

ANNEXURE - I

A Study on Discrimination and Violence against Christians and Muslims in India (2013 – 15)

**National Council of Churches in India (NCCI)
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Abbreviations and Acronyms

AAP	Aam Aadami Party
ABVP	Akhil Bharatiya Vidyarthi Parishad
AIMPLB	All India Muslim Personal Law Board
AP	Andhra Pradesh
BJP	Bharatiya Janta Party
CSSS	Center for Study of Society and Secularism
EWS	Economically Weaker Section
GDP	Gross Domestic Product
HT	Hindustan Times
IRS	Institutionalised Riot System
ISI	Inter Services Intelligence
JDU	Janta Dal United
JNU	Jawaharlal Nehru University
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MHA	Ministry of Home Affairs
MLA	Member of Legislative Assembly
MMA	Ministry of Minority Affairs
MP	Madhya Pradesh
MP	Member of Parliament
NCC	National Cadet Corpse
NCERT	National Council of Educational Research and Training
NCM	National Commission for Minorities
NDA	National Democratic Alliance
NIA	National Investigative Agency
OBC	Other Backward Community
RSS	Rashtriya Swayamsewak Sangh
SC	Scheduled Castes
SMC	State Minority Commission
SP	Samajwadi Party
ST	Scheduled Tribes
TOI	Times of India
UP	Uttar Pradesh
UPA	United Progressive Alliance

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Chapter 1

Introduction

1.1 Minorities: Definition, Perception & Position

The term 'Minority' is quite ambiguous. It can potentially be defined through a combination of interacting variables like religion, language, ethnicity, race, culture, physical characteristics, and a variety of other traits. International law has historically found it difficult to provide firm guidelines in relation to defining the term. In 1966, the International Covenant on Civil and Political Rights (ICCPR) included Article 27, which dealt with Minorities – "In those States in which ethnic, religious or linguistic minorities exist persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."¹ Subsequently, Special Rapporteur Francesco Capotorti was assigned the task of preparing a study conforming to Article 27 of ICCPR. Capotorti provided a definition which was challenged and criticized on several counts. Finally, Jules Deschenes, a member of the United Nations Sub-Committee on the Prevention of Discrimination and Protection of Minorities, provided a definition which was used in subsequent international initiatives. Deschenes defined the term Minority thus:

A group of citizens of a State, constituting a numerical minority and in a non-dominant position in that State, endowed with ethnic, religious or linguistic characteristics which differ from those of the majority of the population, having a sense of solidarity with one another, motivated, if only implicitly, by a collective will to survive and whose aim is to achieve equality with the majority in fact and in law.²

Going by the above definition, an ethnic, religious or a linguistic group could be a minority based on its numbers vis-à-vis the rest of the population.

¹ <http://www.cirp.org/library/ethics/UN-covenant/>

² Javid Rehman, The Weakness in the International Protection of Minority Rights, https://books.google.co.in/books?id=HHRMEoS7-YQC&pg=PA15&lpg=PA15&dq=Definition+of+Minorities+by+International+Covenant+on+Civil+and+Political+Rights&source=bl&ots=-dKY_j_CVW&sig=F-S76SpMUQ-eWzfYaOcDc8qnsr4&hl=en&sa=X&ved=0ahUKEwis79qYgObOAhVJMo8KHeQOBx4Q6AEIQTAG#v=onepage&q=Definition%20of%20Minorities%20by%20International%20Covenant%20on%20Civil%20and%20Political%20Rights&f=false

In India too we see the ambiguity in the definition of the term Minority. In India, the classification of Minorities was done by the Sub-Committee on Minorities of the Constituent Assembly in 1947. In its report to the Advisory Committee, the Sub-Committee classified minorities in the following manner: (1) Anglo Indians, Parsis and the plains tribesmen in Assam, all less than 0.5 per cent each of the total Indian population, (2) Communities having 0.5 per cent to 1.5 per cent each of the total population i.e. Christians and Sikhs, and (3) Communities with 1.5 per cent or more of the total population i.e. the Scheduled Castes (SCs) and Muslims. Thus religious, racial, caste and tribal groups all got clubbed as minorities taking into account only their numerical status. This mechanical definition does not serve the purpose of policy or administration.³

1.2 Background: “Minorities” in India

However, the present Study concerns about religious minorities only. Tracing the uninterrupted history of India of some 5000 years, we witness the birth and / or entry of several religions into its territory. They are: (1) the primal vision of the earliest settlers of India, the tribes, whose religion is labeled as animism, naturism and the like. There are 461 tribes in India whose religion is often a mixture of their original religion and the one they have been inducted into or converted – Hinduism, Christianity, Islam and Buddhism; (2) the earliest migrant population, the Aryan Hindus, whose entry to India is estimated to have taken place between 3500 and 5000 years ago. The Aryans brought Hinduism, caste system and Sanskrit language in which, most of the ‘texts’ of Aryan Hinduism are articulated. (3) Dravidians, who claim to have been in India prior to the Aryan advent, adopted Hinduism and created a new version, Dravidian Hinduism, whose attachment to Tamil, a classical language, is uncompromising. (4) The two Hindu protestant religions – Jainism and Buddhism – which emerged in the sixth century B.C. to challenge the caste system and hegemony of Brahmins. (5) Sikhism, which emerged some 400 years ago, which rejected both Hinduism and Islam and tried to fuse them. All these religions--the primal vision, Hinduism (Aryan and Dravidian), Jainism, Buddhism and Sikhism--are perceived as Indic religions, although the first is not accorded any recognition by the

³ T. K. Oommen, *Social Inclusion in Independent India*, (Orient Blackswan Pvt. Ltd., New Delhi, 2014), p.113

Indian state.⁴

There are also five non-Indic religions present in India, but their points of entry and modes of incorporation vary vastly. Kerala, the southernmost state of India, was one of the three areas (the others being Egypt and Ethiopia) into which pre-colonial Christianity came. Similarly, pre-conquest Islam was brought to Kerala in the seventh century A.D. by traders. But much of the presence of these religions – Islam and Christianity – can be attributed to conquest and colonialism respectively. The Muslim conquests of North India spanned between the Eighth and Eighteenth centuries and the Indian sub-continent became the largest Muslim concentration area in the world. Even after the partition of the sub-continent into India and Pakistan in 1947 and Pakistan and Bangladesh in 1972, India remains the second largest Muslim country in the world. While pre-colonial Christianity was confined to Kerala, during the period of colonialism it spread to most parts of India now having about 25 million followers. The other non-Indic religions consists of the tiny trio – Jews, Zoroastrians and Baha'is – who came to India seeking asylum to escape persecution in their homelands.

It is clear from the above description that the religious diversity of India is stupendous and there are two broad religious categories – Indic (national) and non-Indic (alien) – viewed from the sources of their presence. The co-existence of Indic minority religions as well as the small migrant minority religions with the majority religion, that is Hinduism, is generally harmonious. But this cannot be said about Islam and Christianity. Both Islam and Christianity are proselytizing religions. Therefore, co-existence becomes problematic when the majority religion fears threat of expansion, actual or imagined, from the minority religions.

Among the non-Indic religions, the migrant religions – Jews, Zoroastrians and Baha'is – are considered the least problematic in terms of integration or even co-existence with the majority. The number of Jews did not exceed 26,000 in India even at the peak of their growth; they did not proselytize and there is no case of their

⁴ Paper presented by Prof. T. K. Oommen, "The State, Majority Religious Community and Co-existence of Religions: Situating Indian Republic", p. 6

persecution although most of them left for Israel in the wake of the Zionist movement. The Zoroastrians counted less than a million in India; they did not proselytize and vigorously participated in the anti-colonial struggle against the British, which rendered them highly acceptable in India. The Baha'is are the most recent entry among the trio of migrant religions; they came only in 1870s. Till the 1950s they remained a small group numbering not more than a thousand. But in the early 1960s the Baha'is started proselytization in the rural areas of central India resulting in a phenomenal increase in their population counting about 400,000. But they had to give up the project of conversion quickly because of the attack from Arya Samaj, a Hindu reformist sect. The implication being, a non-Indic religious minority can co-exist peacefully if they do not poach on the majority Hindu community.⁵

Christianity is widely perceived as a colonial transplant in India, the historical fact that pre-colonial Christianity existed in India does not alter this perception. Christians never exceeded twenty five million in India in spite of two centuries of British colonialism. There are three distinct categories of Christians: first, the pre-colonial Christians of Kerala who claim to be converted from upper castes by St. Thomas in the 1st Century AD; second, the Anglo-Indians, a distinct product of colonialism and miscegenation; and third, those who became Christians through mass conversion movements (mostly of lower caste and tribal background) during the colonial period and after the colonial exit. The latter two categories suffer from socio-cultural stigmatization and they are also economically deprived. Although the Christians constitute less than three percent of India's population there are three Christian majority states in India (Mizoram, Nagaland and Meghalaya) and in a few states their presence is substantial: Goa (32%) and Kerala (21%), for example.

The main cause of social exclusion leading to insecurity among Christians is the accusation of "fraudulent" conversions they indulge in. Although the Constitution of India assures freedom of faith and the right to practice and profess one's religion, a militant section of the majority community criticizes and attacks conversion activities attributed to the Christian missionaries.

⁵ T. K. Oommen, "Minorities on the Margins: The Practice of Secularism in Independent India", The Nineteenth M. A. Thomas Memorial Lecture 2012, <http://www.eccbangalore.org/2015/11/the-nineteenth-mathomas-memorial.html>

Muslims constitute the largest religious minority in India accounting for 14.2 percent of the total population as per the 2011 Census. There are two Muslim majority politico-administrative units in India, Jammu and Kashmir (66%) and Lakshwadeep (94%). But the majority of Muslims in India live in four states – Uttar Pradesh, Bihar, West Bengal and Maharashtra. In another five states their presence is substantial. In spite of their large numbers, Muslims in India feel highly insecure both socially and economically as compared with Indic religious minorities. There are several historical and contemporary reasons for this.

First, Muslim emperors and kings ruled over India for 700 years and when British colonizers replaced them, they experienced a terrible loss of power. Second, the partition first in 1947 and later in 1971 rendered them a truncated community, divided between India, Pakistan and Bangladesh; close kin living across state borders. Perhaps the dispossession from power and the fragmentation of the community have made Muslims in India more vulnerable. Third, the presence of two Muslim majority states in the immediate neighbourhood often adversely affects the condition of Indian Muslims because of tense inter-state relations. This is particularly so because of the vexatious Kashmir dispute between India and Pakistan. Fourth, the Hindu nationalists blame Muslims exclusively for the partition of India, which haunts them incessantly. In fact the loyalty of Muslims to the Indian state and 'nation' are constantly suspected by the public-at-large.

Concomitantly, the Hindu nationalists view Muslims as the biggest threat to their hegemony. The reasons are the similar historical and contemporary facts mentioned above. First, the Muslim emperors and kings, unlike the British colonizers, settled and became a part of India, but they were known for plundering and looting the temples and other Hindu monuments. Second, the Hindus perceive the Muslims as traitors for wanting a separate Muslim country and hence partitioning Hindi India. Third, owing to the presence of two Muslim majority states in the neighbourhood and owing to the question of Kashmir, the patriotism and nationalism of Indian Muslims are always questioned.

1.3 Violence against Muslims and Christians

1.3.1 Violence: A Tactic

The Hindu nationalists perceive religious minorities of the non-Indic origin or the “cultural outsiders” as their biggest threat. The religious minorities of Indic origin – Buddhists, Jains and Sikhs – are considered Hindus i.e. they are encapsulated into Hinduism through the process of expansionism. This is the position taken by both Hindutva⁶ ideologues as well as the Indian State by defining them as Hindus, according to Article 25 of the Constitution, ‘Hindus’ include individuals who profess Sikh, Jain or Buddhist religion.

The migrant non-Indic religious minorities - Jews, Zoroastrians and Baha’is – are not viewed as a threat as they are really small in number, they keep to themselves as communities, and most important, they do not engage in proselytisation except the one instance of Baha’is cited above. Christians and Muslims, on the other hand, are seen as cultural outsiders that pose threat to the Hindu nation. Even though only 2.3 and 14.2 per cent respectively, in number they are huge; they insist on preserving and propagating their culture and traditions; they insist on freedom of conscience provided for in the constitution resulting in proselytization. These are perceived as capable of annihilating Hindu culture. In Golwalkar’s words, “in this country, Hindus alone are national, and the Muslims and others (i.e. Christians, Muslims and followers of other non-Indic religions), if not actually anti-national, are at least outside the body of the nation.”⁷ Hence the constant need to Indianise Christians and Muslims; and violence against them is a tactic to assimilate them into the Hindu nation.

1.4 What Constitutes Violence?

Violence, in simple terms, means physical confrontations between individuals (inter-personal) and groups / communities / states (inter-group).⁸ When we look at violence against minorities, we are looking at intergroup violence within the polity. However, physical violence could be a manifestation of structural violence –

⁶ An ideology seeking to establish the hegemony of Hindus and the Hindu way of life

⁷ M. S. Golwalker, *We or Our Nationhood Defined*, (Bharat Prakashan: Nagpur, 1939)

⁸ T. K. Oommen, “State Formation, Minoritization, and Violence in Postcolonial India” in Kalpana Kannabiran, ed., *Violence Studies*, (Oxford University Press: Delhi, 2016), p. 120

inequalities in the distribution of wealth, power and privileges; and symbolic violence – non-recognition of identity and stigmatization of cultural dimensions such as religion, language, art, music, and so on.

1.4.1 Structural Violence

The term structural violence was introduced by Johan Galtung in 1969 in his article, “Violence, Peace, and Peace Research”.⁹ He defined structural violence as a form of violence wherein some social structure or social institution may harm people by preventing them from meeting their basic needs. The violence is not physical but is an “avoidable impairment of fundamental human needs”. In other words, structural violence is nothing but inequalities in the distribution of wealth, power and privileges. It is very closely linked to inequality and social injustice. As structural violence reduces, physical violence may also decrease.

1.4.2 Symbolic Violence

Symbolic violence was defined by Pierre Bourdieu in his article “Foundations of a Theory of Symbolic Violence”.¹⁰ According to Bourdieu, symbolic violence refers to the tendency on the part of dominant groups to stigmatize the culture and devastate the habitats of the poor and the powerless. It often manifests in non-recognition of identity and stigmatization of the cultural dimensions (religion, language, art, music etc.) of a people and leading to a systematic destruction of their way of life, particularly of the lower castes and religious and linguistic minorities (see, Oommen 1986:53-74).

Therefore, for a comprehensive understanding of violence to which a group/community is subjected to, the three dimensions of violence—physical, structural and symbolic—should be taken into account because they are inextricably interconnected.

⁹ Johan Galtung, “Violence, Peace, and Peace Research”, *Journal of Peace Research*, Vol.6, No.3 (1969), pp. 167-191

¹⁰ Pierre Bourdieu, “Foundations of a Theory of Symbolic Violence” in Pierre Bourdieu and Jean-Claude Passeron, *Reproduction in Education, Society and Culture*, Trans. By Richard Nice, (Sage Publications: London, 1977)

1.5 Research Methodology

1.5.1 The Context of the Study

With a new government [National Democratic Alliance (NDA)] coming to power, there has been a sudden rise in reports of violence against Christians and Muslims (religious minorities of non-Indic origin). Such incidents seem to persist unabated regularly in some part or the other of the country. The present Study aims to assess whether the number of cases of violence / offence and / or persecution against Christians and Muslims has actually increased under the present Right wing regime (NDA-II) as compared to that of UPA-II (United Progressive Alliance). The Study also would seek to examine if the nature of violence has changed or if there is a shift in the nature of violence with a view to establishing cultural hegemony by the Hindutva forces.

1.5.2 Hypothesis: With a regime change in India in 2014 when a more liberal and 'secular' UPA-II gave way to the "right" wing NDA-II, there has been an increase in violence against Christians and Muslims, the two non-Indic religious minorities in India. This Study aims to examine if there is actual and substantial increase in violence against Christians and Muslims in the new regime, or if it is merely a perception. If it is true that violence has increased, then what is the extent of increase in violence i.e. physical violence or structural violence or symbolic violence; and what are the reasons behind the increase?

1.5.3 Research design: The Study is designed to be an empirical one. It is a descriptive research that would provide us information about the extent and nature of violence against these two communities. It is also partly exploratory as it aims to investigate various reasons and agents that lead to the violence. This empirical study presently conducted at a small scale will help us decide if it is worth carrying out a detailed investigation. On the basis of the findings during the exploratory study, a full study may eventuate.

1.5.4 Timeline: The period covered in this study is from January 2013 to December 2015. This period is divided into two parts – January 2013 to June 2014 (the last 18

months of UPA-II regime) and July 2014 to December 2015 (the first 18 months of NDA-II). Based on statistical data, the Study will examine if there has been an increase or decrease in the violence against Christians and Muslims during these two time chunks.

1.5.5 Data Collection: Primary data or data collected directly from the field is a long drawn process, hence the Study relies on secondary data from government and non government agencies: (a) government agencies – National Human Rights Commission, Ministry of Home Affairs, Ministry of Minority Affairs, and the National Commission for Minorities; (b) civil society organizations – Centre for Study of Society and Secularism, Mumbai, and Indian Social Institute, Delhi; and (c) the print media – 4 national dailies – The Hindu, The Times of India, The Hindustan Times and The Indian Express. State-wise and all-India data have been compiled using RTI sources on the complaints received at National Commission for Minorities, and on the communal incidents from the Ministries of Minority Affairs and Home Affairs. At the same time, the number of incidents of violence against Muslims and Christians reported in the four national dailies has been documented. The Study also relies on the earlier research done by noted experts on the subject which provide required information.¹¹ The Study has drawn on mass media like newspapers and magazines.

