



Religious Studies in Kansas

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Religious Conflict in Contemporary India

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The myths of "Hindu tolerance" and "Indian inclusiveness" have been questioned before, but have become increasingly difficult to maintain in the light of contemporary conflicts. Those familiar with Indian myths know that destruction as well as creation and preservation has been a recurring theme. If the god Brahma is thought of as the creator and Vishnu as the preserver, it is also true that Siva and Kali are thought of as destroyers. In the *Bhagavadgita*, Arjuna is instructed by Krishna that it is his duty as a kshatriya to fight and that it is better to do that, however poorly, than to do someone else's *dharma* well. If some groups or tests endorse the principle of *ahimsa* (noninjury), it is only because *himsa* (injury) was all too prevalent. Religious conflict in contemporary India can take many forms or levels of injury. On one level it might be verbal. But, it might be political, economic, legal or even involve physical destruction.

The destruction of property and lives that seems to be escalating in contemporary India is out of step with the goals and dreams of Indian independence. During the struggle for independence, it was the hope of the congress party that independent India could be sustained as an

organic whole including "Hindus," "Muslims," "Parsis," "Sikhs," "Christians," "Jews," and "Jains." But, the Muslim League eventually achieved its desire for a Muslim state which was actualized in partition in the form of Pakistan. The original East Pakistan eventually declared its independence as Bangladesh. India declared herself a secular state. While some 80% of the Indian population are considered "Hindus," India has enshrined in her constitution the principle that each individual has certain rights irrespective of religion, caste, or creed. Among secular thinkers such as Nehru, Chief Justice Gajendragadkar, and B. R. Ambedkar, who drafted the Constitution and was himself a former "untouchable," there were two realms into which life could be divided. There was the realm of "religion" which was granted freedom, and there was the "secular" which was a distinguishable realm in which the state was the ultimate authority.

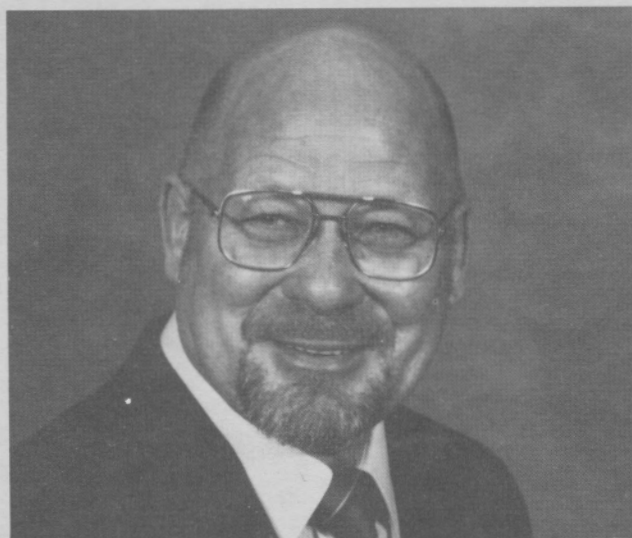
Although "religion" was granted freedom, this freedom was not unqualified. Article 25 of the Constitution of India reads:

25. (1) Subject to public order, morality and health, and to the other provisions of the Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.

(2) Nothing in this Article shall affect the operation of any existing law or prevent the State from making any law —

(a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;

(b) providing for social welfare and reform or the throwing



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open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Explanation I. — The wearing and carrying of *kirpans* shall be deemed to be included in the profession of Sikh religion.

Explanation II. — In sub-clause (b), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.

It should be apparent in reading Article 25, that although "religion" is granted a wide range of freedom, that freedom is not unlimited. If a procession through town on Krishna's birthday, by devotees of Krishna, involves singing devotional songs to that deity, and if the procession goes by a mosque and is likely to trigger conflict or violence, it may not be permitted, for the freedom of religion is subject to "public order." If *devadasis*, women dedicated to temple deities who dance before the deity, also provide services akin to the world's oldest profession, they can be and in fact were removed from the temples by legislation, for freedom of religion is subject to "morality." If, during a *kumba mela*, millions of Indians go to Allahabad to bathe at the auspicious time in the confluence of three holy rivers, the government may require inoculations as well as other requirements, for freedom of religion is subject to "health." Furthermore, the State can require Hindus to allow those previously named "untouchables" into their temples, even though the Hindus involved fervently believe the enshrined deity will be polluted.

By placing certain practices traditionally considered religious in the realm of the secular, state control has been expanded. In various cases decided by the Indian Supreme Court, the scale of expenses for temple rituals was considered a secular matter to be determined by the state. So were other financial matters such as the acquisition and administration of property, as well as representation on the board that manages Sikh Gurdwaras. It was held that the Sri Jagannath Temple Act of 1954 did not impose religious restrictions on the Raja of Puri, it merely regulated the "secular" affairs of the temple. In another case, while the *utilization* of materials in temple worship (*puja*) might be religious, the *provision* of the proper materials was secular and under state regulation. Even the hereditary right of succession of *archakas* (priests) in south Indian temples could be set aside by government, since the *method* of appointment was a secular matter. So, although the intention was to distinguish the human and civil rights of all citizens from the realm of religion, if there was a wall between the two realms, it was neither high nor impenetrable.

Religious conflict, whether taken as conflict between groups perceived as belonging to different "isms," or as a conflict between implicit or explicitly ultimate values and goals, is prevalent in all parts of India. It can be found in Tamilnadu, between Hindus and Muslims in Kashmir, Bombay, Ahmedabad, or Ayodhya, or between Sikhs and Hindus in Panjab. It would be unrealistic in this short space to deal with the problem of religious conflict in contemporary India in general. And, since I have serious doubts about generalizations which are not firmly connected with historical data, I intend to limit my present discussion to issues which are the occasion for, or contribute to conflict

between Muslims and Hindus.

