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HINDUISM, CHRISTIANITY, AND LIBERAL RELIGIOUS TOLERATION

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The Protestant conception of religion as a private matter of conscience organized into voluntary associations informed early liberalism's conception of religion and of religious toleration, assumptions that are still present in contemporary liberalism. In many other religions, however, including Hinduism (the main though not only focus of this article), practice has a much larger role than conscience. Hinduism is not a voluntary association, and the structure of its practices, some of which are inegalitarian, makes exit very difficult. This makes liberal religious toleration an awkward fit for Hinduism; granting religious toleration in India undermines equality and autonomy in severe ways. Yet Hinduism is not without its virtues, and has historically been what I call externally tolerant—it has been relatively tolerant of other religions. Liberal toleration, by contrast, is internally tolerant—it is tolerant of religions that fit the Protestant model, while its tolerance of others is considerably more qualified. I briefly speculate at the end of the article about how to combine these two models of toleration.

Keywords: *toleration; religion; liberalism; Hinduism*

Liberal religious toleration is based on an idiosyncratic religion, Protestant Christianity. Protestantism takes individual faith and conscience to be at the center of religion; people, if they wish, can form voluntary associations to collectively express their faith. Most versions of Protestantism are soteriological; that is they are concerned with the individual and his or her salvation. Protestantism has a creed, a belief in God, and an organized church in which a group partakes in collective worship in a given place, with an established hierarchy and a clear set of Holy Scriptures. At least some of

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these aspects of Protestantism are missing in Eastern religions: Buddhism, Taoism, Shintoism, among others, along with the religions of many indigenous peoples, while all of these elements are missing from Hinduism, the contrast I will focus on here. Hinduism lacks a creed, a belief in a singular God, a clear set of Holy Scriptures, and has no organized worship. This is why the anthropologist E. Valentine Daniel argues that “religion itself is by and large a Christian affair” and why Frits Staal contends that the “concept of religion is not a coherent concept . . . and should either be abandoned or confined to Western traditions.”¹

There is much to what Staal and Daniel say, but their reference point for religion is not the Western tradition or all of Christianity, but post-Reformation Christianity. The Protestant Reformation brought forth the idea that people would discover religious Truth according to how their conscience understood the Bible; the role of practice which had an important role in everyday life in pre-Reformation Christianity became much less important as the Reformation eventually turned most of Protestantism to a religion mostly concerned with belief and individual conscience. Following this conceptual change were political changes in Europe, as European states did much to undermine the power and public role of the church. The rise of Protestantism and the assertion of state power over the church readily helped transform Christianity into a private affair, a matter of individual conscience, as opposed to a public matter. The contours of liberal toleration then based itself on the Protestant conceptualization of religion as a voluntary, private matter.

Hinduism, however, is a practice-based religion rather than a faith-based one, while the Indian state has been unable to forcefully assert itself over religion. More important than belief in Hinduism are its practices, which are often social—that is, many Hindu practices are performed with others. While the idea of a church as a voluntary association is crucial to liberal toleration, since dissenters can always leave their church, it is misleading to call Hinduism an association, and as I will argue below, exit from Hinduism and its practices is difficult. The time when Hinduism was most likely to be reformed—around the first half of the twentieth century—religion was not seen as the largest obstacle to freedom, since colonialism was. Yet now India has a religion with a large public presence, some wealth, and many antiliberal practices, while the liberal democratic tradition of religious freedom makes it difficult to do much about this situation.

I will argue here through a comparison of Protestantism and Hinduism (with brief glances to other religions) that liberal religious toleration is based on a Protestant conception of religion that was established in a particular historical context that does not well fit Hinduism and India. There are several parts to my argument. First, I show that the Protestant conception of religion

as a private matter of conscience informed early liberalism's conception of religion and of religious toleration, assumptions that are still present in contemporary liberalism. Second, I argue for a distinction between what I call internal and external toleration. Protestant toleration was initially internally tolerant, as it applied (usually) to those who thought it important to follow the Bible as one's individual conscience dictated. Hinduism, on the other hand, does not give much freedom to its own adherents, at least in some respects, but is externally tolerant: it grants great latitude to non-Hindus in their religious beliefs and practices. Third, I argue that where religion is conceptualized as a private matter, there is no conceptual friction between religious toleration and other key liberal values, like equality and autonomy. Yet in religions where social practices dominate, like Hinduism, there is considerable tension between religious toleration, autonomy, and equality. If my argument here is correct, that leaves the question of whether and how Hinduism can become more internally tolerant, and whether liberal toleration should become more externally tolerant. I look at both issues toward the end of this article, though rather briefly.

My argument here rapidly surveys a considerable amount of interesting history that traces the rise of individual conscience in Protestantism and its implications—it took some time for the role of individual conscience in Protestantism to lead to toleration.² I focus here on what I take to be the *eventual* Protestant conceptualization of religion and discuss its implications for toleration. While the term "Protestant" masks many differences among different Protestant religions, my argument presumes that a small collection of common principles—that salvation is gained by choosing to believe that Jesus is the savior, that the Bible is the main fount to understand Christianity, and that one should interpret the Bible according to one's individual conscience—are found in what I will call a mainstream version of Protestantism (mainstream now, not in the sixteenth century). Sometimes I will simply call this Protestantism, though not every Protestantism subscribes to these tenets, or just to these tenets.

I. CHRISTIANITY, RITUAL, AND CONSCIENCE

The idea of a religious truth pursued or protected in an organized church was an important aspect of medieval Christianity that survived the Reformation. Yet practice was also important to many people's Christianity by the later medieval ages. For many ordinary people religious practices might have been performed out of faith, but also to gain some material benefit: heal the sick, become pregnant, get married, win the war. In pre-Reformation Europe,

saints were called on when a problem had to be solved. Offerings were made to the statues in church or to the dead in home or in cemeteries. Holy relics were commonly used, along with ecclesiastical talismans and amulets. The stars were routinely consulted to determine one's best course of action. Practices, rituals, and even magic was routinely associated with Christianity in medieval times.³

There were sporadic complaints about many Christian practices before the Reformation, complaints that began to take on some vehemence with the Humanist movement. It was, however, the Reformation that drastically reduced the role of practice in Christianity. The Reformation reduced the number of saint's days and public festivals generally, which many Protestants thought diluted the sense of the sacred (and were also economically harmful, since it was a day off of work). Statues of saints and others were destroyed, particularly those in churches. Individual morality instead of collective rituals was emphasized. Anything the smacked of magic was expunged from Protestantism. While many historians now argue that there was as much continuity as change between pre- and post-Reformation Christianity, the Reformation ushered in a new kind of religion in an important way: "By depreciating the miracle-working aspect of religion and elevating the importance of the individual's faith in God, the Protestant Reformation helped to form a new concept of religion itself. Today we think of religion as a belief, rather than practice, as definable in terms of creeds rather than in modes of behaviour."⁴

The early Protestants wanted people to read the Bible for themselves, to discover what Christianity, shorn of the many adornments that the Catholic church added, really ought to be. While discarding the church's role as the main arbiter of religious truth, many of the early Protestants were also fairly certain that everyone would come to the same, or similar, conclusions about Christianity. Protestantism does not then automatically lead to tolerance—indeed, early Protestant history is bloody. Many political theorists today assume that toleration arose as *modus vivendi* between the warring religions in Europe, but toleration based on a *modus vivendi* does not tell us what *kind* of toleration there will be.⁵ The Edict of Nantes in 1598 ended the Wars of Religion in France between the Catholics and the Huguenots, but individual freedom of conscience was not at issue: each side controlled certain towns, with the minority Huguenots keeping armed garrisons in their cities. One assumption behind the Edict of Nantes, which eventually broke down, was that religion was a public affair, as places were predominately either Catholic or Protestant. This was not a liberal toleration, but what one might call a corporate toleration.

Unlike the Edict of Nantes, liberal toleration is based on an enhanced role of the individual conscience that played a part in the Reformation. Eventually, two main arguments arose to promote the idea that religion is a matter of individual conscience and faith, along with a third pragmatic argument. First, some argued that Christian practices were simply not that important. Liberal tolerationists argued that people should be able to follow their conscience in religious matters, that religion is a matter of belief, which should not be forced. John Locke explained that “faith only, and inward sincerity, are the things that procure acceptance with God.”⁶ After the Reformation there is a new focus on the importance and dignity of individual conscience.⁷ Conceptualizing religion as a matter of individual faith does not automatically mean that one’s religious practices are unimportant. While some early Protestants argued that agreement on some practices was crucial, others argued that what was crucial was Christian faith and piety; they had an expansive notion of which religious practices were “things indifferent.”

