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# Status of Minorities in India



Mahwish Hafeez



Institute of Strategic Studies Islamabad

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# **Status of Minorities in India**

**Mahwish Hafeez\***

**July 2021**

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## **Abstract**

*India has been successful in building a soft image of itself across the globe with the help of its soft power diplomacy. It is seen as a country of diverse cultures, languages and religions. This unfortunately is far from reality. Though, the constitution of India provides certain clauses that ensure equal treatment and opportunities and protection of basic human rights for all its citizens irrespective of their religion or caste. However, the religious minorities nevertheless have suffered worst forms of atrocities for decades. This suffering has witnessed a sharp increase since 2014 as Bharatiya Janata Party (BJP) led by Narendra Modi assumed power. Inspired by the Hindutva ideology and a trained pracharak of RSS, Modi government is not leaving any stone unturned to turn India into a Hindu Rashtra (Hindu state). This entire situation has emboldened rightwing Hindu extremists to unleash a reign of terror on the minorities, particularly Christians and Muslims who are witnessing social boycotts, destruction of holy places, desecration of holy books, hate speeches and worst – the lynching often with impunity. This paper investigates the condition of minorities particularly Muslims and Christians in India since 2014 when Modi formed his first government following the 16<sup>th</sup> Lok Sabha elections.*

**Keywords:** Hindutva, Modi, Minorities, India, Kashmir.

## Introduction

In the words of sociologist Louis Wirth, minority group is “a group of people who, because of their physical or cultural characteristics, are singled out from the others in the society in which they live for differential and unequal treatment and who, therefore, regard themselves as objects of collective discrimination.”<sup>1</sup>

India is a country of many colours. Its democratic parliamentary system, an emerging military and economic power, Gandhi’s legacy of non-violence which has inspired renowned people like Martin Luther King Jr. or Nelson Mandela and his anti-apartheid movement in South Africa,<sup>2</sup> having a huge human resource and as the famous saying goes, its unity in diversity makes India a very attractive country for the global community. Home to number of religions including Hinduism, Christianity, Islam, Sikhism, Buddhism, Jainism and more, its social diversity and colourful cultural promotion through soft diplomacy gives a very favourable support to its global image building.

But there is another side of the story, too. A closer look reveals that under the facade of democracy and secularism or unity in diversity, minorities and particularly Muslims and Christians have always suffered at the hands of extremist Hindu countrymen. This suffering has been taking place despite the right that the Indian constitution has given to all its citizens. Also, the hatred against the religious minorities has risen immensely in recent years particularly with the rise of Modi and Hindutva ideology.

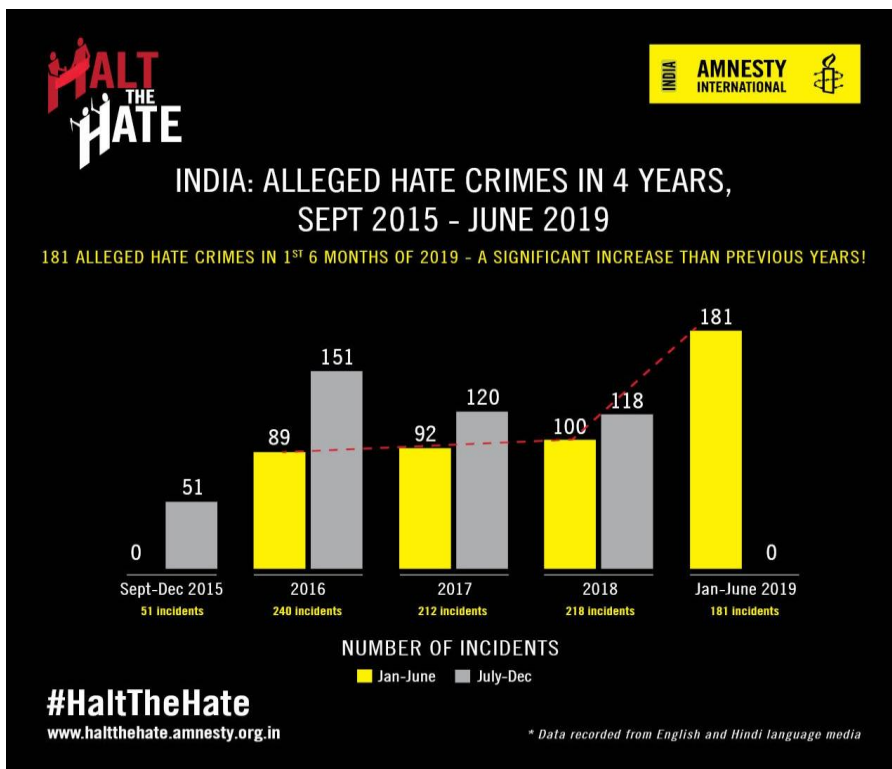
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<sup>1</sup> Veneet Thomas, “Minority Rights in the Constitution of India,” *International Journal of Development Studies*, vol.07, no.06 (June 2017), <https://www.journalijdr.com/sites/default/files/issue-pdf/8840.pdf>

<sup>2</sup> Nelson Mandela was inspired by the Satyagraha campaign (passive protest against oppression) led by Gandhi. Also, The African National Congress founded in 1912 on the lines of Indian National Congress with which Gandhi was associated also launched its first mass movement against apartheid in 1952. “Mandela Took Inspiration from Gandhi,” *The Progressive Magazine*, July 3, 2013, <https://progressive.org/latest/mandela-took-inspiration-gandhi/>

In fact, 90 per cent of the hate crimes in last decade took place since Modi assumed power as the Prime Minister of India.<sup>3</sup> Amnesty International India’s website, Halt the Hate reported that in the first six months of 2019, 181 incidents of alleged hate crimes took place which is twice the last three years’ half-yearly counts.