While this is often seen as conflict between a majority and a minority community, even this is suspect. For neither "Hindu" nor "Muslim" connotes a unified group. On purely methodological grounds it has long been questioned whether there is such a thing as "Hinduism," whether there is anything at all that unites all persons religiously designated "Hindus" that would at the same time distinguish them from those to whom the other ism labels have been applied. More recently Robert Frykenberg has argued persuasively that there is nothing that unites all those in every Indian region who have been called "Hindu." But he has added the point that in the contemporary situation it is not only historically erroneous, but politically dangerous to do so. For it allows political parties and others to claim that they represent 80% of the population, i.e. "the majority," when in fact there is no "majority." Since those considered the "majority" are so significantly divided, they are in reality a series of minorities. The very idea that India possesses a "majority" is now up for question. (R. E. Frykenberg, "The Emergence of Modern 'Hinduism' As a Concept and as an Institution" A Reappraisal With Special Reference to South Asia," *Hinduism Reconsidered*, edited by Gunther D. Sontheimer and Hermann Kulke (New Delhi: Manohar, 1991), pp. 29-50.

I turn now to five particularly divisive issues and use them as windows to an understanding of the conflict between Hindus and Muslims in contemporary India. Some of the provisions of the Constitution of India that have religious implications have yet to be implemented after more than forty years. Other provisions with religious dimensions have been implemented. These provisions and their implementation or nonimplementation provide an occasion for heightening what has been called communalism and provide an occasion for hostility, particularly between "Hindus" and "Muslims."

1. UNIFORM CIVIL CODE. At the time of independence, family law, that is, matters pertaining to marriage, divorce and inheritance were exceedingly diverse throughout India. Not only were there differences between Muslims and Hindus, but there was great diversity within each group. In addition, Christians, Jews and Parsis followed different laws in such areas. On the assumption that in a secular state law must be equal for all and should not differ because of religious preferences, Article 44 stated: "The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India."

Now this article (44) is in the section of the Constitution called "Directive Principles" which means that it should be taken seriously as a guiding principle for Parliament, but if Parliament fails to enact such legislation, this is not judicable in court. Both Muslim and Hindu communities have resisted the implementation of this on the grounds that laws in these areas are part of their religion. They have argued that family law is outside the realm of the secular and hence outside the authority of the secular state to decide if there should be legal provisions for polygamy, monogamy, whether divorce should be permitted, and how inheritance should be distributed.

During the years of 1955-56, a series of bills were passed by parliament. They were the Hindu Marriage Bill, Hindu Succession Bill, Hindu Minority and Guardianship Bill, and Hindu Adoption and Maintenance Bill. They were frequently referred to collectively as the Hindu Code Bill. They not

only provide uniformity in these matters to persons who are classed legally as "Hindus," but they also modernize the Hindu code, not on the basis of sacred texts, but on the basis of *rationality, modernity, social needs* and even *world opinion*. While Hindus previously practiced polygamy, only monogamy is now permitted. Although traditionally marriage was for eternity, now divorce is part of the Hindu legal landscape. These provisions were passed amid heated debate and Hindus felt that their religion was under siege. Those who supported such changes saw them as the first step toward a uniform civil code. Now that at least Hindus are uniform, it was argued, at a later date Muslims can be brought into the circle as well.

But, this was never done and is not likely to be done in the present climate. Hindus, and particularly the BJP, which is the right wing political party most actively involved, feel that Muslims have been exempted from something that was imposed upon Hindus by secularists (in their view pseudo-secularists), even though they did not want it either. They argue, therefore, that it is not secularism when certain groups are exempted on the basis of religious affiliation.

Muslims, on the other hand, continue to hold that family law is part of Islamic religion, and any suggestion that it should be "changed," "reformed" or "modernized," is taken as an attack on their faith by the "majority" community. Thus far Muslim personal law has, for the most part, been left in the hands of Muslims.

II. COW SLAUGHTER. A second window through which one gains a glimpse at Hindu-Muslim conflict is the issue of cow slaughter. As is well known, many Hindus consider the cow sacred and even those who eat meat would not touch beef nor kill a cow. Religious sentiments combined with an attempt at economic argument to place an Article prohibiting cow slaughter among the Fundamental Rights. Although this failed, Article 48 was included, as the above provision for a uniform civil code, among the Directive Principles of State Policy. It read as follows:

The State shall endeavour to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.

It did not escape the attention of Muslim representatives that Indian cows are often an economic drag on their owners. Although several attempts to pass legislation that would prohibit the slaughter of cows throughout India have failed, several states have indeed passed legislation which fulfills this article (Bihar, U.P., Madhya Pradesh). These Acts prompted legal action by Muslims who have no such prohibition against eating beef, who have had the custom of sacrificing a cow on Bakr Id Day, and who are usually community butchers by trade. They argued that their inability to sacrifice a cow on Bakr Id Day was an interference with their religion. They contended that this practice was enjoined in the *Qur'an*. The Court determined that the *Qur'an* merely enjoined prayer and sacrifice and that a second authoritative text permitted the sacrifice of a cow or camel for every seven persons or a sheep or goat for every person. Because of the relative cost of a cow, camel, sheep

or goat, the latter option was economically impossible. Nevertheless, the Supreme Court held that since there was an option it was not essential. The economic difficulties were not its concern. Muslim butchers also argued that such laws threatened their livelihood, but since they still had the option of butchering goats and sheep this contention was rejected.

In an attempt to assess the economic issue and thus place the cow slaughter issue on a secular basis, the court went into a lengthy discussion detailing the number of cows in India, the amount of milk produced, etc. (*M.H. Quareshi v. State of Bihar*, 1958 SCJ 975). In the end, they argued that buffaloes that were no longer useful (i.e. could not give milk, breed, or be used for draught purposes) could be butchered. But not so for the cow. One witness even went so far as to argue that there was no such thing as a useless cow since it could continue to produce dung. The fact that buffaloes produce larger quantities of dung apparently did not enter his thinking.

That the concern over the slaughter of cows is not economic but religious is clear. But, the religious sentiment entered into the deliberation on Article 48 and once that was included in the Constitution, the decision of the Court seems proper. It is not that Muslims must eat beef. But it is an inexpensive source of protein. Muslims have asked why they should give up something to which they presently have a right simply because it is against someone else's religious sentiments. There were other cases which did not reach as far as the Supreme court in which Muslims were charged and convicted of "wounding the religious sentiments" of Hindus because they slaughtered a cow within full view of their Hindu neighbors. It would also appear that the lower courts imposed more severe penalties than might have been warranted because the judges themselves had their religious sensitivities offended. One High Court commented upon this and not only reduced a sentence but instructed other benches what might be a reasonable penalty for such an offence.