We would like to add that the Study encountered certain problems with the secondary data in terms of availability, format and reliability. All the data were not available from each of the sources that were tapped. So, we had to mix and match to get the desired matrices. The validity of information also varied markedly from source to source but care was taken to build on the similarities of data not discrepancies. The format of the data available was also not to our research design so we had to recast the format for our purpose.

¹¹ Mainly Prof. T. K. Oommen, Johan Galtung & Pierre Bourdieu

Chapter 2

Physical Violence

Violence, in simple terms, means physical confrontations between individuals (inter-personal) and groups / communities / states (inter-group). We are looking at violence against minorities hence we are looking at intergroup violence within the society. The figures presented below are that of actual physical violence against minorities – Christians and Muslims – as recorded by: 1) Centre for Study of Society and Secularism (CSSS), a civil society organization; 2) Ministry of Home Affairs, Ministry of Minority Affairs and the National Commission for Minorities i.e. government agencies; and 3) the media i.e. four national newspapers.

2.1 Civil Society Organisation Sources

Table 2.1: Incidents of Religious Violence & Number of People Dead and Injured as a result of the Violence

Year	Incidents of Violence	Number of Persons Dead	Number of Persons Injured
2012	640	93	2067
2013	823	133	2269
2014	561	90	1688
2015	650	84	1979

Source: Data collected from Secular Perspectives, Centre for Study of Society and Secularism

The first set of data is from civil society sources, mainly from the Centre for Study of Society and Secularism (CSSS). CSSS is a civil society organization based in Mumbai dedicated to fact finding, documenting and responding to communal mobilisation and violence that has been on a rise since the 1980s. As per CSSS data, in 2013, there were 823 incidents of religious violence across the country with 133 people dead and 2269 injured; whereas in 2015, there were 650 incidents of violence leaving 84 dead and 1979 injured. The figures, therefore, indicate that incidents of physical violence have decreased in 2015 (NDA-II) as compared to 2013 (UPA-II).

2.2 Government Sources

The second set of data presented in the Chapter is from government sources. Data is compiled using the instruments of RTI with the National Commission for Minorities (NCM), the Ministry of Home Affairs (MoHA) and the Ministry of Minority Affairs (MoMA).

According to MHA & MoMA sources, in 2013, the number of incidents of violence against minorities was 823 with 133 people killed and 2269 injured and in 2015, there were 751

incidents of violence with 97 dead and 2264 injured. The Ministry data also indicates a decrease in incidents of violence during 2015 as compared to 2013. However, incidents of violence in 2015 were much higher than in 2014 i.e. there was a 16.6 per cent increase.

Table 2.2: Incidents of Religious Violence & Number of People Dead and Injured

Year	Incidents of Violence	No. of Persons Killed	No. of Persons Injured
2013	823	133	2269
2014	644	95	1921
2015	751	97	2264

Source: Data compiled using RTI sources from the Ministry of Home Affairs & Ministry of Minority Affairs

The National Commission for Minorities was formed under the National Commission for Minorities Act of 1992. It extends to the whole of India except the state of Jammu and Kashmir. Six religious communities – Muslims, Christians, Sikhs, Buddhists, Zoroastrians and Jains (included in January 2014) are notified as minority community.¹² Seventeen States – Andhra Pradesh, Assam, Bihar, Chhattisgarh, Delhi, Jharkhand, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Manipur, Punjab, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh and West Bengal have set up State Minority Commissions in their respective states. Their offices are located in the State capitals. The Commissions' mandate includes registering complaints of violations of minority rights and looking into specific complaints regarding such violations. The complaints registered at NCM are indicative of the type and quantum of violence against religious minorities. The complaints are received from both individuals as well as minority religious organizations.

The present study has looked at data concerning clause 4 (functions of NCM) i.e. complaints registered at NCM by minorities regarding deprivation of their rights and / or acts of violence against them. The NCM registers the complaints and compiles data community wise as well as subject wise for all years. It has all India figures as well as figures for the states.

Period 1: Last 18 Months of UPA-II (January 2013 – June 2014)

Table 2.3: Complaints Received at the National Commission of Minorities (NCM) – 2013

S. No	States	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1	Andaman Nicobar		1		2	1								4
2	Andhra Pradesh	7	9	7	6	8	7	6	10	3	8	3	3	77
3	Arunachal Pradesh					1					1			2
4	Assam		3		2	4	1	2	2	3	2	1	1	21

¹² http://ncm.nic.in/Profile_of_NCM.html

5	Bihar	8	11	9	5	6	5	7	18	9	11	6	11	106
6	Chandigarh		3	2	2		2		2		3	1	2	17
7	Chhattisgarh		2	2	3	2		4			2	2		17
8	Damn Diu										1	1		2
9	Delhi	21	30	29	31	25	19	16	18	30	32	21	26	298
10	Goa			1		2	1		1	1	1	2		9
11	Gujarat	2	12	4	1	6		3	6	6	8	2	4	54
12	Haryana	10	16	4	10	16	6	10	18	11	6	10	10	127
13	Himachal Pradesh			3		1	5	2	1	2		1		15
14	Jammu Kashmir	2	1	6	4	3	4	9	1	3	2	5	2	42
15	Jharkhand	6	4	3	5	6	5	7	3	4	4	5	3	55
16	Karnataka	2	7	5	9	1	5	2	3	1	2	1	1	39
17	Kerala	3	4	1	4	3	3	2			3	3		26
18	Lakshadweep													
19	Madhya Pradesh	8	12	17	8	11	6	5	15	14	18	12	5	131
20	Maharashtra	9	23	17	16	12	13	9	10	12	11	12	11	155
21	Manipur			1	1		1	2	1	2				8
22	Meghalaya						1							1
23	Mizoram					1	1	1				1		4
24	Nagaland										1			1
25	Orissa	3	5	6	3	2	3	3	2	1	5	2		35
26	Pondicherry			2		1					3	1		7
27	Punjab	7	6	3	10	7	1	7	6	11	4	5	3	70
28	Rajasthan	2	9	12	6	7	5	11	3	2	6	8	1	72
29	Sikkim		1				2							3
30	Tamil Nadu	4	6	8	3	4	2	1	4	4	3	5	1	45
31	Tripura							1						1
32	Uttar Pradesh	55	92	85	96	117	101	106	88	105	103	101	83	1132
33	Uttara Kand	6	3	5	3	5	1	3	7	5	6	6	5	55
34	West Bengal	6	10	6	11	5	4	6	5	5	2	10	4	74
Total		161	270	212										2705

Source: Data compiled using RTI sources from the National Commission for Minorities (NCM)

*No complaints were received by NCM from Dadra Nagar Haveli in 2013

Table 2. 4: Complaints Received at the National Commission of Minorities (NCM), 2014 (Jan-Jun)

S. No	States	Jan	Feb	Mar	Apr	May	Jun	Total
1	Andaman Nicobar	1						1
2	Andhra Pradesh	10	5	6	4	3	2	30
3	Arunachal Pradesh	1						1
4	Assam	1	2	2	3	4	1	13
5	Bihar	9	9	14	4	3	7	46
6	Chandigarh	1	2	1				4
7	Chhattisgarh				4		1	5
8	Damn Diu			1				1
9	Delhi	20	20	23	21	26	25	135
10	Goa	1		1	2			4
11	Gujarat	5	4	3	1	1	4	18
12	Haryana	7	7	9	7	9	8	47
13	Himachal Pradesh		1	1		1		3
14	Jammu Kashmir		2	1	1	1	3	8

15	Jharkhand	4	4	6	3	4	1	22
16	Karnataka	2	7	4	2	2	2	19
17	Kerala		3	3		1		7
18	Madhya Pradesh	8	8	7	5	10	7	45
19	Maharashtra	12	15	14	7	7	9	64
20	Mizoram			1				1
21	Orissa		3	3	4		2	12
22	Pondicherry		1					1
23	Punjab	4	2	7	5	4	2	24
24	Rajasthan	3	4	8	3	2	6	26
25	Tamil Nadu	4	5	4	5	3	3	24
26	Tripura		2					2
27	Uttar Pradesh	70	106	87	116	77	98	554
28	Uttara Kand	6		14	1	1	5	27
29	West Bengal	1	6	4	3	6	1	21
Total								1165

Source: Data compiled using RTI sources from the National Commission for Minorities (NCM)

*Dadra Nagar Haveli, Manipur, Meghalaya, Nagaland, Lakshadweep, and Sikkim had no complaints registered with NCM in Jan – Jun 2014

During period 1 (January 2013 – June 2014), 3870 complaints were registered with NCM. Uttar Pradesh (UP) recorded the maximum number of complaints (1686) followed by Delhi (433), Maharashtra (219), Madhya Pradesh (MP) (176), Haryana (174) and Bihar (152). Out of these six states, three states had governments headed by the Congress Party – Delhi, Maharashtra and Haryana, one state had Bharatiya Janata Party (BJP) government – MP, one Samajwadi Party (SP) government in UP, and in Bihar the government was led by Janata Dal United (JDU).

Period 2: First 18 Months of NDA-II (July 2014 – December 2015)

Table 2.5: Complaints Received at the National Commission of Minorities (NCM), 2014 (Jul-Dec)

S. No	States	Jul	Aug	Sep	Oct	Nov	Dec	Total
1	Andaman Nicobar			2				2
2	Andhra Pradesh	1	3	6	4	5	7	26
3	Arunachal Pradesh	1		1				2
4	Assam	2		1	2			5
5	Bihar	5	9	13	5	3	7	42
6	Chandigarh				1		2	3
7	Chhattisgarh	1			1			2
8	Delhi	22	11	23	18	15	10	99
9	Goa	1	1		1	1	1	5
10	Gujarat	5	3	5	4	3	6	26
11	Haryana	5	5	8	5	11	17	51
12	Himachal Pradesh	1		1	3		1	6
13	Jammu Kashmir	1	1		1		4	7
14	Jharkhand	2	2	10	6	4	5	29
15	Karnataka	1	2		1	2	2	8
16	Kerala	1	2		2	1	1	7
17	Madhya Pradesh	11	2	13	10	6	5	47
18	Maharashtra	6	7	7	8	6	6	40
19	Manipur	1						1
20	Orissa	1	2	3	1	1	1	9
21	Pondicherry	1						1

22	Punjab	5	1	5	11		6	28
23	Rajasthan	10	8	7	9	3	2	39
24	Sikkim		3					3
25	Tamil Nadu	2	3	6	6	5	2	24
26	Uttar Pradesh	16	56	143	75	80	71	441
27	Uttara Kand	1	3	14	2	1	7	28
28	West Bengal	3	2	5	5	2	6	23
Total								1004

Source: Data compiled using RTI sources from the National Commission for Minorities (NCM)

*Dadra Nagar Haveli, Daman & Diu, Lakshadweep, Meghalaya, Manipur, Nagaland, Tripura had no cases registered with NCM in Jul-Dec 2014

Table 2.6: Complaints Received at the National Commission of Minorities (NCM), 2015

S. No	States	Ja n	Fe b	Ma r	Ap r	Ma y	Ju n	Ju l	Au g	Se p	Oc t	No v	De c	Tota l
1	Andaman Nicobar		1		1				1					3
2	Andhra Pradesh	5	1			4	2	2		2	2	4	3	25
3	Arunachal Pradesh						1							1
4	Assam		1			1	1	3			1		2	9
5	Bihar	5	5	5	5	5	7	5	3	5	5	4	6	60
6	Chandigarh	1			1	1								3
7	Chhattisgarh	2	5	2	1	2	2	1	1	2	2	3	4	27
9	Damn Diu				1									1
10	Delhi	15	11	22	19	13	21	20	28	17	16	7	19	208
11	Goa	1		1		2		1	1					6
12	Gujarat	3	5	2	5	5	8	5	6	5	5	6	7	62
13	Haryana	8	5	10	5	4	15	19	6	9	8	6	10	105
14	Himachal Pradesh			2		1	1						1	5
15	Jammu Kashmir			1	2	1			2					6
16	Jharkhand	2	3	5	1	4	4	6	5	3	4	1	5	43
17	Karnataka	2	2	2		4	3		2	2		2	2	21
18	Kerala		1	1	1	1	1	1	2	1		1		10
19	Lakshadwee p	1	1									1		3
20	Madhya Pradesh	9	5	3	10	11	11	4	7	8	9	13	13	103
21	Maharashtra	2	5	5	10	8	9	5	5	7	7	10	12	85
22	Manipur	1		1	1	2						1		6
23	Meghalaya					1								1
26	Orissa		1	2	2	4	2	2		1			1	15
27	Pondicherry													
28	Punjab	8	2	1	4	4	7	1	11	4	4	2		48
29	Rajasthan	5	5	3	3	3	4	10	7	5	4	5	3	57
30	Sikkim							1						1
31	Tamil Nadu	2	6	1	4	5	8	4	4	4	4	3	4	49
32	Telangana	4	8	2	4	4	4	5	4	4	4	1	4	50
34	Uttar Pradesh	60	75	65	80	92	112	75	64	72	73	56	46	870
35	Uttara Kand	7	8	3	7	4	3	4	6	4	5	4	1	56
36	West Bengal	2	6	3	5	10	3	3	5	4	5	4	4	54
Total														1993

Source: Data compiled using RTI sources from the National Commission for Minorities (NCM)

*NCM registered no caomplaints from Dadra Nagar Haveli, Mizoram, Nagaland and Tripura

During this period i.e. period 2 (July 2014 – December 2015), the total number of complaints recorded with NCM was 2997. UP again topped the list with maximum number of complaints recorded (1311) followed by the same states as in the previous period with a slight change in order. Delhi ranked second with 307 complaints, Haryana third with 156, followed by MP (150), Maharashtra (125) and Bihar (102). UP continues to be headed by Samajwadi Party, Delhi had Congress led government in the initial few months of this period. Congress was ousted in the 2014 Delhi State Legislative Assembly elections and the Aam Aadmi Party (AAP) took over. Bihar and MP also continues to have JDU government and BJP government respectively. However, there is a change in Haryana and Maharashtra, both are now BJP ruled states.

As per the NCM data, the total number of complaints registered for the entire country was more during UPA-II (3870) while it was only 2997 during NDA-II. Even in the case of the five States with the highest number of complaints, all of them had more cases during UPA-II than during NDA-II. In UP, for every 100,000 people there were 0.84 complaints in 2013-14 and it went down to 0.65 during NDA-II; in Delhi, there were 2.58 complaints per 100,000 people under UPA-II while it was 1.83 during NDA-II; in Maharashtra it was 0.19 and 0.11; in Haryana 0.67 and 0.60; and MP it was 0.24 and 0.20 [See Table 2.7].

Table 2.7: Number of Complaints received at the National Commission of Minorities per 100,000 population for the periods January 2013 – June 2014 and July 2014 – December 2015

S. No.	State	Population 2011 Census	Total Complaints Jan 2013 – June 2014	Complaints per 100,000 population	Total Complaints July 2014 – Dec 2015	Complaints per 100,000 population
1.	Andaman & Nicobar	3,79,944	5	1.3	5	1.31
2.	Andhra Pradesh	8,48,59,511	107	0.12	51	0.06
3.	Arunachal Pradesh	13,82,611	3	0.21	3	0.36
4.	Assam	3,11,69,272	34	0.10	14	0.04
5.	Bihar	10,38,04,630	152	0.14	102	0.09
6.	Chandigarh	10,54,686	21	1.99	6	0.56
7.	Chhattisgarh	2,55,40,196	22	0.08	29	0.11
8.	Dadra Nagar Haveli	3,42,853				
9.	Daman Diu	2,42,911	3	1.23	1	0.41
10.	Delhi	1,67,53,235	433	2.58	307	1.83
11.	Goa	14,57,723	13	0.89	11	0.75
12.	Gujarat	6,03,83,628	72	0.11	88	0.14

13.	Haryana	2,57,53,081	174	0.67	156	0.60
14.	Himachal Pradesh	68,56,509	18	0.26	11	0.16
15.	Jammu & Kashmir	1,25,48,926	50	0.39	13	0.10
16.	Jharkhand	3,29,66,238	77	0.23	72	0.21
17.	Karnataka	6,11,30,704	58	0.09	50	0.08
18.	Kerala	3,33,87,677	33	0.09	17	0.05
19.	Lakshadweep	64,429			3	4.65
20.	Madhya Pradesh	7,25,97,565	176	0.24	150	0.20
21.	Maharashtra	11,23,72,972	219	0.19	125	0.11
22.	Manipur	27,21,756	8	0.29	7	0.25
23.	Meghalaya	29,64,007	1	0.03	1	0.03
24.	Mizoram	10,91,014	5	0.45		
25.	Nagaland	19,80,602	1	0.05		
26.	Orissa	4,19,47,358	47	0.11	24	0.05
27.	Pondicherry	12,44,464	8	0.64	1	0.64
28.	Punjab	2,77,04,236	94	0.33	76	0.27
29.	Rajasthan	6,86,21,012	98	0.14	96	0.13
30.	Sikkim	6,07,688	3	0.49	4	0.65
31.	Tamil Nadu	7,21,38,958	69	0.09	73	0.10
32.	Tripura	36,71,032	3	0.08		1.36
33.	Uttar Pradesh	19,95,81,477	1686	0.84	1311	0.65
34.	Uttarakhand	1,01,16,752	82	0.81	84	0.83
35.	West Bengal	9,13,47,736	95	0.10	77	0.08
Total			3870		2947	

Source: Data compiled using RTI sources from National Commission of Minorities

The data indicates that violence against minorities has gradually come down with the BJP and allies coming to power. But is this really the case? One must consider the tendency to under report, and whether the complaints received at the NCM are actually recorded. Also, during data collection, the Study team found no coordination between the data available at the Centre (NCM) and at the States (SMCs). Except for Punjab and West Bengal, all other SMCs said there were no complaints during 2014-15. Seventeen States have State Minority Commissions and of these 17, only 2 SMCs recorded incidents of violence.