**Graph No.1**  
**Hate Crimes in India**  
**(Sep 2015- June 2019)**



Source: Amnesty International, Twitter, October 4, 2019,  
<https://twitter.com/aiindia/status/1180048170732048385?lang=en>

In this backdrop, this paper raises questions such as: i. what are the constitutional rights of minorities in India; ii. to investigate whether

<sup>3</sup> “Rana Ayyub, “What a Rising Tide of Violence Against Muslims in India Says About Modi’s Second Term,” *Time*, June 28, 2019, <https://time.com/5617161/india-religious-hate-crimes-modi/>

crimes against minorities have increased under Modi regime or not; iii. what means and methods are used by the extremist Hindus to inflict harm on the minority community.

## **Indian Constitution and Minorities**

Keeping in view the social diversity, the Constitution of India in order to uphold secular principles has given a number of guarantees to the minorities. For example, in Part III, the Article 15 states that “The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”<sup>4</sup> The Constitution of India also recognizes in Article 25 (1) that “all persons are equally entitled to freedom of conscience and the right to freely profess, practice and propagate religion.”<sup>5</sup>

Article 29 (1) states “Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same” whereas Article 29 (2) says “No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.”<sup>6</sup>

Thus, the constitution of India drafted by B R Amedkar, himself from the scheduled/ Dalit class provides sufficient clauses to protect the interest of all its citizens irrespective of religion or caste. While the constitution of India ensures that all citizens of the country are treated equally and are not subject to discrimination in any form or abuse on the basis of religion or caste, the ground reality, however, is in stark comparison to the

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<sup>4</sup> Sambuddha Ghataka and E. Ike Udogu, “Human Rights Issues of Minorities in Contemporary India: A Concise Analysis,” *Journal of Third World Studies* Vol. XXIX, No. 1 (Spring 2012),

[https://libres.uncg.edu/ir/asu/f/Udogu\\_Ike\\_2012\\_Human\\_Rights\\_Issues.pdf](https://libres.uncg.edu/ir/asu/f/Udogu_Ike_2012_Human_Rights_Issues.pdf) Vol number and relevant other details of edition of journal are missing.

<sup>5</sup> Bhavana Sharma, “The Rights of Minorities under the Constitution of India: An Analysis,” *International Journal of Law*, vol. 4, issue 1 (January 2018) ,  
file:///C:/Users/sony/Desktop/minority%20status/3-6-107-963.pdf

<sup>6</sup> “Article 29 – Protection of Interests of Minorities,” Constituent Assembly Debate, [https://www.constitutionofindia.net/constitution\\_of\\_india/fundamental\\_rights/article\\_s/Article%2029](https://www.constitutionofindia.net/constitution_of_india/fundamental_rights/article_s/Article%2029)



forementioned constitutional guarantees. Particularly, under the current regime of Modi, minorities in India are subject to multifaceted social issues and discrimination along with physical violence. The increasing influence of Hindutva ideology in all spheres of states be it social, political or economic has actually deteriorated the conditions for minorities.

## **Ideology of Hindutva**

During the 19<sup>th</sup> century, a number of Hindu revivalist and nationalist movements, like Brahma Samaj and Arya Samaj emerged. Amongst these, V.D. Savarkar was the first person who presented the concept of Hindutva in his book “Essentials of Hindutva.”<sup>7</sup> For Savakar, an Indian was anyone who believed India as both a holy land and father land. By this definition, followers of religions like Jainism, Buddhism and Sikhism were Indians but Christians and particularly Muslims did not fall under this definition as both these religions had their birthplace and holy lands elsewhere. Savarkar deemed only Hindus as the native people of India and firmly believed that all religious minorities were outsiders and therefore, he insisted that all outsiders must adhere to Hindu symbols that represent India’s national culture. He demanded that minorities, especially Muslims and Christians, should pledge loyalty to the Hindu religion in public, though they may follow their own religion privately. As mentioned above, except for Islam and Christianity, all other religions were excluded from these conditions as according to Sarvarkar, they were closely related to Hinduism.

