through my field notes and is holding my wallet in the other hand. They read the name of a hotel where I was sitting with a human rights team a few hours ago.

Who were you meeting in Epsilon hotel? What train did you take to come to Ahmedabad? From where?

My heart is racing even though I have done nothing wrong. My field notes feel like contraband, full of words like impunity, illegal, police firing, riots. . . . I am secretly praying that they don't find the copy of a citizen's inquiry report on the 2002 riots. "Now take a picture with your camera in front of us." I point my Nikon FE10 at the burning blue sky and hear the click. "What were you doing at the hotel?" The whole thing ends as suddenly as it started when they discover my father's visiting card in my wallet. "What's this?" I tell them that he works for the Central government in Delhi.

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A public sign in Ahmedabad that displays the phone number and directions to the Paldi branch of the Bajrang Dal, a youth-based Hindu nationalist organization.



Inside the Laboratory of Hindu Nationalism

In December 2002, the president of the World Hindu Council (VHP), Pravin Togadia, described the pogrom as a successful experiment in the “laboratory of *Hindutva*”—a label that has since been used in popular and scholarly writing to describe the western state of Gujarat. *Hindutva*, also called Hindu nationalism, is a Hindu supremacist ideology that casts religious minorities, especially Muslims in India, as outsiders. Gujarat was only the beginning. “We will make a laboratory of the whole country. This is our promise and resolve,” Togadia declared at a press conference covered by the *Hindustan Times* on December 16, 2002. The political and social movement—Hindu nationalism—is an all-India phenomenon that is often traced to the establishment of the RSS (National Volunteer Corp) in 1925. Its intellectual roots can be traced to the simultaneous racialization and minoritization of Muslims during British colonial rule. Not only did colonial rule emphasize religious difference as a lens to understand and govern India but it also created stereotypes of the meek and effete Hindu versus the hostile and rebellious Muslim. These images are strewn throughout the writings of Hindu nationalists. Savarkar wrote an essay titled “The Essentials of *Hindutva*” in 1923 in which he sought to define the meaning of what it means to be a Hindu through its opposition to the Muslim as an invader and despot. Since then, the movement has transformed into a conglomerate of different organizations, ideologically and politically linked to each other,

popularly called the *Sangh Parivar* (Family of Hindu-Nationalist Organizations) with the common aim of uniting Hindus and transforming India into a *Hindu Rashtra* (Hindu Nation). The Hindu nationalist “family” includes the “founding” RSS (volunteer-based organization that runs schools, hospitals, and performs charitable works), the VHP that maintains ties with nonresident Indian (NRI) Hindus and promotes Hindu religious values, and the political party BJP (which was known as the second-largest party in India after the Congress but is now the dominant political force in most parts of India). Apart from these major organizations, there are cadre-based organizations like the youth-based group *Bajrang Dal* and an exclusively women’s wing called *Durga Vahini*. Gujarat 2002 did not end with mob violence against Muslims; it was the beginning of a process that would attempt to create a society based on the idea of Muslims as permanent second-class citizens, and this idea was now electorally successful and publicly acceptable in at least one part of the country.

One of my first memories of visiting Ahmedabad was a person telling me to go back to “Pakistan” when they saw me walk out of a Muslim-majority neighborhood. On another occasion, a young man sitting next to me at a cow protection event told me with a straight face about the razor-sharp invisible wires that sliced the hands and necks of Hindus who strayed into the old parts of the city. Once during dinner, when I asked my landlady in Ahmedabad if her children had Muslim friends, she smiled and said that “we [Hindus] are different from them, and we just don’t get along with them [Muslims].”

A flurry of articles written by eminent Gujarati historians and intellectuals sought to provide context and meaning to a shocking event: Why Gujarat? Was Gujarat an extreme case of forces brewing all over the country, or was it something altogether different? Gandhi’s legacy loomed large over these questions. Gandhi, the apostle of nonviolence, the spirit of the anti-colonial movement, and a lifelong warrior for Hindu-Muslim amity. Gandhi was born in Gujarat and had set up his first ashram on the banks of the Sabarmati.

At the heart of these questions is the metaphor of Gujarat as a laboratory for Hindu supremacy that far exceed its borders insofar as the pogrom initiated a wider process of constructing a certain kind of Hindu and Muslim. In other words, what ideas about the self, society, and statecraft allowed Gujarat to become a laboratory for Hindu supremacy? To answer this question, I turn to ideas in Gujarat about who belongs and who does not; a history of

the idea of Muslims as outsiders; a history of violence that shows that public protests and caste violence in Ahmedabad often transformed into attacks against Muslims; and the rise of Gujarati *Asmita* (Pride) that labels all critique as an impediment to development and success.⁵⁵ Togadia's confidence that the experiment in Gujarat could be replicated across India was based on the idea that the pogrom was part of a long-standing project in the creation of India as a Hindu nation.⁵⁶

Hindu nationalists were influenced by colonial British accounts such as A. K. Forbes's *Ras Mala: Hindoo Annals of the Province of Gooserat in Western India* (1856), which on page one describes Hindus as the "race whose rule was supplanted by that of the crescent" and the history of Gujarat as an elegy to the splendor and glory of a time before the "avalanche of Mohammedan invasion."⁵⁷ Forbes also described the "tall minaret of the Moslem" in Ahmedabad as a symbol of Muslim tyranny.⁵⁸ This mode of writing history was adopted by Gujarati scholars in the nineteenth century who started dividing the past according to the religious membership of the ruler, a colonial historiography was not limited to Gujarat or for that matter professional historians. This colonial history of Hindus as a race defeated by invading Muslims cemented the idea that "the true history of India was five thousand years long, and that the Muslims in India were foreigners, whose only relation to the native inhabitants was one of despotism."⁵⁹

Once the past was divided into Hindu, Muslim, and British periods, then the decline of the glory of the Hindu period was directly related to the arrival of outsiders—the Muslims and then the British. This colonial narrative gained prominence even though alternative strands in nineteenth-century accounts of the region emphasized the flourishing of trade and commerce under Muslim rulers.⁶⁰ The idea that Muslims were outsiders and invaders, coauthored by colonial and native historians, was based on the image of the weak and tolerant Hindu, who was overrun and dominated by aggressive invaders.