The complaints registered at NCM are classified under the following subjects – educational matter, service matter, law and order matter, economic matter, cultural rights, religious rights, waqf matter, and others. All these subjects do not connote outright physical violence against minorities but it certainly indicates discrimination. For example discrimination in admissions to educational institutions, employment in public and private sector organizations, disbursement of loans, allotment of land and houses or situations which create law and order problems such as encroachment of

land belonging to worship places, grave yards, attacks on clergy, defamation and denigration of minorities, publication of literature offending religious sentiments or inadequate and/or different rate of compensation for riot victims (based on their religious identities), harassment by police and administration, denial of legal rights and civil liberties, humiliation and victimization of women of minority communities or representations relating to denial of religious and cultural rights such as restrictions on freedom of worship; use of preferred language or denial of promotions, arbitrary transfers, non-payment of salaries, adverse confidential reports or restrictions on institutions to receive foreign funds – these complaints / representations generally relate to the behaviour of bureaucracy and / or unruly elements in society. The conclusion that emerges from an analysis of complaints received by NMC is that the Government is indifferent to uphold equity and justice as well as in upholding the identity and dignity of religious minorities, particularly Muslims and Christians.¹³

2.3 Media

The third set of data is the incidents of violence reported in 4 national dailies.

Table 2.8: Incidents of Violence against Minorities Reported in Newspapers

S.NO	States	NUMBER OF INCIDENTS REPORTED IN NEWSPAPERS		Variance
		January 2013 – June 2014	July 2014 – December 2015	
1	Andhra Pradesh	-	2	+2
2	Assam	1	1	0
3	Bihar	2	10	+8
4	Chhattisgarh	1	3	+2
5	Delhi	23	74	+51
6	Goa	-	1	+1
7	Gujarat	2	3	+1
8	Haryana	1	8	+7
9	Himachal Pradesh	-	4	+4
10	Jammu Kashmir	2	6	+4
11	Jharkhand	-	3	+3
12	Karnataka	6	8	+2
13	Kerala	1	6	+5
14	Madhya Pradesh	2	8	+6
15	Maharashtra	7	18	+11
16	Orissa	-	3	+3
17	Punjab	-	2	+2
18	Rajasthan	-	4	+4
19	Tamil Nadu	4	2	-2
20	Telangana	-	2	+2
21	Uttar Pradesh	23	57	+34
22	West Bengal	-	3	+3
Total		75	228	+153

¹³ T. K. Oommen, "State Formation, Minoritization, and Violence In Postcolonial India", in Kalpana Kannabiran, ed., *Violence Studies* (Oxford University Press, New Delhi, 2016), p. 130

Source: The Hindu, The Times of India, The Hindustan Times, & The Indian Express

The four National Dailies reported 228 incidents of violence against religious minorities in 2015 as opposed to only 75 in 2013 i.e. an increase by 153. Delhi showed the biggest variance of +51 followed by Uttar Pradesh (+34), Maharashtra (+11), Assam (+8), and Haryana (+7). In fact, all the states showed an increase in incidents of violence with the only exception being Tamil Nadu, where the incidents of violence reported showed a fall by 2. Out of the 36 States and Union Territories, 15 States had no incidents of violence through the period (Andaman & Nicobar Islands, Arunachal Pradesh, Chandigarh, Dadra Nagar Haveli, Daman & Diu, Lakshadweep, Manipur, Meghalaya, Mizoram, Nagaland, Pondicherry, Sikkim, Tripura and Uttarakhand). The four National Dailies looked at were Delhi editions which explain the high figures for Delhi and skimpy figures for the rest of the States. In any case, the figures indicate a manifold increase in incidents of violence against religious minorities since NDA came to power.

Table 2.9: Number of cases Reported in the National Dailies

S. No	National Newspaper	Reporting on Major Communal Incidents		
		2013	2014	2015
1	The Hindu	34	20	91
2	Indian Express	22	12	57
3	Times of India	7	17	3
4	Hindustan Times	2	4	34

Source: Compiled by the Study Team

The Hindu reported the most number of cases – 34 in 2013 and 91 in 2015 followed by Indian Express – 22 in 2013 and 57 in 2015. Hindustan Times and Times of India reported very few cases – HT reported 2 in 2013 and 34 in 2015; and Tol 7 in 2013 and 3 in 2015. The fact that 91 cases were reported by the Hindu in 2015 means 91 incidents of violence did take place but the other three chose not to report them.

Some further observations inferred from the figures:

- UP, MP, Bihar, Maharashtra and Delhi, five out of the six States with most incidents of violence and / or complaints of discrimination / violence registered, have a sizeable population that is socio-economically weak. Therefore, it appears that the possibility of violence against Muslims and Christians increases with decrease in socio-economic conditions.
- UP recorded the highest number of complaints registered in 2013 and in 2015 followed by Delhi. However, for every 100,000 people, in 2013, UP recorded only 0.84 complaints but Delhi recorded 2.58 complaints. Similarly, in 2015, for every 100,000

people, in UP, there were 0.65 complaints and in Delhi 1.83 complaints. The high numbers recorded in Delhi could be because: (a) the socio-economic and political factors which co-exist in Delhi prompts people to make complaints and ensure they get registered, (b) Delhi being the National Capital, there are several channels of communication – be it print media or visual media – and therefore the possibility of events getting reported are more. Similarly, because of UP's proximity to Delhi, the avenues for registering complaints and incidents of violence getting reported are more. This is not the case in other States.

- The three Christian majority States – Meghalaya, Mizoram and Nagaland – have no recorded incidents of violence against minorities (Table 2.8); similarly the two States with a sizeable Christian population – Goa and Kerala – have recorded very low incidents of violence – Goa, none in 2013 and one in 2015; and Kerala, one in 2013 and six in 2015. This indicates, on the one hand, that it is not necessary that the majority community will indulge in acts of violence against the minority (as seen in Mizoram, Meghalaya and Nagaland); and, on the other, where the minorities are not mainly converts from tribal or dalit backgrounds, the incidents of violence against them are less (as is the case in Goa and Kerala)

Data alone will not give the correct picture; one has to examine the nature, degree and magnitude of violence against minorities, for which the Study relies on case studies as well as news reports compiled by the Documentation Division of Indian Social Institute and the analysis provided by Secular Perspectives.

The year 2013 was special for communal violence for the following reasons:

- a. It was the last year of UPA-II and UPA had become substantially weak
- b. It was the year before the 2014 General Elections to the Lok Sabha
- c. The year saw an increase in the incidents of communal violence
- d. The incidents of violence were less spread out geographically but the fatality was high
- e. The incidents of violence saw more angry, well armed and better organized rioters

The violence was engineered for a purpose – engineered by the *Sangh Parivar*¹⁴ with an eye on the 2014 elections. The *Sangh Parivaar* campaign started in 2013 itself, which were symbolic in character – visiting the demolished Babri Masjid,

¹⁴ The Sangh Parivar refers to the family of Hindu nationalist organizations which have been started by members of the Rashtriya Swayamsevak Sangh (RSS) or drew inspiration from its ideology. The Sangh Parivar represents the Hindu nationalist movement.

running campaigns such as “love jihad”, campaign regarding “illegal immigration from Bangladesh”, anti cow slaughter campaigns, etc. The regularity of such messages ensured that the hatred against minorities was created and maintained with the people and the hatred converted to anger and was the cause for the high number of deaths during incidents of violence.

Further, the *Sangh Parivar* adopted a two-fold strategy:

1. Shock and Awe

Shock and awe is a military doctrine, technically known as rapid dominance wherein overwhelming power is used to paralyze the enemy's perception of the battlefield and destroy its will to fight. This method was effectively used by the Sangh Parivaar in two instances – Kishtwar, J&K and Muzaffarnagar, UP.

Kishtwar district in Jammu is known for its delicate composition of Hindu (45 per cent) and Muslim (55 per cent) population living peacefully and maintaining cordial relations. On 9 August 2013, there was an incident that led to communal violence. However, very quickly, very effectively, the incident was given a different colour and frenzy was created. On the said day, when people came out of the mosque after the Eid-ul-Fitr prayers, there was stone pelting at them which escalated into riots and three people were killed and 80 injured. The eye witnesses say people coming out of the mosque were greeted with provocative posters of Afzal Guru and Maqbool, which led to the clash. But the version that spread was that the people came out of the mosque shouting ant-India slogans which infuriated the sentiments and resulted in stone pelting. According to Secular Perspectives, this version is hardly credible as the Jammu Muslims do not identify with the Kashmiri nationalists seeking self determination. [In retrospect, the same tactic was used by ABVP students in JNU to cause damage to the University and malign the Kashmiri students and student leaders]. Also, the Minister of State for Home Affairs, Mr. Sajjad Kitchloo said preparations for the riots were done at least a month in advance and armed mob was planning to attack minorities. The Minister for Home Affairs, Mr. Chidambaram made a statement in Parliament blaming Bajrang Dal for stoking communal fire. BJP politicized the incident and successfully polarized a population that enjoyed cordial relations till then. By sending Arun Jaitley to the spot, demanding higher compensation for the victims, and turning a small incident into a communal clash,

BJP cashed in at the vote bank.

In Muzaffarnagar, an incident between a Muslim boy and 2 Hindu boys escalated into the biggest communal clash in UP in recent history spreading to 5 districts. Here too there are two versions – one that it was a traffic issue between a Muslim boy, Shahnawaz, and two Hindu brothers, Gaurav and Sachin, in which Shahnawaz was killed and a mob gathered and killed Sachin and Gaurav. The second version is that Shahnawaz molested a Jat girl and her brothers Gaurav and Sachin attacked Shahnawaz and killed him and a mob collected and killed the brothers. The love jihad propaganda played dividends here. News of a Muslim boy misbehaving with a Hindu Jat girl spread and doctored versions of Muslim mob killing Gaurav and Sachin spread causing the violence to spread to 5 districts. 128 incidents of violence took place between 27 August and 16 September. Over 50,000 people were displaced from their homes. BJP MLA from Saradha, Meerut, Sangeet Som was booked under National Security Act regarding the doctored videos but was soon released. He was later felicitated by the party for his contribution.

It should be noted that BJP is the only party that gains electorally from communal violence...

2. Low Intensity Violence

Low intensity violence comprises a variety of events from riots to attack against the minority communities as well as against homes and symbolic buildings such as churches and mosques. The idea is not to bring these incidents to limelight but to attack the psyche of the minorities. Therefore frequency of such incidents and geographical spread is maintained. Such incidents are carried out by the fringe elements of the Sangh Parivaar and they are allowed to happen. Hence we have Shiv Sainiks demanding a donation from a Muslim vendor on the occasion of Ganeshotsav in Mumbai. When the vendor expresses his inability to pay due to bad business, it results in clashes. In Rajasthan in Tonk City, when the Maghrib Salat (prayers after sunset) is going on at the Chhawani Jama Masjid, a passing *baraat*, plays loud music, stays longer in front of the mosque. A request to not play loud music in front of the mosque leads to clashes. In Meerut, UP, the saffron brigade objects to namaz being performed on the streets in the month of Ramadan. In

Chhipabad, Harda district, MP, a Muslim allegedly hits a cow and the cow dies and members of Bajrand Dal retaliate by destroying homes of Muslims, their food grains stored for the year, torching homes of Muslims with petrol, and entering the local school and demanding the 60-70 Muslim children studying there to be handed over to them. In Chikmagalur, Karnataka, severed head of an animal is found near a place of worship and people come out on the street to protest. One Muslim gentleman tries to remove the dead animal and clean the place and he is beaten up by the police. Other Muslims are also targeted and beaten up badly. In Cachar district, Assam, meat is found near three temple areas and riot is sparked off. Shops and homes of Muslims are burnt down. The Chief Minister blames VHP and BJP for the riots.

The incidents of violence in 2014 fell drastically from the previous year, from 823 to 561 according to CSSS data and according to the MHA data it fell from 823 to 644. The number of people killed fell from 133 to 84 (CSSS) but according to MHA figures number of people killed were 95; and the number of people injured fell from 2269 to 1979 as per CSSS data and according to MHA number of people injured was 2264.

This decrease in the incidents of communal violence and the associated deaths and injuries can be attributed to the fact that 2013 was the run-up year to the General Elections and there were benefits to be reaped from communal mobilisation. In 2014 there was no political benefit to be derived through communal and targeted violence.

However, the main features of the communal violence post July 2014 are:

1. The incidents of violence are far more spread out, extending to newer areas and small towns like Hapur and Loni in UP and Gurgaon and Mewat in Haryana. Areas that were hitherto not known to have communal tensions became centres of violence. Haryana is a state known for being communally peaceful. But by 2014 it was highly polarized along communal lines. The atmosphere had been charged for over a year around the “love jihad” issue. The *Khap Panchayats* had terrorized youngsters about inter religious love / marriage and elders were convinced to kill their own kin if such forbidden love did happen. In such a charged atmosphere even minor normal incidents led to communal clashes. In Tauru, Mewat a dumpster hit a boy and he died. But it became a Hindu boy was killed by Muslims driving a dumpster leading to clashes, burning of mosques, and breaking and looting homes and shops of Mus-

lims.¹⁵ In Basai village in Gurgaon 24 Muslim families engaged in small business or small enterprises are thrashed and forced to leave the village.¹⁶

2. The Sikh Community is mobilized into the communal conflict with Muslims. This was seen in Saharanpur, UP and Hyderabad, Andhra Pradesh. In Saharanpur, the issue was a piece of land which the Muslims said belonged to the Waqf Board and the Sikhs claimed was theirs. However, the Muslims had no evidence to prove their claim and hence the Sikhs had possession of the land. According to the Sikhs, it had become a non-issue between the two communities and Muslims had given up their claim to the land. Therefore, both communities say the violence that erupted over a year later was suspicious; it looked planned to create division between Sikhs and Muslims in Western UP.¹⁷ Similarly, in Hyderabad, a religious flag of the Sikhs was found burnt. The Sikhs blamed the Muslims for this and resorted to violence against them. Alternative media has come out strongly saying this violence between Sikhs and Muslims is orchestrated as both are religious minorities and do not gain from such incidents.¹⁸
3. Sudden increase in attacks on Christians and Christian institutions: By August 2014, reports of attacks against Christians, their churches, and Christian institutions started pouring in from different parts of the country. In Delhi alone, in the initial few months of BJP coming to power, 5 churches were vandalized or burnt, and one school was attacked.¹⁹ In Hisar, Haryana, an under construction church was vandalized and the cross was replaced with a Hanuman idol.²⁰ In Mangalore, stones were pelted at a church breaking windows and causing damage. In Chhattisgarh, gram sabhas of 5 tribal villages in Bastar passed orders under the Panchayati Act prohibiting non-Hindus from practicing religious activities and offering prayers in these villages.²¹

¹⁵ Irfan Engineer, "Communal Violence in 2014 – Haryana, Delhi, J&K, Bihar, Rajasthan", Secular Perspectives, February 1-15, 2015

¹⁶ Ibid.

¹⁷ <http://sikhsiyasat.net/2014/05/30/unprecedented-muslim-sikh-riot-in-hyderabad-reminiscent-of-past-false-flags-by-india/>

¹⁸ <http://www.dailymail.co.uk/indiahome/indianews/article-2710120/Saharanpur-riot-meticulously-planned-Police-say-culprits-set-divide-Sikhs-Muslims-UP.html>

¹⁹ <http://www.oneindia.com/india/churches-under-fire-a-list-of-recent-church-attacks-in-the-country-1685114.html>

²⁰ Ibid

²¹ <http://indianexpress.com/article/india/india-others/christians-see-iron-ore-mafia-behind-ban-on-non-hindu-missionaries-in-bastar-villages/>

Most of the attacks were on the ground that the poorer sections were forced or enticed to convert to Christianity. In Saraiyya village in Jaunpur district, Shiv Sainiks attacked a group of Christians gathered for prayers on a Sunday morning claiming they were engaged in religious conversions²²; in Ratlam, a Pentecostal convention was attacked by Hindu Jagran Manch saying the poor tribals were being lured to convert by healing them of their illnesses²³. Yogi Adityanath, BJP MP from Gorakhpur announces that on 25th December, on Christmas, they would reconvert 5000 Muslims and 1000 Christians back to Hinduism in a “Ghar Wapsi” event at Aligarh²⁴. They distributed pamphlets seeking funds for the event – Rs. 5 lakh to reconvert a Muslim and Rs. 2 lakh to convert a Christian²⁵. In Kerala, the Chengannur unit of VHP, in a ghar wapsi event converted 30 people from 8 families from Christianity to Hinduism²⁶. In Goa, the RSS spoke of welcoming the Christians whose ancestors had been forced to convert to Christianity under the Portuguese rule²⁷.

4. The IRS (Institutionalized Riot System) of the Sangh Parivaar is seen to grow, which is capable of producing communal riots whenever need arises and political conditions are favorable. The IRS activity could be seen in the ghar wapsi events organized across the country; in intimidating the minorities and opposing their freedom to practice their religion – e.g. – not allowing loud speakers in mosques, not allowing Christians to gather and pray, etc.; in the hate propaganda, calling the Muslims *haraamzde*, or giving a clarion call that all non-Hindus should either convert or leave the country; or in declaring that by 2025, India would be a 100 per cent Hindu country.
5. Low intensity violence continues; and
6. Symbolic violence is seen to increase. The Hindu nationalists of various hues working under various banners are emboldened after the victory of BJP in the General Elections. They engage in acts aimed at attacking the core of the minority religious identity and there is a studied silence on the part of the government (basically dis-

²²

²³ <http://indianexpress.com/article/india/india-others/mp-christian-event-to-convert-tribals-stopped/>

²⁴ <http://timesofindia.indiatimes.com/india/RSS-body-seeks-donations-to-fund-Christmas-conversions-in-Aligarh/articleshowprint/45484672.cms>

²⁵ Ibid.