Hindutva is the ideology that wants to make India a Hindu Rashtra (Hindu State) where minorities are treated like a second grade citizens.<sup>8</sup> It was precisely this ideology that resulted in the assassination of Mahatma Gandhi by a Rashtriya Swayamsevak Sangh (RSS) worker Nathuram Vinayak Godse in 1948. Godse felt that Gandhi was being too lenient towards the minorities and therefore, deemed it fit to kill the father of the

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<sup>7</sup> Arun R. Swamy, “Hindu Nationalism – What’s Religion Got To Do With It,” Asia-Pacific Center for Security Studies, March 2003,

<https://apcss.org/Publications/Ocasional%20Papers/OPHinduNationalism.pdf>

<sup>8</sup> Ziya us Salam, “CAB : Rooted in Hindutva Ideology,” *Frontline*, January 3, 2020, <https://frontline.thehindu.com/cover-story/article30328365.ece>

nation by firing three shots at him.<sup>9</sup> Today, Rashtriya Swayamsevak Sangh (RSS) is the group that is leading the Hindutva cause in India. Additionally, groups like Vishva Hindu Parishad (VHP), Bajrang Dal and Shiv Sena are affiliated with RSS and together they are known as the Sangh Parivar.<sup>10</sup> Since BJP is the political arm of RSS, its adherence to Hindutva ideology is no secret.

This adherence is expressed by BJP leaders on frequent basis. For example, in 2018, A BJP lawmaker Surendra Singh from Bairia said, “There are a very few Muslims who are patriotic. Once India becomes a Hindu ‘rashtra’ (Hindu nation), Muslims who assimilate into our culture will stay in India. Those who will not are free to take asylum in any other country.”<sup>11</sup> The same ideology and mindset was exhibited recently by Subramanian Swamy, a senior leader of Bharatiya Janata Party (BJP), and a member of parliament, in an interview when he said that Muslims are “not in an equal category” to non-Muslims.<sup>12</sup>

While the suffering of the religious minority communities is nothing new, the scale of hate crimes against the minorities has risen manifold since Modi came to power in 2014. Emboldened by the rise of Modi, the Hindu rightwing extremist groups have been building and propagating a narrative that revolves around Hindutva ideology. Modi, who himself is inspired by the ideology of Hindutva and is a trained pracharak (worker) of RSS was the Chief Minister of Gujarat when more than 1,000 people

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<sup>9</sup> “Nathuram Godse Was Nervous, Fearful going to Gallows, Said Judge Who Heard his Appeal,” *India Today*, May 17, 2019, <https://www.indiatoday.in/india/story/nathuram-godse-was-nervous-fearful-going-to-gallows-said-judge-who-heard-his-appeal-1527184-2019-05-17>

<sup>10</sup> The Sangh Parivar or the “family of Rashtriya Swayamsevak Sangh” is an umbrella term that refers to Hindu nationalist groups affiliated to RSS. These groups include Bharatiya Janata Party, Vishva Hindu Parishad, Bajrang Dal, Shiv Sena Akhil Bharatiya Vidyarthi Parishad and Bharatiya Kasn Sangh. Please add weblink for reference. “We Have No Orders To Save You” State Participation and Complicity in Communal Violence in Gujarat,” Human Rights Watch, Vol. 14, No.3 (C), April 2002, <https://www.hrw.org/reports/2002/india/index.htm#TopOfPage>

<sup>11</sup> “India will be a Hindu ‘Rashtra’ by 2024: BJP MLA Surendra Singh,” *Zee News*, January 14, 2018, <https://zeenews.india.com/uttar-pradesh/india-will-be-a-hindu-rashtra-by-2024-bjp-mla-surendra-singh-2073857.html>

<sup>12</sup> “Muslims Must Not be Given Equal Status: BJP’s Top Leader Subramanian Swamy,” *Global Village Space*, April 3, 2020, <https://www.globalvillagespace.com/muslims-must-not-be-given-equal-status-bjps-top-leader-subramanian-swamy/>

mostly Muslims were lynched by Hindu mobs.<sup>13</sup> Modi was blamed for not only turning a blind eye but it was believed that he actually “allowed” this pogrom.<sup>14</sup> As a result of his alleged involvement in one of the worst riots against Muslims, Modi was banned from entering the US whereas UK and some other European countries also boycotted him.<sup>15</sup> This ban was lifted only when he emerged as the leader for Bharatiya Janata Party shortly before the 2014 Lok Sabha elections.<sup>16</sup> Now, he is the Prime Minister of India, atrocities against minorities have risen to the level never seen before across the country.

## **Status of Minorities in India**

India, a secular country and the largest democracy is in reality a place where religious minorities have always faced persecution. A look at the last seven decades shows number of examples where minorities were targeted — be it the Sikh riots of 1984, demolition of Babri mosque in 1992, incident of burning alive of Australian missionary Graham Stewart Stains and his two minor sons in January 1999 by the mob of Bajrang Dal and Vishwa Hindu Parishad, Gujarat riots of 2002 or the most recently Delhi riots, minorities were targeted solely because of their religion. Even the Indian National Congress which claims to be a secular party cannot be fully absolved from inflicting harm on the minorities and 1984 Sikh riots are the prime example in this connection. However, it is the rise of Bharatiya Janata Party under Narendra Modi in 2014 that the country has seen a rise that was never seen before in targeting of minorities. According to Government of India’s own estimates, incidents of communal violence increased 28 per cent between 2014-2017.<sup>17</sup> Such has

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<sup>13</sup> “Timeline of Riots in Modi’s Gujarat,” *New York Times*, August 19, 2015, [https://www.nytimes.com/interactive/2014/04/06/world/asia/modi-gujarat-riots-timeline.html#time287\\_8514](https://www.nytimes.com/interactive/2014/04/06/world/asia/modi-gujarat-riots-timeline.html#time287_8514)