The path to toleration becomes a little clearer when the second argument, the argument for skepticism, is added to the first. Liberals argued that there was no way to be certain which practice, or more radically, perhaps even which faith, led to salvation. When Protestant religions urged the importance of the individual and her conscience finding the true religious path, people began to question if anyone could determine with certainty the correct path to salvation. Since no one can be sure which faith leads to salvation, everyone should be left alone (within certain limits) to find his own faith. Locke argues that belief in Christianity is “faith and not knowledge; persuasion and not certainty.”⁸ This leads to the familiar pragmatic argument: since different people will find different religious truths, state control of religion does not lead to order but to resistance. We cannot be sure which is the right religion, and religion need not have a public space, so the state can simply disengage itself from religion. What unites the “things indifferent” and skeptical arguments is the prominent role they give to individual conscience. People should be able to follow their conscience in religious matters since practices are not very important and we have no way of knowing for certain which religious beliefs are actually true.⁹

With religion now viewed as a matter of conscience by liberals, religion became a private matter. Though it took time for this to occur after the Reformation, Christianity was made more orderly and more private: “There was a shift from a religion that often went out of doors on pilgrimage and procession to an indoor one; from the sacral and churchly to the familial and domestic.”¹⁰ As Protestantism defined religion as a private matter, liberalism developed its doctrine of religious toleration—religion could be tolerated, because

it was now a private matter. The liberal conception of public and private has its origins in the (eventual) Protestant conception of privatized religion.

Internal Toleration

Practices may have been thought indifferent by many, but many tolerationists assumed that belief in Christ was important. Early modern skepticism focused on the particular ways to express one's faith, not on faith itself. Since non-Protestants would not use toleration to read the Bible as the individual conscience saw fit, there was no need to tolerate (some of) them. Conscience here does not yet mean choice: that one should interpret the Bible according to one's conscience does mean that one believes (or disbelieves) how one chooses; one might feel compelled by one's conscience to read the Bible a certain way and live accordingly, though one might want to choose to act differently if not constrained by conscience and the Bible. The Protestant roots of liberal toleration made early liberalism more internally tolerant among Protestants than of non-Protestants. Internal tolerance means that those tolerated have the same general conception of religion, even if there are differences in some of the details. Early liberal toleration was not always externally tolerant: atheists, pagans, and Catholics were not tolerated by John Milton for example, while Locke excluded atheists from toleration and perhaps Catholics.¹¹

What is true in theory is also to some degree true in practice: it took some time for Catholics and Jews to gain equal liberty in Britain, for example. In theory and in practice, liberalism became more tolerant of non-Protestants as the nineteenth century wore on.¹² By the time of the Enlightenment, and then of John Stuart Mill, freedom of conscience is shorn of any specific religious purpose by most liberals. Yet liberty is still conceived of in terms of conscience by liberals like Mill. This still limits liberalism's external toleration: liberalism will tolerate non-Protestants, as long as they conceive of their religion as a matter of individual conscience and privatized practice. Religious practices that are social, public, or both bedevil liberalism, an argument I expand upon below.

Many scholars have noted the role that Christian belief (and Christian skepticism) played in early arguments for toleration. John Dunn notes that Locke aimed his arguments at a Christian audience; Dunn also argues that Locke's refusal to extend toleration to atheists is not incidental but fundamental to many of Locke's views. Andrew Murphy notes that those who argued for toleration in early modern England did so in a Christian milieu.¹³ These arguments are right to view liberal toleration as rooted in Protestant-

ism, but do not delve enough into the extent of liberal toleration's reliance on the Protestant structure of religion. The few arguments that do suggest that liberal toleration is a Protestant idea do so very briefly, and without much explanation.¹⁴ Some of the concepts that the early tolerationists used had roots in Catholicism, namely the idea of a organized church that pursues or safeguards religious truth that will enable salvation. But other categories and concepts the early liberal tolerationists worked with—the ideas of individual conscience being important to religion or even being equated with religion, religion as faith or belief, the church as voluntary association—are mostly Protestant ideas.

The Assertion of State Power over the Church

The Reformation left a powerful church, but European states eventually asserted their power over the church, taking away the church's power and reducing its public role, though this process took several centuries. Protestant clergy played an important role in most European weddings after the Reformation. It controlled much of education. Its clergy routinely held political office. Perhaps most important, the church was a large landowner in Western Europe. In England, the monasteries owned anywhere between one-twentieth and one-sixth of all land. In eighteenth-century Catholic European states, the church owned between 7 and 20 percent of all land.¹⁵ With so much land the church had great wealth, independence, and power. Yet by the late eighteenth century, this public presence began its rapid decline. European states increasingly instituted civil marriage, while the idea (and practice) of a national education was more and more popular in Europe, pushing aside the church's traditional role in education.¹⁶ The church's land was taken away, in the Protestant countries after the Reformation, and in the years after the French Revolution in the rest of Europe, as the Revolution legitimized the idea of taking away Church property in the Catholic states. Once religion is conceptualized as a matter of private faith, reducing the church's public role becomes easier.

Churches are not inherently illiberal, of course, and so the degree of illiberalism within a church is a contingent matter. A wealthy and powerful liberal church can help push a state and society toward liberalism. Yet the undermining of the authority and power of illiberal churches is fundamental to liberalism. Taking away the church's land undermined the church's potential subversive role to the state and its policies. To be sure, in both England and France the state did more than take away the church's wealth; the state also actively intervened in church affairs. This intervention faded away over time, but the legacy of taking away the church's wealth is hard to underesti-

mate, since doing so undermined a critical power base of those opposed to much of liberalism.

Exit, Voice, Loyalty, and Church Power

Taking away the church's property did not only help privatize faith and church; it also gave ordinary people a much larger role in church affairs. Underlying liberal religious toleration is the ability, put so parsimoniously by Albert Hirschman, to use exit, voice, and loyalty.¹⁷ Exit, voice, and loyalty works well when the church is a voluntary association, as Locke envisioned. If you do not like your church, or some parts of your church, you can argue for change; if your arguments are not heeded, you can stay despite your misgivings, or you can leave to join another church, start another church, or attend no church at all. The rationale of giving people the choice to leave one's church is of course rooted in the view that religion is a matter of belief—no one should be forced to attend a church that has beliefs one does not share.

By allowing members to press for internal reform or to start their own reformed congregations if they dislike their church, the traditional hierarchical structure of Christianity can be changed or ignored. Protestants who dislike their church, and who find their pleas for change ignored, can leave for another Christian church. (While Pope Gregory XVI thundered against liberty of conscience as late as 1832,¹⁸ Catholics are now able to readily leave their church, while others stay to voice support for reform in ways that were rare before the twentieth century.) The possibility of exit also gives members voice, especially since members are important sources of financial support for churches. If too many members leave a Christian church, it will fade away. Church hierarchies cannot ignore persistent calls for change by a significant number of members without risk, since without the financial support of their members, many churches cannot exist.

II. HINDUISM, SOCIAL RITUALS, AND TOLERATION

Hinduism

Unlike most versions of Protestantism, Hinduism is practice-based, inegalitarian, and allows for exit only with great difficulty, if at all. Hinduism, lacking a creed or central tenets of faith, is concerned with rituals and practices, many of which are social, though some are practiced by individuals.

What I mean by social rituals and practices is that they are practiced with others, be they family members or community members. Not every ritual is social—some rituals, like giving offering to deities, can and are practiced both socially and in solitude. Hindu ritual orders life; it regulates social relations, birth, marriage, and death. Hinduism is concerned with legitimizing hierarchical social relationships and mollifying deities, not with faith or belief. A Hindu “may be a theist, pantheist, atheist, communist and believe whatever he likes, but what makes him into a Hindu are the ritual practices he performs and the rules to which he adheres, in short, what he *does*.”¹⁹ Religious affiliation is not a matter of belief—the Hindu can believe whatever she likes—but of social belonging.²⁰ You can decide that you will not give offerings to a particular Hindu god; you can even announce that you do not believe that the Hindu deities exist, and still remain a Hindu. You can celebrate Christmas and remain a Hindu or you can pray with Muslim Sufi saints and remain a Hindu, as many do. Since Hinduism, like many Asian religions, has no doctrine to keep pure, it easily incorporates rituals of other traditions within it (though leaving behind certain practices is another matter). Some rituals aim at explicit goals—to keep a deity happy, or perhaps to gain some material benefit—but other Hindu rituals like reciting mantras may have no meaning behind them.²¹

Hinduism does have texts, but unlike the Western religions, it does not have one central text. Different Hindus take inspiration from different Hindu texts; some Hindus ignore them all. While some Hindus point to certain texts as Holy Scriptures, there is no settled agreement on this matter. Hinduism also lacks any kind of formal organizational structure: there is no church hierarchy like in many Christian religions. While individuals pursue salvation in Hinduism, there are different ways to do so; and while the pursuit of salvation may be important to some Hindus, its pursuit is not what marks out one as a Hindu in the way that social rituals and practices do. Hinduism is much more diffuse than Christianity, with some scholars arguing that Hinduism historically is better seen as several religions, that became viewed loosely as a unified entity as it encountered other religions.²² Hinduism is not a voluntary association like Christian churches are, with members and nonmembers. Rather, people are born Hindu; leaving Hinduism is quite difficult.