²⁶ <http://www.thehindu.com/news/national/30-christians-converted-in-kerala-vhp/article6713944.ece>

²⁷ <http://www.thehindu.com/news/national/other-states/rss-open-to-reconversion-of-goan-catholics/article6732399.ece>

tancing itself from such acts claiming they are fringe elements and not under its control at the same time allowing the damage to happen).

The year 2015 was characterized by:

1. Communal violence, polarization of communities and institutionalization of hatred leading to severe adverse impact on communal harmony; and
2. Shrinking of the democratic space

The Ministry of home reported that there were no “major” incidents of communal violence in the year 2015; however, the CSSS report states that there were 2 “significant” incidents of communal violence – one in Atali, Haryana and another in Dadri, UP.

In Atali, there is a small Muslim shrine, which has been around for over 50 years. The community has wanted to build a bigger shrine at the same spot, however, in 2009, just before the Panchayat elections, the Jats from the village filed a case before the Chief Judicial magistrate’s court and got a stay on the construction of the mosque²⁸. Now again, just before the 2015 Panchayat elections, a Hindu mob²⁹ attacked the Muslims, torched their homes and forced them to seek refuge at the Ballabgarh police station. The polarization can be gauged from the words of Satish Singh, a farmer from the village: “...We are not going to allow the mosque to be built near the temple. First they wanted land for a graveyard. Now they want to build a mosque and tomorrow they will take over the village.”³⁰ And, the connivance of the state machinery and its apathy comes out from the fact that not a single culprit was arrested, no effort was made to bring back the displaced to the village, NCM put up tents for them and their community members provided them with food and necessities.

In Dadri, a mob gathered “spontaneously” and killed a man inside his house based on a rumour that he and his family had stored and consumed beef. Also, the local

²⁸ <http://indianexpress.com/article/cities/delhi/dispute-over-mosque-rears-its-head-when-panchayat-polls-draw-near-say-villagers/>

²⁹ <http://timesofindia.indiatimes.com/city/delhi/Riot-hit-Muslims-feel-BJP-govt-not-theirs/articleshow/47493677.cms>

³⁰ <http://indianexpress.com/article/cities/delhi/ballabgarh-communal-violence-wont-return-till-rioters-held-say-muslims/>

priest announced over the loud speaker, from the temple, that the family had beef in the house. In the words of Ms. Farida Abdullah Khan, NCM member, “everyone, including the family which came under attack, was fast asleep. And very suddenly enough people gathered to attack. They could not have gathered in five minutes...there has to be some planning. It was not a spontaneous act”.³¹

These two “significant” incidents are reflective of the character of violence against minorities in 2015:

1. The citizenship rights of Muslims and Christians challenged and denied
2. An atmosphere of hatred and intolerance
3. Intensity of violence in terms of number of people dead and injured less but low intensity violence increased by per cent from the previous year
4. Violence spreads to small towns, especially in the cow belt – Western UP, Bihar and Haryana
5. Police and state response has provided space and legitimacy to vigilantism
6. Christians continue to be attacked across the country
7. Four campaigns gain momentum – ghar wapsi, cow slaughter, beti bachao bahu lao andolan, and selective leakage of 2011 census data to say Muslim population is increasing and they pose a threat to the Hindus
8. Increased role of women in violence

These are examined in greater detail in the following chapters.

Chapter Three

³¹ <http://indianexpress.com/article/india/india-news-india/fact-finding-mission-dadri-lynching-was-not-spontaneous-says-ncm-member/#>

Structural Violence

Johan Galtung in his work “Violence, Peace and Peace Research” classified violence into three types – structural violence, cultural violence and direct violence. This classification is very similar to the present Study’s classification of violence – structural, symbolic and physical violence. According to Galtung, the three are interconnected and he called it the violence triangle.³² Structural violence is the left arm of the triangle, cultural / symbolic violence is the right arm, and the base is direct / physical violence. His explanation of the violence triangle is that symbolic and structural violence cause physical violence; and physical violence reinforces structural and symbolic violence.

According to Galtung, the opposite of peace is violence; and, violence always nurtures more violence. While direct / physical violence causes pain and destruction, structural and cultural / symbolic violence makes people powerless.³³ Theories of structural violence have also explored how political, economic and social structures result in violence. The most common example would be deprivation of basic human needs. Galtung had even examined structural violence as violence that is not a direct act of any decision or action made by a particular person but a result of an unequal distribution of resources.³⁴ In India, structural violence against minorities is distinctly visible in five areas:

3.1 State Policy

India is a secular State³⁵ and the Constitution is committed to the equality of citizens and guarantees to all its citizens freedom of religion and beliefs³⁶. Therefore, the Constitution explicitly prohibits discrimination based on religion. Further, the State takes it as its responsibility to preserve, protect and assure the rights of minorities in matters of language, religion and culture. However, the State has inadvertently endorsed the divide between religions at least in two aspects:

³² <https://www.galtung-institut.de/en/network/groups/anything-galtung/forum/topic/understanding-galtungs-violence-triangle-and-structural-violence/>

³³ <http://archives.mtexpress.com/2001/01-01-10/01-01-10dorworth.htm>

³⁴ <http://kanglaonline.com/2012/07/understanding-violence-triangle-and-structural-violence-by-rajkumar-bobichand/>

³⁵ The Preamble to the Constitution reads, “We, the people of India, having solemnly resolved to constitute India into a sovereign socialist secular democratic republic...”

³⁶ Article 25 Section 1 of the Indian Constitution

3.1.1 The Hindu Code Bill: Post independence, the government introduced the Hindu Code Bill. One explanation for the government doing so is that the Hindus as a group are non-homogenous with several gods and goddesses, beliefs, practices and laws. Hence the Hindu Code Bill was a bid to codify and reform the Hindu Personal Law and to bring about homogeneity among the Hindus. However, in doing so, the Hindu Code Bill defined Hinduism expansively to include Buddhists, Jains and Sikhs – the three Indic-origin religious minorities; and kept out the non-Indic origin religious minorities, namely Christians and Muslims. On the one hand, the State has denied the Indic-origin religious minorities their specific religious identity as they are absorbed in to the Hindu fold, and, on the other hand, the State has alienated the non-Indic origin religious minorities.

3.1.2 Denial of benefits to people of SC background who converted to Islam and Christianity: The Constitution brings the SC population under the regime of reservation to uplift them socially, economically, and provide them legal safeguards against untouchability, discrimination and atrocities. The Constitution (Scheduled Castes) Order of 1950 also known as the Presidential Order restricted reservation and the entitlements it ensured only to SCs of Hindu background. This was discrimination in favour of religious majority. Hence the Presidential Order was amended – once in 1954 to include SCs of Sikh religion and again in 1990 to include SCs of Buddhist background. Others (read minorities of non-Indic origin) were excluded. This is nothing but denial of equality of citizenship for SCs of Christian and Muslim backgrounds. According to Prof. T. K. Oommen, “denial of identity and absorption into the religious mainstream (in the present case, Hinduism) may ensure physical security. This explains the near absence of physical confrontations between followers of Hinduism and religious minorities of Indian origin in independent India, save the anti-Sikh attacks in 1984, occasioned by the assassination of Mrs. Indira Gandhi by two of her Sikh security guards.”³⁷

The existing legal protections against discrimination and atrocities for SCs under Untouchability (Offences) Act 1955, the Protection of Civil Rights Act 1976, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, and the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act Rules 1995 are

³⁷ T. K. Oommen, “State Formation, Minoritization, and Violence In Postcolonial India”, in Kalpana Kannabiran, ed., *Violence Studies* (Oxford University Press, New Delhi, 2016), p.127

not applicable for Dalit Christians and Dalit Muslims. These Acts provide protection against various forms of violence, atrocities and discriminations such as depriving facilities, denial of rights, eviction; economic exploitation including wrongful occupation of land and other properties; personal attack and exploitation including insulting, intimidating, harassment and dishonouring; and heinous criminal activities including rape, molestation, murder and massacre. This amounts to structural violence because in any case along with their caste fellows, Dalit Christians and Dalit Muslims occupy the lowest rung of social ladder in Indian society, and in addition they are denationalized on the basis of their religious identity.

Case Study 3.1: Siruthondamadevi village, Panruti taluk, Cuddalore district, Tamil Nadu

This is a typical Indian village depicting the structural violence faced by dalits. However, this case is of Siruthondamadevi village in Cuddalore district and shows the situation of dalit Christians. The settlement of the Dalit Christian is along one street, which is boxed between the settlements of the Caste Hindus. They have to pass through the Caste Hindus' properties to access the outside world. This gives the Caste Hindus a strategic upper hand to exercise systematic and deliberate discriminative attacks on Dalit Christians.

	Chennai – Kumbakinam High Ways	Kananchavadi			
		Siruthondamadevi Caste Hindus		Azagappasamuthram	
		Siruthondamadevi Caste Hindus	A. Puthur Caste Hindus	Arasadikuppam Caste Hindus	
		Siruthondamadevi Caste Hindus	Dalit Christians	S. Pudukuppam Caste Hindus	
		Kullanchavadi Road			

The lands are owned by the rich caste Hindus. Dalit Christians are dependent on them for their livelihood and survival. This has led to complete exploitation of Dalit Christians at the hands of the Caste Hindus. Sexual abuse of dalit Christian women, no access to the local school for the dalit Christian children, and denial of any kind of political affiliation keeps them at the mercy of the Caste Hindus.

This is an example of how change of religion has brought no change to their social standing and how they have no protection against the atrocities and injustice meted out at them.

3.2 Economic Conditions

Christians and Muslims suffer from material deprivation. Christians number about 25 million and constitute 2.3 per cent of India's population. While there is a small urban middle class among Christians, which renders the community socially visible, otherwise Christians are predominantly rural (75 per cent), poor, and engage in low-prestige occupations. The Indian Christians are not a speech community and do not claim any specific part of India as their exclusive homeland, and a substantial proportion are converts from SCs, STs and OBCs. In fact, some calculations show 90 per cent of Christians belong to SC background³⁸. Since the Indian Census does not collect data regarding the social / caste background of Muslims and Christians, one cannot be very definite about it. But, certainly, they are 60-70 per cent.

Muslims, as per the 2001 Census, were over 138 million and as per the 2011 Census were 172 million i.e. today they constitute 14.23 per cent of the total population of India. The Muslim population has marginally increased since independence (they were 9.8 per cent as per the 1951 Census) and this is not because of conversion or Muslim men marrying Hindu women or Muslim men having four wives, it is because the Muslims are impoverished. The Sachar Committee Report clearly brings out the vicious circle the Muslims are caught in which renders them victims of structural violence. They are poor, have low levels of education because they are poor, have poor representation in the employment market especially in government and organized sector be it bureaucracy, police, judiciary, national and state legislatures, military and paramilitary or even the Class IV level or Grade D employment where educational qualification required is quite low. As a consequence, they are mostly self-employed or employed in the unorganized sectors. They have poor access to credit facilities and have no safeguards against liberalization and modernization and hence face displacement and pauperization. Lack of formal education keeps them from gaining employment and fear of discrimination in employment demotivates them from education. Those trained in the traditional Madrasas in any case lack the training in skills required in the employment market. The Muslims also lack a voice in the political sphere and in governance because they are systematically denied political participation. The Sachar Committee

³⁸ T. K. Oommen, "Minorities and the Margins: Colonial Encounter and Post-Colonial Discourses", Keynote Speech at the National Seminar PSDE/JNU-ICHR, 17-18 February 2011

Report identified two methods of denial – one, non inclusion of Muslims in the voters list; and, two, notification of reserved constituencies where Muslims have a stronghold. And since, SC Muslims are categorized as OBCs they are denied political participation.³⁹

3.3 Attitude of the Police and Law Enforcing Agencies

Muslims in India feel a sense of insecurity and of discrimination in almost all spheres. Communal tension in any corner of the country leads to fear and insecurity among Muslims in the rest of the country. Riots could be spontaneous or planned (either by Hindus or Muslims) but the State is accused of being negligent at all stages – of not anticipating the violence and taking necessary steps to prevent the violence; of not acting quickly and effectively once the riots start; and of not dealing fairly with Muslims once the riots are over. Invariably, in the riots, the number of Muslims killed is more (e.g. in Muzaffarnagar 42 Muslims and 20 Hindus were killed); the economic loss suffered by the Muslims is more (their homes are gutted, their means of livelihood destroyed); the people displaced and in camps are Muslims (“There are camps after camps full of people who fled their homes during the Muzaffarnagar riots. Why are they only full of Muslims?”); and they are discriminated against when it comes to rehabilitation and compensation.

The Police are accused of “seeing every bearded man as an ISI agent”. Further, the Muslims say whenever there is an incidence of violence it is the Muslim boys that get picked up by the police. And, fake encounters are also common. The lack of adequate Muslim presence in the police force exacerbates the problem as it heightens the perceived sense of insecurity.

And it is this fear for their security that pushes them to stick with their own that leads to ghettoisation. While it does provide a sense of security, it also makes them easy targets for neglect by municipal and government authorities.

Case Study 3.2: Kandhamal, Odisha – Justice System

On 23 August 2008, 81 year old Hindu leader, Swami Laxmanananda Saraswati was

³⁹ The Sachar Committee Report, http://mhrd.gov.in/sites/upload_files/mhrd/files/sachar_comm.pdf

killed. The Maoist claimed responsibility for the murder. But the Hindu fundamental groups claimed the murder of their leader was a Christian conspiracy.

Anticipating trouble the police imposed curfew in the region. However, in defiance of the curfew a procession was taken out with the body over a 250 km route and with the procession started brutal attacks on Christians – nearly 300 churches and 6000 Christian houses were looted and reduced to ashes, more than 56,000 Christians were rendered refugees in their own 'home', and nearly 100 Christians were killed. Christians were given an ultimatum to renounce their faith. They were forcefully taken to temples and made to recite Hindu prayers and give up the Hindu faith. They were then forced to burn Bibles, desecrate Churches, and burn the homes of other Christians to prove they had renounced their faith. The Christians were then made to sign the 'voluntary form' to declare their consent for change of religion to be submitted to government officials – as a precaution in case the Hindu fundamentalists were taken to court for forceful reconversion.

Most of the Christians displaced never went back to their villages out of fear, but the ones who returned were faced with rigid social boycott. Severe penalties were imposed on Hindus who employed Christians or worked in Christian homes or lands or sold groceries to them or allowed Christians to travel in or hire vehicles owned by them. Christians were even excluded from the government's poverty alleviation programme NREGA.

The police and government officials turned a blind eye and allowed the atrocities to happen. They failed to ensure the fundamental rights of Christians to practice their religion fearlessly and return to their villages.

Justice System

3232 criminal complaints were filed of which the police acknowledged 1541 and only 828 FIRs were registered; 593 cases were charge sheeted; 327 cases were committed to fast track courts (FTC); 255 cases are still pending, only 257 cases were disposed off, of which 182 were acquitted and only 75 were convicted. In case of murder charges 27 verdicts were given of which 25 were acquitted and only 2 were convicted.

Manoj Pradhan, arrested under the National Security Act and charged with seven murders, contested and won the 2009 elections as the BJP candidate. He was acquitted in 6 cases by intimidating witnesses. However, the FTC found him guilty in the murder of Parikit, whose wife and daughter had witnessed Manoj Pradhan and others dragging her husband and beat him to death. Then they hacked his body into pieces and tried to burn the pieces. But the fire did not spread, so they covered the body pieces with soil and left. Parikit's wife and daughter boldly recounted this and the FTC sentenced the BJP MLA to 7 years rigorous imprisonment on 29 June 2010 but not life term as the court did not find him guilty of murder under Section 302 of the Indian Penal Code (IPC). On 7 July Manoj Pradhan applied for bail and it was granted the same day. Parikit's widow moved the Supreme Court. The Supreme Court cancelled bail saying "the law does not make any distinction between the representatives of the people and others, accused of criminal offences. Neither they can claim any privilege nor can it be granted by any court. The law treats all equally". The bail was cancelled and Manoj Pradhan surrendered in Court on 10 March 2011 but again on 18 March 2011 he was granted bail by the same High Court judge, Sanju Panda. This BJP MLA roams free!

And, shockingly, 7 Christians accused of the murder of the Hindu leader languish in

prison till today. Duryodhan Sunamajhi, Munda Badamajhi, Sanatan Badamajhi, Garnath Chalanseth, Bijay Kumar Samseth, Bhaskar Sunamajhi and Budhadeb Nayak were found guilty by the newly appointed Additional Sessions judge Rajendra Kumar Tosh on 30 September 2013. On 3 October, the judge convicted all of them to life imprisonment. This is in spite of the fact that the FTC did not find any credible evidence against them. Their Hindu neighbours vouch for their innocence and recount that the convicted Christians had been in their homes at the time when the leader was murdered. Shockingly, the investigating teams that cooked up the fairy tale evidence against the accused had never visited the villages to verify the charges against the accused after arresting them.

Poignant of all, one of the Hindus asked the case study team leader 'Sir, please tell us how we can help and ask for his release?'