<sup>14</sup> “Narendra Modi ‘Allowed’ Gujarat 2002 Anti-Muslim Riots,” *BBC News*, April 22, 2011, <https://www.bbc.com/news/world-south-asia-13170914>

<sup>15</sup> “No Entry for Modi into US: Visa Denied,” *Times of India*, March 18, 2005, <https://timesofindia.indiatimes.com/india/No-entry-for-Modi-into-US-visa-denied/articleshow/1055543.cms>

<sup>16</sup> “US Lifts Ban on Modi, Obama Invites Him to Washington,” *Dawn*, May 18, 2014, <https://www.dawn.com/news/1107011>

<sup>17</sup> “We’re Indians Too,” *Open Doors*, 2019, <https://webcache.googleusercontent.com/search?q=cache:MLEDEb20Y6AJ:https://>

been the impact of the narrative of these rightwing parties on the Indian society and polity that parties like Indian National Congress with its secular outlook is also pressured to toe to soft Hindutva line.

It is in the backdrop of this ideology and mindset that hate crimes against minorities have become a norm in the Indian society. The mobs of RSS, Shiv Sena and Bajrang Dal are inflicting worst forms of abuse on the minorities with impunity. The tacit state support has further emboldened these groups resulting in loss of lives, and damage to the property besides instilling a sense of fear and alienation among the members of the minority communities.

As has been discussed earlier, Hindu nationalists believe that while Sikhism, Jainism and Buddhism were born in this land, it is Christianity and Islam that came to India from outside. It, therefore, is not a surprise that members of these two communities are worst victims of Hindu bigotry. In its 2017 report, the National Crime Records Bureau reported about 41 per cent increase in communal violence since 2014.<sup>18</sup> As per this report, 336 cases of violence involving enmity between groups, races and religions were reported in 2014 whereas, 2016 recorded 475 cases.<sup>19</sup> Similar trends continued the following year. Minister of State of Home Affairs in 2018 informed the Parliament that during 2017, 111 people were murdered whereas some 2,384 people were injured in 822 communal clashes whereas in comparison in 2016, 86 people lost their lives and around 2,321 were injured in 703 incidents.<sup>20</sup>

## **Status of Christians**

Both Christians and Muslims have been living in India for centuries, but it is extremely unfortunate that even today, they are treated with suspicion and discrimination. Christians are the second largest minority after

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[www.opendoorsuk.org/about/how-we-help/advocacy/uk-india-resource-booklet.pdf+&cd=1&hl=en&ct=clnk&gl=pk](http://www.opendoorsuk.org/about/how-we-help/advocacy/uk-india-resource-booklet.pdf+&cd=1&hl=en&ct=clnk&gl=pk)

<sup>18</sup> “Communal Violence Cases up 41 per cent in Three Years : NCRB,” *Tribune*, July 27, 2017, <https://www.tribuneindia.com/news/archive/nation/communal-violence-cases-up-41-in-3-years-ncrb-442925>

<sup>19</sup> Ibid

<sup>20</sup> 111 people killed in 822 Communal Violence Incidents in 2017 : MHA,” *Times of India*, July 25, 2018, <https://timesofindia.indiatimes.com/india/111-people-killed-in-822-communal-violence-incidents-in-2017-mha/articleshow/65133124.cms>

Muslims living in India. According to 2011 census, Christians form 2.3 per cent of the population.<sup>21</sup> However, some international Christian organisation believe that the actual percentage of Christians is much higher as many Christians, particularly new converts from the Dalit community are often reluctant to openly profess their new religion due to fear of persecution and social boycotts.<sup>22</sup> As there are approximately 200 million Dalits in India, the extremist Hindus view Christian missionaries particularly threatening.<sup>23</sup> As per a report by Open Doors, the incidents targeting Christians increased more than four times during 2014-2017. In 2014, there were 147 reported incidents of violence against Christians whereas the first three months of 2018 saw 216 reported incidents.<sup>24</sup>

Interestingly, instances of violence against Christians are higher where the Christian population is less. In this regard between 2014-2018 Chhattisgarh tops the list.<sup>25</sup> The Christian community in India is subjected to various forms of violence and discrimination such as beatings for holding and attending services in churches, killings of those who had recently converted to Christianity from Hinduism, and at times, they are forced to reconvert to Hinduism etc. Christians are denied basic facilities like education, water, or government rations, they are denied burial space often with insistence that Christians also cremate their dead.<sup>26</sup> Rapes and sexual assaults against Christian women and girls are common occurrences. The case of a 71 year old nun who was raped after a group of men broke into a Christian school in March 2015 is still fresh in the minds of people.<sup>27</sup> Besides, desecration of holy books, destruction of holy places, damage to Christians' property and vandalism are common occurrences.<sup>28</sup>

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<sup>21</sup> Census 2011, <https://www.census2011.co.in/religion.php>

<sup>22</sup> "We're Indians Too," Open Doors, 2019.

