

Core issues of Religious Minorities in India

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India is a multi-religious, multi-ethnic, multi-cultural country. The Indian state remains determined to see the country as one nation, turning a blind eye to religious, ethnic, and linguistic heterogeneity of Indian society, and attempting to address the growing challenge to its political cohesion with ill-conceived repressive measures.

Following the victory of India's right-wing Bharatiya Janta party (BJP) in May, 2014, fears had been mounting about the fate of religious minorities in India. The attacks against religious minorities have increased in India, as extremist Hindu groups have combined with a nationalist ideology to promote 'Hindutva' – which equates being Indian with having a Hindu faith. Leader of BJP and India's Prime Minister, Narendra Modi, has strong connections with these groups, which has led to concerns that persecution will increase under his rule. Hindu fundamentalism has posed a grave threat to Indian democracy; the Muslims, the Christians, the Sikhs and the Dalits.

Government of India has delayed to release of complete data on India's religious composition as per India's census 2011. The last recorded available data on India's religious diversity through its 2001 Census report is produced below:

Religious Composition	Population	(%)
Hindus	827,578,868	80.5
Muslims	138,188,240	13.4
Christians	24,080,016	2.3
Sikhs	19,215,730	1.9
Buddhists	7,955,207	0.8
Jains	4,225,053	0.4
Other Religions & Persuasions	6,639,626	0.6
Religion not stated	727,588	0.1
Total	1,028,610,328	100.0

Source: *Census of India report 2001*

As shown in the above table, in 2001, out of 1028 million population, 827 million Indians (80.5%) followed Hinduism, 138 million (13.4%) Islam, 24 million (2.3%) Christianity, 19 million (1.9%) Sikhism, 8 million (0.80%) Buddhism and 4 million (0.4%) Jainism. In addition, over 6 million have stated following the other religions and faiths including

tribal religions, other than the six main religions. The questions are already being asked that why government of India is not releasing the complete data on religious composition of Census 2011? As reported in Indian press, according to census of 2011, the Hindu population of the country has declined from 80% to 78.35%, Muslim population has risen from 13.4% to about 15%, Christianity from 2.3% to 2.5%¹ .

Indian constitution, is based on secular nationalism. But Hindu radical organizations see Hindus as the prime possessors of the Indian nation and believe that minorities should accept the Hindu predominance. RSS is the most significant of amongst these organizations. Formed in 1925, the RSS is the conceptual and institutional foundation of Hindu radicalism. The RSS does not nominate any contestants for elections, but it supports the campaign for BJP candidates, as it did for Modi during last elections. Modi and many other BJP leaders were trained by the RSS before their rise to political offices.

The BJP founded as a party in 1980, but all its auxiliary organizations have stood for Hindu fundamentalism and the agenda of 'Hindutva'. The ideology of 'Hindutva' date backs to 1920s. Although the ideology has evolved during the last nine decades but some of its core values remain unaltered. The core concept of Hindutva is that India is a Hindu nation. The idea was coined by its founder Vinayak Damodar Savarkar in 1923 when he wrote: "A Hindu means a person who regards this land of Bharatvarsha (Indian sub-continent) from the Indus to the seas as his fatherland (pitribhumi) as well as his holy land (punyabhumi)."² This definition of a Hindu which is largely followed by Hindu fundamentalists, submerges three of India's religious minorities—Buddhists, Sikhs and Jains into Hinduism, as India is the birth place of these three religions and considered their father land and holy land. But as the holy lands of the Abrahamic faiths (Muslims, Christians, and Jews) are located outside India therefore Hindu extremists believe that the followers of these religions should either be excluded from Indian society or converted to Hinduism.

The constitution of India does not declare the republic as multicultural. However, Indian constitution provides limited safeguards to the minority communities. President Barack Obama during his visit to India also pleaded for freedom of religion to be upheld in the country. He said '*Your Article 25 (of the Indian constitution) says that all people are 'equally entitled to freedom of conscience and the right freely to profess, practice and*

propagate religion. India will succeed so long as it is not splintered along the lines of religious faith, as long as it is not splintered along any lines, and it is unified as one nation. He added "*In both our countries, in all countries, upholding this fundamental freedom is the responsibility of government, but it's also the responsibility of every person.*" ³ Like many others president Obama also cited section 25 of Indian constitution on 'right of freedom of religion'. But the article 25 of the Indian Constitution itself is considered to be controversial. The explanation of article 25 curtails the religious identity of Sikhs, Jains and Buddhists of India by not recognizing them as separate religious entity and treating them as Hindus. Article 25 of India's constitution which states, "Hindus shall be construed as including a reference to persons professing the Sikh, Jain or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly."