3.4 Anti-Conversion Law

Violence, mainly against Christians is associated with allegations of religious conversions. The perception that Christians are congenital proselytizers is widely prevalent in India. This view is shared not only by legislators and administrators but also the Indian judiciary. This is evident in the Graham Staines murder case. The judgement of the case referred to the murder as an instance of reaction by the Hindu community because of fraudulent proselytisation practiced by Graham Staines.

The right to "propagate" one's religious faith is a Fundamental Right but in actual practice falls on sticky ground. Legislative history and judicial precedents have remained wary of the tipping point when the "basic human right" to spread religion translates into conversion through force, fraud or allurement. Article 25(1) of the Constitution says "all persons," not just Indian citizens, are equally entitled to the freedom of conscience and the right to profess, practice and propagate religion freely. Legislative and legal history validates the argument that there is no need for a new anti-conversion law. The original intention of the Constituent Assembly and the interpretation of Article 25 by the Supreme Court later on clearly differentiate the right to propagate from the right to convert other persons to one's own religion. The former is a Fundamental Right, the latter, if forcibly done and not by choice of the person converting, is illegal. The law is already clear. Later again, a five-judge Bench of the Supreme Court had upheld the validity of individual States to enact Freedom of Religion laws to ensure public order.

In spite of this, there are “anti-conversion” laws in six states – Arunachal Pradesh, Gujarat, Himachal Pradesh, Chhattisgarh, Odisha, and Madhya Pradesh. Andhra Pradesh, Chhattisgarh, and Karnataka top the list of anti-Christian violence in recent years with Andhra Pradesh registering 41 cases, Chhattisgarh 28, and Karnataka 27 in the year 2014.

3.5 Educational Institutions

The Indian State has by and large ensured the cultural and educational rights of Muslims and Christians by providing the right to establish and administer institutions by way of Article 30(1) of the Constitution without much hindrance or interference from the State.

The Constitution of India does not offer a definition of the term “minority” however the Supreme Court of India settled it by judicial interpretation in the *A. M. Patroni vs Kesavan* case⁴⁰, when it said the word “Minority” is not defined in the Constitution, and in the absence of special definition, any community religious or linguistic, which is numerically less than 50 per cent of the population of the State concerned, is entitled to fundamental right guaranteed by Article 30 of the Constitution.

Further, by way of the *Azeez Basha vs Union of India* case⁴¹, the Supreme Court has clarified “establish and administer” in Article 30 (1). It said “establish” meant not just “founding” but also meant “to bring into existence”. Hence Article 30 (1) gives the right to the minority “to bring into the existence” an educational institution, and if they do so, to administer it.

This right enjoyed by Christians and Muslims is under threat at present. This is so because the government is of the view that the secular Constitution of India does not permit the government to establish and provide funds to institutions of higher learning, specifically for the promotion of education and culture of religious minority communities.⁴² Also, there is a propaganda that these institutions do not have

⁴⁰ <http://www.legalservicesindia.com/articles/judi.htm>

⁴¹ <http://shodh.inflibnet.ac.in/bitstream/123456789/1031/1/synopsis.pdf>

⁴² http://peoplesdemocracy.in/2016/0207_pd/threat-minority-culture

enough students from the particular community which runs them and so they should not get “privileges” of a minority institution.⁴³ On both counts the government as well as the propagandists are wrong as firstly, these institutions were not “established” by the government, they were “brought into existence” by Christians and / or Muslims; and secondly, these institutions are not full of their community students because of court order that they can take only up to 50 per cent students from their own minority community, in order to protect the interests of non-minorities and promote national integration.

3.6 Impact on Women

As mentioned above, increase in structural violence leads to increase in physical violence and when physical violence increases, it has direct impact on women in three respects – as victims of violence, as active participants in the acts of violence, and as facilitators of peace.

“Communal discourse condenses the honour (*izzat*) of the community in the bodies of women, their purity symbolizing the purity and boundedness of the community. In times of communal violence therefore, women are vulnerable not simply as members of a community, but as those members who embody the very essence of the community, and whose defilement would constitute the very violation of the community.”⁴⁴ Therefore, women are at the receiving end of violence and bear the burden of being torchbearers of community identity. As a consequence, whenever community identity is under siege, women revert to visible markers of community identity, shun modernity and withdraw in to the safety of familiar orthodoxies.⁴⁵

Secondly, women’s participation in the Hindutva programmes started in the early 1990s with Ayodhya when women were 25 per cent of the *kar sevaks* (volunteers). Even in Gujarat in 2002, women were active partners in the Ram dhun (Ram’s tune) programme organized by the VHP. In fact, by involving women in devotional programmes and celebrations of Hindu festivals, the VHP successfully created a

⁴³ <http://www.firstpost.com/india/why-rss-is-wrong-on-minority-educational-institutions-2338508.html>

⁴⁴ T. K. Oommen, *Civil Society Intervention in Post-Godhra Gujarat: Reconciliation from Below*, (Pearson Longman, New Delhi, 200)

⁴⁵ Sachar Committee Report, n.8

female cadre force. In Atali, Muslim women narrated how Jat women, with whom they had grown up and shared festivals, joys and sorrows, participated in stone pelting and burning down Muslim homes. The Jat women were very assertive that Muslims have no right to construct the mosque in the village and should not even be allowed to return to the village.

Lastly, women as facilitators peace; women across class or communities are disadvantaged as compared to their men; and hope lies in the fact that it is possible to build solidarity among women by fostering awareness of commonality of their situation.

Case Study 3.3: Muzaffarnagar, Uttar Pradesh: Case of the Seven Rape Victims

Seven rape victims came forward and registered cases against their rapists.

1. [Aged 40, mother of 4] When news of the violence reached the village on September 7, my mother-in-law left with 3 of my children to our relative's place. I feared for my teenaged daughter but never imagined they would do this to me! Four men – Rohit, Mohit, Sudhir and Arvind entered my house and put a gun to my temple. They said if I screamed, they would kill my 2-year old son sleeping on the cot. They inserted a big stick into me, and I started bleeding. They reveled seeing that, then raped me. A day before I complained, Rambeer, father of two of the rapists, and on whose farm I worked came and threatened me. He said I had forgotten my aukaat and it would not take long to make my daughter disappear.
2. [Aged 48] I was raped by the local grocery shop owner, the tailor and another person. I fainted by the time the third one started. I had withdrawn my case when the Jat men threatened to kill my son. He is my only son. I cannot have any more children, so I got scared. But when I saw other rape survivors filing cases, I decided to fight. Recently pn Jat man came to my husband and said “Ab to apne ghar ki sarkar aa gayi” [Now we have our own government]. This is not new. Sloganeering like ‘Musalman ke do sthaan, Kabaristan ya Pakistan’ [Two places where a Muslim can go – graveyard or Pakistan]. I have stopped sending my son to school. I feel scared. I was offered Rs. 30 lakh to drop the case.
3. [Mid-thirties, mother of 2 boys] My husband was with my older son at the hospital. Before the mob reached my door I ran out of the back door, straight into the sugar-cane fields. I stopped only an hour later to realize I had left my younger son behind. I was hiding behind the Bright Zone School when 3 men – Kuldeep, Sikander and Mahinder – caught me and raped me turn by turn. I couldn't get up till 4 or 5 in the evening when I heard a tempo. It was taking several people from my village to Loni. A woman gave me a hand and I got on to it.
4. [Aged 52] I had taken my cattle out to graze in the morning when 5 men dragged me into an empty house and raped me. Boys my son's age did not flinch a moment before pulling my salwar (pants) down. They even described my genitals to the boys next door. The 5 then vandalized the house and left. I wondered why they did not kill me. For women, I guess, it means the same thing! I am a walking dead. My teenaged sons have become part of the jamaat managing the relief camps. One day they told me to cover my hair. I was shocked to see them behave so. But they too must have heard details about their mother's rape to feel this way.

5. [Early 20s] On the morning of 8 September, I was cooking when Ranbir, Sanjeev, Pushpendra and Rupesh broke open the wooden door and attacked me. They raped me as my little girls watched and cried. I begged them to do whatever they wanted with me but leave me alive for my girls. My husband had gone to meet the former pradhan, Harpal Singh, to ask for help. While he was assuring my husband that nothing would happen to us, his cousins and relatives were raping me. The Jats have been threatening us to withdraw the case. In January, my cousin was booked for rioting and having links with Lashkar-e-Toiba. When they were interrogating him, my cousin was asked to convince me to withdraw the case. Even now if we step out, we find some of the other Jat lurking to negotiate with riot victims who have filed cases of rioting.
6. [Mid-20s] I was 3-months pregnant when I was raped. I do not recognize the men who barged in with their faces covered and swords and guns in their hands. I heard them call each other Nilu, Badlu and Amardeen. Two held my hands and legs while the others raped me. They said if I told anyone, they would kill me. I kept quiet because I did not want to faint or die. My lower abdomen hurt, still does continuously. I would bleed often and when I met doctors at the relief camp, they would tell me it was because I was pregnant. I had obviously not told them about what had happened to me. Only my husband knew and he asked me to keep quiet about it. I know rapists have no religion, but just 20 days back, when a woman was gang raped by 7-Muslims in Shahpur, the police took immediate action and arrested the people involved. The same police has done nothing in our case till date.
7. [50 year old] On 8 September, my husband was on the terrace of the house. He jumped when he saw the armed mob and ran. I was downstairs. 4 men caught me and raped me for half an hour. When I registered the complaint, they laughed at me. A Jat man walked up to me and said an infertile woman now wants to feel attractive. Recently Narest Tikait, President, Bharat Kisan (Farmers) Union said what had happened to us was a trailer, and the film is still pending.

Ascan of the four national dailies over the year 2013 shows structural violence faced by Muslims and Christians as they have been facing since independence.

1. Economic Conditions: In 2013, six years after the Sachar Committee Report had made several recommendations for improvement of the economic conditions of the Muslims; a report was brought out by Abusaleh Sharif, who had been a Member Secretary of the Sachar Committee, examining the changes brought about in economic conditions of Muslims in India. The Report said that the government responded to the Sachar Committee Report by setting up a new Ministry – the Ministry of Minority Affairs and launching several programmes for Muslims, however, nothing much had changed for the community as a whole. According to Sharif's calculations, the contribution of Muslims to the country's GDP was 11.2 per cent, whereas that of dalits and adivasis combined was 16.5 per cent. Five years after the Sachar Committee recommendations the percentage increase in literacy levels among OBC Muslims in rural areas was a mere 5.9 per cent and in urban areas 5.3 per cent; the total number

of Muslims clearing 10th standard increased by only 5 per cent in rural areas and 7 per cent in urban areas; there was a 1.6 per cent increase in higher education among OBC Muslims, 0.8 per cent among other Muslims; and 45 per cent of Muslims were still self employed; 88 per cent were still employed in the informal sector; there are only 6 per cent Muslims in all government jobs and even in the Congress flagship scheme MGNREGS only 2.3 per cent Muslims found employment. Also where a Hindu would be able to get credit between Rs. 2.3 to 2.7 lakh, a Muslim could get only between 50,000 and 1 lakh Rupees.⁴⁶

2. Dalit Christians and Dalit Muslims: In the run-up to the 2014 general elections, the issue of reservations for dalit Christians and dalit Muslims was brought to the fore quite strongly. There were several rallies and dharnas, across the country. The Former Chief Justice of India, Justice A. M. Ahmadi too lent his weight to the cause by saying denial of SC status to Christians and Muslims of SC background is a breach of the equality clause guaranteed by Article 14 of the Indian Constitution⁴⁷. But nothing came of it. On the contrary, in June 2013, the Madras High Court, in a ruling stated “if a Hindu is converted to Christianity or another religion which does not recognize caste, the conversion amounts to loss of the said caste. A convert ceases to have any caste.”⁴⁸
3. Muslims forced into ghettoisation: Sadiq Basha, a native of Karumbukkadai in Tamil Nadu, moved from Chennai to Coimbatore in connection to his work. He started looking for a house on rent and he faced rejection every time. According to Basha, several times, the rent was agreed upon and hands were shaken but the house owner would back off on hearing his name. The residents of a housing colony claim there is a tacit understanding between home owners to not rent homes to Muslim families. A real estate agent and broker said even if owners agreed to rent out homes to Muslim families, the rates could be up to 30 per cent higher.⁴⁹

⁴⁶ <http://timesofindia.indiatimes.com/india/Have-government-schemes-failed-Muslims/articleshow/18013610.cms>

⁴⁷ <http://www.thehindu.com/todays-paper/tp-national/scheduled-caste-status-for-dalit-christians-muslims-sought/article4776926.ece>

⁴⁸ <http://www.thehindu.com/news/national/tamil-nadu/community-status-lapses-on-conversion-rules-madras-high-court/article4843717.ece>

⁴⁹ http://www.newindianexpress.com/states/tamil_nadu/House-owners-shut-doors-on-Muslims-in-Kovai/2013/09/09/article1775174.ece

4. Attitude of the Police and Law Enforcement Agencies: The All India Muslim Personal Law Board (AIMPLB) by giving in a petition to the government brought to the fore the fact that in prisons across the country there are Muslim youth who had been in prison between 7-12 years and against whom no charge sheet had been filed⁵⁰.

In August 2012, there had been an attempt to assassinate prominent Hindutva leaders and journalists in Karnataka. In that connection Muthi-ur-Rahman Siddiquie and 13 others were arrested and Siddiquie was accused as the mastermind. After 6 months in prison, the National Investigative Agency (NIA) released Siddiquie as they found no evidence against him. Siddiquie's words echo the sentiments of the entire community when he said, "If I wasn't Muslim, they would never have held me.... The media and the police need to be more sensitive towards the downtrodden, dalits and Muslims. The way the media and the police behaved raises basic questions about their attitude towards Muslims. Muslims are often cast by them in stereotypes. There is an institutional bias which manifests in such cases."⁵¹

5. Educational institutions: The 2006 Sachar Committee Report indicated that Muslims make only 4 per cent of undergraduate students across India's top universities. In 2013, the Minority Affairs Minister K. Rahman Khan announced 5 universities for minorities of which one was for Karnataka. The then Karnataka ruling party, BJP vowed to resist. They said they would never allow a university for minorities in the State or have it named after Tipu Sultan.⁵²

In Delhi's Old Delhi area, a school that had been razed during Emergency was running out of the Delhi Idgah. The school catered to the most backward sections of the Muslim population of Sadar, Qasabpura, Quresh nagar, Bara Hindu Rao and Kishan Ganj. In April 2013, the Idgah Committee asked the school to vacate the premises as the Idgah could no longer support the school. The school authorities

⁵⁰ <http://www.thehindu.com/todays-paper/tp-national/discharge-wrongly-jailed-muslim-youth-says-aimplb/article4376587.ece>

⁵¹ <http://www.thehindu.com/news/national/karnataka/media-police-should-be-more-sensitive-toward-dalits-muslims-siddiqui/article4456305.ece>

⁵² <http://www.hindustantimes.com/delhi/centre-bjp-on-warpath-over-minority-varsities/story-ecmHCPil8mGR2dcyjL8iUK.html>

claim they had written hundreds of applications to the government to grant them land and building for the school but the government never responded.⁵³

6. Saffronisation of Education: Three complaints of saffronisation of education came from Karnataka, Goa and Madhya Pradesh. In Karnataka, the complaint was that textbooks of classes 5 to 8, designed by the Karnataka State Government, did not conform to the national curriculum framework formulated by NCERT. Lessons projected dalits, women, tribal people and members of minority communities as inferior; and there was extensive distortion of history.⁵⁴ In Goa, the Catholic Association of Goa complained that students of IX, X and XI were forced to take part in an event that involved mass display or surya namaskar. The Catholic Association felt it was harassment and against their religious freedom.⁵⁵ And, in MP, surya namaskar was made compulsory in all minority schools. Interestingly, all the three States in question had BJP governments.

By 2015, we see two parallel narratives running simultaneously – one, of decisive leadership leading to development and good governance; and the second, of majoritarianism defined by the Sangh Parivar's principal belief that India is a Hindu nation. It is the second discourse that brings out anxieties about the present government's antipathy towards minorities and religious diversity.⁵⁶ Scanning of the four national dailies reveals this antipathy, which can be seen finding expression as structural violence against Muslims and Christians in – 1) its views on and action against educational institutions run by Christians and Muslims, 2) the government's new education policy / saffronization of education, 3) attitude and role of the police and law enforcement agencies and 4) attack on the economic stability of Muslims.

1. The new education policy proposed by the government questions and hence changes the understanding and usage of Article 30 of the Constitution which gives religious and linguistic minorities the right to establish and administer their institutions. The Report of the Committee for Evolution of the New Educational Policy in Chapter IV

⁵³ <http://www.thehindu.com/news/cities/Delhi/school-for-poor-muslim-children-in-walled-city-on-the-brink-of-closure/article4597748.ece>

⁵⁴ <http://www.thehindu.com/news/cities/Mangalore/remove-saffron-agenda-from-textbooks-missionaries/article4275708.ece>

⁵⁵ <http://timesofindia.indiatimes.com/city/goa/Complaint-filed-by-Catholic-association-of-Goa-against-compulsory-surya-namaskar-in-schools/articleshow/19660024.cms>

⁵⁶ <http://www.thehindu.com/opinion/lead/politics-without-the-minorities/article6380445.ece>

states that there needs to be a balance between the provisions – Article 30, Article 21 (A) [the state to provide education to children of age 6 to 14], and Article 15 (4) [which deals with prohibition of discrimination on any ground]. The tone, tenor and language of the Chapter is disturbing – “Without entering into the legal aspects, it is now important to reconcile the right of the economically weaker sections with the right of the minorities under Article 30(1); particularly when minority institutions often appear to clutch at any prop to ensure that their obligations, met by other aided or unaided schools, are circumvented. This issue needs further examination and clarification, not only to expand the scope of reaching out to EWS (economically weaker sections) students, but also to ensure that minority institutions are established only for the genuine reasons envisaged by the Constitution – that they are actually designed to meet the basic objective to meet the predominant needs of minorities – that they do not use their ‘Constitutional’ privilege to manoeuvre out of national obligations established in overall public interest.”⁵⁷

In Maharashtra, the government officially scrapped the 5 per cent reservation for Muslims in educational institutions, in spite of the Bombay High Court’s ruling in favour of the reservation.