This idea of the weak, effeminate, and vegetarian Gujarati Hindu overrun by strong, hypermasculine meat-eating Muslims motivated Hindu rioters during the pogrom to perform brutal forms of violence against Muslim women to secure their masculinity. Hindu rioters said they felt like martial historical figures like Maharana Pratap when they raped Muslims and galvanized their low-caste identity (as meat eaters who could answer Muslims in their own coin).⁶¹

Gujarat as a laboratory for Hindu supremacy may seem scandalous, since it suggests the complete repudiation of Gandhian values of tolerance and

nonviolence. But even as Gandhi pioneered civil disobedience and noncooperation tactics against the British in Gujarat, his influence was not limited to ideas of nonviolence. The Gandhian influence on Gujarati public culture is equivocal. According to Howard Spodek, Gandhian influence had a double edge, and in the 1980s, the nonviolent aspect of his politics had faded away, even as a “certain level of violence in political protest activity had become acceptable and even normative.”⁶² In Ahmedabad, violent agitations and protests became the norm. The expression of public violence as dissent “illuminated a tragic irony of the Gandhian legacy. Part of Mahatma’s (Gandhi) message had been an emphasis on non-violence; another element was militant protest for social, economic, and political enfranchisement.”⁶³ In other words, Gandhi’s impact on Hindu-Muslim relations in Gujarat was not a settled question. And it kept coming up during my fieldwork.

At one meeting, I heard a group of visiting human rights activists ask the well-known civil rights advocate Girish Patel, “How could this happen in Gandhi’s land?” Patel responded by saying that “the people, and the middle-class, never supported Gandhi in his own birthplace. They thought he was pro-Pakistan, pro-minorities. Only those who don’t know our history will be surprised that this [pogrom] happened here.” Patel was echoing a point many scholars familiar with Gujarat’s history have made before. Ashis Nandy wrote that “Gujarat disowned Mohandas Karamchand Gandhi long ago”⁶⁴ and that the middle class were representative of a larger political trend in Gujarat that had forsaken Gandhian values of religious amity. Gandhian scholar Tridip Suhrud wrote that “Gandhi’s absence is nowhere more palpable than in present-day Gujarat.”⁶⁵

Like the nineteenth-century Gujarati intellectuals who described the Muslim period as a fall from the glory of the Hindu period, it is easy to fall into the trap of writing a history of Gujarat as a story of its decline from premodern tolerance to modern fanaticism, from Gandhi’s land to Togadia’s laboratory, from peace-loving merchants to far-right fanatics. Such an account focusing as it does on Gujarat as an aberration misses the wider construction of Muslims as outsiders in the making of India.⁶⁶ In Gujarat, a general conservatism, the lack of a robust trade union movement, and the absence of a Dalit anticaste politics allowed the process of Hindu nationalism to proceed without any impediments.⁶⁷ The absence of progressive social movements meant that there was a lack of a public culture that would critique dominant conceptions of development, caste, and religion. Additionally, there was a shift in the 1960s in what Ghanshyam Shah calls

“the style of politics.”⁶⁸ This “transformation from elitist to mass politics” meant that “vague Gandhian concepts of propriety” that emphasized accommodation were replaced by the politics of coercion and intimidation. Even when this politics of intimidation was not directed against Muslims, confrontations between students and the government transformed into “communal riots.”

Take, for example, the massive student agitation in 1974. Initially these oppositional, student-led movements were directed against the corrupt government of the day. But these movements were also marked by the active participation of Hindu nationalist groups like the Jan Sangh (the organization that later became the official political party, the BJP). In these agitations against police atrocity, price rise, and corruption, “there was no inhibition as regards violence.”⁶⁹ Decades before Gujarat 2002, student leaders “advocated violence in public” and made public speeches announcing that they would no longer follow Gandhian nonviolence. It was also during this time that Hindu nationalists started to win elections and gain ground in local politics. This rise of the BJP (the political wing of the Hindu nationalists) was mirrored by the slow demise and eventual decimation of the Indian National Congress, the dominant political party till the 1980s that had built a winning coalition of the state’s lower castes, religious minorities, and tribals. Like the student agitations in the 1970s, protests against affirmative action policies for lower castes transformed into communal riots in 1985 in Ahmedabad. The entanglement of anti-Muslim violence with popular politics in Gujarat helps us understand not so much the unbroken history of antagonism between Hindus and Muslims, but the transformation of class and caste differences within Hindu society into violence against Muslims.⁷⁰

The conditions of possibility for anti-Muslim violence in Gujarat are also based on the patronage and political infrastructure that circulated political goods and services. In fact, “as wide-ranging networks of various brokers and intermediaries have formed to facilitate the interaction between state institutions and ordinary citizens, politicians have acquired the necessary local authority, contacts and incentives to foment violence.”⁷¹ The participation of Hindu nationalist organizations in relief work after floods and earthquakes accounts for their robust presence in neighborhood-level politics.⁷² What Gujarat shows, then, is a culmination of multiple streams of politics, culture, and history that over time produce a publicly acknowledged and politically sustainable form of Hindu supremacy. The Gujarat experiment can be replicated in any modern state where the wider public accepts the

idea that an invasive minority lives inside the space of the majority, who are a different species from them, forever estranged, forever at war with them.

Composing the Legal

Gafar, a Muslim mechanic, was attacked by a mob during the massacre and eight years later cross-examined in the courtroom by the lawyers of the Hindu accused, whom he identified before the judge. Gafar was one of several survivors supported by Justice First (JF), a legal aid NGO helping Muslims to testify against Hindus. During the trial, the fact that he had survived the pogrom was used against him. The judge dismissed his testimony, noting that “there is mention [*sic*] of a mob of 3–4000 people stoning each other and that this stoning continued for half an hour and the witness [Gafar] fled to the mill to save his life at this time, therefore it is not possible to maintain that the witness could at that time recognize and identify the accused.”⁷³ These comments illustrate the role of the law in creating a minority subject whose very existence (within the majority) precludes them from witnessing.