Dulla v. The State (AIR 1958 Alolahabad 198) reveals that people suspected of slaughtering cows were turned in to the authorities and that the courts commonly imposed penalties which the Allahabad High Court considered unreasonable. The High Court concluded that the lower courts were led by their emotional reaction to the slaughter of cows. In May 1956, the police investigated a report that a cow was being slaughtered at the house of one Phulu of the village of Saidpur. Arriving at 12 noon they found three men including Phulu in the inner courtyard cutting the carcass of a cow into large pieces while the other three men were cutting the large pieces into smaller ones. Phulu was arrested and the others fled. It was established that the slaughter had taken place between 4:30 and 6:30 a.m. and that the cow was not diseased. All six were found guilty by the magistrate and given 18 month sentences. The six appealed to the Sessions Judge of Budaund and the conviction was upheld. The appeal was not based on any argument that the U.P. Prevention of Cow Slaughter Act (U.P. Act 1 of 1956) was unconstitutional, but rather that (i) the order of the Magistrate was bad in law and opposed to commonsense; (ii) that the order was against the weight of evidence; and (iii) that the sentence was excessive. The High Court to which the case eventually came emphasized that on both previous levels no reasons were given for what was considered an extreme sentence. Nor was this an isolated instance. "This Court is getting

concerned at the punishment which subordinate Courts have been thoughtlessly inflicting on persons found guilty of a breach of the Cow Slaughter Act, and has been reducing the imprisonment to the period already undergone." (*Ibid.*) The Court then discussed at length the principles involved in sentencing. The prevalence of the crime in a particular area and whether the accused was a first offender should weigh heavily. But, "one's political, sentimental or religious preconceptions should be strictly disregarded." (*Ibid.*, 204) No sentence should appear vindictive and fines are preferred to imprisonment unless the gravity of the crime demands it. The court recognized the religious dimension of cow slaughter but declared it irrelevant. "This Court is aware that large sections of the community deify the cow or surround it with a halo of religious veneration. But it is clear from a reading of the Act that it sedulously ignores as is inevitable in a secular State — the religious or sentimental aspect of the subject; it views it exclusively as an economic proposition, a weighty consideration in an agricultural economy as ours." (*Ibid.*) At most the Court would have imposed a fine of Rs. 50. But even that was not necessary given the circumstantial nature of the evidence. The Court argued that there was no reason to presume that if someone is found cutting an animal at noon, that he must also have killed it six hours before. No witness saw them doing the killing. When circumstantial evidence is used all evidence should exclude any other hypothesis but the one to be proved. But the evidence did not exclude the possibility that hearing that a cow had been slaughtered and that its meat was available, the defendants came to avail themselves of it. It is also possible that after killing the cow, Phulu decided to make a gift of the spare beef to his friends. The conviction was reversed.

III. SHAH BANO CONTROVERSY. A third window for viewing Hindu-Muslim conflict is the controversy surrounding Shah Bano. The Supreme Court judgment in the *Shah Bano v. Mohammed Ahmed Khan* case unleashed great agitation among Muslims. While there are religious issues in the case it also carries a great deal of political significance. A Muslim writer, writing in 1987, indicated that "this agitation is the biggest ever launched by Muslims, post-independence." (Asgar Ali Engineer, *The Shah Bano Controversy* [Bombay: Orient Longman Limited, 1987], 1).

In the early 1930s, Shah Bano married her first cousin Mohammed Ahmed Khan. This was a common practice to avoid the division of an estate which would take place when the estate was portioned if the woman married outside the extended family. The case involved a dispute over a piece of land that had been going on for two generations before Shah Bano and her husband continued the dispute. Their disagreements became heated, causing disturbances in their residence which also contained the law offices of her husband. Shah Bano eventually moved out. Her husband held that she did so of her own volition. She maintained she was forced out. When she moved out in 1975, her sons and daughters disapproved because they thought they would hold a disadvantage to their half-siblings when the estate was finally divided.

Although the Shah Bano Case first came to public view in the media in 1985, its roots go back to 1978 when she

was divorced by her husband after 44 years of marriage. As required by Muslim law, he had returned Rs. 3000 which had been her *mehr* or marriage settlement from her family. Rather than accept this settlement, Shah Bano sued her former husband for maintenance under the Criminal Procedure Code. As a result of this, she was awarded Rs. 180 per month. Her husband appealed this to the Supreme Court, holding that as a Muslim he had to obey the *Shariat*, which required only that he pay her maintenance or *iddat* for three months. The Court held that under Article 125 of the Criminal Procedure Code a husband was required to pay maintenance to a wife without means of support. This judgment in effect made the Criminal Procedure Code applicable to Muslims and also gave it priority over Muslim personal law in this matter.

What incensed the Muslim community, however, were the disparaging remarks made by the Chief Justice about Islamic law and the status of women in Islam. He urged Parliament to move ahead with a uniform civil code which was supposed to remove the inadequacies of Muslim law. Two issues, then, had an incendiary effect. First, in making the judgment the court made disparate reference to Muslim law and held that the Court's interpretation was in keeping with the *Shariat*. In the eyes of Muslims, the Supreme Court had taken it upon itself to interpret Islamic law. Many Muslims, particularly members of the clergy, held that it was inappropriate for a secular court to interpret religious law. Second, the appeal by the Chief Justice to urge the country to introduce a uniform civil code seemed to Muslims potentially threatening to their continued practice of family law pertaining to succession, inheritance, marriage and divorce.

Muslims' reactions ranged from numerous meetings and conferences organized by Muslim organizations to mass protests. Many of the clergy stepped forward to lead the attack. Even now, more than 7 years since the judgment was issued, it is still potentially very divisive.

While the government was initially supportive of the judgment, it later under the intense heat generated by Muslims, supported the Muslim Women (Protection of Rights on Divorce) Bill, 1986, which stated that Article 125 of CPC was not applicable to Muslim women. All that was required by Muslim law was that her former husband was to provide for her during the *iddat* period, and *mehr* properties were to be returned. After the *iddat* period it was the woman's family's responsibility to provide for her. This Bill was not only vigorously opposed by women's groups who saw it as a step backward for Muslim women, but also by militant Hindus who once again saw Muslims being treated in a special way.