Case Study 3.4: Goa: Discrimination faced by the Schools run by the Archdiocese of Goa

The Archdiocese of Goa and Daman (covering the State of Goa and the Union Territories of Dadra and Nagar Haveli and Daman and Diu) has been contributing to the field of education since the liberation of Goa. At present it has more than 15 pre-primary schools (1914 students), 25 primary schools (5172 students), 112 high schools (91,879 students), 23 higher secondary schools (10,207 students), 6 graduation & post graduation colleges (6070 students), 3 professional colleges (2441 students) and 3 special schools (342 students). In all approximately 1,22,293 students from Goa are benefitting from all the educational institutes of the Archdiocese of Goa. Not to mention the thousands of jobs generated, for both teaching and non-teaching staff.

Post liberation, all schools under the Archdiocese of Goa were English medium. Only the pre-primary and primary schools were not government aided. They were self-financed. A nominal fee was charged from all students and salaries of the teachers were paid. Therefore, the salaries of the pre-primary and primary teachers were much less than the secondary school teachers who got government scale salary plus all benefits.

In 1987, Konkani became the official language of Goa and was included in the 8th Schedule of the Constitution of India in 1992. Roughly around this time, the primary

⁵⁷ <http://timesofindia.indiatimes.com/city/hyderabad/Draft-new-education-policy-and-Minorities/articleshow/53748863.cms>

school teachers started demanding equal pay as per the government scale. The church authorities approached the government for funds for the primary schools as well. The government agreed with the condition that the medium of education could no longer be English, it should be either Konkani or Marathi or any other Indian language. The Church authorities agreed and all pre-primary and primary schools under the Archdiocese switched to Konkani or Marathi medium.

However, the switch in medium of teaching caused problems for the students from the Catholic community. They could not cope with the Konkani taught in schools. At the same time, several private English medium schools came up in the State. Government gave them permission with no condition either about pay scale of teachers being at par with the government scale, or about the medium of teaching. Several parents shifted their wards to the private English medium schools, where they paid much higher fees. This meant that children from low income families had to continue in the schools run by the Archdiocese and had to continue in Konkani medium.

Parents of such children felt discriminated against and came together under the banner FORCE (Forum for Rights of Children to Education). They demanded government aid to Church run primary schools with English medium. 2012 being election year, the government agreed to aid for church-run primary schools with English medium, however, by way of simply a cabinet decision. FORCE demanded an amendment in the Goa School Education Act but it has been refused.

Similarly, Carmel College for Women, Nuvem, established in 1964 and affiliated to University of Goa, applied for permission to start B. Ed course in South Goa as all existing B. Ed colleges are in North Goa. Their application was denied. Carmel College applied again, this time without government aid, still it was denied and no explanations were offered. However, Harmal Panchkroshi College in North Goa, owned by the present Chief Minister, got permission for the same B. Ed course with government grant in spite of applying much later than Carmel College and the fact that North Goa has 4 colleges for Education.

2. At the same time, the fringe elements in the Sangh parivaar as well as individuals in high positions make the necessary noises for Hinduisation or saffronisation of education. In January 2015, the Haryana Education Minister, Ram Bilas Sharma says “we want complete saffronisation of the education system and there is nothing wrong in this.” He further said the BJP government would introduce the Bhagwad Gita in the curriculum and it would be made compulsory from Class V to XII. Yoga, surya namaskar, vande mataram, saying om were increasingly imposed in the public sphere especially schools and colleges. In an obvious bid to influence young minds and change the way history is understood, a new course on “Indian Culture and Yoga” was included in all schools in the prestigious Jawaharlal Nehru University. Minority institutions and minorities in educational institutions are being forced to recite Hindu prayers, follow yoga practices, start the day with surya namaskar etc. In a Bangalore school, one parent complained that his son, the head boy of the school and belonging to a minority community, was forced to recite Hindu prayers in Sanskrit on stage. In Andhra Pradesh, Muslim NCC Cadets were asked to shave their beards. In UP, a

Muslim boy's father complained that in a school run by the local BJP MP Jagdambika Pal, his son was made to change his name and attend a week long RSS camp on the pretext of it being an educational camp.⁵⁸ In Maharashtra, the Minority Affairs division did a head count of all students in Madrasas who do not study subjects such as science and mathematics and that these students would be treated as 'out-of-school' children.⁵⁹ In July 2015, the Bharatiya Shikshan Mandal, an organization affiliated to the RSS floated a draft education policy seeking replacement of English as a medium of teaching with Indian languages and change in the way institutions are granted minority status.⁶⁰ Thirteen orphanages run by the Missionaries of Charity were threatened with derecognition for not complying with the new adoption policy of the government, wherein adoption agencies do not have the right to approve or reject prospective parents. Missionaries of Charity are strict about providing a home to children and hence do not approve single, separated or divorced parents.⁶¹ Several academics, students, activists, and Christian and Muslim outfits have expressed their anguish and protest against such communalization and saffronisation of education. Ms. Nayantara Sahgal, noted novelist, returned her Padma Shri in protest, stating "to caution the people against the dangers posed by the BJP government's decision to rewrite the education policy for the country, with the intention of conforming it to its Hindutva ideology, which was a threat to the composite culture of the country." Several other prominent personalities returned their awards in protest. The Indian Muslim personal Law Board launched a counter movement "Deen aur Dastur Bachao" [Save Religion – Save Constitution]. The AP State Minorities Commission requested the Defence Ministry to make an exemption for Muslim cadets just as an exemption exists for Sikh cadets. In JNU, the students protested against the new course; they questioned the need for such a course in all schools when already courses on Indian culture were taught in the School of Languages and the School for Political Science.

⁵⁸ There was a counter allegation by the RSS/BJP that the Muslims had changed the boys name and infiltrated the RSS camp.

⁵⁹ <http://indianexpress.com/article/cities/mumbai/madrassa-row-muslim-body-plans-to-move-court-against-govt-decision/>

⁶⁰ http://www.telegraphindia.com/1150709/jsp/nation/story_30541.jsp#.V7prPRLJJKV , <http://indianexpress.com/article/india/india-others/need-new-definition-of-minority-institutions-may-go-to-sc-sangh/>

⁶¹ <http://www.hindustantimes.com/india/missionaries-of-charity-may-have-to-shut-down-orphanages/story-Rx4QWNt1wV0HoMcPplvZQK.html> , <http://www.thehindu.com/news/national/missionaries-of-charity-to-stop-adoption-work-in-india/article7748163.ece>

The response to the protests was even more blatant attacks on the nationalism of the protestors and minorities. Yogi Adityanath, the BJP Gorakhpur MP said those who wanted to avoid yoga could “leave Hindustan”⁶²

Case Study 3.5: Sarbhoka village, Chirimiri, Koriya district, Chhattisgarh

In Sarbhoka village is a school – the Jyoti Mission School – run by the Ambikpur diocese. It is a residential school with hostel facilities for both boys and girls. It has two mediums of instruction – English and Hindi.

There is also Saraswati Sishu Mandir (SSM), run by the Rastriya Swayamsevak Sangh (RSS) network in the same village. Part of it is also an initiative of the Vanvasi Kalyan Ashram (VKA) meant for Adivasi children. There is a history of competition between the two schools. According to the sisters, the SSM went on from village to village and family to family to tell parents not to send their children to the Christian school as they may convert their children to Christian faith. The parents dismissed such rumors and kept sending their children to the same school.

The sisters say that whenever their school organised any activity the SSM would organise a counter programme with a much larger number. The people would then take out a rally and shout anti-Christian slogans and instigated people against the school and other institutions run by the Catholic church.

Between 9th and 11th September 2015, there were several media reports, both in regional and national dailies, on violent mobs vandalizing the property of Jyoti Mission school, chanting vulgar slogans, wild rumors were spread to fan anti-Christian sentiment, and places of worship were attacked. The reason for these frenzied acts of violence was a complaint of sexual abuse of a young girl that allegedly happened at the school. The mother of the girl accused the Principal, Fr. Dhanaswami of sexually assaulting the child. The hostel staff and other students maintain the girl used to wet her bed every night and the maid would have cleaned her a bit vigorously.

Dr. Minj, who first examined the child, said the mother said something 'wrong' has been done to her child. On examining the girl, Dr. Minj found 'congestion' and 'gapping'; while there was no laceration or tear, there were external scratches that seemed to be caused by more than just a vaginal itch; the child herself did not say anything, even when she tried to crosscheck with the girl. Laxmania took her child home and then brought her back after an hour to Dr. Minj. This time Laxmania claimed that the child told her someone had tried to shove something into her private parts. Since there were no advanced facilities to conduct any detailed investigation, Minj suggested that the girl be taken to another hospital for a more detailed examination.

⁶² <http://www.thehindu.com/news/national/those-who-dont-want-yoga-can-leave-india/article7299303.ece>

The first official medical examination took place on 10th September and the second on 16th September. Dr Kalavati Patel performed the first one and Dr. Paikra and Dr. Bansariya did the second. None of them were willing to speak during this research. Although they send an indirect message that they are under pressure.

A team with members from Chhattisgarh Mahila Adhikar Manch and Women Against Violence investigated the case in late October 2015. To this team the Doctor mentioned that there was much political pressure and many politicians have been consistently visiting her. In their note, the women's investigation team referred to another doctor saying that the child in no way looked traumatized; her hymen was intact; even through her examination was quite a few days later, she should have found some post injury scars, but she found none. Dr. Minj in the direct conversation with the investigator had mentioned that she found the girl to be normal and there was no difficulty for her to walk. With all these evidences in favour of the institution and its head, filing such a case and putting the key persons behind the bar is only part of anti-Christian tactics .

On the evening of the 9th, a doctored whatsapp image of a girl along with a text (much older and entirely different from the girl in question) was circulated. That showed the girl wired to life support and the footnote read that Fr. Joseph Dhanaswami raped her due to which she is in the Intensive Care Unit (ICU). Further it also raised the warning bell to all non-Christians that this would be the state of Hindu students going to Christian schools. On 10th, when the girl was taken to the hospital, rumor spread that rape was confirmed when in fact nobody except the court and State's lawyer is allowed to see the report. As soon as this message spread, people began to call each other and started mobilising in large number against the school both outside the school campus as well as at the police station. According to Fr. Bara, this fabricated whatsapp message was one of the key motivation that stirred the larger number of people from Bajrang Dal, Hindu Raksha Sena and other similar outfits. The mob threw stones at the school while the children and staff were inside with shouts of Jai jai Bajrang Bali and Bajrang Bali ki jai. The next day Fr. Dhanaswami, Ancy, Philomena & Sister Chris Maria were taken into protective custody. Later Fr. Dhanaswami was arrested under section 377 of the IPC (carnal intercourse against the order of nature) and under POSCO (protection of children from sexual offences) Act.

There are several leads that suggest the political undercurrents in which the BJP leaders played a huge role of spreading hatred and rumours against Christian institutions. The filthy abuses against nuns, slogans of Jai Jai Sri Ram and Jai Jai Bajrang Bali at the school/ mission gate, the wide circulation of doctored images and fabricated stories on *whatsapp*, large mobilisation of members and leaders of Bajrang Dal, Hindu Raksha Samiti, the role of the BJP councilor along with Laxmania, the silence of Champadevi Pawle, Bharatpur MLA, the role of the SSM, the instant media presence at the police station, Laxmania's acknowledgement of political involvement, the forceful arrest of Dhanaswami, Maria and Kerketa, the transfer of three police station

in-charge in two days, the pressure from the educational department as well as the offers made to mission staff to take back the case in exchange for large sums of money all indicate how the anti-Christian campaign is carried forward by the Hindutva forces along with the police and administration.

3. The State and criminal justice system have responded very poorly over 2015 to the challenge of communal violence, and mainly to the detriment of the Muslims. In Harshul, Nasik, Maharashtra, a tribal boy was found dead in a Muslim neighbour's well. The tribal people claimed it was murder. The police refused to take the body out of the well or file an FIR. The tribal people then organized a protest rally. While the population of the town is 5000, some 10,000 people were at the rally.⁶³ The rally turned violent when the protesters started systematically attacking the Muslim houses and shops.⁶⁴ Around 40 houses and shops of Muslims were burnt down. But, the point of concern is that pamphlets were distributed prior to the rally, well placed Muslims were warned beforehand and they had fled the town before the violence started. Yet the police did not avert the violence. In Atali, Haryana, when the Hindu mob attacked the Muslims and torched their homes, the police did give them shelter at the Ballabhgarh police station for over 10 days. But the connivance of the State machinery and its apathy comes out from the fact that not a single culprit was arrested even though the survivors identified them, and no effort was made to bring back the displaced to their village. The failure and reluctance to arrest and punish the wrongdoers (in May 2015) gave them the courage to organize a similar attack on Muslims in July. In Dadri, UP when the Hindu mob attacked one man and his family, and killed the man based on the rumor that he had beef in his refrigerator, the police instead of taking action against the culprits sent the meat in the house for forensic testing to figure out if it was actually beef. By not responding or poorly responding to such violence, the State has afforded space and legitimacy to vigilantism. Similarly, the State provides impunity to erring policemen and others – the police personnel accused of gunning down innocent Muslims in Hashimpur were acquitted by the Delhi Court, all those held guilty and sentenced for their crimes in communal incidents in Gujarat are now out of jail, and in Chhattisgarh, Home Minister Rajnath Singh makes a statement that police officials (in dealing with Maoists) should not worry about reactions from human rights bodies and officers like SRP Kalluri with numerous human rights violations to his name, gets promoted as the IG of Bastar range.

⁶³ <http://www.dnaindia.com/locality/nashik/1-killed-35-injured-angry-mob-leaves-trail-destruction-nashik%E2%80%99s-harsul-town-64679>

⁶⁴ <http://drhabibsiddiqui.blogspot.in/2016/02/communal-violence-in-india-in-2015-part.html>

As per the National Crime Records Bureau figures, in 2014-15, Muslims constitute 14 per cent of the total population of India (2011 Census) but over 21 per cent of all under trails in various jails in the country are Muslims. In West Bengal Muslims are 27 per cent of the population and 47 per cent of the under trials are Muslims. Similarly, in Maharashtra Muslims are 12 per cent of the total population but 26 per cent of the total under trails, in Gujarat the figures are 10 per cent and 23 per cent, and in Rajasthan 9 per cent and 18 per cent.

Case Study 3.6: Muzaffarnagar, Uttar Pradesh: Role of the Police and Law Enforcing Agencies

Seven women came forward and registered complaints of being raped during the riots. All were raped on the morning of 8 September 2013. In February 2013, there was a crucial addition to the law by way of the Criminal Amendment Act 2013. For the first time law makers took cognizance of the systematic violence against women during communal riots. "Whoever commits rape during communal or sectarian violence shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine."

FIRs: The first information report for five out of the seven petitioners was filed within three weeks of the gang-rapes. The sixth case was filed on October 9, 2013, while in the seventh case the FIR was sent through registered post on October 22, 2013, five weeks after the incident, to the Fugana police station in Muzaffarnagar, in which the names of the three accused were mentioned. The police neither filed the FIR nor acknowledged receipt of the complaint. It was only when the woman's counsel, Vrinda Grover, who is representing the seven women in court, handed over a copy of her complaint to the lawyer representing the UP government that the FIR was filed on February 18, 2014.

Medical examination: The law mandates a medical examination within 24 hours of filing the complaint. All the seven women were gang-raped on September 8, 2013. Their medical examination, however, was conducted between September 29, 2013, and February 22, 2014. It is because of this gap between the dates of the incident and the tests that the medical reports remained inconclusive in 'proving' rape. The Allahabad High Court made the delay in the filing of FIRs and medical examination to grant bail on October 15, 2014, to the gang-rape accused in one of the cases. It did so, on grounds that "there was an inordinate delay of 14 days in filing FIR and that her testimony could not be accepted as it was not corroborated by medical evidence in the marks of injury on her body". The state authorities chose not to appeal against this order.

Compensation: The Supreme Court, on March 26, 2014, while responding to several writ petitions related to the Muzaffarnagar communal violence, including one by Vrinda Grover and Kamini Jaiswal on behalf of the seven women, directed the UP government to pay compensation to all the seven gang-rape survivors within four weeks, before April 26, 2014. The seven women had filed applications for compensation on April 9, 2014. This compensation amounted to five lakh rupees in

addition to other benefits. While five of them received the compensation on May 8, 2014, the sixth got it on May 22, 2014, and the seventh only on October 25, 2014, more than a year after the incident when counsels Grover and Jaiswal filed a contempt of court petition in the Supreme Court on September 15, 2014. The apex court had, in addition to this compensation, also asked the UP government to provide financial and other assistance to these women to help them rehabilitate themselves. The state government, however, provided the same blanket compensation for loss of moveable and immoveable property that it provided to all families who were victims of the communal violence.

Role of the state and police: In the same March 26, 2014, SC judgement, the court blamed the UP government for negligence. It said, “We prima facie hold the state government responsible for being negligent at the initial stage in not anticipating the communal violence and for taking necessary steps for its prevention.” The police had been unable to control the violence during the riots; it is only when the Centre sent paramilitary forces that the victims could be rescued. The investigation into the cases also started a month late. Kalpana Saxena, a superintendent of police in Muzaffarnagar district, said the police got delayed in investigating the riot-related sexual assault cases because the initial team of officers formed in September did not include any women. Mala Yadav, the investigating officer, was included in the Special Investigations Team as late as November 2013.

