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Hindu Orthodoxy versus Indian Pluralism: The **Dilemma of Human Security**

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Abstract

The rise of Hindutya or Neo-Hindu nationalism has undermined the inclusive, all-embracing, and coexisting nature of Indian secular democracy. The political utilization of the doctrine of Hindutva has led to multi-dimensional challenges in the Hindu majoritarian state of India. The study analyses how the rise of Hindutva is creating problems for Indian pluralism. The study argues that the rise of ultra-Hindu nationalism in the practice of populist identity intellectual leadership in India has threatened human security at the domestic level. The methodology is primarily qualitative as it provides for content analysis of primary and secondary sources of information that includes government reports, leaders' statements, experts' analyses, reports of relevant organizations, news, and research articles.

Key Words: Human security, India, Hindutva majoritarianism, Communalism, RSS, BJP.

Introduction

The doctrine of state secularism requires the preservation of human security of co-existing identities in a state on the standards of inclusive ethnic equality ensured by law. It identifies the construction of social and political order on the principles of non-religious endorsements, non-promotion of conservative identity symbols, and prevention of narrow protectionist policies. However, this is not the case in many developed states today. Ethnic majoritarian nationalism

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is witnessing a surge, specifically in developed democracies in the contemporary era. It is culminating in the crisis of secularism and identities, as prominently seen in the case of America¹ and India.²

Identity politics is exploited as a tool for revival on regional level, creating ethnic regionalism.3 A transition from Huntington's 'clash of civilizations' to the 'strengthening of civilizations' seems to be in trend. This strengthening of civilizations might also be the initial phase of the inevitable domestic politics of identity and intracivilizational ethnic conflict, as predicted by Huntington.⁴ It can be very rightly said, the charity of identity politics also begins at home. While justifying identity in modern politics, Francis Fukuyama in his book "Identity: The Demand for Dignity and the Politics of Resentment" portrays the role of identity in modern politics as still relevant. To him, this is due to the fact that despite the promises of equality and dignity for all, made by liberal democracy, on the practical front, it has failed to do so. This is particularly truer of the people with a history of marginalization leading to a resurgence of nationalistic fervor on the basis of religion. This makes both nationalism and religion as the prevalent forces shaping our modern politics."5

India proclaims to be the world's largest democracy by and for the population of about 1.40 billion⁶ individuals; comprising of a unity in nationhood, enshrining diversity, multi-religious make up, cultural and ethnic pluralism. Its ethnic make-up is composed of Hindus in 78.9 percent; Muslims in 14.2 percent; Christians in 2.3 percent; Sikhs in 1.7 percent; Buddhists in 0.7 percent; and Jains in 0.4 percent.⁷ India's constitutional framework has been designed to uphold equality and secularism in the face of its diverse ethnic composition. While this theoretical approach is essential, there are also certain limitations. The constitutional phrase "subject to public order" conditions religious freedom and allows suspension of minority rights for domestic security and peace, leading to the political encroachment of state secularism. This has created a legal framework that lets the state to impinge on minority rights, thereby undermining the principles of democracy and secularism.

Contrary to the legitimate secular architecture of India, the Hindu political engineering has led to conflict between Indian nationalism and the human security of not only its minorities but also the intra-

Hindu sub-sections. What needs to be stressed is that the native ideology of Hindutva advocated the nationalism that is based upon pluralism and a substantive equality between the minorities and majority.⁸

The objectives of ideology of Hindutva are characterized by strict identity markers, as framed by key political stakeholders of Hindu nationalism such as the Shiv Sena, the Rashtriya Swayamsevak Sangh (RSS), and the Bharatiya Janata Party (BJP). Originally, "Essentials of Hindutva" by Savarkar was aimed at creating a racial identity to foster the Saffron Movement for Hindu renaissance and social transformation. In his book, Savarkar emphasizes the distinction between Hindutva and Hinduism, highlighting that while Hinduism is rooted in religious principles, Hindutva is an ideology with a different foundation. It is not rooted in spiritual or religious dogmas; indicating that Savarkar was more concerned with politics. Therefore, the modern era practice of Hindutva is political in nature. 10

The rise of Hindutva, in other words the Neo-Hindutva, seems to exploit the politics of Divide and Rule to consolidate power in the name of religion. In today's India; the rise of Hindutva, or the neo-Hindutva, under the Modi's BJP has characterized India as a Hindu majoritarian polity.¹¹ Hindutva has truly triumphed in the Indian polity as a mainstreamed phenomenon since Narendra Modi was elected as Prime Minister of India in 2014.¹² The evolving norms of governance and security under the BJP government seem to be taking identities, rather than the people collectively, as the referent of security. However, it is the coherent human security that occupies the referent status under international standards, particularly in a state characterized to be the largest democracy in the world.