<sup>23</sup> "Annual Report of the U.S. Commission on International Religious Freedom 2018 Annual Report," United States Commission on International Religious Freedom, April 2018, <https://www.uscirf.gov/sites/default/files/2018USCIRFAR.pdf>

<sup>24</sup> "We're Indians Too," Open Doors, 2019.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> "Nun, 71, Raped During Robbery in India, Official Says," *CNN World*, March 16, 2015, <https://edition.cnn.com/2015/03/14/asia/nun-raped-in-india/index.html>

<sup>28</sup> "Tamil Nadu, 100 Hindu Radicals Attack a Christian Community," *Asia News*, November 18, 2014, [http://www.asianews.it/news-en/\(South-Asia,India\)-Tamil-Nadu,-100-Hindu-radicals-attack-a-Christian-community-32727](http://www.asianews.it/news-en/(South-Asia,India)-Tamil-Nadu,-100-Hindu-radicals-attack-a-Christian-community-32727).

## Status of Muslims

Muslims — with 172 million population and 14.2 per cent of the total population form the largest minority in India.<sup>29</sup> In fact, it was the Hindu discrimination against the minorities that ultimately led Muslims to seek a separate homeland and Pakistan emerged on the map of world. Since 1947, the Muslims in India have been witnessing unabated violence. Whether it is the forceful occupation of the land of Kashmiris in 1947, Nellie riots of 1983,<sup>30</sup> Bombay riots of 1992 or the recent Delhi riots of 2020, the history of independent India is full of incidences of communal violence. However, with Modi in power, such incidences have seen a sharp increase.

### a) *Mob Lynching*

Since 2014, mob violence has become a norm in India. Gao Rakshaks or cow protection mobs have become a new phenomenon in the long list of brutalities against Muslims. Muslims are being targeted by mobs on mere suspicion of storing or consuming beef. Beatings and killings in broad day light has become a matter of routine in Modi's India. In most of the cases, such is the level of violence that the victims succumb to their injuries. In 2018 alone, at least 13 people lost lives and 57 people got injured in 31 incidents at the hands of these cow protection mobs.<sup>31</sup> Often, these mobs get away with their crimes.

Apart from the cow protection mobs, Muslims are becoming victims of another form of violence, which is lynching. These mobs

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<sup>29</sup> All India Religion Census Data 2011, <https://www.census2011.co.in/religion.php>

<sup>30</sup> Nellie massacre took place on February 18, 1983 ahead of Assam elections. The All Assam Student's Union along with some other groups demanded that the congress government delete the names 'foreigners' (illegal migrants from Bangladesh) from electoral list. The talks between government and the agitating groups failed and turned violent. Nearly 2,000 Muslims were killed in a span of six hours. "Nellie Massacre and 'Citizenship': When 1,800 Muslims Were Killed in Assam in Just 6 Hours," *The Print*, February 18, 2019, <https://theprint.in/india/governance/nellie-massacre-and-citizenship-when-1800-muslims-were-killed-in-assam-in-just-6-hours/193694/>

<sup>31</sup> "Annual Report of the U.S. Commission on International Religious Freedom 2019 Annual Report," United States Commission on International Religious Freedom, April 2019, <https://www.uscirf.gov/sites/default/files/2019USCIRFAnnualReport.pdf>

after getting hold of any member of minority community, particularly Muslim on any pretext and would force them after a merciless beating to chant Hindu slogans like “Jai Shri Ram.”<sup>32</sup>

Few years back, an organised campaign was launched and a term “Love Jihad” was coined where Muslim men are blamed for alluring Hindu women and converting them to Islam.<sup>33</sup> Hindu extremists believe that by luring Hindu women into Islam, Muslims want to change the Hindu majority into minority. This assumption of Hindu extremists has led to many young Muslim men losing their lives at the hands of Hindu extremist mobs. Recently, on November 24, 2020, the state government of Uttar Pradesh also passed “Uttar Pradesh Vidhi Virudh Dharma Samparivartan Pratishedh Adyadesh 2020” (prohibition of unlawful religious conversion) ordinance according to which forced religious conversion would be punishable for up to 10 years and a marriage for the sake of conversion will be declared null and void.<sup>34</sup> Number of other states are also gearing up for introducing such laws.

This rapid increase in the incidents of mob lynching ultimately forced the Supreme Court of India to intervene and in 2017, it directed the state governments to come up with laws to prevent mob violence and year later again asked the central and state governments to pursue an 11-point plan which also included compensation to the victims and fast tracking prosecutions among others.<sup>35</sup> However, things did not improve and mob lynchings have continued unabated.

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<sup>32</sup> “Jai Shri Ram: The Hindu Chant that Became a Murder Cry,” *BBC News*, July 10, 2020, <https://www.bbc.com/news/world-asia-india-48882053>

<sup>33</sup> Peony Hirwani, “Modi Attacking India’s Muslims Again — this time with the ‘Love Jihad’ Law,” *Independent*, December 16, 2020, <https://www.independent.co.uk/voices/love-jihad-law-modi-india-muslims-b1774243.html>

<sup>34</sup> “UP Cabinet Passes Ordinance to Check ‘Unlawful’ Religious Conversions,” *Times of India*, November 25, 2020, <https://timesofindia.indiatimes.com/india/up-cabinet-passes-ordinance-to-check-unlawful-religious-conversions/articleshow/79398391.cms>

<sup>35</sup> “Tamil Nadu, 100 Hindu Radicals Attack a Christian Community,” *Asia News*.