IV. RAMJANMABHUMI — BABRI MASJID.

The place of the Shah Bano case resulting in the biggest agitation involving Muslims since independence has given way recently to the conflict over the control of a piece of land containing a mosque in Ayodhya. The material object of the controversy was quite small: an unimpressive mosque on a hilltop in Ayodhya, the town traditionally considered to be the birthplace of the god Ram. This building is known as *Babri Masjid*, Babar's mosque. It is named after Babar, the first Moghul emperor, implying it was built on his orders, or in his honor in 1528. Many Hindus believe that Ram was born on the very spot where the mosque stood. Therefore,

they call it *Ram Janmabhumi*, Ram's birth-ground. They also believed that Babar's men built the mosque after demolishing a temple that was standing on the same spot — a temple in commemoration of Ram, the *Ram Janmabhumi Mandir*. Their agitation was in favor of rebuilding the temple on its proper spot which meant demolishing the mosque.

In 1949 the Hindus had taken control of the temple when according to their account two images appeared miraculously in the structure. Muslims held that the two small images of deities were placed there. In order to forestall violence, the government ordered the building locked. As a result, worship could only take place from outside. In 1986 a judge ordered the opening of the "temple." There are those who see this event linked politically with the passage of the Muslim Women's Bill. They argue that the temple was opened at this time to enable the government to placate Hindus so that the Women's Bill could be passed without protestation.

The conflict over this issue has escalated with marches, public protestations, statements by historians and judicial inquiries. On December 6, 1992, thousands of Hindus surrounded the mosque area and in a mere five hours demolished the mosque. Hindus claim that an 11th century sandstone slate was found which states that a temple was built there to commemorate Ram's birth. To Hindus that is proof of their claims to the site.

For Muslims, this event had profound significance well beyond the destruction of this specific mosque. This mosque had very few worshippers and had been in a state of disrepair for years. But there are hundreds of similar sites throughout India where temples were presumably destroyed by Muslim invaders who erected mosques on the sites. Two prominent locations are Varanasi and Mathura. The latter is the presumed birthplace of Krishna over which a vibrant mosque has been erected. There Hindus have burrowed underground to be able to worship at the exact spot of the presumed birth of their deity. Muslims are fearful that Ayodhya is only the beginning. Following the destruction of Babri Masjid, there were numerous riots which claimed hundreds of lives, particularly in Bombay and in Ahmedabad. While Ayodhya itself remained relatively untouched, violence erupted in many other areas throughout India where Muslims were concentrated. And, there are implications beyond India as well. When the mosque was destroyed, Muslims in Kashmir, Pakistan, Bangladesh and London reciprocated by destroying and setting fire to Hindu temples. The issue continues to be an explosive one.

V. A "HINDU" SECULAR STATE. At the beginning of my paper I indicated the constitutional intention to make a clear distinction between the separate realms of religion and the secular. Although the category "secular state" has served a wide range of interest since the Constituent Assembly, its constitutional meaning is interpreted by the courts, has seen the Indian secular state as embodying a distinction between these two realms resulting in equal rights for citizens irrespective of the religious community to which they belong. And, it has certainly never identified the Indian State with any particular religious tradition. But coupled with this there has been a reluctance on the part of

Parliament to implement the uniform civil code or in any other way interfere with a minority religion. In general, the policy has been that Parliament stands ready to revise the family laws of minorities (Muslims, Christians, Parsis) as they have done for Hindus, if that community comes forward and requests it. This had led to some changes in Parsi law. But neither Muslims nor Christians have made such a request.

It is the perceptions of the Hindus, as educated and led by the BJP, that in bending over backwards to accommodate minorities, the Indian Government has ignored the values and wishes of the majority community which comprises some 80% of the population. The BJP, as a militant Hindu party, further holds that what has been called secularism (since the constitution) is really a pseudo-secularism since it favors the minorities. Their solution is a secular state which is also a Hindu state. That would be a truly secular state since it would represent more fully the vast majority of Indians. And, since Hinduism is a tolerant and peaceful religion, minorities would have nothing to fear.

This position has been suggested from time to time since independence. Gandhi had promoted the establishment of a Ramraj. By this he argued he was not proposing a Hindu state, but was making room for the moral values embodied in the Indian tradition. Radhakrishnan held that the moral base for the Indian secular state would be Vedanta or "the religion of the Spirit." (Robert N. Minor, *Radhakrishnan: A Religious Biography*, [SUNY, 1987]). This would still be a secular state since it was not the promulgation of any particular religion, but rather religion itself which is the essence of those particular religions. Lokanath Misra, as early as the Constituent Assembly, held that it was the propagation of religion brought by Muslims to India that had led to the undesirable partition into India and Pakistan. If Muslims had never come, India would have been a perfectly secular state, and a Hindu one at that. (CAD, vol.7, 822.)

The call for Hindutva and a Hindu secular state on the part of the BJP is seen by Muslims as a militant call for their ultimate destruction. They see their personal laws and way of life threatened. Indians have since the Constituent Assembly held uniformly that India is and shall be a "secular state," but the content of that state has been hotly debated, never more vigorously than in the present.

These are several windows, then, through which to see the dynamic of Hindu-Muslim conflict in contemporary India. The eventual outcome of this conflict cannot be told until history unfolds. But, one is probably not risking much by suggesting that one might expect more conflict and more violence before the nature of the Indian state is settled. ❖

Professor Robert Baird is an internationally renowned scholar and teacher. He is the author of *Category Formation and the History of Religion* (1971, 1991), *Essays in the History of Religion* (1991), co-author of *Indian and Far Eastern Religious Traditions* (1972), editor of *Religion in Modern India* (1981), plus numerous articles on methodology and the history of religion in India. This essay was originally presented at the 1993 Department of Religious Studies Banquet.

NEWS

W. Stitt Robinson Resigns From KSR Executive Committee



Presentation of a gift volume from KSR in honor of W. Stitt Robinson (center) to the William Moore Library; Dollie Bittenbender (left), member of the KSR executive board; Robert Minor (right), Chair of the Department of Religious Studies.