According to Edward Newman's analysis, the political developments in India amidst the rise of Hindutva accurately depict the current state of human security in Modi's India, which is reflective of the cultural and geostrategic orientation of Hindutva.¹³

From a cultural standpoint, the Indian minority groups have been arranged in a dynamic hierarchical structure. The rise of Hindutva following the BJP's electoral victory in 2014 has created a multifaceted challenge for the relationship between the majority and minority groups in India. This challenge has arisen not only because of the compulsion for the minority groups to conform to Hindutva's

dominant cultural norms, but also due to the implementation of extreme policies aimed at rendering minorities stateless. The implementation of Citizenship Amendment Act (CAA) and the National Population Register (2019-2020), as part of the Pan Indian National Registration of Citizen law (NRC), represents some measures taken by the government to deprive minorities of their basic rights.

These measures by the BJP government can be seen as a product of their novel form of ethnocentric politics, characterized by Hindutva constitutionalism.¹⁴ Ram Mashru, in his work on human insecurity in India,¹⁵ presents the communal violence and human rights abuses as India's significant human security issue. Prominent cases that he highlights include: the worst episode of communal violence in the form of the Gujarat massacre following Babri Mosque demolition, supported by BJP, Shiv Sena, and VHP in 1992 causing more than 2000 deaths; and the Hindu Jatts clashes with the Muslim community in Muzaffarnagar, Uttar Pradesh (UP) in 2013 leaving 62 fatalities, 93 wounded and around 50,000 displaced population.¹⁶

Delhi based Institute of Peace and Conflict Studies (IPCS) 17 relates the communal violence incidents in India to the shifting Indian politics, notably the rise of Hindu nationalism and the radical Hindu political parties like the BJP in recent years. There has been incidences of violence, discrimination, abuse, and intolerance in the Modi's regime. The United States Commission on International Religious Freedom Report of 2020 closely monitors India's engagement and tolerance of religious freedom abuses and has categorized the country as Tier $2.^{18}$

As per the Commission, the long-standing constitutional rights, guaranteed to the religious minorities in India, are gradually wearing away. Over the last few years, the BJP government, which is aligned with the Hindu extremist factions, has not only resorted to the use of abusive language but has also incited communal violence against the religious minorities.¹⁹

Similarly, the United Nations Human Rights Watch in its report 2022 pours great criticism over gross human rights violations in India.²⁰ Since Hindu majoritarian politics of rising Hindutva under the Modi regime is a tale of gross human rights violations and violence, it has huge implications for human security in the state of India.

Indian Democracy: Human Security Erosion and Hindutva Majoritarianism

Indian claims of being the world's largest democracy are baseless unless democratic rights of Hindus and non-Hindus alike are equally protected by the Indian government and the law. Moreover, deteriorating democratic status of India is a worrisome indicator of rising human insecurity there. According to the Freedom House's annual study of political rights and civil liberties worldwide, India stood at 66th position out of a total of 100^{21} countries in 2022, due to the democratic decline values caused by the infringement of civil liberties and fundamental freedoms, as mentioned in the study, under rising Hindutva cultural authoritarianism. The study assigns India the status of 'partly free' despite India's international recognition of being the world's largest democracy.²²

Historically speaking, B. R. Ambedkar, the Chairman of the Constitutional Drafting Committee, describes India as a 'unitary state' that would merge the majority and minorities into all-inclusive Indian nationalism.²³ Contrary to the current scenario, the architect of the Indian Constitution during his statement to the Constituent Assembly in 1948 spoke of an inclusive Indian Nationalism. The division of the country into different states under federation is for the sake of administrative convenience only. The country is an integrated unit and its people are also one.²⁴