External Toleration

As a syncretic religion, Hinduism is quite tolerant of other religions. If you are not a Hindu or descended from one, then Hinduism makes few claims on you. Hindu practices and rituals are for Hindus; at times non-Hindu can

join in these practices, but Hindus rarely if ever feel a need to compel others to join in their rituals. Unlike Christianity, Hinduism makes no claim to know one singular Truth, and so does not look at non-Hindus as eternally damned. More than Christianity for much of its existence, Hindus can readily accept that there are different legitimate ways to show fidelity to the gods. The pre-Reformation Church insisted that most everyone profess to be a Catholic, while it marked out non-Catholics as dangerous in various ways. By contrast, a lack of central authority and a lack of pretense of a singular truth, has enabled Hinduism historically from fighting religious wars on the scale of the European religious wars. Hinduism's emphasis on social practices means that it historically also has little problem with other communities emphasizing adherence to their practices. This is not to say that Hindus have never fought members of other religions, but it is to say that these wars were infrequently over religious doctrine, or an insistence that religious uniformity was crucial to political order.²³

Hinduism's lack of a unitary truth highlights an important difference between it and Protestantism. Most Protestants now think that everyone should be able to choose their faith; they also think each faith should be able to try to persuade others that their view of Truth is correct. Hinduism, however, lacking Protestantism's views of Truth, conscience, and salvation, historically did not proselytize. There was simply no need. Yet the attempt by British missionaries to convert Hindus in the nineteenth century caused an uproar among many Hindus, with many Hindus still viewing Christian missionaries with suspicion and even hatred. At the center of this clash are really competing conceptions of religion. Hindus respect that everyone is born into a different religion, do not try to convince others of the superiority of Hinduism, and wonder why Christians cannot do the same. Attempts to outlaw missionary work in India has failed, but the Hindu confrontation with Christian missionaries has often been an unhappy one.

Hindu toleration, or what I call external toleration, allows other groups to live by their religious practices.²⁴ Individual autonomy or equality does not play a central role in this toleration. Though Hinduism can be quite externally tolerant, Hinduism is not internally tolerant, and allows other religions to be internally intolerant as well. Hinduism is tolerant of some kinds of diversity: how and if you pray, what deities you pray to, how you pursue salvation, and so on are all a matter of choice within Hinduism. These are surely important matters, but some of Hinduism's central social practices—mostly but not only caste—are hard to escape. Hinduism's social practices usually retain people in an inegalitarian structure that undermines liberty and equality for many of its members, particularly women and untouchables, and often

lower-caste members. An internally tolerant religion allows its members to leave and pursue their life plans and projects unshackled by the religion's dictates. Such a religion may insist upon a hierarchy within itself, but it does not insist that people must belong to it, and give up equality or liberty or both. Internal tolerance is thus crucially linked to liberty.

The term internal intolerance in the Hindu context may seem odd, since Hinduism doesn't insist on uniformity of belief. Yet it does insist upon some conformity to social practices. It is this split between faith and practice—or the relative unimportance of the former—that makes the idea of toleration an awkward fit when speaking of Hinduism. The linguistic problem mirrors the conceptual problem: the idea of toleration in liberal societies is linked to the privatization of religious belief and practice. The main problem within Hinduism is not warring religious factions like it was in Western Europe, but liberty and equality within Hinduism. I used the term internal intolerance reluctantly, but also purposefully, since some scholars romantically look at India's historic tolerance. It is important to note that this celebrated tolerance is limited (and perhaps exaggerated).²⁵ Some Indian intellectuals are frustrated at the religious violence and tension that permeates parts of India, and argue that the problem is the Indian attempt to copy Western secularism. They want to reach back into Hindu and Indian traditions to refashion—or perhaps resurrect—toleration in India, instead of following down the foreign liberal path. Ashis Nandy remarks that it is not modern India but traditional India that “tolerated Judaism in India for nearly two thousand years, Christianity from the time before it went to Europe, and Zoroastrianism for over twelve hundred years.” Nandy is right to suggest that religious communities in India have “known to live with one another.”²⁶ This tolerance is clearly quite admirable, but this tolerance of other religions is too easily romanticized, since it did not translate into liberty for members within each community. The different religious communities all had their own rules, and each person had to be a member of one of these communities—or be a social outcast without community or property—and follow the community's rules. The traditional Hindu tolerance of Judaism, Christianity, and Zoroastrianism did little to help lower-caste Hindus and untouchables, and women in all of the religions. The traditional tolerance of Hinduism is very impressive, particularly when compared to historical Christianity, but this is a limited external tolerance that does little to help the oppressed within communities. Yet this hardly means that Western secularism can be plopped onto India and be expected to work seamlessly. The objection that Nandy and others make to importing Western secularism cannot readily be dismissed.²⁷

The Difficulty of Individual Exit

The Christian allows his beliefs to determine his church, but it makes little sense to say the same thing about Hindus. There are Hindu temples, but there are no congregations or formal services; caste Hindus (those who are not an untouchable) attend a temple when they like. Catholicism was easier to reform than Hinduism because it had a clear organization. Christian reformers had a clear hierarchy to criticize and attack, an advantage that Hindu reformers lack. The lack of a Hindu organizational structure means that exit, voice, and loyalty does not work in Hinduism, since the exit option can only be exercised with great difficulty, if at all. Without exit, the exercise of voice becomes much less powerful. The classic liberal response to a Hindu Dalit (untouchable) who is angered by his inability to enter the inner sanctum of a Hindu temple is to simply join another church that does not discriminate. In India, though, before laws outlawing discrimination in temples (and, in many places, even after these laws passed), almost every Hindu temple practiced discrimination.

Many rulers and wealthy people in India traditionally built and then endowed temples, usually with either jewels or land, and then turned them over to the Trustees. (Even some idols within temples are endowed.) The Trustees, who often bequeath their positions to their descendants, then used the endowments to run the temples. The endowments enjoyed by Hindu temples means that a Hindu leaving his religion has no financial consequences for Hinduism, since there is no religious hierarchy that needs financial support from its members. A Hindu who refuses to attend a temple or participate in the festivities it supports does not hinder the temple's leaders to do as they wish. The trustees of temples are usually upper-caste Hindus who have a stake in maintaining a system of discrimination against lower-caste Hindus. In villages most everyone knows everyone's caste (the majority of Indians live in rural areas); one's caste is less visible in the larger cities, but since names are often a marker of caste, here too caste is hard to escape.

The problem for Dalits is not just one of temple entry, but one of pervasive discrimination that drastically undermines their life chances. While some argue that the caste system is not really a part of Hinduism, but Brahmanism or Brahmanic Hinduism, there is little question that caste exists today and has for some time.²⁸ Once again, exit would seem to help solve the problem of caste: if one does not like being a Dalit, one can convert to a different religion. The problem with this solution is not the angst that one must choose between equality and one's identity. The problem is that caste usually follows Hindus, even when they convert to the religions that are furthest from them, Christianity or Islam.²⁹ (Hinduism is closer to Jainism, Sikhism, and Buddhism; and in

fact under Indian law these religions are considered to be Hindu.) Making exit even more unattractive is that Hindu Dalits are eligible for affirmative action, but those who convert are not supposed to be (though they are sometimes in practice), even though they often face discrimination for being a Dalit after conversion. Moreover, India is a Hindu dominated country, with non-Hindus sometimes facing discrimination. A Dalit converting to Islam or Christianity may then face even more discrimination than as a Dalit and as a non-Hindu, making exit unattractive. Exit, though, is not without any attractions, and there are some Hindus who do convert to Islam and Christianity (particularly in concert with others), to the consternation of many Hindus, who find this threatening to Hindu unity and power. The number of conversions remains a relatively small number, however.