In Indian union of 28 states, 7 states including Gujrat, Arnachal Pradesh, Rajisthan, Madhya Pradesh, Himachal Pradesh, Orissa and Chhattisgarh have their 'Anti-conversion Laws'. Interestingly enough, 2015 annual report of the U.S. Commission on International Religious Freedom (USCIRF) in its key findings has reported these states to have the greatest number of religiously-motivated attacks and communal violence.⁴

The anti-conversion laws introduced as the Freedom of Religion Acts, have resulted in inequitable practices against minorities. These anti-conversion acts generally ban religious conversion by use of force, inducement, or any fraudulent means; aiding any person in such conversion is also banned. However, the USCIRF clearly identify that 'Religious minorities in India have been subjected to "violent attacks, forced conversions" and 'Ghar Wapsi' campaigns by groups like Rashtriya Swayamsevak Sangh (RSS) after Narendra Modi government assumed power in 2014.⁵

Rajeshwar Singh, a close associate of Prime Minister Modi's BJP is said to be the architect of controversial Ghar Wapsi (homecoming, or mass-reconversion) programme. He publicly attacked the religious freedom by warning the minorities that "Our target is to make India a Hindu Rashtra (Hindu Country) by 2021. The Muslims and Christians don't have any right to stay here. So they would either be converted to Hinduism or forced to run away from here." He added, "I will ensure that India is freed of Muslims and Christians by December 31, 2021."⁶ As reported by USCIRF Hindu nationalist groups also offer financial incentives to Christians and Muslims to convert them to

Hinduism. In December, 2014, hundreds of Muslims reportedly were forcibly converted to Hinduism in public ceremony at Agra, Uttar Pradesh. Members of the fanatic Hindu groups deceived various Muslims families into attending a meeting by telling them they would be provided financial help, but instead a Hindu religious leader performed a Hindu conversion ceremony.⁷

Ironically, the anti-conversion laws do not apply to religious minorities while converting them to Hinduism as it is interpreted as 're-conversion'. The terminology of ghar wapsi; also translated as ('homecoming'), 're-conversion' to Hinduism is widely used by fundamentalist Hindu groups. However, this term is "not included in the purview of any anti-conversion law."⁸ Astonishingly, the 1954 Special Marriage Act contains sections that deprive converts to non-Hindu religions, such as Islam and Christianity, of certain rights and privileges. For example, if either parent of a child converts to Christianity or Islam, that parent loses the right to guardianship over the child. Likewise, under the law, a Hindu wife who converts to Christianity or Islam loses her right to marital support from her husband.⁹

Under the Foreign Contribution Regulation Act (FCRA) of 1976, the Modi Government has banned various Non-governmental organizations (NGOs), working for the welfare of the minorities in India. Only in April, 2015 Modi government cancelled the registration of nearly 9,000 foreign-funded NGOs including faith-based NGOs.¹⁰

The Indian Constitution clearly disallows discrimination on the basis of religion. Article 19 of the Constitution further protects freedom of speech, expression and association. However Indian Government has not allowed new resident foreign missionaries since the mid-1960s. It is a common practice that Indian government generally do not allow entry of new religious institutions and foreign missionaries from entering the country. The marriage ceremonies cannot be performed in churches as per Indian divorce act 2001. The act also limits the inheritance, property ownership and support allowances in case of interfaith marriages.

The Indian Constitution provide assurances of parity of all citizens, regardless of their caste, race, religion, ancestry, place of birth and abode. However under a political regime which promotes the traditional Hindu social philosophy based on strict caste system, Dalits who constitute 16% of India's population are suffering an inhuman

treatment at the hands of upper-caste Hindus. Dalit which means “broken, destroyed, crushed” fall outside the four-fold caste system. Hence they are even today considered ‘untouchables’. The Indian Constitution, eliminated the untouchability and introduced the concept of equivalent citizenship. However, the Dalits cannot use the same sources of water, visit the upper castes’ Hindu temples, drink from the same glass, or claim the ownership of their ancestral land.

In September 2014, Dalit Seventh-day Adventists filed a report in Uttar Pradesh that they were forcibly converted to Hinduism and their place of worship was converted to a Hindu temple. The nationalist groups also allegedly target Dalits if they are believed to be considering conversion away from Hinduism.¹¹

Centre for Public Interest Litigation filed a writ petition no.180 of 2004 in Indian Supreme Court. The petition challenges the Constitutional validity of the Constitution Scheduled Caste Order 1950 which excludes Dalit Christians and Dalit Muslims from the Scheduled Caste list thus denying the religious freedom in India. It has now been more than 10 years now that Supreme Court of India has unnecessarily delayed its judgment on the case.