To compose the legal in the aftermath of violence means understanding how everyday law gives meaning to the categories of the minority and majority. To understand this process of how violence creates new subjects and subjectivity involves a shift away from the focus on exposing “the state” and more attention on the legal infrastructure—police writing, courtroom performances, temporalities of delay and deferral—that outlive the event. I use the word infrastructure here to reverse what is usually kept in the background of the legal process—as affect, procedure, and temporality—as neutral and passive. The legal here is constitutive of the conditions of possibility for not only killing minorities but an entire setup that frames, absorbs, and repackages political violence. In other words, what is often understood as legal violence, or the law’s tendency to reenact trauma⁷⁴ and erase testimony, is better understood as the legal composition of minority subjects and subjectivities. In this sense, minorities within liberal states may *not* be formally stripped of rights⁷⁵ but are continually dismissed in the courtroom. They are subjects—who can be asked by judges to reconcile with neighbors who have stabbed and looted them, who can be told that they must choose between living and witnessing, and who are accused of being sectarian and malicious witnesses out to defame the majority.

Therefore, the idea that the law and the state collapsed in Gujarat⁷⁶ does not really square with the experience of Muslims who entered the courtroom to

testify against their Hindu neighbors. It does not account for the courtroom as the space where Muslims were displaced from the place of witnessing and the experience of humiliation and powerlessness that Muslims faced *during* the trial. Seen through this lens, impunity is not some grand breakdown of the law or even a weakness of the state but the contribution of the law in the wider project of the minoritization of Muslims. The process was banal; the effects were remarkable. Muslim witnesses grew tired of wasting their days in lower courts: waiting for their case to be heard, waiting for the material evidence to be transferred to the appropriate court, waiting for the court administration to assign a judge to the case, waiting for the accused to stop skipping hearings, waiting for a judge to pronounce a judgment. They stopped coming to the court, suspected activists of colluding with the accused, “compromised” with the perpetrators, and ultimately refused to identify the accused in the courtroom.

Delay and deferral are key forms of temporality that allow political violence to be absorbed by ordinary courts. This is why political regimes in democracies are often able to use existing legal infrastructures to cleanse themselves of overwhelming complicity in political violence without resorting to special mechanisms of transitional justice.⁷⁷ This is different from the law’s ability to erase and silence the victim’s experience.⁷⁸ Instead of focusing on what the law knows or does not know, or even cannot know,⁷⁹ I show the painstaking legal accounting of violence that is also the condition of possibility for producing majority and minority subjects. If we approach the making of majorities and minorities as not simply an outcome of elections or a statistical exercise but one that is constantly produced through the making of “the legal” in the aftermath of political violence, then what emerges are legal practices that are inseparable from a wider political struggle to define the terms of citizenship within liberal-democratic regimes.

Such practices are not transgressions but are part of what Coutin and Yngvesson call “normal law”⁸⁰ and outlive political regimes and acts of mass murder. By studying this infrastructural aspect of the law, I address everyday law’s relation to spectacular violence without “the stultifying assumption that states always uphold the law.”⁸¹

In other words, what is often named as impunity and set aside from the everyday functioning of law within democracies as breakdown, a state of exception, corruption, and illegality, is also the construction of a legality.⁸² Many Muslim survivors of the 2002 pogrom had survived previous events of mass violence—1969, 1985, 1992. Sometimes in the middle of a conversation, they

would excavate yellowing legal papers wrapped in plastic bags from dusty trunks and suitcases to show me that they have proof. Proof of what? Proof that the law was not blind, incapable, or speechless. Proof that they had in the past too gone to the police station to file complaints about their shops burned, their missing and dead relatives, and their houses looted. Proof that they lived in a world divided into killable minorities and triumphant majorities.

Composing the Political

Consider the fact that Hindu mobs in Gujarat could have attacked Muslims under the cover of darkness but did not. They raped, murdered, maimed, burned, and looted in broad daylight for everyone to see. Similarly, in 1984, politicians and people in Delhi attacked Sikhs in full view of police and the wider public. In Colombo, again in 1984, Tamil neighborhoods were burned by their neighbors in full view of the police and the army. In light of such brazen punishment of minorities, it would be quite straightforward to make a case that this violence is emblematic of postcolonial states and their love of ghastly rituals. We could read state-sanctioned punishment of Muslims as sovereign violence: a premodern remnant of a politics where spectacular public punishment *still* exemplifies sovereign power. Such a reading would be strengthened by finding all the ways in which contemporary political regimes suspend the law and in effect work within a state of exception.⁸³ But if along with Foucault we consider performances of punishment as not merely negative acts but as technologies with specific relationships to the body, body politic, and techniques of violence, then we arrive at a different question: How does the pogrom compose the political?⁸⁴ Since the performance of sovereignty is always in dialogue with an audience,⁸⁵ and thus better understood as “a tentative and always emergent form of authority,”⁸⁶ then a reading of the form of violence can clarify our understanding of the form of the political produced during violence against minorities.

Put differently, what do we do with the fact that the attacks on Muslims did not merely inspire fear and suspend the rule of law but also created a distinct atmosphere? An atmosphere in which a large section of people—not all of whom were state actors or in positions of authority—came out onto the streets to kill and burn and loot? Not a passive state spectacle like a parade or a march when citizens are expected to see and cheer but a time to join and rejoice in the enactment of a mix of protest, murder, arson, and triumph. A time for ordinary Hindus to enjoy extraordinary power. A time

D

when policemen looked away and even helped mobs as they as they broke into shops and looted them and set fire to mosques. A time when the police commissioner in a television interview to *Star News* on February 28, 2002, said, “These people [policemen], also, they somehow get carried away by the general sentiment. That’s the whole trouble. The police are equally influenced by general sentiments.” How do we analyze *this* arrangement of bodies, affects, time, and space? How do we account for the festive air that characterized the pogrom with some onlookers even telling an anthropologist that “they do this once a year”?⁸⁷ Lest one thinks all this is unique to India, one only needs to consider the long arc of antiminority pogroms in America,⁸⁸ Europe,⁸⁹ and South Asia.⁹⁰

The structures of feeling that embed pogroms, therefore, cannot be circumscribed within the conventional analytics of state power.⁹¹ For instance, the main protagonists of the attack in 2002, members of far-right Hindu groups like the *Bajrang Dal* and VHP, act like civil society groups but have strong relationships with the state and belong to the same “family” of Hindu nationalist organizations that include a right-wing political party like the BJP. This introduces a peculiar problem faced by analysts of pogroms and riots. After every incident of large-scale public antiminority violence, the analyst is asked to choose between the idea of a spontaneous riot *or* state-sanctioned genocide. Either to accept the colonial logic of timeless enmity between religious groups *or* yet again unmask the partisan state. One way out of this impasse, as Nugent and Krupa suggest, is to “off-center the state . . . to denaturalize it as the transcendental core of political life and the master symbol of political practice.”⁹² To focus on the form of violence helps us to “off-center” the state because pogroms bring together state and nonstate actors. Pogroms produce a popular will and endow “fictive” categories like the state and the people a unity and a personality.