A less direct way of contributing to illiberal practices is the way Hinduism supports patriarchy. There are thousands of Hindu temples all over India. Some are small, ramshackle affairs, but others are large, ornate, and wealthy. Most temple trustees are rather traditional, and play a role in upholding illiberal values in India, partly by denying temple entry to Dalits, though the law declares such discrimination illegal.³⁰ Hinduism traditionally approved of child marriages and forbade widow remarriage—even if the widow was a child who never lived with her husband. Though these practices are now frowned upon by the state, and are less prevalent than they once were, they still persist in rural India. Legal reforms in the 1950s gave daughters considerable legal rights to inherit property from their fathers (though still not quite equal to their brothers), but it's more common than not for sisters to cede their inheritance to their brothers. Since property is often the key to independence in rural India, the impotence of this law undermines women's independence. That women tend to be less literate and educated than men makes them more susceptible to pressure from their brothers than they otherwise might be.³¹

Temple wealth does not cause women to give up their property rights. But wealthy temples that want to sustain traditional practices do so with power and prestige. They contribute to a web of patriarchal practices that help to keep women subordinate to men, and Dalits and lower castes subordinate to the upper castes. The public festivals they organize gives upper castes a leading public role. Temple endowments also make some upper-caste Hindus rich, and give them direct authority over lower-caste Hindus who work the land owned by the temple.

Hinduism's Public Presence

There are many public festivals and pilgrimages in India, with some lasting several days. Some of these festivals are large public celebrations for Hin-

dus, though sometimes others join in; and some festivals are led by Muslims and Christians. These festivals necessitate public involvement: when a small village is host to one million visitors (or more) in a span of a few days, public officials are needed to maintain order, and provide an array of services. More important, these festivals are often caste ridden: some festivals and pilgrimages are led or celebrated by certain castes, while others are clearly led by members of the upper castes, or have special roles for Brahmans or other upper caste members.³² Some festivals are paid for by wealthy members of the community; others are organized and led by temples. In either case, the patron is often an upper-caste member.

Caste is also a political matter in India. Political appeals are commonly directed toward certain castes. Affirmative action for caste tries to undermine the penalties that discriminated castes face, but also reinforces caste. Sometimes there are attempts at removing a jati (birth group) from affirmative eligibility when the jati becomes economically well off.³³ But then the jati usually has the political leverage to undermine any attempts to remove them from affirmative action eligibility.³⁴ Of course, caste permeates private life in many ways. Mixed caste marriages are rare, at least those from different varnas (kind or order). Caste regulates who will eat in whose home. Caste plays a large role in death, as a certain caste presides over the ceremony after death, while other castes are in charge of taking care of the body at certain stages.³⁵

III. LIBERAL TOLERATION AS A SECTARIAN DOCTRINE

One way to see the differences between Protestantism and Hinduism is to look at how Protestant assumptions inflect the work of contemporary Western scholars. The truth claims made by Christianity infect John Rawls's work. Rawls argues that one mark of the unreasonable is that they "insist that their beliefs alone are true." What people need to do, Rawls maintains, is to realize the impossibility of reaching agreement on the "truth of comprehensive doctrines." The key question of political liberalism, according to Rawls, is, "How is society even possible between those of different faiths?"³⁶ Rawls aspires to develop a just society where people have different faiths and sometimes competing visions of the truth. Rawls's starting point is the wars of religion that began after the Reformation, and states that the historical origins of liberalism is the "Reformation and its aftermath," where "the modern understanding of liberty of conscience and freedom of thought began."³⁷ Yet clashes over religious truth have not characterized Hinduism. Indeed, internal Hindu society is riven by divisions, but these divisions have not histori-

cally been the cause of tremendous violence, nor are they based on truth claims. Since few Hindus think their beliefs alone contain the truth, there are no unreasonable Hindus by Rawlsian standards, a finding that many lower-caste Hindus in India would find quite surprising. One of the key problems within Hinduism is its caste hierarchy and its gender discrimination, but since much of this discrimination is not state sanctioned or protected—it is not a matter of public reason—it is not clearly something that Rawlsian liberalism can view as a problem that is cause for state action. More to the point, the language Rawls uses to describe the problem of liberalism—the language of faith, belief, and truth—is a Protestant language that does not fit Hinduism.

Rawls may not care that his theory only fits the West, since he has declared that his doctrine is political, not metaphysical.³⁸ Further problems arise, however, when scholars take the liberal and Protestant assumptions to non-Protestant places. The differences between Protestantism and practice-based religions like Hinduism are large enough to make it difficult to simply suggest that societies with these religions should accept liberal toleration in their societies. Donald Smith—who wrote the still dominant work on India, religion, and secularism in 1963 and understood quite well the differences between Protestantism and Hinduism—argued in good liberal fashion that the secular state should not interfere with religious matters. Religious reform, he declared, “should never be the motive behind state legislation.” Yet Smith wanted some reforms of Hinduism, and agreed with a few of the reforms already instituted by the state. He justified them by arguing religious reforms by the state are valid only if they are the incidental results of the “state’s protection of the public in cases where religious practices clearly tend to injure human beings physically or morally, where religious institutions grossly misuse offerings and endowments made by the public, or where social institutions connected with religion violate basic human rights.”³⁹ Smith’s argument is woefully cramped by his attempt to justify India’s reforms of Hinduism within a liberal framework. It is quite hard to argue that these changes were made without intending religious reform. Smith’s idea that a religion can be reformed because it morally injures others is simply too vague, since one could argue that many religious practices morally injure others.

This raises fundamental questions about how universal liberalism is and can be, or if it can be universal only by making other places more Protestant. When the question arises: “Can Liberal Pluralism Be Exported?” the answer will differ if the receiving country of this export is in Eastern Europe or in South Asia.⁴⁰ The non-Protestant nature of Hinduism raises far-reaching questions about the applicability of liberal toleration to India and other coun-

tries dominated by non-Protestant religions. What I want to show in the rest of this essay is that religious toleration cannot readily be applied in non-Protestant settings without, at the least, considerable awkwardness.⁴¹ Sometimes there is no obvious way to apply religious toleration, while often times religious toleration will mean undermining other liberal values.

IV. THE BOUNDARIES OF RELIGION

Protestantism—and liberal toleration—conceives of religion as something that is orderly, easily privatized and compartmentalized. The line between what is religious and what is not may not be completely stark in Protestantism, but it is reasonably clear, and it typically maps onto the standard liberal conception of public and private—or rather the public and private distinction in Protestantism defines the liberal conception. There are, certainly, some differences in liberal toleration in Western states, as some states have official churches and others do not, for example. Yet these changes are all compatible with the idea of religion as a privatized matter, since official churches rarely have more than a vague ceremonial role in the Western states. By privatizing religion, liberalism softens the tensions between traditional religions and other liberal values, like autonomy and equality. Liberal toleration assumes a religion that may try to persuade people of the importance of obedience or inequality, but does little more than that. The tension between religious toleration and autonomy and equality, however, remains vigorously at the surface with religions where obedience and inequality are immanent in its many social practices that move between public and private, or refuse to be categorized as one or the other.

The issue of religion's boundaries and the tensions between toleration and other liberal values arises in Will Kymlicka's argument that Native American tribes should allow members to choose their religion. Tolerance, Kymlicka argues, means allowing members of the group freedom of conscience and a commitment to autonomy without penalty.⁴² Kymlicka recognizes that certain tribes like the Pueblo want to discriminate against their Christian members, which he views as a violation of individual rights. Kymlicka also, however, wants to protect minority cultures. To get out of this dilemma Kymlicka argues that the Pueblo would continue to exist even with an organized Protestant minority.⁴³ (Though Kymlicka thinks that the Pueblo should embrace individual religious liberty, he does not think the state should impose it upon them.) If religion is a matter of private faith, then it hardly matters if some tribal members are Christian or not. But members of practice-based religions often worry that if some members of their group do not prac-

tice their rituals, then their Gods will become angry and punish them. Their rituals often reinforce their social structure and hierarchy. These rituals are public; privatizing religion may have dire consequences in the eyes of their advocates. If people opt out in the name of conscience, they may threaten the social structure of the society. Since Christianity is an exclusive-truth-claiming religion, it does not always countenance its members being both Christian and members of tribal religions. Moreover, in the struggle between a missionizing and a nonmissionizing religion, the latter has good reason to worry about its survival, particularly if it is a small minority. (Whether the Pueblo ought to maintain their way of life is a different issue.) Similarly, in many non-Christian religions rituals to please the dead are important to maintain the social harmony of the society. If these rituals are not maintained, which may be public and social, the consequences may be (perceived to be) lethal.⁴⁴ If religious toleration means allowing the Pueblo to live by the religious traditions and rules, then toleration will interfere with equality, as Christian Pueblos (who may be tolerated) face discrimination. Religious toleration could also be interpreted to mean that the Pueblo ought to treat Christians more equitably, but this would mean changing the Pueblo religion to do so. The point I want to emphasize is because the Pueblo religion is conceptualized quite differently from the Protestant conception of religion, liberal toleration simply does not fit the Pueblo very well.