## b) *Hate Speeches and Incitement to Violence*

Hate speech and incitement to violence often by the members of ruling class is not something new to India. In 2018, BJP member Raja Singh stated that “every Hindu should carry weapons like lathis (clubs) and attack other communities members if they said anything wrong.”<sup>36</sup> Also, BJP leader Rajeshwar Singh pledged that “We have decided that Islam and Christianity will be finished in India by 2021.”<sup>37</sup> While peaceful protesters who had gathered at Shaheen Bagh in Delhi were raising their voice against discriminatory laws like CAA and NRC, BJP MP Parvesh Verma demonised the community and incited the people saying that “Lakhs of people gather there (Shaheen Bagh). People of Delhi will have to think and take a decision. They’ll enter your houses, rape your sisters and daughters, kill them. There’s time today, Modi and Amit Shah won’t come to save you tomorrow...”<sup>38</sup>

Such is the level of hatred against Muslims and the sub-continent's Islamic heritage that Islamic names of the cities from the Mughal era are now being changed. Hence, Faizabad is now known as Ayodhya and Allahabad came to be known as Prayagraj.<sup>39</sup> Even celebrities like Javed Akhtar and Shabana Azmi were not spared and had to face difficulty in finding a new house for themselves because of their religion i.e. Islam.<sup>40</sup>

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<sup>36</sup> “Hate Watch: Raja Singh’s Hateful Diatribe Continues Unabated,” Citizens for Justice and Peace (CJP), February 9, 2019, <https://cjp.org.in/hate-watch-raja-singhs-hateful-diatribe-continues-unabated/>

<sup>37</sup> “Is India Sleepwalking Towards a Muslim Holocaust?” *Daily Sabah*, February 28, 2020, <https://www.dailysabah.com/opinion/op-ed/is-india-sleepwalking-toward-a-muslim-holocaust>

<sup>38</sup> “Hate speech: Shaheen Bagh protesters will rape, kill your sisters, says BJP MP Parvesh verma,” *Huffpost*, January 28, 2020, [https://www.huffingtonpost.in/entry/shaheen-bagh-parvesh-verma-delhi-election-2020\\_in\\_5e2fb918c5b6ce51a4eac9bd](https://www.huffingtonpost.in/entry/shaheen-bagh-parvesh-verma-delhi-election-2020_in_5e2fb918c5b6ce51a4eac9bd)

<sup>39</sup> “UP cabinet approves renaming of Faizabad as Ayodhya, Allahabad as Prayagraj,” *Economic Times*, November 13, 2018, <https://economictimes.indiatimes.com/news/politics-and-nation/up-cabinet-approves-renaming-of-faizabad-as-ayodhya-allahabad-as-prayagraj/articleshow/66604547.cms?from=mdr>

<sup>40</sup> “Religion a hurdle in Shabana’s bid to find a house in Mumbai,” *Dawn*, August 18, 2008, <https://www.dawn.com/news/317072/religion-a-hurdle-in-shabana-s-bid-to-find-a-house-in-mumbai>



### c) *Anti-Conversion Laws*

A number of states in India, namely, Odisha, Arunchal Pradesh, Gujarat, Madhya Pradesh, Himachal Pradesh, Chhatisgarh have all introduced anti-conversion laws which basically prohibit conversion based on force or allurement or fraud.<sup>41</sup> While there is little or no evidence that Christians and Muslims use coercion to convert people, this anti conversion law is being unjustly used against the members of these two communities. Any religious congregation can falsely be portrayed as forceful conversion taking place.<sup>42</sup> Leaders of these two communities are intimidated or arrested under the pretext of anti-conversion laws. Christian pastors were arrested for organising services and were blamed for forcefully converting Hindus into Christianity. Another drawback of this anti-conversion law is that it takes away the liberty of an individual who wishes to change his religion out of his own free will.

### d) *Ghar Wapsi Programme*

Similarly, *Ghar Wapsi* (coming home) programme is another example of right-wing Hindu intolerance towards members of other communities. Under *Ghar Wapsi* or home coming programme, members of the minority communities particularly those belonging to underprivileged sections are lured into converting to Hinduism with the promises of jobs and other monetary benefits. The logic behind launching this campaign is the belief of the Hindu right-wing groups that all these people were originally Hindus but had lost their way. The President of Vishwa Hindu Parishad Praveen Togadia had claimed in January 2016 that the organisation in past decade had reconverted some 500,000 Christians and 250,000 Muslims through its *Ghar Wapsi* programme.<sup>43</sup>

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<sup>41</sup> "State Anti-Conversion Laws in India," Library of Congress, The Law Library of Congress, Global Legal Research Center, October 2018, <https://www.loc.gov/law/help/anti-conversion-laws/india-anti-conversion-laws.pdf>  
Complete this reference, <https://www.loc.gov/law/help/anti-conversion-laws/india.php>

<sup>42</sup> Ibid

<sup>43</sup> "We 're Indians Too," Open Doors.