To tackle this conviviality between state and nonstate actors that undergirds much of postcolonial violence,⁹³ we must abandon state-obsessed languages of complicity, sovereignty, and ideology, and look at the affective and performative work done by vernacular political forms.⁹⁴ The call for a *bandh* (shutdown)—the act of calling for a shutdown of the city—is not simply a reflection of state complicity but is better understood as a claim to make forms of rule legitimate. As a political technology, the Hindu nationalist call for a shutdown, affirmed by the ruling regime, invited Hindus across caste, class, and sectarian divisions to participate, witness, and relish the public punishment of Muslims. While the politics of exposure focuses

on the role of Hindu nationalists and the police in facilitating the massacre, what is left out in such an analysis “are the practices through which bonds of identification and consent are solicited and bestowed (or not) on the agents of the state.”⁹⁵ Put differently, antiminority violence is a key technique in postcolonial democracies to cohere (or *attempt* to cohere) claims to rule through invocations of Hindu, Sinhala, Islamic rule. If the “state effect” is to create a distinction between ostensibly autonomous entities like “the state” and “society,” political violence against minorities play a decisive role in creating entities like “the people.” In this way, the mass and public nature of the pogrom composes the violence on the street as an expression of popular sovereignty, and through the overt and covert participation of state actors in the violence, this “majority will” aligns itself with the state.

Let us return to the *bandh*. Because it was public, it was educational. There was no need to cover up the egregious atrocities against Muslims precisely because the *bandh* was not a simple instrument of state power, but an invitation to the public. It pushed large sections of the public indoors even as it created the conditions for many others to step out into the street as participants, spectators, looters, and arsonists. Terror for Muslims and a carnival for Hindus. The fact that actors across the political spectrum in South Asia use this political technique to empty streets, close markets, publicize grievances, and pressure ruling governments tells us that this is also a political technology that can compose new forms of the political.

As a form of performative crowd politics—collective looting, burning, stone throwing, and sloganeering—the *bandh* is not merely a curious detail of something we can then classify as state violence or ethnic conflict or even genocide. It is precisely the *bandh* form of public violence against minorities in postcolonial democracies that makes it inseparable from the normal democratic politics of protest and outrage.⁹⁶ As specific arrangements of bodies, temporalities, affects, and spaces, postcolonial pogroms are not, to repeat, merely a tool of the state, but moments in the formation of “the state” itself. To be clear, the *bandh*’s ability to hail people, produce bodies on the street, halt traffic, and shut down shops is not always a massacre or in support of the ruling government. In fact, political activists most often use it to *challenge* the ruling regime. But as a political technology, it always has the potential to become an expression of popular will, a wager for hegemony⁹⁷ that expands, reframes, and congeals *feelings* of what it means to be “the people.”

What is truly political about postcolonial pogroms, then, is the power of forms of violence like the *bandh* to transform antiminority violence into

popular sovereignty. It is the compositional work of the *bandh* to articulate antiminority violence with expressions of popular sovereignty that allows spectacular violence to forge majorities and minorities. This is a brief example of how this book moves from exposure to composition. Instead of exposing the complicity of the postcolonial state in killing minorities, I have explored a “minor” detail—the first seventy-two hours of the massacre. The arrangement of bodies, affects, and space during the pogrom did not end with the pogrom.

The first one and a half minutes of Rakesh Sharma’s documentary film Final Solution is grainy, noisy, and lit only by streetlights that are bright orange flares in the background. The camera is by the side of the street watching a convoy of trucks and motorbikes led by a stream of joyous men on foot. Firecrackers are popping, drums are beating, slogans are being shouted, and motorbikes and cars in the convoy are honking at the crowds gathered on the sides of the road with flags and garlands. Everywhere men in orange scarves and bandanas fill the frame. Writing in white appears at the bottom of the screen. “December 15, 2002. Right-wing BJP-VHP cadres celebrate Gujarat election victory.” We are watching the victory procession of the Hindu nationalist party, BJP, after it won the elections in the aftermath of the pogrom. The camera cuts to a close-up shot of the face of a young man, a teenager in an orange bandana. “BJP’s victory is like our own. We have nothing more to say . . .” We see several boys in the background attracted to the camera like moths to the light. The camera rests on a boy’s face, but suddenly a voice erupts out of the frame, and the camera jerks sharply to the right to show the face of another young boy with a soft face and glistening black eyes. He is singing an abusive rhyme against Muslims. His broad mischievous smile shows how much fun he is having on the street. We hear the filmmaker’s voice asking the boy the meaning of the rhyme. The boy keeps repeating the rhyme until a third boy jumps into the frame, his hands cupped to his mouth to make sure the camera can hear him shout sexual expletives about Muslims above the din of the firecrackers, drumbeat, and the traffic.”⁹⁸

Rethinking Democracy

If we understand democracy less as a fixed regime type, a checklist (free and fair elections, rule of law, etc.), but rather as a specific configuration of the majority-minority relationship in law, public culture, and politics, then a compositional reading of political violence can create an opening to rethink

the relationship between violence, the rule of law, the making of minorities, and the performance of democracy. But some may object that isn't democracy fundamentally about ideas of plurality, multiplicity, and difference? Isn't it perverse, then, to suggest that antiminority violence is not an anomaly but constitutive of democracy?