The issue of religion's boundaries arise in the West with traditional Judaism and Islam (and some evangelical versions of Christianity), which have some elements in common with Christianity—faith, Holy Scriptures, and a hierarchical structure of sorts—yet each is also marked by a variety of practices. Tensions between liberal toleration and traditional Islam and Judaism arise because they are communities with practices that undermine autonomy and equality. These tensions become acute with the issue of schooling. Some religious Jews and Muslims argue they need separate schools from others in order to maintain certain practices: to ensure that kosher food or halal meat is eaten, communal prayers during the school day are conducted, and separate classes for boys and girls are held. Yet many liberals worry about such schools on diversity grounds: isn't it better to have children in common schools, where they will learn from another, and perhaps enhance their life choices? The orthodox Jewish and Muslim (or fundamentalist Christian) retort is that common schools are really secular schools, where the options are biased in a secular way. The orthodox argue that their religion must be practiced, and not just at home, but throughout the day. These practices cannot thrive in a common school, where religion is not lived, but at most studied. Few liberals object to people joining traditional religious communities,

but they often want to ensure that it is the individual's conscience, and not the pressure of the group, that dictates the religious choice. Much of the weight of the liberal argument presumes, however, a readily privatized religion, which is true for mainstream Protestantism, but not for other religions. To the extent that some liberals want to interfere with these religious groups to ensure that individual choice is assured, the external tolerance of at least some versions of liberalism is limited.⁴⁵

Beyond the issues of equality and autonomy (which I return to in the next section), the boundaries of religion also arise when a religion wants to take on a public face in a Western liberal democracy. The debate about whether Muslim schoolgirls should be allowed to wear headscarves in schools in France is not unique, since head coverings are a common part of practice based religions. Sikhs want to wear their turbans on motorcycles and at construction sites instead of hard hats; religious Jews want to wear yarmulkes in the U.S. Air Force. One could object that some of these examples really fall under the rubric of safety or military regulations, that have become more important with the rise of the regulatory state. While this is true, these safety and military regulations assume that religion has little effect on what one wears—they assume that religion is a private matter. By contrast, the Israeli military does not ban yarmulkes, while Sikhs wear their turbans whenever they want in India.

In Israel some orthodox and ultraorthodox Jews want to live in villages or neighborhoods where no one drives on the Sabbath. The Sabbath is supposed to be a day of tranquility, which can readily be ruined by the buzz of cars zooming here and there. Some argue that practicing their religion means banning cars in their neighborhoods (which is what happens in some places in Israel). Secular Jews often want to drive on the Sabbath of course, and argue that toleration means allowing them to drive where and when they wish. The idea of liberal religious toleration does not, in this case, resolve this issue, because the religious issues at stake take place in the public realm.

The issue of cow slaughter in India also raises the issue of religious boundaries. Many Hindus view the cow as holy and want cow slaughter banned in India. (Cow slaughter is banned in many but not all Indian states.) The liberal doctrine of religious toleration, however, does not allow a practice to be outlawed because one finds it offensive. John Locke's example is indeed the slaughter of a calf: "But indeed if any people congregated upon account of religion, should be desirous to sacrifice a calf, I deny that that ought to be prohibited by a law . . . for no injury is thereby done to any one, no prejudice to another man's goods."⁴⁶ Only if there was an urgent need to build up cattle stocks, Locke says, can cow slaughter be prohibited. Locke's gen-

eral argument that we should ignore the practices of others works quite well if you view religion as a matter of faith, but not if religion is mostly a matter of practice.

The issues raised by practice-based religions do not spark a clear liberal response, since they are outside the traditional scope of liberal toleration, and so instead cause some hand-wringing, and a considerable amount of muddling through by liberals. Still, one could argue that in many of the above examples the liberal state could insist that toleration be predicated on the privatization of the religion. The Pueblo can be forced to treat Christians within their community as equals, Jews and Muslims given little or no rights to their own schools (or given no public funds for them), people given the freedom to drive their cars anywhere on the Sabbath, and cow slaughter can be legalized. On this account, liberal toleration is an internal toleration: religions are tolerated as long as they are conceptualized much the same way as Protestantism is. Once the religion is Protestantized, the state can for the most part disregard it. This argument, even if we accept it, shows the limitations of liberal religious toleration. Yet even if liberals argue that the state should push all religions to become more like Protestantism, this would not solve all the problems that religions with social practices like Hinduism pose for liberal toleration. Sometimes the state cannot force a religion to become privatized, or cannot do so without purposefully transforming the religion in far-reaching ways. Hindu practices will make liberals choose between religious toleration on the one hand, and equality and autonomy on the other.

V. REFORMING HINDUISM?

Liberal toleration is a sectarian doctrine. It also arose in a specific historical context that allowed the state to reduce the public presence of religion. These are two separate matters, but once Protestantism changed the nature of religion from a public to a private matter, the religious reasons for maintaining religion's public presence faded. One way to slow down the way Hinduism undermines liberal values is to decrease its power by replicating the European state's assertion of its authority over Christianity. Indeed, some changes were made to Hinduism in the name of liberalism by the Indian state and its predecessor the British raj. The British outlawed the practice of sati (widow burning), which mostly faded away in India. In many parts of India, there was a tradition of dedicating young women (the devadasi) to Hindu temples, who were often considered to be married to the Gods (sometimes at a young age), who danced and sang in the temples and in religious processions. This tradition degenerated by the nineteenth century, and some of the

women ended up working for the temple's trustees as prostitutes. Animal sacrifices were also common at Hindu temples. These last two practices particularly offended Hindu reformers, who led the mostly successful charge to ban them in preindependence India.⁴⁷

The changes that independent India made to Hinduism in the 1950s, however, were less successful than the changes made by the British raj. India outlawed polygamy for Hindu men (though not for Muslims); made discrimination against Dalits in most settings, including Hindu temples, illegal; and changed Hindu inheritance laws to give women more of a chance to inherit property. The state now oversees the trustees of temple endowments, to ensure that the money is spent appropriately. Many women still do not inherit property, however; many Dalits are still prevented from entering temples and face considerable discrimination generally; and oversight of temple wealth only works in some places.⁴⁸

The British reformed parts of Hinduism that already had limited support among Hindus, enabling the British reforms to be relatively successful. India, though, had the harder task of trying to get rid of practices that were deeply entrenched with wide public support. Another reason, however, why India could not gather enough public support for a more robust successful reform of Hinduism was the ever-present specter of colonialism. While in Europe it was the old order—the feudal system and the church—that was viewed as the enemy of progress and freedom, in India the enemy in the latter half of the nineteenth and the first half of the twentieth century was colonialism. Some Indian nationalists wanted to both push the British out and reform Hinduism, but others argued that retaining Hinduism's traditional practices was part of retaining a distinctive Hindu identity. Nationalism and Hinduism became intertwined in ways that were hard to undo.⁴⁹ In any case, the energies of most Hindu activists and intellectuals were aimed primarily at the national struggle, even if they agreed in principle with the idea of reforming Hinduism. Future democratic political communities can more readily ignore constitutional and philosophical restraints when they are national liberation movements than after the state is firmly established. Before and around independence was the time when India could be less devoted to all the ideals of liberalism, but as the years after independence passed, the Indian state and its commitment to some version of liberal democratic principles became more established, and it could not ignore religious toleration and religious freedom so readily.

The differences in Indian and European history are empirical of course, but India's encounter with toleration as a democracy raises conceptual issues, since it had to balance the liberal ideals of autonomy, equality, and religious toleration when faced with Hinduism and its lack of internal toleration. In

Europe, however, the state asserted its authority over religion before liberal principles became firmly settled, so many European states did not have to do much balancing between toleration and other liberal values. With Protestantism conceptualized as mostly a private affair, religion's interference in liberal values became manageable over time in Western democracies, as religion became privatized in practice as well. There is no reason to think that India is merely lagging behind in relation to the European model of modernization, and that one day the Indian state will assert more forcefully its will over religion. While this may happen one day (though certainly not in the foreseeable future),⁵⁰ the principle of religious toleration will make it harder if not impossible for India to assert the liberal values of autonomy and equality over toleration with finality. Since the principles of liberal toleration are based on Protestantism, applying liberal toleration to India can only be done awkwardly at best. This is starkly seen with the issues of temple discrimination and temple wealth.