However, that constitutional protection to the multi-ethnic nationhood has been dissolved into identity politics. The demand for global recognition leads to politicization of religion, and contemporary India offers a classic example. The inclusive-integrationist Congress owned Pan-Indian pluralistic majority nationalism has been transformed by BJP into Hindutva owned exclusive-Hindu majoritarianism²⁵ in order to consolidate legal political majority. The glocalized notion of the 'Bahumat' widely used by the BJP, which means majority in Hindu patterns, sets the ethnic moral standard for restructured illiberal and conservative Hindutvaguided pseudo democracy. The case of Amulya Leona is prominent in this context. The teenager activist, utilizing social media platforms to speak against the BJP draconian laws of CAA, NPR and the NRC had been arrested for sedition charges in February 2020 by registering a Suo-moto case under Section 124A. Her speech in New Delhi that

victimized her was based on the public narrative of the security of fundamental rights of all Indians irrespective of their territorial and religious identities and a cooperative peaceful India within South Asia and in the East Asian region.²⁶ Moreover, she criticized the identity of modern India, modified on conservative religious civilizational constructions, rather than on its historical pluralistic multi-ethnic nationhood.²⁷ What actually led to Leona's illegal detention was the fact that states she mentioned actually occupy the area that form Savarkar's Hindutva territorial claims as emphasized in his document 'Who is a Hindu?,²⁸ of the Hindu Civilization' – 'The Bharat Varsha,'-that stretches from the Indus to as far as the seas, forming the regional cradle of Asia including the Indian Ocean and the Pacific to the Far-East.

However, contrary to the state action taken by the BJP government against Leona, and contrasting to her nature of crime; Anurag Thakur, minister in BJP government, while addressing the BJP mob, chanted with the narrative of 'Shoot the Traitors' - the protestors of the Shaheen Bagh- which led to the incident of shootings at Jamia Milia by a Hindu nationalist. But Thakur's speech lacks charges of a hate speech and receives BJP's recognition for upholding the Hindutva essentials of 'Pitrbhu - The Hindutva, and not the Hindu, nation and jati' in accordance with Savarkar's re-definition of a Hindu.²⁹ The comparative analysis of Leona and Anurag's case questions the importance of constitutional provision particularly Article 14, 19, 20, 21, 44 and 51A(e), which safeguard the principles of equality before the law, freedom of expression protection of civil liberty, a uniform civil code, and outlining fundamental duties including the duty to foster harmony and fraternity among all citizens regardless religious, linguistic, gender, regional, and sectional differences.30

The concept of democracy, the dominance of parliamentary procedure, and the safeguarding of human security constitute a closely intertwined phenomenon.³¹ According to the Para 3 of the Universal Declaration on Democracy 1997, democracy aims to uphold and enhance the basic rights of individuals, encompassing social justice and economic progress.³² However for democracy's self-correction, the security of parliamentary opposition plays a crucial role. However, the current political climate in India under the thriving theocratic Hindutva regime led by the BJP does not adhere to this

principle. The opposition is subjected to "a policy of preventive arrests as a part of political activity" as mentioned by the national General Secretary of BJP Ram Madhav.³³ This tactic is employed to ensure an unimpeded passage of anti-democratic measures such as the Citizenship Amendment Act, and the revocation of the special status of Kashmir by repealing Article 370.

The 5th of August 2019, commonly known as Jammu and Kashmir Annexation Day, was met with criticism by the opposition, calling it a "day of shame".³⁴ In its aftermath, several Kashmiri leaders, including Mehbooba Mufti from the People's Democratic Party (PDP), Omar Abdullah from the National Conference, Sajid Lone and Imran Ansar from the People's Conference, and leader of the Jammu and Kashmir Liberation Front (JKLF) Yasin Malik were arrested for challenging the legitimacy of the decision made by the Indian Parliament. Additionally, several Congress Leaders, most notably Anil Kumar. Head of the Delhi Unit, were also arrested during the protests against the BJP's unlawful political action in what can be described as a major event of political detention.³⁵ Dr. Shashi Tharoor, member of Lok Sabha condemned the BJP's political maneuvering as gross violation of constitutional parliamentary procedures.³⁶