Democracy institutes a relationship between number and rule that locks societies in a path that can seem like there are only two binary choices: either minority or majority rule. In his examination of the inscription of democracy in postcolonial states, David Scott argues that the introduction of democracy is a "a whole new game of politics" based on abstract number as an integral aspect of democratic rationality. And that discussions are often limited to safeguards to protect minorities that do not undo the majority-minority relationship itself.⁹⁹ This limitation within democratic theory and practice is critical because we know that formal minority rights and constitutional safeguards have not protected minorities from public violence. The category of the minority itself seems double-edged in so far as liberal theory's impulse to enshrine the minority in law and culture (to protect it from the dominance of the majority) is always in tension with the abstract idea of the citizen within a modern state. In this sense, the secular idea of the abstract citizen is also in tension with Christian history of the minority as a group that is unequal to the majority and thus requires special protection from it.¹⁰⁰

Keeping in mind the ongoing minoritization of groups within a democracy and the limits of liberal discussions on how to safeguard minorities (since these discussions do not seek to undo the majority-minority bind), we have to abandon the space carved out for antiminority violence within normative political theory—as aberration, interruption, and exception.¹⁰¹ We have to guard against the tendency to think of pogroms as cases of disorder, a pathology of South Asian culture and politics, and the breakdown of the rule of law. And despite the active involvement of "the state," political violence against minorities does not begin and end at its doorstep. This does not mean a disregard for the postcolonial state's repeated use of violence against minorities in South Asia to win elections:¹⁰² pogroms against Tamils in Colombo, against Sikhs in Delhi, and most recently against Rohingyas in Myanmar. However, by paying attention to the patterning of this violence, its distribution across state and nonstate domains, and its absorption within everyday law, popular politics, mainstream media, and human rights activism, this book shows that pogroms and their afterlives produce majorities and minorities within a democracy.¹⁰³

Public violence against minorities (often labeled as communal riots in South Asia) can help us to rethink democracy in two ways: In the conventional sense, pogroms strengthen the power of states to govern a divided and unequal society, polarize a fractured electorate, and create an “us” versus “them.” In other words, “the people” as an identifiable and governable category within democracies is often created in the shadow of public violence against minorities. But antiminority violence is also embedded within democracies in a more *infrastructural* sense—not a pathology of culture but as part of the procedures that comprise “due process” itself.¹⁰⁴ Democracies contain within them a binary machine—embedded in electoral mobilization, police writing, legal trials, and media—that polarizes a society into historically shifting formations of violent majorities and vulnerable minorities.

When violence against minorities is spectacular, public, and festive, and forge new forms of belonging and intimacy, existing varieties of democratic theory are not helpful. This is primarily because these theories depend on concepts of repression and erasure that assume that violence destroys and corrupts democracy. They also begin with the widely held assumption at the heart of modern theories of state formation¹⁰⁵ that political subjection and state power must be masked to be effective.¹⁰⁶ In this book, in contrast, violence against minorities and the way it is transformed by law, media, and politics help us to analyze the forces that are pushing democracies across the world to become societies of enmity,¹⁰⁷ an enmity that is no longer masked by the veneer of rights and laws. By looking at crowd politics, courtroom procedures, police writing, legal temporalities, and public affects that transform public violence against minorities into popular democratic rule, I want to bring postcolonial violence into the heart of democracy’s relationship with violence. To put it in the form of a question, if we accept that violence is constitutive of the modern nation-state, then how do democracies capture, absorb, and reproduce wounded majorities and killable minorities?

This is not just another way of repeating Tocqueville’s premonition that democracy can always turn into the tyranny of the majority.¹⁰⁸ The kinds of majority/minority discussed here is not a stable representational bloc, or statistical entity, as much as an affective entity, a waxing and waning that courses through the veins of modern democracies. It is built up of moods and performances, inscribed in official archives and mainstream newspapers and forms of affect—an improbable mix of persecution and glory—that allow members of a particular group to enact and experience fantasies of power and community. In other words, democracies by periodically con-

ceding the power of life and death to racial, religious, and ethnic supremacist groups does not suffer a lack of legitimacy if such forms of targeted death and destruction are also linked to what Lauren Berlant calls a “national fantasy”¹⁰⁹—Hindu nation in India is in this sense not a breakdown of democracy but a moment to understand democracy’s radical transformation through antiminority politics. This national fantasy is not a perversion of the modern nation-state but is essential to the disjuncture between the state as the guarantor of rights and the nation as the fantasy of a homogeneous people. If we consider a different context, for instance, in the case of the killing of Black people by the police in the United States, the minority is yet again produced through public violence, and significant differences in the performance of violence (men in uniform killing unarmed civilians in the case of the United States) should not distract us from the larger point about the space of racial and ethnic supremacy in liberal democracies.

The capacity of antiminority violence to strengthen the ability of modern democracies to rule gives a twist to the idea that liberal democracy covets crowds but fears riots.¹¹⁰ At certain historical conjunctures, democracies covet riots and pogroms precisely because they cohere diverse and contradictory interests under a single umbrella. Even if this coherence is fictive and ephemeral, it is one way to fill the “hollow at the centre of the idea of democracy itself.”¹¹¹ It is well known that democracy, unlike other types of regimes, does not really have a fundamental principle (except the expansion of liberty) at its core. Since democracy cannot be regulated by concepts of excellence or blood or order, or for that matter coercion, it needs an outside animating force to bind “the people” with “the state.” Public violence against minorities becomes one of many ways to fill the “empty space” at the heart of democracies.¹¹²

This empty space is of course never empty for too long, and political violence is a moment of opening, a window of opportunity, when state and nonstate actors seize the power of the crowd, documentary and media regimes, and law to fill this empty space, to (re)define the relationship between “the state” and “the people” and a crucial third term, “the majority.” In this context, postcolonial democracies reveal the compatibility of public violence against minorities with the everyday work of liberal democracy—the conducting of free and fair elections, the writing of police reports, the gathering and presentation of legal evidence, and the performance of trials. Within democracies, the concept of popular sovereignty, the people, is always being split into a majority and minority. Of course, this splitting is not necessarily

D

violent or even undesirable. This splitting is in fact integral to the functioning of politics itself when such majorities and minorities are the outcome of political processes.¹¹³ But what happens when a political majority seeks to transform itself into a permanent majority?

Postcolonial democracies like India are good to think with precisely because we are not able to shield theories of democracy behind the veil of exceptionalism, and keep democracy and its other—fascism, authoritarianism, and totalitarianism—in two separate worlds. The question is not whether democracies are more or less violent than authoritarian regimes, but what can India tell us about the power of public violence against minorities to act as a catalyst for the creation of a permanent majority? Given the widely held consensus (which is crumbling in the light of Trump's America and the post-Brexit United Kingdom) that Western liberal democracy should be the ideal that democracies in other parts of the world must strive for, it is important to distinguish the endeavor of this book from Western philosophy's enduring suspicion of democracy. From Plato to Madison, democracy has long been associated with chaos that typically topples into tyranny. If democracy is about extending the power to rule others to the many (not the one or few), then the fear of mob violence is always looming on the horizon of liberal political theory.¹¹⁴ This book is not a lament about the threat of anarchy that looms over the messy concept of democracy but a recognition that violence against minorities energizes and animates our democracies and the task of rethinking democracy cannot sidestep this problem.