W. Stitt Robinson resigned this year from the Executive Committee of the Kansas School of Religion after many distinguished years of service. Robinson was appointed to the Board of Trustees in 1972 and has since served in many positions of service on the Executive Committee, including the role of President from 1983 to 1986 and Chair of the KSR Annual Lecture Committee since its inauguration in 1982. Robinson presented the KSR Annual Lecture in 1976 on "Religion and the American Revolution" which was subsequently published in issue 1, volume 14 of *The Journal of Kansas School of Religion*, the predecessor to this publication. In recognition of Robinson's many contributions to the Kansas School of Religion, KSR has donated a copy of J. Gordon Melton's *Encyclopedia of American Religions* to the William Moore Library in Smith Hall in his honor. The editors of this publication wish to extend their thanks to W. Stitt Robinson for his many years of service to KSR and wish him luck and happiness in his future endeavors.

Dr. Sandra B. Lubarsky to Present KSR Annual Lecture

Dr. Sandra B. Lubarsky, Northern Arizona University, will present the Kansas School of Religion Annual Lecture on Tuesday, April 12, 1994 on the topic "Transformative Dialogue." Her speech will begin at 7 pm at the Big 8 Room in the Kansas Union, preceded by the combined

annual banquets of the KSR and the Department of Religious Studies scheduled for 6 pm.

Dr. Lubarsky completed her M.A. at the University of Chicago and her doctorate in Religion at Claremont Graduate School. Currently serving in the Department of Humanities and Religious Studies at Northern Arizona University as Assistant Dean of Graduate Studies, she has taught classes on Judaism, Islam, and Religion Today. Prior to arriving at Northern Arizona University in 1989, where she has previously served as Assistant Chair, she taught in the Department of Philosophy and Religion at Eureka College, Eureka, Illinois. Dr. Lubarsky participated on a roundtable discussion on "Judaism, Buddhism, and the Problem of Evil" at the American Academy of Religion, San Francisco in 1992. Other presentations she has given include "Women and Islam", "The Idea of Redemption in Judaism: A Process Perspective", and "Challenges of Jewish-Christian Dialogue". Among her publications are *Tolerance and Transformation: Jewish Approaches to Religious Pluralism* (1990) and *Jewish Theology and Process Thought* (in press).

Interdisciplinary Conference on Myth in the Biblical and Jewish Tradition: University of Kansas, 6 and 7 April 1994

An interdisciplinary conference on "Myth in the Biblical and Jewish Tradition" will be hosted by the Department of Religious Studies on 6 and 7 March 1994. The conference will explore the nature and role of myth, both explicit and implicit, in Jewish literature of the Hellenistic, Rabbinic, medieval, and modern periods. Keynote speakers for the conference are Howard Eilberg-Schwartz of the Department of Religious Studies at Stanford University, and Howard Schwartz of the Department of English Literature at the University of Missouri-St. Louis. Dr. Eilberg-Schwartz is a well known student of biblical and rabbinic Judaism and author of *The Savage in Judaism: An Anthropology of Israelite Religion and Ancient Judaism* (1990). Dr. Schwartz is renowned as a poet, anthologist and author of such books as *Lilith's Cave: Jewish Tales of the Supernatural* (1989).

John Dominic Crossan Speaks in Topeka

John Dominic Crossan, professor of Biblical studies at DePaul University, Chicago, and one of the most influential scholars in Biblical studies today, spoke at Washburn University in Topeka on 14 October 1993. Crossan's presentation dealt with issues raised in his popularly renowned book, *The Historical Jesus: The Life of a Mediterranean Jewish Peasant* (1991), already something of a classic in New Testament studies. The lecture was sponsored by the Philosophy Department of Washburn University. ♦

KSR Scholarships Awarded

The recipients of the 1993-1994 Kansas School of Religion Scholarships are Jean Gelbart, Phillip Spivey, Shelley Uram, and Rosalie Vaught. They are full-time graduate students working towards their Masters of Arts degree in the Department of Religious Studies.

Each year the Kansas School of Religion awards outstanding students by offering these generous scholarships. This year alone, the Kansas School of Religion offered a total of \$15,000 in scholarships. *Religious Studies in Kansas* extends its congratulations to these scholars, and wishes them luck this year.

Leading Men's Movement Speaker Appears on Campus

Charles Kreiner, a leading spokesman in the "men's movement" and former Board member of the National Organization of Men Against Sexism, delivered a speech on 1 November entitled "Reclaiming Power, Partnership, and Vision: Women and Men Ending Gender Oppression Together". Kreiner has served as Dean of Students at Wesleyan University, and is currently working as an independent consultant in the areas of personal growth and human relations. He has led workshops and conferences throughout the United States, Europe, Australia, and the Middle East. His presentation was co-sponsored by the Department of Religious Studies, School of Social Welfare, Western Civilization program, American Studies program, Communication Studies Department and others.

BOOK REVIEWS

John Dominic Crossan, *The Historical Jesus: The Life of a Mediterranean Jewish Peasant* (San Francisco: Harper, 1992) 507 pages.

Now available in paperback, this is a "must have" text not only for any contemporary Biblical scholar, but also for members of general public interested in understanding the status of the historical Jesus in relationship to the scholarly world. Not only is the text a significant chapter in the saga of the "quest for the historical Jesus", but is also lucidly written and accessible to a public audience without sacrificing detail or depth.

This book has catapulted its author, Irish ex-priest John Dominic Crossan, into the national media spotlight with talk show appearances and entry into the lecture circuit (see related article in the News section). The hardcover edition of *The Historical Jesus* originally came out at the same time as another popular survey analysis of the historical Jesus, John Meier's *The Marginal Jew*, a significantly more conservative text. The popular press delighted in the diversity of the two books, contrasting Crossan's critical method, which is more indicative of modern scholarship as a whole, and Meier's more traditional approach. In the two short years that have followed the initial fanfare surrounding them, Crossan's work has already demonstrated itself to be the more influential of the two. Crossan is also the author of the definitive study of the apocryphal Gospel of Peter, *The Cross That Spoke* (1988), and his studies of the parabolic tradition (1973's *In Parables*) and Jesus' use of aphorisms (1983's *In Fragments*), but *The Historical Jesus* marks Crossan's advent into the national limelight.