In a like manner, human insecurity in India is on the record of the international Human Rights watchdogs. The latest report by Amnesty International titled "India: We are Being Punished By The Law" -Three Years of Abrogation of Article 370 in Jammu & Kashmir" recognizes massive human rights violations in Jammu and Kashmir, during the curfew and communication lockdown. Since its annexation, the discrimination against the two million Indian population has intensified. They have been alienated as stateless and labelled as illegal immigrants, leading to their detention in detention centers in Assam. Moreover, they have been arbitrarily declared as 'terrorists' under the 'Unlawful Activities Prevention Act (UAPA)' and the 'Citizenship Amendment Act (CAA)'. The suspension of the freedom of expression has been imposed by arresting human rights activists under the UAPA and sedition charges. Additionally, there have been communal and ethnic violence against the Muslims, Dalits, women, and transgender individuals, including incidents of cow lynching, among other incidents.37

Threats to Religious Freedom and Secular Rights in Indian Constitution

The Indian constitution provides for fundamental rights to all Indian citizens in general; and in particular, for the abolition of untouchability under Article 17, protection of life and liberty of all under Article 21, equal justice under Article 39-A, and protection of weaker sections and scheduled castes under Article 46.³⁸ Despite these extensive constitutional protections, the discrimination exists in the form of politics. Muslims, Christians and Dalits, formally recognized as the untouchables in the social and political spheres of the Indian society, have been subjected to great discrimination, violence, and alienation in BJP's India. Nationhood in India seems to be no more the symbol of Indian identity. It is defined by 'Hinduism' today which is the cause of growing insecurities of non-Hindu communities in India.

The preamble of the Indian constitution is the marked guarantor of secular nature of Indian state. In addition, Article 15 of the Indian constitution secures the freedom of religion and the right of all citizens to practice and even propagate independently, their respective religions. Similarly, Article 14 and 25 to 28 bound the state to treat every religion in India with impartiality, without discrimination and meddling in their religious affairs.³⁹

The BJP's indoctrination of Hindutva has led to the enactment of laws such as the Citizenship Amendment Act (CAA), National Register of Citizens (NRC), and National Population Register (NPR). These laws have made religious affiliation a condition for granting citizenship, rendering the Indian Muslims stateless and confined to concentration camps in places such as Assam. The Unlawful Activities Prevention Act (UAPA) of 2019 enables the arbitrary labelling of citizens as terrorists without evidence or charges. Furthermore, anti-conversion laws, cow protection legislation at both the state and central levels (such as in Allahabad), and the Muslim Women (Protection of Rights on Marriage) Act of 2019 that criminalizes instant triple talaq (divorce) have been implemented. It has allied the right to religious freedom exclusive to Hinduism-cum-Hindutva majority in India. These conservative Hindu legislations have fueled extra-constitutional measures and judicial activism against the Indian minorities,

particularly the Muslims, and the intra-Hindu lower sub-castes, particularly the Dalits and Adivasis.

Prominent events of police arrests under the UAPA for instigating communal violence include Faisal Farooq's twice arrest, registered in Delhi High Court on the charges of violence at a school in North East Delhi; pregnant students, Gulfisha Fatima and Safoora Zargar's twice detainment in North East Delhi on sedition charges and on latter's Chandbagh speech; the February 22 anti-CAA Jaffarabad Metro Station arrests; and detainment of other Muslims. Surprisingly, these after-bail detainments were made for the same crimes but this time under the UAPA provisions, violating Article 20 of the Indian constitution.

Setback to Human Security: CAA, NRC, NPR, and UAPA

BJP has the policy of winning Hindu majority by playing the politics of resentment, and appeasement of Hindu majority by indoctrination of Hindutva principles within India's secular legal framework. Article 21 of the Indian Constitution obligates life and personal liberty of Indian citizens as inalienable and undeniable basic rights 'except according to procedures established by law'.⁴⁰ Moreover, as feared by Alladi Krishnaswami Ayyar, the constitutional phrase of "with due process of law" is the cause of ambiguities, uncertainties, and (intended or unintended) misinterpretations.⁴¹ Interestingly, human security in India is compromised by constitutionalizing identity politics in the form of 'procedures and process of law'.

