ISSUE BRIEF

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DWINDLING RELIGIOUS FREEDOM IN INDIA- A GLIMPSE OF THE STATE DEPARTMENT REPORT

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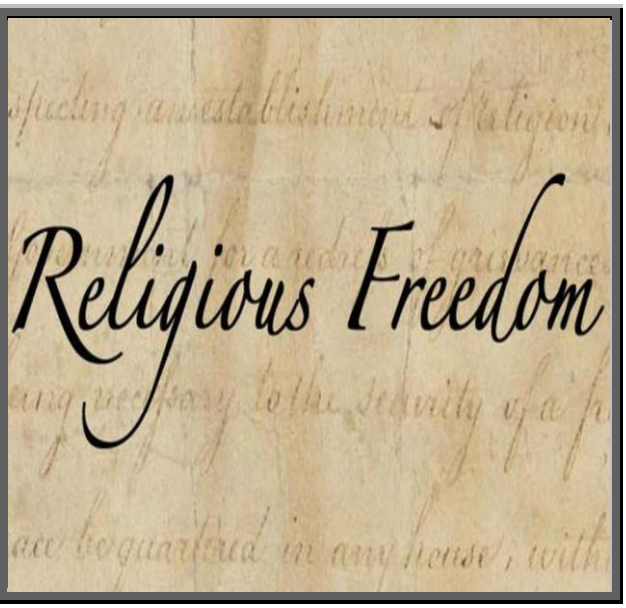

"Attacks on members of religious minority communities, including killings, assaults, and intimidation, occurred throughout the year" stated the recently released U.S State Department 2021 Report on International Religious Freedom.

Released on June 2, 2022,[1] the report deals in length with the shrinking space for minorities in India. However, Article 25 of the Indian constitution clearly guarantees freedom of religion as "all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion."[2] Nonetheless, since the rise of the right wing Bharatiya Janata Party under Narendra Modi, the minorities in India are increasingly being marginalised and victimised as is indicated in the US state department report.

The first part of the report deals with religious demography. As per the 2011 national census, Hindus are 79.8 percent of the population whereas, Muslims are 14.2, Christians 2.3 and Sikhs are 1.7 per cent of the total population of India. Muslim population is mostly concentrated in states like Uttar Pradesh, Bihar, West Bengal, Kerala, Maharashtra, and Indian occupied Jammu and Kashmir. Christians on the other hand are concentrated in states like Nagaland, Meghalaya, Mizoram and Goa. Sikhs have their majority in the state of Punjab.

1 "International Religious Freedom Reports," U.S. Department of State, June 2, 2022, https://www.state.gov/international-religious-freedom-reports/

2 "Article 25 - Freedom of conscience and free profession, practice and propagation of religion," Constitution of India, https://www.constitutionofindia.net/constitution_of_india/fundamental_rights/articles/Article%2025

Section two of the report deals with the status of government respect for religious freedom. The report argues that the constitution of India while strictly prohibiting discrimination on the basis of religion ensures freedom of conscience and right of individual to profess, practice and propagate religion, establish and maintain institutions for religious or charitable purposes without any hurdle.

However, ten of 28 states have introduced laws to restrict so-called forceful religious conversions. Several people were arrested under these laws in various states. For example, in the state of Odisha, if any individual intends to convert to any other religion is required to submit a formal application to the government. The police then make sure that no one has any objections to this conversion. Anyone can object. Besides, of 112 complaints of violence raised by Christians, only 25 FIRs were filed with no outcome till the time this report was launched by the state department. In order to keep a check on civil society, amendments were made to Foreign Contributions Regulations in 2020 to reduce the amount of foreign funding that any NGO or religious organisation could use for administrative purposes. FRCA licences of as many as 5,789 NGOs, many of which were faith-based organisations lapsed after the government said that these NGOs did not apply for renewal in time. In addition to this, FRCA licences of 179 NGOs and faith-based organisations were suspended by the Indian government.

The report points out laws like Citizenship Amendment Act and National Register for citizens responsible for the feeling of discrimination among Muslims which led to the February 2020 riots in New Delhi. 25 out of 28 states have severe penalties for killing cows. Apart from that, Jamia Masjid in IIOJK was closed for 45 of 52 Fridays throughout the year. In Uttar Pradesh, a100-year-old mosque was bulldozed by the authorities on the pretext of its being an illegal structure.

Religious minorities also frequently came under attacks by cow vigilantes who did not hesitate to kill anyone suspected of slaughtering a cow or involved in the business of beef trade. Quoting United Christian Forum (UCF), the report states that there was a steep rise in attacks against Christians as the number of such incidents rose to 486 as compared to 279 in 2020. Most of such incidents take place in states that are ruled by the BJP. According to one report jointly released by United Against Hate, the Association for Protection of Civil Rights and UCF, there were more than 500 violent incidents reported on UCF's hotline throughout the year. The report also quoted the BBC report published in September[3] where freelance journalists and political opposition members argued that the number of attacks against Muslim community increased in recent years and the government often failed to condemn such attacks.

[3] "Beaten and humiliated by Hindu mobs for being a Muslim in India," BBC, September 2, 2021, https://www.bbc.com/news/world-asia-india-58406194

Throughout the year, inflammatory remarks against religious minorities were made by religious and political leaders and other activists. For example, right wing Hindu leader Yati Narasinghanand Saraswati, - a Hindu religious extremist, called upon Hindus to "take up weapons against Muslims" and "wage a war against Muslims." Similarly, In October 2021, Madan Kaushik, president of the Bharatiya Janata Party (BJP) in Uttarakhand State, told the media in October that "Our party line is clear that no [religious] conversion [from Hinduism] will be tolerated."

It is this state of affairs that led the US based NGO Freedom House to downgrade India from free democracy to "partially free democracy" in 2021.[4] The sharp rise in religious intolerance in India has not skipped the attention of the world community. In April 2022, US Secretary of State Antony Blinken while addressing a press briefing clearly stated that "we are monitoring some recent concerning developments in India including a rise in human rights abuses by some government, police and prison officials."[5] Two months later, at the release of the state department report, Blinken again raised concerns about rising attacks in India. Though the contents of the report have been denied by India, the bubble of secularism has already burst.

Thus, the world today knows more than before that India, which claims to be the world's largest democracy and a secular country, is no more a safe place for its minorities. Since the rise of BJP, the minorities, particularly Muslims have been subjected to the worst forms of barbarity. In this scenario, the state department report on religious freedom is a welcome step. It is time that the world community, keeping aside its economic and strategic interests, play its due role in upholding the values of humanity and the sanctity of human life.

4 "'Electoral Democracy': The downgrading of India's democracy," BBC, March 16, 2021, https://www.bbc.com/news/world-asia-india-56393944

5 "US monitoring "Rise in human rights abuses" in India : Antony Blinken," NDTV, April 12, 2022, https://www.ndtv.com/india-news/u-s-monitoring-rise-in-rights-abuses-in-india-blinken-says-2880171