Around the time of its independence, the Indian Parliament discussed the issue of outlawing discrimination within temples. Making such discrimination illegal clearly violates religious freedom and toleration. Most Western countries do in fact allow churches to discriminate, an allowance which follows the ideas of liberal toleration since at least John Locke, who argued that churches are voluntary associations that can determine their own membership. If these Western liberal countries tolerated churches that discriminated, why couldn't India do the same with Hindu temples? Nehru and others argued that discrimination against Dalits was a backward practice that was also against liberal and democratic principles. Liberalism, however, does not usually insist that churches act "progressively," only privately. One could argue that liberty means allowing the Dalits to enter temples and their inner sanctums—as India mandated—but this is a violation of liberal toleration. A good contrast is with the Church of Latter-Day Saints (LDS or Mormons), which officially discriminated against black Americans for much of its history, preventing any from becoming priests. The head of the Mormon church had a revelation and reversed this view in 1978. He was almost certainly responding to social pressures to do so, but it is doubtful that the U.S. government would have passed a law insisting upon equality within the LDS church.

The reason why liberal toleration cannot readily be applied in the case of Dalits and Hindu temples is that the underlying liberal assumptions of what constitutes a religion do not apply to Hinduism. Locke certainly tolerated churches that discriminated, but he assumed that churches were voluntary associations with exit readily available. With exit from the LDS church (or nonentry) a viable option for black Americans, they could choose or con-

struct places of worship where they were more welcome, and so government interference was not needed. The same, of course, cannot be said for Dalits in India.

Perhaps inevitably, with temple discrimination made illegal, it was the upper castes that tried to exit from Hinduism. In the 1950s, a group called the Satsangis asked the courts to find them to be non-Hindus, a finding which would enable them to discriminate against Dalits. The Indian Supreme Court declared that it was impossible to define Hinduism, but then fashioned a definition that included the Satsangis as Hindus.⁵¹ The danger of allowing the Satsangis to define themselves as non-Hindu is clear: if they can escape the antidiscrimination laws by doing so, then presumably others will follow. Yet the alternative is to have the Indian courts tell people what religion they practice, certainly an unorthodox liberal stance. The general Indian court strategy in religious cases is to interfere in religious practices for the sake of equality or autonomy, except when doing so means interfering in core religious practices. Defining what is and what is not essential is a difficult and risky project, putting the courts in charge of defining the different religions in India while also essentializing religion.

The awkwardness of toleration also comes through with the issue of temple wealth. When temples are wealthy, numerous, and controlled by people with an interest in maintaining patriarchal and inegalitarian practices, one effect of religious toleration will be to undermine equality. This issue was solved in Western liberal democracies with the confiscation of large amounts of church land before liberal principles were firmly established in these states. Since religion became mostly a matter of individual conscience in the West, there is no obvious need for churches to have considerable wealth. Hindu temples are places where individuals come to pray when they wish, but some temples also play important roles in public celebrations and festivals. Some temple wealth was used for religious purposes, but much of it was misused by temple trustees. The Indian state was faced with the issue of temple wealth: should India, a poor state, allow for this wealth to be used as trustees wanted, or should it ensure that it be used properly?

India regulates temple wealth, though only with some success, to try make sure that the money is spent properly; some of the income of wealthy temples is diverted toward charitable projects. This is a large entanglement with religion, however, that is hard to conceive of in the West. One could say of course that if trustees wastes a temple's money, it is none of the state's business, just as if a church waste its money in a Western country, the state has no reason to intervene. Yet the church-temple analogy breaks down, since churches usually have congregations to answer to, and from which money must be raised, and since much of Christianity's wealth was confiscated by protoliberal or

preliberal states in the West. In other words, the liberal idea that church wealth is not something to be tampered with arose in a particular historical context and with a particular idea of the church as a voluntary association that is not replicated in India. That India is a poor state adds to the state's concern about what it considers to be unneeded or wasted temple wealth.

The public nature of Hinduism has recently emerged as a problem in India. Hinduism's public nature is not an inherent problem—the public face of Hinduism didn't matter much when Christians, Muslim, Jains, Buddhists, Sikhs, and Parsis joined in Hindu festivals and pilgrimages—but these religions, particularly Hinduism and Islam, have turned into political identities with hardening boundaries. And so now the public festivals and pilgrimages of Hinduism are sometimes occasions to assert Hinduism's ascendancy over Islam in India.⁵² Hindu nationalism may not be largely a religious phenomenon, yet the public face of Hinduism does afford Hindu nationalists a ready opportunity to assert themselves. How to calm the stormy waters of *Hindutva*—Hindu nationalism—is beyond the scope of this article, but one could argue that since Hinduism's public presence exacerbates tensions between it and non-Hindu communities, a case can be made to regulate the messages of religious festivals and pilgrimages. Of course, doing so might be seen as violating religious toleration and free speech.⁵³ Determining the right course of action is not easy to decide, because the liberal lens through which we normally view toleration and speech presumes a religion that does not have the many public occasions that Hinduism has to assert its ascendancy.

Finally, there are the difficult issues of caste and gender discrimination, about which the state can only do so much. One thing to do, following Martha Nussbaum and others, is to get rid of coercive and inegalitarian family laws, or at least allow communities themselves to decide upon their family laws in a democratic fashion.⁵⁴ In general, individual empowerment is surely important, as the poverty and relatively high illiteracy rates in India are obstacles to reform.

Empowerment will surely help many women, and it may help caste change, but it is hard to see caste fading from Hindu life any time soon. B. R. Ambedkar, the most prominent Dalit twentieth-century leader, argued that a humane Hinduism would rid itself of caste (Ambedkar eventually gave up on Hinduism and became a Buddhist).⁵⁵ Gandhi, however, argued that caste is an important part of Hinduism and should be reformed to become egalitarian. While a Hinduism without caste has many attractions, it is hard to see this occurring anytime soon. Gandhi's hope to reform Hinduism may be the pragmatic path to take. Since Hinduism is not particularly doctrinaire, it is relatively easy for Hindu offshoots to form. Without a central text or a central

authority to oversee the unorthodox, those who want to deviate from traditional Hindu teachings can do so easily.

Unsurprisingly, Hinduism has many branches: Jainism, Sikhism, and Buddhism are all at least partly Hindu in origin. They all, at least officially, reject caste. There are also many small sects that have tried to depart from some Hindu teachings, some of which reject caste.⁵⁶ The advantage of (some) Hindu sects and offshoots is clear: by rejecting caste, they offer the promise of a more egalitarian Hinduism. Yet, as I've argued, caste often follows those who leave Hinduism. This is not endemic to these other religions or sects, however; the existence of caste in religions and sects in India is testimony to the inertia of a ubiquitous social practice. Caste is less rigid within Hindu offshoots than within Hinduism itself, but even within Hinduism it has changed. Caste is now seen as more flexible than before; jatis can change their character, and can move up in rank. This change may partly be due to modernization and economic changes in India. Sometimes a jati moves up in rank through internal reform: by becoming vegetarian, or by changing occupations. Sometimes a jati becomes wealthy, which then enables the jati to move higher in rank. This jati flexibility should be applauded and encouraged, though the problem of jatis moving up in rank is that it may mean that they are moving ahead of another jati. Movement of jatis still leaves some behind and some ahead. But this is also true in the West: some people move out of poverty, while others fall in it. Western poverty and Hindu caste are not strictly analogous, of course, but a flexible caste system may have some elements in common with Western poverty.⁵⁷ That poverty appears to be endemic in Western societies is hardly cause for cheer, but I do want to suggest that over time caste may come to resemble class in the West, with the difference that ascent and descent from class being a group rather than individual matter.

More and larger Hindu offshoots and more flexibility among castes are important ways to breakdown the rigidity of the caste system. Much of the relative looseness of caste is a result of modernization, urbanization, and economic mobility. It is possible that the state and courts in India could do more to encourage this by accepting Hindu offshoots as different from Hinduism, which may encourage casteless offshoots to escape from caste Hinduism (though one danger in doing this is that upper-caste offshoots will form so they will be able to maintain their discrimination against lower castes and Dalits in the temples). Further, the state could see Jains, Buddhists, and Sikhs as different from Hindus for family law purposes. It could even try to get rid of religious family law altogether, and make adherence to it completely voluntary. Such a proposal is controversial since this would mean a Hindu-dominated legislature would interfere with Muslim family law; given that the

Indian Muslims feel beleaguered by the Hindu majority, such a move may very well reinforce the oppression of Muslims.⁵⁸ This may be more of an eventual goal to try to reach rather than a proposal for imminent consideration.