The Citizenship Amendment Act (CAA) passed by the Indian Parliament in December 2019 and the nationwide National Registration of Citizens Law (NRC) have been the BJP's election manifesto and Prime Minister Narendra Modi's election campaign highlight, in commitment to the ideology of Hindutva. The Citizenship Amendment Act (CAA) 2019 provides citizenship to the non-Muslim religious identities, fleeing religious persecutions, from the Muslim majority states of Afghanistan, Pakistan, and Bangladesh. The Indian Citizenship issue-cum-political crisis is a challenge to the legitimacy of secular characteristics of the Indian constitution and the security of Indians' rights. The modified idea of citizenship for political purposes has remained on the agenda of Hindutva based nationalist political organizations- Hindu Mahasabha, the Bhartiya Jana Sangh (BJS), and the BJP⁴² - which RSS describes as its inspired bodies.⁴³

Similarly, the Unlawful Activities Prevention Act 2019 (UAPA), is an amended and the toughest version of Indian Anti-terrorism laws that include the Terrorism and Anti- Disruptive Activities (prevention) Act (TADA) having conviction rate of 1% only and that also of Muslims and Sikhs; and the Prevention of Terrorism Act (POTA) 2002 that immediately led to a declaration of 1031 Indians (mostly Muslims) as terrorists.

Jammu and Kashmir Episode: A Tale of Genocide

In two consecutive reports to the United Nations for the year 2021 and 2022, the Human Right Watch urged the international community to 'step up' over the 'alarming' human insecurity and the 'free fall' situation of human rights in Jammu and Kashmir⁴⁴ since the BJP government revoked the Jammu and Kashmir special status on August 5, 2019. Following the unilateral annexation of the Jammu and Kashmir - though it remains a disputed territory as per United Nations Resolution of April 1948 until a UN supervised plebiscite is held – Kashmiris have been subjected to gross human rights violations.

The multiple kinds of violence include extrajudicial killings during the peaceful protests which the Indian government covers up in the name of encounter killings; the information, communication, and communication crackdowns through internet shutdown; arbitrary detentions of thousands of protestors, political leadership – most prominently arrest of the former Chief Minister Mehbooba Mufti – and the journalists, torture, and much more. The Armed Forces (Special Powers) Act (AFSPA), has been extensively used by the BJP government to unquestionably legalize the Kashmiri genocide, which is in violation of the provisions of "Human Rights Law, International Humanitarian Law, and particularly the fourth Geneva Convention."

Five months after the August 5 lockdown, the Indian authorities confessed of having about 400 people in custody yet after the release of thousands of others;⁴⁶ and detention and concentration in deradicalization camps of more than 144 children under the extensive utilization of the 'Public Safety Act' by the BJP government.⁴⁷ The freedom of expression of the peaceful critics has been criminalized in the name of national security under the counter-terrorism and brutal sedition laws. In June 2020, the detention cases of prominent journalists including Gowher Gillani, Peerzada Ashiq, and Masrat Zahra for uploading anti-national social media posts have been taken

on UN forums in a call to preserve human security in Jammu and Kashmir.⁴⁸ In a petition to the Jammu and Kashmir Governor, Satya Pal Malik, against the communication and expression censorship; Amnesty International has expressed concerns over curtailed freedom of expression and strict state-controlled flow of information from the Indian governed Kashmir.⁴⁹ Moreover, the agency launched a 'Let Kashmir Speak' campaign to restore the civil and political liberties of about 8 million people. The deteriorating state of democratic norms in India, manifested in the plight of Kashmiris, have been voiced by Aaker Patel, the head of Amnesty International India as tantamount to ushering into the dark ages of the region.⁵⁰

The BJP-led Hindu right wing has initiated demographic engineering of the Jammu and Kashmir in compliance with the Hindutva proposed Hindu majoritarian state of Kashmir as the only solution for territorial integrity of the disputed land to Hindu Rashtra. Carrying out the agenda of Hindu settler colonialism, the BJP government passed the residency law for Kashmir under the Jammu and Kashmir Reorganization Order 2020, and the Grant of Domicile Certificate Rules 2020 that permits residency rights along with government services to Indian citizens and non-Kashmiri residents. In over period of two years, 4.1 million individuals had been issued domicile certificates.⁵¹