Overview

If the introduction was a passage that led the reader through the core problem of the book—the limits of exposing violence, and what is at stake in taking the risk of writing and reading beyond exposure—then I imagine each chapter of the book as a path that radiates outwards and can be taken in any order depending on the reader's interest. In each chapter, I take objects I encountered while doing fieldwork in the aftermath of the Gujarat pogrom—the event, the archive, the witness, the trial, anti-impunity activism, the fact-finding report, and the newspaper article—and suggest a compositional approach to work with them.

Chapter 1, "A Minor Reading," opens with an archetypal scene of a riot in Ahmedabad in 2011. A tale of arson and stoning between Hindus and Muslims that circulates in English and Gujarati newspapers as yet another

instance of primitive violence between antagonistic communities in a “riot-prone” neighborhood. The plot is basic and familiar: a minor argument between a Hindu and Muslim erupts into full-fledged rioting. Rather than trying to expose the patent falsity of this colonial master narrative of Hindus and Muslims perpetually at war with each other, I follow the minor as “what everyone knows.” What everyone knows in this case is the fact that Muslims in the neighborhood describe the so-called riot as an organized attack on their shops by a well-known local criminal. What seems at first brush gossip about petty criminal characters helps me to interrupt how public information about anti-Muslim violence circulates. A minor reading offers a composition of violence that is articulated by minorities for minorities within intimate settings. Such a reading begins by focusing on that which ostensibly requires no explanation: the trigger incident that is both on the surface and left unexplained within the narratives of the riot. A minor reading is not the exposure of a hidden truth but more akin to pulling at a slight thread on the surface of the scene of violence until it connects mainstream media and everyday law into a machine that frames conflict in terms of *religious* difference. But a minor reading is also a reminder of what escapes this binary making machine: efforts by Muslims to imagine a world beyond Hindus versus Muslims.

In chapter 2, “Composing the Archive,” I read police First Information Reports (FIRs) made during the violence in 2002 through minor forms that lie on the surface of the police archive—such as aggregation, repetition, and the trace. These minor forms connect the exceptional with the routine and the colonial to the postcolonial. The chapter asks whether exposure is the only way to read archives of violence and shows that the most explicit features of police reporting comprise the archival infrastructure of anti-Muslim violence. By offering a compositional response to the problem of working with what Derrida called an “archive of the destruction of the archive,”¹⁵ the chapter tracks the forms of time and space that connect archives with technologies of antiminority violence like the *bandh* (shutdown). By making the case that archives of violence do not simply erase but also repeat, temporalize, and aggregate, I draw attention to forms within archives that exceed the event and ideology. This world-making capacity of the archive of violence to constitute killable minorities does not derive solely from the law; it shares, incorporates, attests, and embeds narratives and affects that circulate in the media and Hindu nationalist speeches.

In chapter 3, “Against the Witness,” I analyze trials in the lower courts of Ahmedabad that do not simply silence the witness but also displace them

from the space of witnessing itself. Turning to the failure of testimony in the courtroom, I compose scenes that could be read as scenes of legal erasure into scenes of minoritization. I argue that the inability of Muslim witnesses to testify in the courtroom against their Hindu neighbors is part of a wider process of *becoming* a minority. What has been described famously as the “crisis of witnessing” in literary studies and philosophy—the limits of law to represent violence beyond language—is reframed in this chapter as a process of producing a minority that can see but not witness their property looted, their homes burned, and their families raped and tortured. This process builds on the chasm between individual testimony and collective violence and seizes the legal infrastructure—police documents, cross-examination techniques, and legal reasoning—to produce Muslims as false witnesses. Minorities who are then refuted by police documents, their own previous statements to the police, the scale and nature of the attacks on them, and finally even by the very fact of their survival.

Chapter 4, “Anti-Impunity Activism,” examines the limits of anti-impunity activism that conceptualizes impunity as a force external to the law. I follow the work of JF, a legal aid nongovernmental organization that helped Muslim survivors to testify against their Hindu neighbors in the courtroom as part of a larger struggle for justice and rights. Justice First understood the legal process as an effort to restore the constitutional rights of Muslims in India and a moral war to uphold liberal values such as secularism. After the painstaking task of persuading hundreds of Muslims to fight for justice, most of the cases crumbled in the courtroom, as survivors grew disenchanted with the legal process. Like anti-impunity politics elsewhere, JF’s efforts focused on the punishment of individual perpetrators. But this effort to expose impunity was based on legal reasoning, rituals, and procedures that were inextricable from the socio-legal relationships that produced anti-Muslim violence. For instance, the key role of the police and state actors in facilitating the pogrom. By examining the challenges faced by the JF activists and lawyers as they tried to use the law to fight for justice, this chapter shows the double-edged quality of legal exposure: the attempt to expose Hindu perpetrators in the courtroom also exposed vulnerable and poor Muslims to legal violence including the documentary and temporal power of the state apparatus. Finally, as the binaries that guide anti-impunity efforts—rule of law versus impunity, speech versus forgetting, victims versus perpetrators—dissolved over time, anti-impunity politics was unable to account for ethical

frameworks that Muslim survivors were using to reconstruct their life based on neighborliness, secrecy, and cooperation.

Chapter 5, “Beyond the Unspeakable,” turns to sexual violence, which is often conceptualized as unspeakable and beyond representation. And yet, activists and scholars produce valuable and rich accounts of the widespread circulation and weaponization of sexual violence as an essential aspect of political violence against minorities. How could sexual violence both persist in testimony, human rights activism, scholarly accounts, media reports, and the courtroom and yet be invisible and unspeakable? This paradox leads to the key problem at the heart of the chapter: How do we compose sexual violence in conditions of simultaneous visibility and erasure? I respond by tracking the scene of sexual violence as it moves through human rights reports, activist encounters, police documents, and ends up in the courtroom as exaggeration. By paying attention to the different ways in which sexual violence appears, circulates, and persists inside and outside the courtroom, I compose the object sexual violence not as an isolated act, an unspeakable action, or a traumatic memory, but words and actions that constitute the scene of violence and its afterlife in the police station, courtroom, and activist practice. By recomposing sexual violence against Muslim women as constitutive of the pogrom, not merely as an isolated event but as a practice and language that persists in the police station, courtroom, and the parliament, we can get a better sense of how Muslim women—and their bodies—are attacked not simply on the street but when they appear before the law. As an inspiration to compose the force of sexual violence outside a singular event, I turn to an eight-channel video installation by the artist Amar Kanwar that moves us from the forensic to the poetic.