This suggests that Hinduism's public presence will not easily disappear. Indeed, Hinduism and the state are intertwined through the state's involvement in trying to undermine discrimination and regulate temple wealth. But should the state be doing so? I have argued here that toleration in the West arose in much different historical circumstances and with a different conception of religion than in India, and that liberal toleration is not something that we can expect will fit all societies. It is also the case that the external toleration of Hinduism is not something to be lightly dismissed. While some liberals are wary of any religion that interferes with robust versions of equality and autonomy, the goods that external tolerance can bring—peace between religions and respecting different religious traditions—should not be readily disregarded. A heavy handed state trying to transform a religion to fit the Protestant model, particular in non-Western states, may find peace rather elusive. The religion's adherents may object to this attempted transformation as failing to show respect for their practices, and may react badly and dangerously. Locke's warning that "there is only one thing which gathers people into seditious commotions, and that is oppression" applies to Protestant and non-Protestant religions alike.⁵⁹ If liberals are serious about religious toleration, they cannot simply say it does not apply to religions not made or transformed into the image of Protestantism.

To the extent that internal toleration upholds the liberal ideals of equality and autonomy, it too is valuable. An alternative model to Western liberal toleration, which I can only gesture at here, might be to have internal and external toleration coexist. While they cannot both be maximized, perhaps a compromise can be reached, with each constraining the other. This would mean that state interference in religion is justified only when the threat to equality or autonomy is at least moderately severe. Certainly, the massive discrimination that Dalits face justifies state interference in Hinduism. Closing down a few roads on the Sabbath in neighborhoods where all or almost all do not drive then, however, is a minimal interference with individual autonomy. As long as schools with separate classes for boys and girls affect autonomy and equality only minimally, they can be candidates for state support. Wearing headscarves in a classroom may be part of external toleration, but as long as its effects on autonomy and equality are modest, there is no good reason to ban it. The foregoing examples merely sketch some ways in which internal and external toleration may combine and constrain another. Moreover, the last example suggests that these issues are relevant for both Western and non-

Western democracies. Up until recently, non-Protestant religions have either changed to become privatized in Western liberal democracies, or have remained small enough so their challenge to liberal values was manageable. As immigrants from non-Western states continue to stream into Western liberal democracies, however, this challenge may increase, and this may mean that liberal religious toleration will have to be reargued, rethought, or some combination of each. To do this intelligently, an understanding of the assumptions behind liberal toleration will surely help.

NOTES

1. E. Valentine Daniel, "The Arrogation of Being by the Blind-Spot of Religion," in *Discrimination and Toleration: New Perspectives*, ed. Kirsten Hastrup and George Ulrich (The Hague, the Netherlands: Martinus Nijhoff, 2001), 5; and Frits Staal, *Rules without Meaning: Ritual, Mantras, and the Human Sciences* (New York: Peter Lang, 1989), 415.
2. General histories of toleration include Henry Kamen, *The Rise of Toleration* (New York: McGraw-Hill, 1967); Joseph Lecler, *Toleration and the Reformation*, 2 vols., trans. T. L. Westow (New York: Association Press, 1960); and Perez Zagorin, *How the Idea of Religious Toleration Came to the West* (Princeton, NJ: Princeton University Press, 2003). A history of skepticism, which is closely related to toleration, is Richard Henry Popkin, *The History of Scepticism from Erasmus to Descartes*, rev. ed. (New York: Harper Torchbooks, 1964).
3. See Edward Muir, *Ritual in Early Modern Europe* (Cambridge: Cambridge University Press, 1997); Lewis William Spitz, *The Protestant Reformation, 1517-1559* (New York: Harper & Row, 1985); and Keith Thomas, *Religion and the Decline of Magic* (New York: Scribner, 1971).
4. Thomas, *Religion and the Decline of Magic*, 75-76.
5. My discussion of the Edict of Nantes is based on Mack P. Holt, *The French Wars of Religion, 1562-1629* (Cambridge: Cambridge University Press, 1995), and is also indebted to Richard Dees, "Establishing Toleration," *Political Theory* 27 (1999): 667-93.
6. John Locke, *A Letter Concerning Toleration* (Indianapolis: Hackett, 1689/1983), 38.
7. Lecler, *Toleration and the Reformation*, 502.
8. John Locke, "A Third Letter Concerning Toleration," in *Works* (London: T. Davison, 1801), 144.
9. Of course, not every Christian agreed with this liberal conceptualization of religion. To say that this is now the dominant Protestant view doesn't mean it yields universal agreement among Christians today.
10. J. J. Scarisbrick, *The Reformation and the English People* (Oxford, UK: Blackwell, 1984), 163.
11. John Milton, "A Treatise on Civil Power in Ecclesiastical Causes," in *The Works of John Milton*, ed. Frank Patterson (New York: Columbia University Press, 1932), 19; and Locke, *Letter*, 50. Though many commentators assume that Locke denied toleration to Catholics, Jeremy Waldron has recently argued otherwise. See Jeremy Waldron, *God, Locke, and Equality: Christian Foundations of John Locke's Political Thought* (Cambridge: Cambridge University Press, 2002), 218-23.

12. For the story of how Protestantism gradually loosened its grip in the U.S. in the nineteenth and early twentieth centuries, see Robert Handy, *Undermined Establishment: Church-State Relations in America, 1880-1920* (Princeton, NJ: Princeton University Press, 1991); and George M. Marsden, *The Soul of the University: From Protestant Establishment to Established Nonbelief* (Oxford: Oxford University Press, 1994).

13. John Dunn, "The Claim of Freedom of Conscience: Freedom of Speech, Freedom of Thought, Freedom of Worship?" in *From Persecution to Toleration: The Glorious Revolution and Religion in England*, ed. Ole Peter Grell, Jonathan Irvine Israel, and Nicholas Tyacke (Oxford: Oxford University Press, 1991); John Dunn, *The Political Thought of John Locke: An Historical Account of the Argument of the "Two Treatises of Government"* (Cambridge: Cambridge University Press, 1969); and Andrew R. Murphy, *Conscience and Community: Revisiting Toleration and Religious Dissent in Early Modern England and America* (University Park: Pennsylvania State University Press, 2001).

14. Michael Walzer says this about liberal toleration: "It is a very good way, one that is adapted to the experience of Protestant congregations in certain sorts of societies, but its reach beyond that experience and those societies has to be argued, not simply assumed." This tantalizing thought, however, is left unexplored. Michael Walzer, *On Toleration* (New Haven, CT: Yale University Press, 1997), 4. Gary Jacobsohn discusses the differences between Hinduism and how the U.S. Constitution conceptualizes religion, but he does not look at the differences in terms of liberal toleration. Gary J. Jacobsohn, *The Wheel of Law: India's Secularism in Comparative Constitutional Context* (Princeton, NJ: Princeton University Press, 2003). Marc Galanter also comments on the differences between Hinduism and Christianity, but only briefly. Marc Galanter, *Law and Society in Modern India* (New Delhi: Oxford University Press, 1989), 249-50.

15. C. John Sommerville, *The Secularization of Early Modern England: From Religious Culture to Religious Faith* (Oxford: Oxford University Press, 1992), 19; and Nigel Aston, *Christianity and Revolutionary Europe, 1750-1830* (Cambridge: Cambridge University Press, 2002), 24.

16. William Boyd and Edmund James King, *The History of Western Education*, 11th ed. (London: A. and C. Black, 1975), chap. 10.

17. Albert O. Hirschman, *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* (Cambridge, MA: Harvard University Press, 1970).

18. Encyclical *mirari vos*, 1832.

19. Staal, *Rules without Meaning*, 389.

20. Duncan J. Derrett, *Religion, Law and the State in India* (New Delhi, India: Oxford University Press, 1999), 58.

21. Staal, *Rules without Meaning*, 115-30. Meaningless rituals may still serve a purpose—they may be enjoyable to perform, or help mark out borders within or between communities.

22. Wendy Doniger, "Hinduism by Any Other Name," *Wilson Quarterly* 15, no. 3 (1991): 35-40.

23. C. A. Bayly, *Origins of Nationality in South Asia: Patriotism and Ethical Government in the Making of Modern India* (New Delhi, India: Oxford University Press, 1998), chap. 7.

24. There are some similarities between Hinduism's external toleration and the Ottoman Millet system, which gave Muslims, Jews, and Christians autonomy in religious affairs. Yet the two latter communities were clearly subordinate, and were tolerated as "people of the book." Hinduism's external tolerance is less qualified than the Millet system's tolerance.