Similarly, the Hindu nationalist government is responsible for the systemic sexual violence and abuse in Kashmir. Misogynist remarks by the BJP leaders are a political trend in Indian politics, but in case of Kashmir they are a humiliating reality. After the article 370 revoking move, a BJP law maker, Vikram Saini, was highlighted for ensuring the BJP bachelors the availability of white-skinned Kashmiri brides. In January 2018, an 8 years old girl was repeatedly gang raped by six Hindus including police officers, in a Hindu temple in the Kathhua district of Jammu and Kashmir. The investigations revealed a BJP government revenue officer Sanji Ram as the man who plotted the crime. In addition, National Crime Record Bureau (NCRB) also reported a 15.62 percent rise in crimes against women in Jammu and Kashmir in 2021, with a total of 315 cases of rape, 1414 of attempted rape, and 14 cases of dowry deaths having been registered.

The tale of violence, ethnic cleansing, cultural and demographic engineering, and sexual abuse in Jammu and Kashmir is not new, as the Prime Minister of Pakistan in his address to the United Nations General Assembly in 2022, said that India has unleashed a wave of suppression in Kashmir where massive brutalization of the Kashmiris is being carried out.⁵⁶ It has definitely intensified in degree and frequency since the BJP came into government in 2014.

Communal Tensions: Subject to Human Security in India

Communalism in South Asia is not a new phenomenon, however, the modern communalism created by the BJP induced neo-Hindutva state politics poses a major threat to human security, and to the human rights basic principles of racial equality and non-discrimination by institutionalization of divide and rule policy that would leave a legacy of religious, ethnic, and racial exclusions in Indian history. Dr. Shashi Tharoor describes the identity politics of the BJP as "competitive communalism of Hindutva".57

According to the statistics of the Indian Ministry of Home Affairs, 7,484 cases and above 1,100 related deaths related to communal violence were reported in between 2008-2017.⁵⁸ The report on 'contemporary forms of racism, racial discrimination, xenophobia and related intolerance'⁵⁹ submitted by Special Rapporteur, E. Tendayi Achiume, in accordance with UNGA Resolution 72/157 finds the Hindu nationalism, and populism in general, and the BJP government and its leaders' hate speech politics in particular; guilty of the intensified communal violence, increased vigilantism, exclusion of minorities and the inflicted statelessness, a crackdown on their basic rights to health and education; disenfranchisement, and forced conversions.⁶⁰

According to the United States Commission on International Religious Freedom Report 2019, 98% of the total attacks carried out by the Hindu lynch mobs against the Muslims, Christians and Dalits since 2010 fall in the period of BJP government and are caused by the cow-slaughter phobia promoted by the BJP and the RSS.⁶¹ The report also recognizes the fact that lynching victims, and not the perpetrators, face charges under such cases. The Human Rights Watch Director for South, Meenakshi Ganguly, obligates the Government of India to ensure the impartial police attitude of police according to the law. She warns of more unaccountable, political and communal law

enforcement agencies in case their partisan behavior remains unchecked.⁶²

The Indian nation in general, its minorities and the Muslims in particular have been under strict surveillance of the conservative political majority of Hindutva. This threatens every aspect of human security, ranging from their life, culture, privacy and much more.

Conclusion

In the politics of identity, interests supersede the principle of morality. Nationhood in India seems to be no more the symbol of Indian identity. It is defined by 'Hinduism' today which is the cause of growing insecurities of non-Hindu communities in India. While theocracy prevails in modern India, religious freedom in modern India is a myth now. Purification via victimage is a trending policy of the Hindutva supremacists.

Dr. Shashi Tharoor rightly describes the identity politics of the BJP as "competitive communalism of Hindutva".⁶³ The policies of social fragmentation of identities, actually aim at Hindutva constituency formation under the inherited divide and rule political set up. These have categorized the Indian nation into the identity frameworks that mark the Hindus as the 'insiders' and the 'outsiders' consisting of the non-Hindus, notably the Muslim minority.⁶⁴

This identity movement under Narendra Modi has achieved success to much extent in recognizing India as the state of 'Hindu Rashtra' or 'the Akhand Bharat' and constructing Hindutva identical to the Indian Nationalism. Thus, human security in India has remained a victim of humanitarian crisis out of the longstanding agenda of Hindutva, its fundamentalism, communalism and extreme-right politics.

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