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INTRODUCTION

NOTES

Introduction

1. Avishai Margalit writes that the Russian word *pogrom* meaning destruction is relatively new and has a specific history of anti-Semitic attacks on Jews in Tsarist Europe in the nineteenth and twentieth centuries that included murder, pillage, rape, and looting. It has since then been used to describe public and state-sanctioned attacks on minority ethnic and religious groups across the world. I use the word pogrom to highlight a) the role of state authorities to facilitate a collective public attack on Muslims in Gujarat and b) the role played by pogroms in the making of new nation-states in Europe where Jews would be treated as permanent minorities. See Avishai Margalit, “The Exemplary Pogrom,” and Magda Teter, “Rehearsal for Genocide.”

2. Human Rights Watch, “We Have No Orders to Save You.”

3. Varadarajan, *Gujarat*, 176.

4. Nussbaum, *The Clash Within*; Varadarajan, *Gujarat*.

5. Brass, “Gujarat Pogrom of 2002”; Human Rights Watch, “We Have No Orders to Save You.”

6. Nancy Rose Hunt makes a helpful distinction between the idea of a single aftermath versus the many afterlives of violence to track down perceptions, sounds, and the everyday. Afterlives can also be understood as moments of not only bereavement but also rebellion, mourning, struggle, and survival. See Parekh and Kwon, “Introduction: Still Here in the Afterlives,” 113.

7. Khetan, “Gujarat 2002.”

8. Editors of Communalism Combat, “Genocide Gujarat 2002.”

9. Notable exceptions to this framing include Veena Das’s *Life and Words*, Gyanendra Pandey’s *Routine Violence*, Roma Chatterji and Deepak Mehta’s *Living with Violence*,

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Pradeep Jeganathan's "After a Riot," and Thomas Blom Hansen's *Law of Force* to name only a few studies on South Asia that reject the framing of violence as exceptional events in order to highlight the everyday, the routine, and the vernacular.

10. Scott, *Refashioning Futures*.

11. Scott, *Refashioning Futures*, 4.

12. I owe this point to Ravi Sundaram.

13. Chatterjee, "Lineages of Political Society."

14. I am indebted to Thushara Hewage for reminding me that the space of the university allows scholars to take risks that are not available to journalists and activists.

15. Hansen, *Law of Force*; Hansen, "Sovereigns beyond the State"; Blight, "American Pogrom."

16. Das, *Life and Words*; Pandey, *Routine Violence*.

17. In no way is this an exhaustive literature review on violence or even anthropological work that exceeds the politics of exposure. I have learned from and build on the extraordinary work of scholars such as Allen Feldman, *Formations of Violence*; Roma Chatterji and Deepak Mehta, *Living with Violence*; Danny Hoffman, *The War Machines*; Achille Mbembe, *On the Postcolony*; and Valentine Daniel's *Charred Lullabies*—to name only a few works that have inspired me.

18. Chatterjee, "Lineages of Political Society," 8.

19. Mamdani, *Neither Settler nor Native*. My idea of "permanent minorities" draws on Mahmood Mamdani's understanding of the making of "permanent minorities" under the colonial state. Building on Mamdani's work on the role of the nation-state in the creation of non-sovereign minorities, I show that ongoing minoritization in democracies can be analyzed ethnographically by tracking the afterlives of violence as it flows through the courts, media, and public culture.

20. Ambedkar, "Communal Deadlock," 377.

21. For a powerful conceptualization of violence in terms of intimacy and fraternity using Indian political thought, see Shruti Kapila, *Violent Fraternity*.

22. Walter Benjamin, "Critique of Violence."

23. Collins and Feldman, "25th Anniversary."

24. Sedgwick and Frank, *Touching Feeling*; Hunt, "Acoustic Register, Tenacious Images, and Congolese Scenes."

25. Hartman, *Scenes of Subjection*, 4.

26. Felski, *Uses of Literature*. See also Felski, *The Limits of Critique*.

27. Coetzee, "Into the Dark Chamber," 364.

28. Levine, *Forms*, 3.

29. Sedgwick and Frank, *Touching Feeling*, 140.

30. Best and Marcus, "Surface Reading."

31. Latour, "Attempt at a 'Compositionist Manifesto,'" 473.

32. Latour, "Attempt at a 'Compositionist Manifesto,'" 474.

33. Latour, "Attempt at a 'Compositionist Manifesto,'" 475.

34. Muecke, "Untitled."

35. Robbins, "Beyond the Suffering Subject."

36. Banerjee, "State (and) Violence."
37. Scott, *Refashioning Futures*, 162.
38. Mbembe and Meintjes, "Necropolitics," 39.
39. Coronil and Skurski, *States of Violence*, 110.
40. Taussig, "Culture of Terror—Space of Death."
41. Mbembe and Meintjes, "Necropolitics."
42. Mufti, *Enlightenment in the Colony*, 2.
43. Asad, *Formations of the Secular*, 7.

44. Reviewers of this book noted that violence against Muslims in India and impunity in the aftermath bear resemblance to historic and contemporary forms of anti-Black violence in the United States and caste violence in India. This is an important question that shows that the question of the minority is inextricable from the forms of violence that produce and reproduce the Black/Muslim/Dalit subject and subjectivity and is foundational to the US and Indian nation-state. The connection between anti-minority violence and the rule of law and state formation does however have different histories and trajectories in the United States and India. For instance, contemporary anti-Black violence and racial terror in the United States are often concentrated in the figure of the police and therefore easier to identify as state violence, whereas pogroms typically involve large sections of "ordinary" people as well as state actors—see Parekh and Kwon, "Introduction." Despite the difference in the forms of violence against different vulnerable groups and their effects on minority communities, I hope that composition as method can be helpful to read and write violence as part of the process of the making of majorities and minorities.