e) *National Register of Citizens and Citizenship Amendment Act*

The latest development regarding discriminatory treatment towards Muslims is the Assam National Register of Citizens (NRC). Assam is a border state and has witnessed waves of migrants particularly from Bangladesh on regular basis and therefore, the apprehensions of the local people of impending demographic change led to the creation of NRC in Assam in 1951. The register was meant to keep a track of people who had entered the state illegally. In 2015, on the orders of the Supreme Court, the Indian government started the process of updating the register for the first time since 1951. As the update process was being carried out, there were serious concerns among the Muslim Bengali community of Assam which feared discrimination on religious basis. As a result of this exercise, names of some 1.9 million people were excluded from the register and that included Hindus as well.<sup>44</sup> When the government realised that Hindus were also among the people who could not make it to the NRC, the Modi government was quick to pass Citizenship Amendment Act 2019 (CAA).<sup>45</sup>

As per this Act, people of all faiths — Hindus, Sikhs, Christians, Buddhist and Jains from Pakistan, Bangladesh and Afghanistan who had entered India before December 31, 2016 in order to escape persecution in their respective country would be given Indian nationality.<sup>46</sup> Though, Indian government argued that this Act is not religion specific but the controversial Act was not only criticised within the country but also abroad. Number of states refused to implement this new Act and went to the extent of passing anti CAA bill in their state legislatures.<sup>47</sup> With the passage of the CAA, the fears that were being expressed during the NRC exercise also came true as now only Muslims will be denied Indian citizenship and taken either to detention centres or deported to their respective countries, provided their respective countries accept them as

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<sup>44</sup> Assam NRC: What Next for 1.9 Million ‘Stateless’ Indians?,” *BBC News*, August 31, 2019, <https://www.bbc.com/news/world-asia-india-49520593>

<sup>45</sup> “Citizenship Amendment Bill: India’s New Anti-Muslim Law Explained,” *BBC News*, December 11, 2019, <https://www.bbc.com/news/world-asia-india-50670393>

<sup>46</sup> *Ibid*

<sup>47</sup> “Madhya Pradesh Becomes Sixth State to Pass Resolution against CAA,” *Times of India*, February 6, 2020 <https://timesofindia.indiatimes.com/india/madhya-pradesh-becomes-sixth-state-to-pass-resolution-against-caa/articleshow/73972009.cms>

their citizens. Also, there are many media reports that suggest that huge detention centres are being built by India where these Muslims will be kept for the rest of their lives.<sup>48</sup>

f) *Anti-Muslim Rants Amidst COVID19*

Hatred for the Muslims also found an expression in the midst of corona virus outbreak in India. An instance of a gathering of a *Tablighi Jamaat* was used both by the ruling elite and the media to demonise Muslims across India.<sup>49</sup> Though, this was not the only gathering that took place as just two days after the *Tablighi Jamaat* incident, a large number of Hindu pilgrims gathered at Sai Baba's temple in Maharashtra which was conveniently ignored by both media and the government.<sup>50</sup> This situation gave way to another anti-Muslim drive across India where Muslims were being blamed without any solid reason for deliberately spreading the virus to the Hindu majority. An organised propaganda campaign was launched against Muslims blaming them for indulging in inappropriate behaviours. Fake videos were widely circulated and watched by millions of Indians on social media. A new term "Corona Jihad" was coined to demonise the community. As a result, Muslims saw their businesses boycotted, those distributing rations were called "coronavirus terrorists," Muslims were accused of spitting in food and infecting water supplies with the virus.<sup>51</sup> Posters also appeared in a number of states like Delhi, Karnataka, Telangana and Madhya Pradesh warning Muslims from entering certain neighbourhoods.<sup>52</sup> Some reports of Muslims committing suicides after

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<sup>48</sup> "How is it Human?": India's Largest Detention Centre Almost Ready", *Aljazeera*, 2 January, 2020, <https://www.aljazeera.com/news/2020/01/human-india-largest-detention-centre-ready-200102044649934.html>

<sup>49</sup> "Coronavirus Conspiracy Theories Targeting Muslims Spread in India," *Guardian*, April 13, 2020, <https://www.theguardian.com/world/2020/apr/13/coronavirus-conspiracy-theories-targeting-muslims-spread-in-india>

<sup>50</sup> "India Tracks Attendees After Muslim Event Linked to Virus Cases," *Aljazeera*, March 31, 2020, <https://www.aljazeera.com/news/2020/03/india-links-dozens-coronavirus-cases-muslim-gathering-200331095417048.html>

<sup>51</sup> "Coronavirus Conspiracy Theories targeting Muslims Spread in India," *Guardian*.

<sup>52</sup> *Ibid*.

being boycotted also surfaced in the media. Worst of all, there were also reports of hospitals refusing to accept Muslim patients.<sup>53</sup>

### g) *The Plight of Kashmiri Muslims*

The state of Indian occupied Jammu and Kashmir, the only Muslim majority state under Indian control is yet another tale of tyranny and oppression. Kashmiris have been suffering the worst forms of human rights abuses at the hands of Indian security forces for more than the past 70 years. Hardly a day passes when a Kashmiri youth is not killed or tortured by Indian security forces. Following the suicide bomb attack in February 2019 in Pulwama killing 40 Indian Security personnel, 14 instances of mob attacks on Kashmiri Muslims took place, mostly targeting small traders from Kashmir across the country.<sup>54</sup> Few months later, in pursuance of the Hindutva ideology, Modi government not only revoked Article 370 and Article 35-A of the constitution but also bifurcated the state into two union territories. While the entire political leadership which included the pro-Indian Muslim leaders were taken into custody, a complete and strict lockdown was imposed across the state. Hence, Kashmiris were rendered voiceless.