The book is divided into three distinct sections. The first analyzes the Hellenistic climate of first century Palestine. This section alone is an invaluable and exhaustive study of the social and economic environment that shaped Jesus and his followers, the "Kingdom Movement". In the second section, Crossan discusses at length the unique nature of late Hellenistic Judaism, and in particular, how Jewish schools of prophetic and wisdom thought fostered a unique form of resentment amongst the peasant class towards their Roman oppressors. Crossan's study is the first of its kind to properly address the unique economic influences of the New Testament.

The third section of the book holds, however, the heart of Crossan's unique theses. In it he provides not only a commentary on the historical Jesus, but also upon modern scholarship about Jesus. In general, he tends to concur with modern scholars studying the "Q community" in identifying the earliest followers of Jesus as being a radically egalitarian and communal movement. They were linked, he stresses by a common ceremonial meal and an emphasis on dissolving the contemporary Jewish taboos that led to social ostracization and classism. It is on this point that Crossan advances one of his original theses, by tracing the "healing" tradition back to the very earliest roots of the "Kingdom Movement". For Crossan, "healing", as opposed to "curing", is a social, not medical process, in which cultural taboos towards the ailing are lifted. In this fashion, Crossan sees the healing stories preserved in the gospel accounts as being influenced primarily by the egalitarianism of Jesus' movement. A further thesis addressed in this section of the book attacks the prevailing scholarly approach that places Jesus in the line of Cynic philosophers. Crossan ably argues that while Jesus was undeniably influenced by Cynic

thought and practice, his movement actually attacked many of the Cynic presuppositions. Crossan notes that whereas Cynic thought emphasized individual resilience, the Kingdom Movement was bound by communal interdependence.

Unlike Meier, Crossan uses a deep well of sources for his study of the historical Jesus. Whereas Meier disappointingly and inconsistently excludes all but the canonical gospels for consideration, Crossan considers the full range of literature about and from early Christianity. Ironically, though Crossan's study is easily the more non-traditional of the two, his may well have the most long ranging influence upon Christian theology. Crossan does not shy from dealing with the possible faith questions that the question of the historical Jesus raises. For him, accepting the current scholarly portrait of Jesus as social revolutionary and father to a multi-faceted and often inconsistent religious movement need not preclude a Christian faith. Indeed it is easy to see how many of his theological conjectures about the Kingdom Movement mirror the concerns of Liberation Theology in regards to community cohesion and connectiveness. Also, Crossan seems to intimate that the diversity of the opinions about Jesus that flourished in the wake of his historical passing is testament not so much to a flawed and inconsistent foundation to Christianity, but rather to the fact that Jesus' example prompted the intellectual imagination and creativity of an entire generation of thinkers and theologians.

The Historical Jesus is primarily a text for the general public in both its tone and presentation, but should not be overlooked for its scholarly dimension as well. Crossan not only summarizes and surveys the modern landscape of scholarship, but he also alters that landscape, adding new insight and ideas about the historical Jesus and his following.

Reviewed by: Shawn Michael Trimble
M.A. Candidate in Religious Studies
The University of Kansas

Goss, Robert. *Jesus Acted Up* (San Francisco: Harper, 1993)

Gay activist and former Jesuit priest Robert Goss provides a provocative gay theology to challenge the institutionalized homophobia and heterosexism of modern churches. He sees Jesus as a radical activist, a champion of oppressed and marginalized persons, including gays and lesbians. Jesus was a man with a radical and ultimately lethal political agenda. In confronting social problems, Jesus took an active confrontational approach, similar to that of modern gay activist groups such as ACT

UP and Queer Nation, both of which Goss is a member. The radical actions Jesus took in the Temple serve as an example.

Goss labels his liberation theology "queer," a word he uses freely to describe not only gays and lesbians, but anyone who assists in the struggle for gay rights. Thus, Jesus is the "Queer Christ," not because he was homosexual, but because of his solidarity with gays and lesbians in their struggle for liberation. The political agenda of Jesus the liberator was validated by God at the resurrection. Fundamentalists, Goss states, have rejected the notion of Jesus as liberator, and have constructed an oppressive Jesus through their misinterpretation of the Bible. Thus, they feel justified in brandishing the Bible as a weapon when they express hatred for gays, lesbians, and other oppressed people. Goss faults modern Biblical scholars and theologians for not providing an effective challenge to the Fundamentalist threat. He calls for abandoning the "value neutral" approach to Biblical scholarship, not because it is invalid, but because it does not address today's issues. Instead, the Biblical scholar must reinterpret the Gospels in terms of contemporary social and political issues. Furthermore, the committed queer scholar must take direct political action to end oppression, even if it is as extreme as Jesus's "Stop the Temple" disturbance.

Goss's manifesto is well-written and worth reading. Certain elements diminish its effectiveness, however. The book is infused with an anger that occasionally clouds the issues. The free use of the word "queer" may alienate those who still find it offensive, particularly when Jesus is referred to as "the Queer Christ." The author's theological premise that Jesus was a man who became divine only at the resurrection is not well supported. Finally, his suggestion that good Biblical scholarship must be carried out within the context of a contemporary political agenda is unsound. Goss confuses the academic scholar with the theologian.

Jesus Acted Up is a welcome addition to a field that rarely addresses gay and lesbian social issues in a positive light. A number of other books are also worthy of consideration:

- Boswell, John. *Christianity, Social Tolerance, and Homosexuality*. (1980)
Clark, J. Michael. *Beyond Our Ghettos: Gay Theology in Ecological Perspective*. (1993)
Comstock, Gary David. *Gay Theology Without Apology*. (1993)
Glaser, Chris. *Come Home*. (1990)
Scanzoni, Letha and Virginia R. Mollenkott. *Is the Homosexual My Neighbor: Another Christian View*. (Second Edition, 1993)

Reviewed by: Patrick Prohaska
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The University of Kansas

***Guide to the Perplexing: A Survival Manual For Women in Religious Studies.* By Members of the Committee on the Status of Women in the Profession of the American Academy of Religion. (Atlanta: Scholar's Press, 1992) 106 pages.**

Written by members of the Committee on the Status of Women in the Profession of the American Academy of Religion, this book is an invaluable guide for women entering the field of religious studies. Containing one-hundred six pages of detailed and practical information, the manual is written in an engaging, often humorous non-nonsense style.

The book is printed in outline form with each topic heading concluded by a brief summary of main ideas. The first chapter leaves no doubt as to the practical nature of the book. The authors provide useful guidelines for constructing effective cover letters and curriculum vitae, even commenting on appropriate varieties and colors of paper.