25. Bayly, *Origins of Nationality in South Asia*, chap. 7.

26. Ashis Nandy, "The Politics of Secularism and the Recovery of Religious Tolerance," in *Secularism and Its Critics*, ed. Rajeev Bhargava (New Delhi, India: Oxford University Press, 1998), 336.

27. In addition to Nandy, see T. N. Madan, "Secularism in Its Place," in Bhargava, *Secularism and Its Critics*.

28. For the view that what we call Hinduism is really Brahmanism, see Gail Omvedt, *Dalit Visions: The Anti-Caste Movement and the Construction of an Indian Identity* (New Delhi, India: Orient Longman, 1995). The pervasive discrimination that Dalits face is described in Oliver Mendelsohn and Marika Vicziany, *The Untouchables: Subordination, Poverty, and the State in Modern India* (Cambridge: Cambridge University Press, 1998). A good modern history of caste is Susan Bayly, *Caste, Society and Politics in India from the Eighteenth Century to the Modern Age* (Cambridge: Cambridge University Press, 1999). The classic but controversial text on caste is Louis Dumont, *Homo Hierarchicus: The Caste System and Its Implications*, rev. ed. (Chicago: University of Chicago Press, 1980).

29. Intiaz Ahmad, *Caste and Social Stratification among Muslims in India*, 2nd ed. (New Delhi, India: Manohar, 1978); and Donald Eugene Smith, *India as a Secular State* (Princeton, NJ: Princeton University Press, 1963), 325.

30. Mendelsohn and Vicziany, *The Untouchables*, 41.

31. Bina Agarwal, *A Field of One's Own: Gender and Land Rights in South Asia* (Cambridge: Cambridge University Press, 1994).

32. Mark Tully, *No Full Stops in India* (New York: Viking, 1991), chap. 3.

33. Caste is shaped by Jati (birth group) and varna (order, class, or kind). There are thousands of jatis, but only four varnas. Traditionally, the varnas are Brahmins (priests), Kshatriyas (rulers, warriors, landed groups), Vaishyas (businesspeople), and Shudras (servile toilers). Dalits are outside this system.

34. Bayly, *Caste, Society and Politics in India*, 274. See, too, Gurpreet Mahajan's comments on how affirmative action makes it harder to uproot caste from Indian society. Gurpreet Mahajan, *Identities and Rights: Aspects of Liberal Democracy in India* (Delhi, India: Oxford University Press, 1998), 144-46.

35. Jonathan P. Parry, *Death in Banaras* (Cambridge: Cambridge University Press, 1994).

36. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 61, 63, xxiv.

37. *Ibid.*, xxiv.

38. Yet Rawls also states that "I shall suppose—perhaps too optimistically—that, except for certain kinds of fundamentalism, all the main historical religions . . . may be seen as reasonable comprehensive doctrines." Rawls is being too optimistic here. *Ibid.*, 170.

39. Smith, *India as a Secular State*, 233. See the criticism of Smith on this and other grounds in Marc Galanter, "Secularism, East and West," in Bhargava, *Secularism and Its Critics*.

40. This question is asked in the Eastern European context in Will Kymlicka and Magdalena Opalski, *Can Liberal Pluralism Be Exported? Western Political Theory and Ethnic Relations in Eastern Europe* (New York: Oxford University Press, 2001).

41. Most predominately Catholic countries in Europe have become Protestant as they now see religion as a private matter. I unfortunately cannot expand upon this argument here.

42. Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995), 158.

43. Will Kymlicka, *Liberalism, Community and Culture* (Oxford: Oxford University Press, 1989), 196.

44. Tim Mulgan argues that liberal political philosophy cannot account for religions that treat the dead as agents with interests. While I am in general agreement with Mulgan about this, he treats the dead as having the same interests as the living, which is doubtful in many religions. Rather, the dead must be mollified in various ways. Tim Mulgan, "The Place of the Dead in Liberal Political Philosophy," *Journal of Political Philosophy* 7, no. 1 (1999): 52-70.

45. The issues of choice within groups is a matter of controversy among liberal theorists. An argument that contemporary liberalism tolerates too much discrimination within religions is in Susan Moller Okin, " 'Mistresses of Their Own Destiny': Group Rights, Gender and Realistic Rights of Exit," *Ethics* 112, no. 2 (2002): 205-30. The opposite argument, that liberalism interferes too much within religious group life, is in Lucas Swaine, "A Liberalism of Conscience," *Journal of Political Philosophy* 11, no. 4 (2003): 369-91; see also Chandran Kukathas, *Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford: Oxford University Press, 2003). For a variety of views on choice and the right to exit within liberal theory and practice, see the essays in Avigail Eisenberg and Jeff Spinner-Halev, eds., *Minorities within Minorities: Rights, Equality and Diversity* (Cambridge: Cambridge University Press, 2005). A collection of essays that includes considerable discussion on autonomy and religion in education is Kevin McDonough and Walter Feinberg, *Education and Citizenship in Liberal-Democratic Societies: Teaching for Cosmopolitan Values and Collective Identities* (Oxford: Oxford University Press, 2003).

46. Locke, *Letter*, 42.

47. The laws outlawing the devadasi and animal sacrifices are rather dubious from a liberal point of view. The practice of devadasi may have degenerated into prostitution, but that makes the case for reform not abolition. One can outlaw prostitution without making dancing illegal. There may be a case for regulating animal sacrifices to prevent cruelty to them, but this too does not mean outlawing animal sacrifices. Kay K. Jordan, "Devadasi Reform: Driving the Priestesses or the Prostitutes out of Hindu temples?" in *Religion and Law in Independent India*, ed. Robert Baird (New Delhi, India: Manohar, 1993). For an interesting argument on religious animal sacrifices, see Paula Casal, "Is Multiculturalism Bad for Animals?" *Journal of Political Philosophy* 11, no. 1 (2003): 1-22.

48. For the ineffectual laws about Dalits, see Galanter, *Modern India*, chap. 9. For state oversight of temple finances, see Franklin A. Presler, *Religion under Bureaucracy: Policy and Administration for Hindu temples in South India* (Cambridge: Cambridge University Press, 1987). The problems that rural woman face despite legal reforms are described in Agarwal, *A Field of One's Own*.

49. Bayly, *Caste, Society and Politics in India*, 156; Mendelsohn and Vicziany, *The Untouchables*, 95.

50. As I write this, Hindu nationalism is quite strong in India.

51. Galanter, *Modern India*, chap. 10.

52. Prasenjit Duara, "The New Politics of Hinduism," *Wilson Quarterly* 15, no. 3 (1991): 42-49; and Jacobsohn, *The Wheel of Law*, chap. 7. For a general treatment of recent Hindu nationalism see Thomas Blom Hansen, *The Saffron Wave: Democracy and Hindu Nationalism in Modern India* (Princeton, NJ: Princeton University Press, 1999).

53. Germany is a liberal state that has managed to outlaw certain kinds of speech while upholding generally liberal values.

54. Martha C. Nussbaum, *Sex and Social Justice* (Oxford: Oxford University Press, 1999), 116; and Jeff Spinner-Halev, "Feminism, Multiculturalism, Oppression and the State," *Ethics* 112, no. 1 (2001): 84-113.

55. Mendelsohn and Vicziany, *The Untouchables*, 111-17. There is a large debate about caste and its role in Indian society, but almost all scholars agree that caste continues to persist, even if the nature of caste changes, and even its role in the urban elite is less pronounced than in other segments of society. (India remains largely rural.) See the essays in C. J. Fuller, *Caste Today* (Delhi, India: Oxford University Press, 1996).

56. One well-known sect is the Arya Samaj, which arose in the nineteenth century partly in response to Christian missionary activity. The Arya Samaj declared that there was one God, wanted to get rid of idolatry, caste, child marriage, Brahmanical claims of superiority, pilgrim-

ages, horoscopes, the ban against widow marriage, death rituals, and food taboos. The movement argued that there were certain texts that were central to Hinduism—the Vedas—and wanted a rationalistic monotheism. They also developed services with a Vedic fire ritual, hymns, and a lecture or sermon. They embraced proselytization. While these changes are clearly influenced by Christianity, it is also the case that they can lead to a more egalitarian Hinduism. Kenneth W. Jones, *Arya Dharm: Hindu Consciousness in 19th-Century Punjab* (Berkeley: University of California Press, 1976).

57. This is not to suggest that groups and poverty are unrelated in the West, since many poor groups are racially or ethnically marked (blacks, North African immigrants, and so on). Still, this connection is not as strong as it is with caste in India.

58. I explore this issue in Spinner-Halev, "Feminism, Multiculturalism, Oppression and the State."

59. Locke, *Letter*, 52.

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