By abrogating Article 35A, Modi government intends to change the demographic character of the state by bringing in people from other states and settling them in Kashmir permanently. In this regard, there are several plans that the Modi government has been working on. It intends to establish Palestine type gated settlements to encourage people from other states to come and permanently reside in Kashmir. The Domicile Law, that was introduced on March 31, 2020 is a prime example in this regard<sup>55</sup> This law envisions that anyone who has resided in Indian occupied Jammu and Kashmir for a period of 15 years or students who have spent seven years and appeared in class 10

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<sup>53</sup> “Watch: Indian Hospital Turns Away Muslim Patients,” *Express Tribune*, May 6, 2020, <https://tribune.com.pk/story/2215616/3-watch-indian-hospital-turns-away-muslim-patient>

<sup>54</sup> “Hate Crime Reports On An Alarming Rise – Reveals Amnesty International India’s ‘Halt The Hate.’”

<sup>55</sup> “Domicile Rules for J&K,” *Hindu*, May 24, 2020, <https://www.thehindu.com/news/national/other-states/domicile-rules-for-jk/article31660363.ece>

or 12 examinations will be eligible to be a permanent resident of the state. This plan has already started taking effect as India has granted 32,31,353 domicile certificates till the end of 2020.<sup>56</sup> Interestingly, the first person to get this certificate is an IAS officer hailing from the state of Bihar.<sup>57</sup>

Later, On October 27, 2020, an 111-page gazette notification called the Union Territory of Jammu and Kashmir Reorganisation (Adaptation of Central Laws) Third Order, 2020 removed condition of permanent state subject to purchase land in IIOJ&K.

Apart from hatred and violence that is unleashed on minorities, particularly Muslims, it is also worth mentioning that the Muslim representation in Indian parliament has been on a constant decline. It shrank from nine per cent in 1980 to four per cent in 2014 whereas, the gap between the Muslim population and parliamentary representation increased from 2 per cent to 10 per cent during the same period.<sup>58</sup>

## Conclusion

Though India claims to be a secular country where minorities are treated as equals irrespective of their faith or caste. But in reality, nothing can be further from truth. Since India became an independent country in 1947, minorities have been facing all sorts of discrimination and violence. This discrimination and violence saw an unprecedented rise following the rise of Bharatiya Janata Party with Narendra Modi as its leader. Inspired by the Hindutva ideology and a trained worker of RSS, Modi's reign both as the Chief Minister of Gujarat and the Prime Minister of India is characterised by the blood of innocent people.

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<sup>56</sup> "Over 32 Lakh People in J&K Issued Domicile Certificates Till End of 2020," India Today, March 16, 2021, <https://www.indiatoday.in/india/story/over-lakh-people-jammu-kashmir-domicile-certificates-end-2020-mha-parliament-1779940-2021-03-16>

<sup>57</sup> "25,000 People Granted Domicile Certificate in Jammu and Kashmir:Report," *Kashmir Press*, June 26, 2020, <https://thekashmirpress.com/2020/06/26/25000-people-granted-domicile-certificates-in-jammu-and-kashmir-report/>

<sup>58</sup> "India's Election 2019: The Mystery of India's 'Missing' Muslim Politicians," *BBC News*, May 9, 2019, <https://www.bbc.com/news/world-asia-india-47315852>

It was this sorry state of affairs that forced the former US President Barak Obama to say about India that “an incredible, beautiful country, full of magnificent diversity — but a place where, in past years, religious faiths of all types have, on occasion, been targeted by other peoples of faith, simply due to their heritage and their beliefs — acts of intolerance that would have shocked Gandhiji, the person who helped to liberate that nation.”<sup>59</sup> It was also precisely this concern that forced the US Commission on International Religious Freedom suggest for the first time since 2004 that the State Department add India to its list of Countries of Particular concern (CPC). While explaining the rationale behind this suggestion, the USCIRF Vice-Chair Nadine Maenza said, “Perhaps the steepest and most alarming deterioration of religious freedom conditions [in 2019] was in India, the largest democracy in the world.”<sup>60</sup> The USCIRF report is indeed is an eye opener. The world, therefore, needs to realise the gravity of the situation and put aside its economic and strategic interests and uphold the values of humanity. This bloodshed of innocent Christians, Muslims and particularly Kashmiri Muslims needs to be stopped and for that to happen, the international community will have to play its due role.

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<sup>59</sup> “Obama Smacks Down India for Religious Intolerance, Says Gandhi Would have been Shocked,” *Times of India*, February 6, 2015, <https://timesofindia.indiatimes.com/india/Obama-smacks-down-India-for-religious-intolerance-says-Gandhi-would-have-been-shocked/articleshow/46141742.cms>

<sup>60</sup> “USCIRF Urges State Dept to Name India on Top Religious Freedom Violators List,” *Christian Post*, April 28, 2020, <https://www.christianpost.com/news/uscirf-urges-state-dept-to-name-india-on-top-religious-freedom-violators-list.html>