The second chapter is an exhaustive source of information on the interviewing process. Both American Academy of Religious Society of Political Literature Placement interview and on-site interviews are discussed. For Placement interview, the authors stress that women should be aware of AAR/SBL policies. For example, no interviews are to be conducted in sleeping rooms during the conference. This policy was adopted in order to minimize the possibility of sexual harassment in the interviewing process, and the authors strongly recommend that women adhere to this policy even when prospective interviewers do not.

The section on "Handling Tough Questions" offers advice on how to field questions of a personal nature, such as one's marital status, religion, or sexual orientation. Other topics include: negotiating an offer, first-year faculty, maternity and child care, special issues for women and women of color, and promotion and tenure period. The authors focus on many issues specific to women, however, much of the information provided is applicable to men as well, making this manual a must-read for all newcomers to the field of religion.

*Reviewed by: Amara Simons
B.A. Candidate in Religious Studies
The University of Kansas*

***Glyn Richards, The Philosophy of Gandhi: A Study of His Basic Ideas.* (London: Curzon Press, 1991) 178 pages.**

The Philosophy of Gandhi by Glyn Richards is a poignant book illustrating the intertwining of politics and

religion in Gandhi's life-long quest for peace. Gandhi's religion is as complex as the political activist who stood behind it; therefore, Richards' systematic explanation of Gandhi's ideals is very useful material. Moreover, beyond a careful consideration of Gandhi's basic assumptions, Richards brings a concise presentation of Gandhi's views on social justice.

Gandhi presented his philosophy to the public in ideal and abstract terms such as ahimsa, satyagraha and sarvodaya. In order to describe Gandhi's worldview, Richards first clarifies the religio-political language which shapes Gandhi's basic assumptions. This step also illustrates that Gandhi's philosophy brings together overlapping concepts, just as Gandhi's way of thinking about the world reflects a natural acceptance of humankind's overall interdependence. Following this line of thought, Richards illustrates how Gandhi's philosophy grew out of early Hindu traditions. For example, the ultimate reality as the Brahman is preserved in Gandhi's concept of Truth. Richards' analysis clearly advocates that Gandhi's religion informed his politics. At the same time, Gandhi is portrayed as being tolerant of other religious viewpoints. Moreover, Gandhi's own faith led him to embrace the poor. Finally, reexamination of Gandhi's inner world goes hand in hand with a reexamination of Gandhi's actions in the world of economics, politics, and education. The application of Gandhi's philosophy toward the solution of modern world problems comes to life in these realms. More specifically, Richards emphasizes how and why Gandhi rejects the orthodox view of the law of karma to restore the basic human rights of women and the untouchables in India.

Finally, Richard's analysis provides an insightful and comparative description of Gandhi's response to social injustice. In regards to conflict, Richards explains how Gandhi viewed suffering as both the common bond between opponents and the viable solution to conflict. Suffering is often viewed as the human predicament in the analysis of Indian tradition, but for Gandhi it was also the solution to the problem.

Clearly, Gandhi employed an active nonviolent force toward social responsibility. Richards argues that coercion also defines Gandhi's actions, recognizing that a philosophical denial to the contrary is present in Gandhi's thought. Fasting, nonviolent resistance, noncooperation and civil disobedience are fundamental aspects of Gandhi's approach to conflict; nevertheless, crucial to Richards analysis is the idea that satyagraha as advocated by Gandhi goes beyond the practical use of non-violent technique. Consequently, *The Philosophy of Gandhi* creates an insightful and rounded portrait of Gandhi's struggle against social injustice.

*Reviewed by: Barbara Dixon
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The University of Kansas*

Mary Daly *Outercourse: The BeDazzling Voyage, Containing Recollections from My Logbook of a Radical Feminist Philosopher (Being an Account of My time/Space Travels and Ideas—Then, Again, Now and How)* San Francisco: HarperSanFrancisco, 1992. \$24.00 HB, \$13.00 PB.

Outercourse, Mary Daly's philosophical autobiography, is an interpretive journey which sails the four galaxies of Daly's life: "Be-Speaking: Moments of Prophecy and Promise," "Be-Falling: Moments of Breakthrough and Re-Calling," "Be-Witching: Moments of Spinning," and "Be-Dazzling Now: Moments of Momentous Re-Membering" (the latter being the space/time from which Daly writes *Outercourse*). The vessel of Daly's journey is a pirate's Craft—the art of plundering from the patriarchal foreground and refuse that which is valuable for women and others marginalized by patriarchy. She characterizes her journey as a spiral because it is forever returning to previous moments but with new insights and new tools. For this reason and others, *Outercourse* would make an excellent backbone for a Daly seminar.

When Daly revisits her own philosophical/spiritual story, she explicitly plunders the Dalian heritage on behalf of other inhabitants of the background: feminism needs its crones to bear witness to their own lives and to the lives of other crones in these and other times, if for no other reason than to prevent the "dreary amount of expenditure of energy in re-inventing the wheel and fighting fragmentation." (11) She is not merely droning out her memoirs but speaking to the connections (a Dalian preoccupation) as they have spun and continue to spin out, a Craft she explicitly discusses in the Fourth Galaxy. Two examples: Daly's trials at Boston College are explicated in detail, including the desperate behavior of some of her academic colleagues and the inspiring courage of her friends and students. Appropriation, reciprocity and connections between white women and women of color are acknowledged in Daly's return to Audre Lorde's "Open Letter." Throughout, *Outercourse* is a Megagalaxy/Metagalaxy—re-collecting and extending itself to new connections. ❖

*Reviewed by: Pam A. Detrixhe
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University of Kansas*