45. Mamdani, *Neither Settler nor Native*.
46. Mahmood, *Religious Difference*, 32.
47. Pandey, *Routine Violence*, 14
48. Hall, *Fateful Triangle*.
49. Asad, *Formations of the Secular*, 165.
50. Asad, "Thought-Provoking Study."

51. See David Scott's "Community, Number, and the Ethos of Democracy" for a wonderful discussion and genealogy of the way in which the logic of number and the inscription of democracy as a "whole new game" in Sri Lanka prepare the path for the inevitable minoritization of Tamils.

52. For a genealogy of the concept of minority in Europe and its Christian history, see Talal Asad, "Muslims as a 'Religious Minority' in Europe," 174–175.

53. Pandey, *Routine Violence*, 10.

54. Hall, *Fateful Triangle*. See also Gyan Pandey, *Routine Violence*.

55. I am indebted to Tridip Suhrud to understand the larger intellectual and political context that undergirds the lack of critique and the worship of consensus in modern Gujarat. See, especially, the online talk "What Have You Done, Mr. Gandhi," <https://www.uchicago.in/events/mr-gandhi-what-have-you-done/>.

56. Gyan Pandey writes that "it would appear that the notion of a Hindu Rashtra—India as a nation and a Hindu nation, the land of Hindus—was first advanced in the

1920s and the first steps toward the mobilization of Hindus *as a nation* were taken at this time,” *Routine Violence*, 106–107.

57. Forbes, *Ras Mala VI*, vii–viii.

58. Isaka, “Gujarati Intellectuals and History Writing in the Colonial Period,” 4867.

59. Asif, *The Loss of Hindustan*, 14.

60. Isaka, “Gujarati Intellectuals and History Writing in the Colonial Period.”

61. Ghassem-Fachandi, *Pogrom in Gujarat*.

62. Spodek, “From Gandhi to Violence,” 787.

63. Spodek, “From Gandhi to Violence,” 787.

64. Nandy, “Obituary of a Culture.”

65. Suhруд, “Gandhi’s Absence,” 21.

66. Asif, *The Loss of Hindustan*.

67. Girish Patel also alluded to a broader conservatism that accounts for atrocities against women and Dalits, exclusion of *adivasis* (tribals) and segregation between Hindus and Muslims. He identified the lack of a powerful trade union movement (despite being one of the most industrialized states), the proximity of Gujarat to Pakistan, and the general absence of a large-scale progressive social justice movement as some of the causes for the rise of Hindu nationalism. (Personal communication.)

68. Shah, “The Upsurge in Gujarat,” 1437.

69. Shah, “The Upsurge in Gujarat,” 1449.

70. For an overview of the transformation of caste and class politics into anti-Muslim violence in Gujarat, see Shani, *Communalism, Caste and Hindu Nationalism*.

71. Berenschot, *Riot Politics*, 10.

72. Bhattacharjee, *Disaster Relief and the RSS*.

73. State of Gujarat v. Girishbhai Revabhai and Others, Sessions Case no. 474/09, Court of the City Sessions Judge Court no. 15, Ahmedabad, October 29, 2010.

74. Felman, *The Juridical Unconscious*.

75. Even as I write this, in the Indian context, the recent Citizenship Amendment Act has perhaps started the slow process of formal disenfranchisement of Muslims. But my point is not to tell the future but show that minoritization is not only about formal rights but also about the right to witness.

76. The limits of framing violence and injustice as the failure of the rule of law also resonates with the way anti-Blackness is woven into the performance of the rule of law in the United States. See Jesse Goldberg’s essay that argues anti-Blackness is foundational to the rule of the law in a way such that spectacular and egregious events of anti-Black violence are “not aberrations of the so-called criminal justice system but in fact register the system working as it is constructed to work.” Goldberg, “James Baldwin,” 521.

77. Wilson, *The Politics of Truth of Reconciliation in South Africa*.

78. Ross, *Bearing Witness*.

79. Felman, *The Juridical Unconscious*.

80. Yngvesson and Coutin, “Backed by Papers,” 178.

81. Heyman and Smart, “States and Illegal Practices.”

82. Chatterjee, "The Impunity Effect."
 83. Agamben, "The State of Exception."
 84. Foucault, *Discipline and Punish*.
 85. Rutherford, *Laughing at Leviathan*.
 86. Hansen and Stepputat, "Sovereignty Revisited," 297.
 87. Ghassem-Fachandi, *Pogrom in Gujarat*, 46.
 88. Zucchino, *Wilmington's Lie*.
 89. Zipperstein, *Pogrom*.
 90. Tambiah, *Leveling Crowds*; Brass, *Production of Hindu-Muslim Violence*; Engineer, *Communal Riots*.
 91. Chatterjee, "Bandh Politics."
 92. Krupa and Nugent, *State Theory and Andean Politics*, 5.
 93. Mbembe, *On the Postcolony*.
 94. Hansen, *The Law of Force*.
 95. Krupa and Nugent, *State Theory and Andean Politics*, 11.
 96. Blom et al., "Outraged Communities."
 97. Butler, *Notes toward a Performative Theory of Assembly*.
 98. Sharma, *Final Solution*.
 99. Scott, *Refashioning Futures*, 162.
 100. Asad, *Formations of the Secular*, 173–174.
 101. Scott, *Refashioning Futures*; Pandey, *Routine Violence*.
 102. For an overview of majoritarian politics in South Asia, see Mukul Kesavan, "Murderous Majorities."
 103. Hewage, "Ideology, Ethnicity, and the Critique of Postconflict"; Scott, *Refashioning Futures*.
 104. I am indebted to my reviewers for helping me see the significance of the ease with which the procedures and technicalities associated with due process within a democracy can further harden religious differences and polarize societies into a majority and minority.
 105. Abrams, "Notes on the Difficulty of Studying the State."
 106. I am indebted to David Nugent for helping me to see this point. See Nugent, "Sacropolitics."
 107. Mbembe, *Necropolitics*, 3.
 108. Tocqueville and Hacker, *Democracy in America*.
 109. Berlant, *The Anatomy of National Fantasy*.
 110. Gaonkar, "After the Fictions."
 111. Brown, *Politics Out of History*.
 112. Lefort and Macey, *Democracy and Political Theory*.
 113. Mamdani, *Neither Settler nor Native*.
 114. Mazzarella, "The Myth of the Multitude."
 115. Derrida, "Archive Fever," 52; Feldman, *Archives of the Insensible*.

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