Zee News an Indian media outlet has reported that ‘Dalits are deprived of the opportunity to contest elections in over 1000 assemblies and 79 Lok Sabha (lower house of Indian Parliament) constituencies’. The Zee News editorial raised a very important question that when Dalit Sikhs have been given reservation by amending the Constitution in 1956 and Buddhists in 1990, why is the government delaying the matter when it comes to Muslim and Christians?¹²

Thirty one years ago, amid the month of November, Sikhs were burnt alive, Sikh ladies got raped, Sikh business and properties flared to cinders in the towns and streets of world’s largest democracy (India). Hindu extremists, assembled in various parts of Northern India to carry out the holocaust of the Sikhs with the encouragement of the Indian government’s ministers and Members of Parliament and with the support of the police. It is very embarrassing that successive Indian regimes have described this Genocide of the Sikh as a ‘communal riots’. However UN Convention on Genocide section 2 clearly states: *‘Genocide is ‘any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group - Killing*

members of the group; Causing serious bodily or mental harm to members of the group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part'.¹³

Government of India's appointed Nanavati Commission of 2005 indicted a number of politicians for the massacre of the Sikhs. Criminal cases were logged against them but none has yet been trailed. Human right groups and activist are demanding for speedy trail of all these pending hearings to bring the culprits to justice.

Following Sikh genocide, the Indian government commenced a sweeping crackdown on Sikhs across the Punjab under the code name 'Operation Woodrose'. The Indian army charged the villages and towns. Sikh males, particularly the youth, were arrested. The Sikh political prisoners were given a minimum sentence of 20 years. Due to dysfunctional judicial system and discriminatory law enforcement, many of them, old and ill, still remain in prisons despite of completing their period of imprisonment. An 82 year old American Citizen from California Bapu Surat Singh is a Sikh activist who is on hunger strike since January 16th, 2015. He wants the government of India to release the Sikh prisoners who are still in jail despite of completing their respective sentences.

India signed the Geneva Conventions 1949 but State of India does not fully comply with International conventions on Human rights. India has submitted its reservation on Genocide Convention 1948, International Convention on the Elimination of All Forms of Racial Discrimination 1965, International Covenant on Civil and Political Rights 1966, International Covenant on Economic, Social and Cultural Rights 1966, Convention on the Elimination of All Forms of Discrimination against Women 1977, Convention Against the Taking of Hostages 1979, Convention on the Rights of the Child 1990. Therefore State of India ignore some of the major instruments of International laws related to Human rights.

In absence of International scrutiny, Hindu radicals have committed appalling human rights abuses upon Sikhs, Christians and Muslims. The BJP has affiliates like the RSS, Vishwa Hindu Parishad (VHP, World Council of Hindus) or the youth brigade Bajrang Dal (veneration of the monkey-god). The RSS and BJP activists demolished the historic Babri Mosque at Ayodhya on December 6, 1992. BJP was the ruling party of the state (Utter Pardesh) where incident took place, while Congress was ruling the Union of India.

This clearly exhibit that the right wing fanatics and the secular nationalists have the common agenda of crushing the minorities. Following the demolition of the historic mosque, Hindu-Muslims riots erupted in various parts of India. Only in the city of Bombay, Over 2000 Muslims were killed, 1,829 injured and 165 gone missing.¹⁴ In March 2002, the worst massacre of the Muslims took place in Gujarat. The well-planned massacre led to the killing of over 2000 helpless Muslims. BJP was heading the India's ruling coalition as well as ruling the State of Gujarat with Modi as its chief Minister. The Concerned Citizens Tribunal chaired by former Supreme Court judge V R Krishna concluded that Gujarat Chief Minister Narendra Modi, his Cabinet colleagues and organisations like the BJP, RSS, VHP and the Bajrang Dal meticulously planned and executed the Gujarat Massacre of the Muslims. The tribunal heard that Modi cabinet members including Home Minister Gordhan Jhadafiya, Health Minister Ashok Bhatt, revenue minister Haren Pandya (who later fell out with Modi and had to resign), Finance Minister Nitin Patel, Urban Development Minister I K Jadeja, Food and Civil Supplies Minister Bharat Barot led mobs to kill Muslims and burn Muslim property.¹⁵ However Modi got a clean chit in the matter through the report of Special Investigation Team appointed by Supreme Court of India.

India's sixteenth general elections witnessed a massive victory of BJP led by Modi. One of the most important concerns about the Modi Government is Indian's religious diversity. Prime Minister Modi has constantly been alleged not to stop his extreme supporters from attacking Muslims, Christians and Sikhs in India. A report — "100 days under the New Regime — the state of Minorities" — released last year at the protest by leaders of various Christian denominations and Muslims activists. The report pointed out that there have been more than 600 attacks on minorities during the first three months of the rule of Hindu nationalist BJP. The report suggested that 'first 100 days of the new regime have seen the rising pitch of a crescendo of hate speech against Muslims and Christians. Their identity derided, their patriotism scoffed at, their citizenship questioned, their faith mocked.' It further adds, "The environment has degenerated into one of coercion, divisiveness, and suspicion. This has percolated to the small towns and villages of rural India, severing bonds forged in a dialogue of life over the centuries, shattering the harmony built around the messages of peace and brotherhood."¹⁶

It appears that BJP tends to have a contradictory association with democracy: it gains power via democratic process of elections; once in power, however, it wishes to deteriorate fundamentals of democracy, such as religious freedom.

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