**DEPARTMENT OF RELIGIOUS STUDIES
SCHEDULE OF CLASSES
SPRING SEMESTER 1994**

REL 104 Introduction to Religion	Sandra Zimdars-Swartz
REL 106 Living Religions of the East	Robert Minor Daniel Stevenson
REL 107 Living Religions of the West	S. Daniel Breslauer
REL 124 Understanding the Bible	Paul Allan Mirecki
REL 125 Understanding the Bible Honors	Paul Allan Mirecki
REL 171 Religion in American Society	Timothy Miller
REL 315 History and Literature of Early Christianity	Paul Allan Mirecki
REL 320 History of Judaism	S. Daniel Breslauer
REL 360 The Buddhist Tradition in Asia	Daniel Stevenson
REL 373 The Supreme Court and Religious Issues in the United States	John Macauley Timothy Miller
REL 495 Senior Seminar	Timothy Miller
REL 532 Western Christianity in the Middle Ages	John Macauley
REL 580 Religious Perspectives on Health and Healing	Sandra Zimdars-Swartz
REL 602 Special Topics in Religion: History of Religion in Kansas	Timothy Miller
REL 602 Special Topics in Religion: Human Conflict and Peace	Robert Shelton
REL 602 Special Topics in Religion: Jewish Mysticism	S. Daniel Breslauer
REL 602 Special Topics in Religion: Zen	Daniel Stevenson
REL 733 Topics in Eastern Religious Texts: Bhagavad Gita	Robert Minor
REL 801 Seminar in Theories of Religion	Sandra Zimdars-Swartz
REL 875 Seminar in Religion and Society: Supreme Court and Religious Issues in America	John Macauley

Religious Studies in Kansas

Religious Studies in Kansas is the Newsletter of the Department of Religious Studies at the University of Kansas, and continues the tradition of the former newsletter *Religion: The Journal of the Kansas School of Religion* which published its final number in the Spring of 1992. This newsletter is published twice annually in the Fall and Spring and is edited by Professor Paul Allan Mirecki and Shawn Michael Trimble (M.A. Candidate in Religious Studies). Please send inquiries, change of address information, and notes for inclusion for the Spring issue to:

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MEET THE FACULTY

Dr. S. Daniel Breslauer

Professor Breslauer holds degrees in Near Eastern Languages from the University of California, Berkeley, and in Near Eastern Languages and Judaic Studies from Brandeis University. He is also an ordained Rabbi from the Hebrew Union College-Jewish Institute of Religion. Breslauer teaches courses in Judaism, Islam, and the Jewish and Christian Bible. He has published studies on the history of Jewish thought. His most recent books are *Judaism and Human Rights: A Bibliographic Survey* (1993) and *Judaism and Civil Religion* (1993). He spent the fall semester 1993 on sabbatical, writing a study of the theologian Mordecai M. Kaplan.

Dr. John S. Macauley

Professor Macauley, Ph.D. Cambridge University, England, has primary interest in the English Reformation of the 17th century. Professor Macauley has recently published a book entitled *The Autobiography of Thomas Secker, Archbishop of Canterbury* (1988). This Spring 1994 semester he is teaching "The Supreme Court and Religious Issues in the United States" and "Western Christianity in the Middle Ages".

Dr. Robert N. Minor

Professor Minor is Department Chair, teaches Living Religions of the East and Approaches to the Study of Religion. In 1993 his article "Sarvepalli Radhakrishnan and Religious Pluralism" appeared in the journal *Studia Missionalia* in Rome, and a chapter entitled "Auroville and the Courts: Religious and Secular," was published in New Delhi, India.

Dr. Timothy Miller

Professor Miller's specialty in research and teaching is in new and alternative religious movements. He also serves as the department Undergraduate Studies Advisor. Miller's current research focuses on communal groups and movements, and he is in the process of writing a survey history of communitarianism in America in the twentieth century. His recent books are *The Hippies and American Values* (1991). He also edited *When Prophets Die: The Post-Charismatic Fate of New Religious Movements* (1991).

Dr. Paul Allan Mirecki

Professor Mirecki, Th.D. from Harvard Divinity School (1986), is an Associate Professor of Religious Studies. Teaching in the areas of religious thought and literature in the ancient Mediterranean world, his research interests include the discovery and publication of ancient Greek and Coptic manuscripts in museum collections in Chicago, Ann Arbor, Berlin, London, and Oxford. He

presented a paper, "The Manichaean Books from Fourth-Century 'Terenouthis' in the Egyptian Fayyum" at the University of Calabria, Cosenza, Italy in September. He has authored numerous articles and the forthcoming book *A New Approach to the Longer Ending of Mark* (Edwin Mellen Press).

Dr. Robert Shelton

Professor Shelton, Ph.D. Boston University (1970), has been University Ombudsman since 1985. Recent research interests include ethical issues in health care and justice issues in dispute management. He is the author of *Loving Relationships* (1987) and "Biomedical Ethics in Methodist Traditions" in *Theological Developments in Bioethics: 1990-1992*, (Center for Ethics, Medicine and Public Issues, Houston).

Dr. Daniel Stevenson

Professor Stevenson, Ph.D., Columbia (1987), joined the Religious Studies faculty in fall of 1992, has taught at Butler University, and was a research fellow for two years at the University of Michigan Institute for the Study of Buddhist Literature. His specialty is Chinese and Japanese religions with a concentration in Chinese Buddhism and its ritual culture. In January 1993 Stevenson began a year's leave of absence to pursue an NEH translation project on T'ien-t'ai Buddhist ritual literature. Stevenson is co-author of *The Great Calming and Contemplation: An annotated Translation and Study of Chih-i's Mo-ho chih-kuan* (1993). He is also involved in the revision of W. T. de Bary ed., *Sources of Chinese Tradition* (Columbia University Press), as well as the development of a new sourcebook on East Asian Buddhism (Princeton University Press).

Dr. Paul Zimdars-Swartz

Paul Zimdars-Swartz taught a section of Religion in American Society during the Summer of 1993 and is currently teaching Search For Meaning: Introduction to Religion. Zimdars-Swartz's current research interests are in the area of German mysticism approaches to the study of religion, and apocalyptic thought.

Dr. Sandra Zimdars-Swartz

Professor Zimdars-Swartz joined the faculty in 1979 from Claremont Graduate School, where she received her Ph.D. and was a visiting lecturer in church history. Her field is the history of western religious thought and symbol, with concentration in women and religion, religious symbolism, and popular religion, particularly devotion to the Virgin Mary. In the Spring of 1993 she will teach a new course entitled "Religious Perspectives on Illness, Health, and Healing". Dr. Zimdars-Swartz is the author of the critically acclaimed *Encountering Mary: From LaSalette to Medjugorge* (Princeton, 1991). ❖

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