In this entire period and afterwards, the seven rape survivors filed several written complaints with the police, clearly mentioning the threats to them and their family members by the accused men and their kin. Living in extremely vulnerable conditions in relief camps in this time, they were provided police protection as late as nine months after they filed the FIR. There were also specific and grave complaints against Mala Yadav. One of the rape survivors, had said, “When Mala Yadav, the investigating officer, came to record my statement, she asked people in the camp if they had seen my torn clothes on the day I reached the camp. She even told me that having a full-time guard sent by the Supreme Court is not enough and I should compromise.” Another complainant too corroborated the insensitive investigation. When Mala Yadav came investigating her case, she said, “she asked the other people in the camp, ‘Did you see her crying? Did she tell you about the rape?’” Apparently, the men she had mentioned in her complaint knew each word of what she had told Yadav. “I am a woman who is revealing that I was raped publicly, unlike so many others. Why will I lie? During the period of investigation in the camp, even those who didn’t know I was raped also got to know because of the police’s lack of discretion.”

One woman also submitted an application to the National Human Rights Commission on May 29, 2014, detailing how Yadav’s investigation was biased and if her case could be transferred to an impartial investigating officer. No action was taken until four months later when counsels Grover and Jaiswal filed a contempt of court petition in the Supreme Court in September and an enquiry was finally initiated against Yadav on November 2, 2014. She was removed from these cases as late as November 23, 2014, more than a year after the gang-rapes.

Another gang-rape survivor’s husband claimed that the police recorded videos of their statements and then showed it to the accused in the village. They also used subversive tactics to get the women to withdraw the case.

Charge-sheets: Contrary to the law which mandates that a charge-sheet be filed within 90 days of the filing of an FIR, the charge-sheet in one case was filed on April

19, 2014, on May 24, 2014 in five cases, and in one case as late as December 2014.

Arrests: The apex court had on March 26, 2014, told the UP government to proceed swiftly with the investigations and arrest all the accused. Only three of the 29 accused named by the seven petitioners had been arrested in the six months after the report was filed. It was only after the counsels filed the contempt of court petition, six months after the SC judgement and a year after the first FIR was filed, that the state administration got into action and arrested the other accused, a year and three months after the rapes. In this interim, the women, all from working class backgrounds—ironsmiths, agricultural labourers, carpenters et al—were regularly intimidated by the accused. The latter hail from the dominant landowning Jat community, far more influential in terms of money and influence over the state machinery.

Trial: Section 309 of the CPC mandates that a trial in the case of rape should be completed within two months of the filing of the charge-sheet. The trial hasn't even begun in any of the seven cases yet, however the accused have already started procuring bail.

4. Another trend noticeable is that of economically weakening the Muslims

Every communal incident saw the burning down or complete destruction of Muslim homes and their means of livelihood – be it Atali, Harshul, or Dadri. The Muslim houses and shops were looted and burnt, the vehicles belonging to Muslims were charred, their cattle sheds were burnt, and the Muslims were forced to flee for their security. Even in the low intensity violence seen in more rural areas – Palwal, Kannauj, Pachora, Shamli – saw the same pattern. And, after the end of violence, if and when the Muslims return to their villages, they were faced with social boycott, where they could not even buy milk and food for their children.

Chapter Four

Symbolic Violence

The term symbolic violence was first used by the renowned Sociologist, Pierre Bourdieu. If physical violence is the deliberate use of physical force with the potential for causing harm, symbolic violence is the unnoticed (partly unconscious) domination that people / group of people maintain in everyday living over another group⁶⁵. Because symbolic violence is practiced and repeated in everyday life, people do not realize that certain act or attitude contain symbolic violence. Bourdieu had used the term to explain cultural / social domination occurring within the everyday social habits i.e. gender violence and class domination. Both gender violence and class domination, according to him, were possible because of the “historicisation” and “universalisation” of cultural roles between man and woman and between classes i.e. the belief of “always and everywhere it has been happening”⁶⁶. Cultural roles are more dominant than economic forces in determining how hierarchy of power are situated and reproduced.

Prof. T. K. Oommen, for the first time, used the term symbolic violence to explain everyday violence against minorities. According to Prof. Oommen, symbolic violence refers to the tendency on the part of dominant groups, in this case the religious majority group, to stigmatize the culture and devastate the habitats of the poor and the powerless i.e. the minorities namely Christians and Muslims. Symbolic violence works in two ways – 1) it inflicts deep psychic wounds in the minds of victims resulting in collective alienation; and 2) it often triggers off physical violence both against them and by them.

In India, Muslims have been subjected to symbolic violence since the partition. In day-to-day life, also in the media especially cinema, Muslims are termed traitors, anti-national, pro-Pakistan, illegal Bangladeshis, sons of Babur (the first Mughal ruler in India), *Haramzades* (non-Hindus and hence bastards) as opposed to *Ramzades* (sons of Ram, the Hindus) and so on. Their place is perceived to be in Pakistan or *kabaristan* (grave yard) and they are accused of breeding in large numbers. They are

⁶⁵ [http://www.ajssh.leena-luna.co.jp/AJSSHPDFs/Vol.2\(3\)/AJSSH2013\(2.3-18\).pdf](http://www.ajssh.leena-luna.co.jp/AJSSHPDFs/Vol.2(3)/AJSSH2013(2.3-18).pdf)

⁶⁶ <http://www.e-ir.info/2007/12/22/pierre-bourdieu-%E2%80%93-challenging-symbolic-violence-and-the-naturalisation-of-power-relations/>

stigmatized on the basis of their way of life, the way they dress, and / or their appearance, for example their beard, etc. their eating habits, and worship patterns. Christians face symbolic violence mainly on three accounts – one, they are looked at as products of colonialism; two, they are perceived to have embraced Christianity for petty benefits; and, three, they are said to indulge in fraudulent proselytization.

The biggest symbolic violence against Christians and Muslims is that they are seen as cultural outsiders. This is in spite of the fact that Christianity came to India in Kerala in AD 52 and Islam too came to India first in Kerala in the 7th century. Both religions reached Kerala not as a result of colonialism or conquest; Christianity was brought by St. Thomas, one of the disciples of Jesus and Islam was brought by the traders. Yet Muslims and Christians are seen as cultural outsiders and a product of colonialism and conquest; an indication of symbolic violence against them.

If we look at the composition of Christians and Muslims in India, Christians are about 25 million which is about 2.3 per cent of the total population. They can be categorized into 3 groups in terms of their social origin: (1) Anglo Indians (2) those who converted to Christianity en masse mainly belonging to the SC, ST and OBC background; and (3) the pre-colonial Christians, who claim to be converts from upper class. Muslims are about 154 million i.e. 14.2 per cent of the total population. Muslims too can be categorized into 3 groups in terms of their social origin: (1) The Ashrafs or Muslims who are a product of Arab migration and the upper castes who converted to Islam; (2) The Ajlafs or converts from OBC background; and, (3) Arzals or converts from SC background.

Of these, only the first group among Christians i.e. the Anglo Indians is a direct product of colonialism and miscegenation and the first group among Muslims, the Ashrafs have a foreign element owing to Arab migration.

The second category of Christians and second and third categories of Muslims are converts from SC, ST and OBC backgrounds. They are a majority in both religious groups; they belong to the lower / lowest rung of the population, and converted to these religions to escape the indignities and oppressions they faced within their own

religion, i.e. the Hindu religion. Majority of them are socially and economically deprived. In fact, Christians and Muslims of SC origin face cumulative deprivation – poverty, cultural marginalization, and social oppression. And, the third category of Christians is pre-colonial, converts from upper class, and concentrated in Kerala.

If we look at the spread of Christians and Muslims in the country, about 60 per cent of the Christians are from the 3 southern states of Kerala, Tamil Nadu and Andhra Pradesh. Goa, the north-eastern states of Mizoram, Nagaland, Meghalaya, and Manipur, and the tribal belt of central India account for the rest, with small scatterings of Christians elsewhere in the country. Muslims are found in substantial numbers in the states of Assam, Bihar, Kerala, Uttar Pradesh and West Bengal; they are in a majority in the states of Jammu & Kashmir and Lakshadweep; and they are scattered in the rest of the country as well. Christianity is not a speech religion i.e. they do not have a separate language, they speak the language of the particular state they live in. Also Christians do not claim any part of India as their exclusive homeland. Islam too is not a speech religion. Urdu was never an exclusively Muslim language but it is said to have suffered because of its identification with the Muslim community⁶⁷.

Case Study 4.1: Case of Muslims seen as illegal Bangladeshis or D-Voters in Assam

After Jammu and Kashmir, Assam has the highest percentage of Muslim population. Every third person in Assam is a Muslim. At the time of partition, there was a massive exodus of Muslims from Western Assam and exodus of Hindu Bengali refugees from Sylhet. Several lakh Muslims fled from lower Assam to East Pakistan in the wake of communal riots. However, very significantly virtually all the Muslims who fled Assam returned safely after the signing of Nehru-Liaquat Ali Pact 1950. However, a large number of Muslims who returned were suspected and looked upon as 'Pakistani nationals'. This placed the Muslims at a very serious political disadvantage.

Further, the collapse of united Pakistan and emergence of Bangladesh in 1971 significantly changed the political status of the Muslims of East Bengal origin in Assam. It saw the emergence of Assam movement / anti-foreigners' movement (1979-1985). The whole community was labeled as Bangladeshis illegally living in Assam causing identity crisis for the native Assamese. They became the victims of genocide / Nellie 1983 / violence and discrimination. Since then the Muslim

⁶⁷ Sachar Committee Report, http://mhrd.gov.in/sites/upload_files/mhrd/files/sachar_comm.pdf

community is struggling very hard to protect and access their citizenship rights. Similarly, the Bengali Hindus living in Assam too have been experiencing similar political disadvantage in accessing their citizenship rights. A large number of Muslims and Bengali Hindus were officially declared as doubtful voters (D-voters) indiscriminately. And a large number of such persons have been declared as foreigners. Most of those who are declared as foreigners are either Muslim of East Bengal origin or Bengali Hindus.

However, the Union Government of India came with an ordinance in 2015 to declare that all the Hindu refugees who came from East Pakistan / Bangladesh before 30th December 2015 are likely to get Indian citizenship. Now theoretically only the Muslims of East Bengal origin living in Assam has become foreigners in India. This is symbolic violence leading to discrimination and continuous harassment of Muslims in Assam.

As mentioned earlier, Muslims and Christians in India have been experiencing symbolic violence since independence. However, 2013 saw a planned introduction of propaganda against them with a view of polarizing the electorates during the run-up to the 2014 general elections. Violence – symbolic violence leading to physical violence and physical violence fueling symbolic violence – was engineered for a purpose – by the *Sangh Parivar* (family of Hindu nationalist organizations) with an eye on the 2014 elections. The *Sangh Parivaar* campaign started in 2013, which were symbolic in character.

- Narendra Modi, the Prime Ministerial candidate and Amit Shah, the appointed UP- in charge flagged off the BJP campaign with visiting the site of the demolished Babri Masjid and prayed for the construction of Ramjanmabhoomi Temple – reviving the communal agenda of construction of the Ram Temple before the elections
- The Sangh Parivaar then organized the *chauryasi kosi parikrama*⁶⁸ of Ayodhya, which apparently is not even a tradition for them, therefore the only justification looking at the timing of the *parikrama* was the elections
- For over an year, the Sangh Parivaar ran a campaign – “love jihad” – stigmatizing only love between a Muslim boy and a Hindu girl (not between a Hindu boy and Muslim girl)
- Similarly, they ran a relentless campaign regarding “illegal immigration from Bangladesh”. The fallout was that practically the entire Bengali speaking Muslims in Assam, Delhi, Mumbai and other places were branded illegal Bangladeshis

⁶⁸ The chaurasi kosi parikrama means 252 Km pilgrimage covering Vrindavan, 12 vanas (forests), 24 upvanas (groves), the sacred hill Govardhan, the divine river Yamuna, the holy places along its banks – Mathura, Mahavan, Baldeo, Kusum Sarovar, Barsana and Nandgaon

- Anti cow slaughter campaigns were effectively used in the states of Gujarat, Madhya Pradesh, Chhattisgarh, Rajasthan, Haryana and to some extent Maharashtra

The regularity of such news – spoken, written and via social media – ensured hatred was created and maintained against the minorities. And, it was this hatred that was responsible for the anger among the rioters and hence higher rate of fatality during riots in 2013-14.

With BJP coming to power in 2014, there is a significant rise in such symbolism. Hindu nationalists are running campaigns with impunity on issues such as “love jihad”, “beti bachao bahu lao”, “ghar wapasi”, beef ban, and increase in population of Muslims. Such campaigns polarize communities and leads to institutionalization of hatred and communal violence. This spells adverse repercussion on communal harmony and leads to shrinking of democratic space. This is the biggest threat facing the country since 2015.

4.1 Attack on Core Symbols

1 December 2014	Mysterious fire at St. Sebastian Church in Dilshad Garden
6 December 2014	Stones thrown at window panes of Our Lady of Fatima Church at Okhla
3 January 2015	Fire at Church of Resurrection in Rohini, a crib was damaged
14 January 2015	Break-in at Vikaspuri Church – property, icons and religious images vandalized
2 February 2015	St. Alphonsa's Church at Vasant Kunj ransacked – sacred icons and images stolen
13 February 2015	Break-in at Holy Child Auxilium School in Vasant Vihar – Rs. 12,000 and a mobile phone stolen from the principal's office
17 April 2015	St. Mary's Church vandalized – property and statues damaged ⁶⁹

This is the chronology of attacks on churches and Christian institutions in Delhi alone. Elsewhere in the country too there were attacks on churches and shrines. Navi

⁶⁹ <http://www.thehindu.com/news/cities/Delhi/nhrc-directs-chief-secretary-to-submit-report-on-church-attacks/article6806892.ece>

Mumbai, stones were thrown at the St. George Church⁷⁰; a church and its school was vandalized in Jabalpur⁷¹; in Tangassery, Kerala, a roadside Pieta shrine attached to the Holy Cross Parish Church in the Anglo Indian enclave was desecrated. Derogatory posters were pasted inside. Computer print outs of messages and photos of Mata Amritanandamay were pasted on the walls inside the shrine⁷². A catholic church in Nadia district, West Bengal was vandalized; in the words of the police, “the glass decoration on the door of the praying hall in the church was smashed with bricks while one of the items used during the prayer was removed from its place and thrown in the yard of the church”⁷³. There are several cases of attacks on churches from Madhya Pradesh and Chhattisgarh.

In most cases there is no physical harm done to Christians but the institutions (churches and schools) and cultural symbols (icons, images, Bible, crib, etc.) are attacked. As an Associate Professor from Oxford wrote, there are two distinct periods in the Hindutva project – the relatively quieter periods (from independence to the 1980s and 2004 to 2014) when the Hindu nationalists may continue with their ground-work of cadre building, social service, dharamjagran (religious awakening) and matantar (conversion) among vulnerable communities; and the second is the incendiary moments when power has been within reach, or has actually been attained. Power is not just political, but also the power to influence culture and society beyond Hindutva’s core.⁷⁴

We are, at present, in an incendiary moment and the supremacist claims of Hindu nationalists are more pronounced. Demonstration of muscle comes from the very top and from the “fringe elements” who assert might, with or without centralized coordination. Examples of the former would be 25 December being declared, by the

⁷⁰ <http://www.thehindu.com/news/cities/mumbai/fadnavis-talks-tough-says-hunt-on-for-church-attackers/article7021274.ece>

⁷¹ <http://www.thehindu.com/news/national/other-states/church-vandalised-in-madhya-pradesh/article7020814.ece>

⁷² <http://www.thehindu.com/news/national/andhra-pradesh/catholic-shrine-desecrated/article7348133.ece>

⁷³ <http://www.thehindu.com/todays-paper/tp-national/catholic-church-vandalised-in-west-bengal/article7409264.ece>

⁷⁴ <http://scroll.in/article/697113/for-hindu-nationalists-striking-fear-among-indias-minorities-is-the-real-development>

government, as “good governance day”; making it a working day and making it mandatory for all government officials to work that day. Or statements made by Ministers and leaders who hold positions of responsibility - “*Aapko tay karna hai ki Dilli mein sarkar Ramzadon ki banegi ya haramzadon ki. Yeh aapka faisla hai* [You have to decide whether Delhi will get a government of those born of Ram or of those born illegitimately]”⁷⁵, Niranjan Jyoti, Union Minister; or “Muslims can continue to live in this country, but they will have to give up eating beef as the cow is an article of faith here”; “They can be Muslim even after they stop eating beef, can’t they? It is written nowhere that Muslims have to eat beef, not is it written anywhere in Christianity that they have to eat beef”⁷⁶, Haryana Chief Minister, Manohar Lal Khattar.

At the same time the impact of the actions and statements made by the fringe elements is alarming. The brutal rape of the 70 year old nun in West Bengal is nothing but attacking the core of Christianity. Some of the statements made by the fringe elements⁷⁷ –

- Rajeshwar Singh of the Dharam Jagran Samiti, the man reportedly behind the RSS ghar wapsi programmes, stated in Etah, UP, that “India will be made free of Muslims and Christians by 2021. India is the country of Hindus alone.”
- The Shiv Sena publication Saamna wrote – Muslims are used as vote bank, so their voting rights should be scrapped
- In Kanpur, UP, Shiv Sena Chief, Anil Singh said, “Muslims will get empowered automatically once they agree to undergo vasectomy and confine their families to two children”
- RSS Chief, Mohan Bhagwat saying Mother Teresa’s humanitarian work was motivated by a mission to convert

It is a culture of impunity and it is about showing Muslims and Christians their place in Hindu rashtra (nation).

⁷⁵ <http://indianexpress.com/article/india/politics/five-controversial-comments-that-modi-govt-found-difficult-to-defend/>

⁷⁶ <http://indianexpress.com/article/india/india-news-india/muslims-can-live-in-this-country-but-they-will-have-to-give-up-eating-beef-says-haryana-cm-manohar-lal-khattar/>

⁷⁷ <http://blogs.economictimes.indiatimes.com/et-commentary/why-bjp-needs-to-change-the-mindset-of-its-members-against-minorities/>

Case Study 4.2: Gollavanitippa Violence against the Church: An Example of “Demonstration” of Muscle from the Authorities

In Gollavanitippa village near Bhimavaram Town in West Godavari District of Andhra Pradesh, in the name of road widening, the local authorities demolished three Churches (one Lutheran Church and two Independent Churches). The Lutheran Church is in no way an obstruction to widening of the road but the authorities claimed that in order to build drainage they had to demolish the church. This action was carried out only with the churches and not with the temples in the same alignment. They demolished the Lutheran church after a meeting with locals by agreeing to give 10 cents land in the same village at the “Grama Kantham” area (center of the village) and the authorities also promised to rebuild the church in the said location. But they did not keep their promise. They said that some other communities were against the church reconstruction and did not provide the land they had promised.

After few months after several visits from church leaders, the authorities decided to allocate 6 cents land in the Harijanawada (instead of Grama Kantham) which is a corner location of the village. The church that was demolished was facing the main road and what they offered was land inside of the Harijanawada. Further, they had promised 10 cents but later offered to give 6 cents and did the actual registration for only 3 cents at Harijanawada and they refused to contribute in the rebuilding of the church.

For the past year the church activities are disturbed and the local Christians have lost their land and building worth Rs. 40 Lakh; the Christians are now worshiping under a temporary arrangement with tent roofing. Similarly the other two independent churches were also demolished without providing any alternate land and location.

However, the Hindu temples in the same alignment are not demolished, which clearly shows the prejudice of the authorities and their actions are discriminatory against the Christians. Such unwarranted activities have created a climate of fear and insecurity among local Christians.

4.2 Challenge Citizenship Rights and Question Nationalism

The Muslims carry the burden of being labeled ‘anti-national’, they have to prove on a daily basis they are not anti-national and terrorist. Their identity – the burqa, the purdah, the beard, the topi – these markers often makes them target for ridiculing the community as well as looking at them with suspicion⁷⁸. In UP, in December 2015, a Muslim was not even allowed to prove he was not a “Pakistani terrorist”. In Kanpur’s Maharajpur a mob gathered and beat the man with sticks and sharp objects leading

⁷⁸ Sachar Committee Report

to his death.⁷⁹

In Dehri, Bihar, there is a non BJP, non NDA party called Hindu Seva Dal run by a Pradeep Joshi. At each of his campaigns, he and his wife start by asking if there were any Muslims in the audience. “If so, please leave because we don’t want Muslim votes”.⁸⁰

Even star icons like Shah Rukh Khan and Aamir Khan’s loyalty to their country were questioned. In the light of increasing intolerance in the country and writers and filmmakers returning their awards, Shah Rukh Khan said “religious intolerance and being secular...is the worst kind of crime that you can do as a patriot.”⁸¹ Shah Rukh was faced with a huge backlash from the Hindu nationalists. BJP General Secretary Kailash Vijayvargiya tweeted that “Shah Rukh Khan is in India but his mind is always in Pakistan. His film earns in crores here but he finds India intolerant. What is this if not being a traitor? Shah Rukh’s tune of intolerance is in tune with Pakistan and anti-India forces. Where was he when 26/11 took place?”⁸² Shah Rukh’s film “Happy New Year”, which released around the time, was boycotted by the Hindu nationalists. Similarly, at a function Aamir Khan said he was alarmed at the growing intolerance and he and his wife have discussed about leaving the country.⁸³ He too faced severe backlash. His nationalism was questioned and was asked to go to Pakistan. Hindu nationalists even attacked cinema theaters playing Aamir’s film “P.K.” Maharashtra’s Environment Minister and senior Shiv Sena leader Ramdas Kadam called him snake and said “if he does not want to stay here, he can go to Pakistan”.⁸⁴

Assam Governor, P. B. Acharya, echoed the sentiments of all Hindu nationalists

⁷⁹ <http://indianexpress.com/article/india/india-others/called-pak-terrorist-man-beaten-to-death-in-up-9-are-arrested/>

⁸⁰ <http://indianexpress.com/article/india/india-news-india/muslims-please-leave-my-rally-for-we-dont-want-your-votes-meet-this-challenger-to-bjp/>

⁸¹ <http://indianexpress.com/article/india/politics/theres-extreme-intolerance-in-india-says-shah-rukh-khan-on-50th-birthday/>

⁸² <http://www.thehindu.com/news/national/shah-rukhs-mind-always-in-pakistan/article7838661.ece>

⁸³ <http://www.thehindu.com/news/national/aamir-khan-on-intolerance-in-india/article7909340.ece>
<http://www.thehindu.com/news/national/aamir-khan-on-intolerance-in-india/article7909340.ece>

⁸⁴ <http://www.thehindu.com/news/national/aamir-khan-can-go-to-pakistan-says-shiv-sena/article7913386.ece>

when he said “I did not just say Hindustan is only for Hindus. I also said Hindus from different countries can come and stay here. I said any Hindu persecuted in any other country will have to come to India only, because it is his motherland. If he is in trouble in any other country, he will have to come to India only. They cannot be outsiders, they are refugees, and it is our duty to provide shelter to them.” However, “they (Indian Muslims) are free to go anywhere. They can stay here (in India). If they want to go to Bangladesh or Pakistan, they are free to go. Many of them have gone to Pakistan. But if they are persecuted there... Taslima Nasreen was persecuted there, she came here. If they come, will give the shelter”.⁸⁵

In Ahmedabad, in a relatively new housing enclave, around 2500 Muslim families were rehabilitated from the slums on the Sabarmati river-bed for development of the river front. This block of houses with only Muslim families is called Vasant Gajendra Gadkar Nagar. There is another block of houses housing 1500 families from both communities but mainly Hindu families, called Sadbhavna Nagar. However, the Hindu side is known locally as Hindustan and the Muslim side, Pakistan; and the road that divides the two blocks is called ‘Wagah border’. One would think this is just local usage but no. In an FIR filed at the Police Station, the address of the accused is written – Vatva, Pakistan. Auto rikshaw drivers ask whether they want to go to Hindustan or Pakistan. This was the case in Nallasopara, Thane, where some 500 odd Muslim families got electricity bills that gives their address as “Chota” (Little) Pakistan.⁸⁶

4.3 Campaigns

4.3.1 Anti-Cow Slaughter Campaign

The home page of the website of the Hindu Janajagruti Samiti, a Hindu nationalist organization, whose motto is “for establishment of the Hindu Rashtra”, says “Cow, which is the abode of 33 crore deities, is the seat of faith of Hindus. To hurt the religious sentiments of Hindus, non-Hindus slaughter 2 crore 40 lakh cows every

⁸⁵ <http://indianexpress.com/article/india/india-news-india/assam-governor-pb-acharya-adds-to-row-says-muslims-free-to-go-to-pak-bangladesh/>

⁸⁶ <http://timesofindia.indiatimes.com/city/ahmedabad/FIR-brands-Ahmedabads-Muslim-area-as-Pakistan/articleshow/49019847.cms>

year. Protection of the cow is protection of Dharma; Bharat, from ancient times, has a history of protecting and nurturing cows at any cost. Hence, O Hindus, stop cow slaughter and perform your duty towards Dharma”⁸⁷ This campaign is one of the most successful ones of the Hindu nationalists. While aimed at the Muslims and Christians, it calls upon the Hindus to stand up for their duty towards Dharma. It is not just the flag-bearing, slogan shouting activists who have taken to protecting the cow but educated youngsters like Akilesh Singh who works at a Central telecom firm in Ghaziabad, UP but finds his “purpose in life” in the role he plays as a vigilante as member of the Yuva Jagaran Chetna Kendra, an organization that works for cow protection, or Himalaya Sharma, a 21-year-old final year B.Tech student of Dronacharya College, Noida who is the East Delhi Executive Member of Akhil Bharatiya Vidyarthi Parishad (ABVP), the student wing of BJP, is committed to raising awareness about the cow. Both are tech savvy, use the social media to share texts and images and mobilize people. They also claim they have a “strong network of informers”, which include vegetable vendors, cobblers and rickshaw pullers who alert their group “when someone does anything against the cow”.⁸⁸

And therefore, from June 2014 to October 2015, over 330 communal incidents have taken place over allegations of cow slaughter in UP alone.⁸⁹ It reached a crescendo with the brutal murder of a Muslim, Mohammed Akhlaque over rumors of storing and consuming beef within his home. The family was sleeping in the afternoon when a huge mob gathered and beat Akhlaque and his son Danish, killing Akhlaque and injuring Danish severely. The temple loud speakers were used to get the mob to Akhlaque’s house. The Prime Minister’s response to the killing was “What has the Central Government to do with it? It is for the State Government to respond.”⁹⁰ The State Government could do nothing to prevent the mob and after the incident happened the sample of the meat was sent to forensics to check if it was really beef or not. While in the village itself there seemed to be shock and guilt among the majority-community, the Thakurs⁹¹, the BJP leaders and other Hindu nationalist leaders showed no remorse and continued to make instigating statements. Shrichand

⁸⁷ <https://www.hindujagruti.org/hindu-issues/cow-slaughter>

⁸⁸ <http://indianexpress.com/article/india/india-news-india/the-cow-keepers-the-cattle-vigilante-groups-operating-in-delhi-and-neighbouring-states/>

⁸⁹ Neha Dabhade, “Communal Violence in 2015 – Rise in Hatred and Polarization”, Secular Perspective, January 1-15, 2016

⁹⁰ <http://www.ndtv.com/opinion/the-hypocrisy-of-the-bjp-and-cow-slaughter-1233789>

⁹¹ <http://www.thehindu.com/news/national/dadri-beef-killing-where-will-my-family-go-asks-son-of-victim/article7716629.ece>

Sharma, vice-president, BJP western UP unit, said “This was not a communal riot. The Hindu community worships cows. Whose blood won’t boil if they see cow slaughter?”⁹² Nawab Singh Nagar, a former BJP MLA from Dadri, said, “If cow slaughter and its consumption is proven, they (the victim and his family) are definitely at fault. There is a ban on slaughter of cows and this concerns the faith of Hindus. It is obvious that such an incident will lead to anger among people and there will be communal tension. If this was the case, the family is in the wrong. If they have consumed beef, they are also responsible. This is a village of Thakurs and they express their sentiments in a very strong way. If they have done this, they should have kept in mind what the reaction would be.”⁹³ BJP MP from Unnao’s remark was “if someone insults our mother, we would rather die than tolerate it...for us, it is Bharat mata, our biological mother and gau mata”. People will be ready to kill or get killed if a terrorist attacks “Bharat mata”, “it is the same with one’s biological mother and gau mata.”⁹⁴ BJP MP Mahesh Sharma visited the temple which was misused to spread the rumor and warned the media to stop “doing politics”; BJP MLA Sangeet Som warned that if the law acts in favour of a particular community, “we are capable of giving a fitting reply as we did in the past”⁹⁵, an obvious reference to Muzzafarnagar.

Askari Begum, wife of Akhlaque told media persons, “you please write that we don’t feel secure here anymore. We want the government to shift us out of this place. We don’t want to stay here anymore. We would request to be shifted to a Muslim area.”⁹⁶ This is a perfect example of how Muslims are pushed towards ghettoisation in the hope they would be safe with their community people.

The campaign is anti-Muslim and anti-Christian because (1) it says there is rampant slaughter of cows, whereas it is the meat of buffaloes and unproductive cattle that is used for consumption and export; (2) it says Muslims (and Christians) eat beef to deliberately insult Hindu sentiment. However, the National Sample Survey

⁹² <http://indianexpress.com/article/india/india-others/dadri-lynching-one-bjp-leader-calls-for-a-mahapanchayat-another-blames-the-victim-family/>

⁹³ Ibid.

⁹⁴ <http://indianexpress.com/article/india/india-news-india/cow-mother-country-are-alike-dont-insult-sakshi/>

⁹⁵ <http://www.thehindu.com/todays-paper/tp-national/soms-speech-during-dadri-visit-found-to-be-inflammatory/article7731999.ece>

⁹⁶ <http://www.thehindu.com/news/national/dadri-beef-killing-where-will-my-family-go-asks-son-of-victim/article7716629.ece>

Organisation (NSSO) estimated in 2011-12 that 5.2 crore people eat beef / buffalo meat. Even during NDA-I, the National Commission on Cattle had concluded that “extreme poverty and customary practices in the coastal areas and among some sections of STs, SCs, and OBCs also make them beef eaters.”⁹⁷

Now the Sangh Parivar’s demand is that there should be a blanket ban on cow slaughter i.e. the “fit for slaughter” provision should be removed and linked with the ban on consumption of beef.

Such a move would affect a whole host of people – farmers, leather industry, contractors, truck drivers, traders, and flayers. Farmers are mainly Hindus. They sell the unproductive cattle to contractors. A blanket ban on slaughter means they have to look after the cattle. In these times of agrarian crisis, a cost of up to Rs. 100 per day would be too much for the farmers. They will simply resort to abandoning the cattle. Contractors and traders are from Hindu, Jain, Muslim and Christian communities. These groups have made a lot of money with the export of beef. The most affected will be the truck drivers (mostly Muslims) and the flayers (mostly dalit). They would entirely lose their means of livelihood and will be reduced to abject poverty. Already, they are affected with the vigilantism and attacks on them.

Case Study 4.3: Attacks on Muslim Cattle Traders and Truck-drivers in South Karnataka

Traditionally, the beef trade in South Karnataka has been carried out by a large section of Muslims whose profession involves collecting dead cattle and skinning them, buying and selling all kinds of meat, and facilitating easy transactions in the meat trade, due to their extensive contacts and mobility in the region. Statistics show that there has been a boom in the export of beef in recent years (\$4.8 billion annual export trade in 2015) because of abundant availability of farm cattle in rural areas, which has led to India cornering a major portion of international meat trade. This boom in trade has hugely benefited the meat trading community which includes not only Muslims but also Jains and Hindus.

Despite the presence of members of other communities such as Jains and Hindus in the profession, the Sangh Parivar targets and attacks the Muslims alone. While a section of rich Muslims benefits from the profits of the meat trade, it is the poorer sections of the Muslim community who are engaged in transporting cattle across the state, become easy targets of the vicious Sangh Parivar. Besides, this targeting achieves the Sangh Parivar’s grander political strategy of communal polarisation in South Karnataka which has been identified as the laboratory of Hindutva. Here it needs to be mentioned that in addition to Muslims, the targets of attacks have also been Christians and some Hindus engaged in transporting cattle.

⁹⁷ <http://www.thehindu.com/opinion/op-ed/the-economics-of-cow-slaughter/article7880807.ece>

4 June 2014: About a dozen cattle were being transported in an Eicher truck from the local Kollur branch of Tapovarishta Ashram to the cattle pen at the main Ashram located at Vandattavalam in Palakkad in Kerala. There were ten cows and two calves in all for which requisite permission had been obtained from the Kollur police and the local *gram panchayat* apart from an authorisation letter from the main Ashram. Maitri Kashyap Swami, the chief of Kollur Ashram and Joseph, were travelling in the same truck which was being driven by Michael. At Koteswar, the truck was forced to a halt by two men on a bike. It was around 10:30 in the night. They asked for the records and then called their associates to the spot. Soon around 40 activists arrived. They attacked and seriously injured all the three occupants of the truck and ran away. When the police learned about the incident they came and shifted all the three injured to a hospital. A case has been registered at the Kundapur police station. Three police teams have been formed to nab the miscreants.

20 June 2014: Cable Singh and Sukka Singh were transporting cattle from Ludhiana (Punjab) to a cattle shelter in Kerala. The two trucks with more than 30 head of cattle had taken the Mangalore route to Kerala. As soon as the trucks reached Mangalore, activists of Bajrang Dal got wind of it. They followed the vehicles and forced them to a stop near Ullal and asked the driver for the papers. When they found that the transporters had a letter of permission from the Punjab unit of Vishwa Hindu Parishad, the vehicles were handed over to the Ullal police. The latter are said to have made inquiries with the driver and allowed the vehicles to proceed

23 August 2014: A vehicle transporting 12 heads of cattle from Uppinangady was waylaid by a group of nearly 50 miscreants near Capitanio in Mangalore. Driver Abdul Samir and cleaner Shoukat Ali were pulled out and attacked with lethal weapons. They were beaten and dragged by hair for nearly a kilometer up to Pumpwell circle. A third person Fayaz is said to have managed to escape. When the police arrived, the miscreants ran away. Both men were admitted to hospital. Also, a case was registered against them for violation of Transport of Animals Act.

24 August 2014: A complaint has been lodged at the Kadaba police station by Karim (18) from Niraje of Ramakunj village saying while he was transporting a cow and a calf purchased from Perla Ganesh of Koila, a group of persons stopped the vehicle at Nelyottu and assaulted him on his face, head and waist. Karim is admitted to a private hospital at Puttur.

19 September 2014: Ivan D'Souza, Taslim, Bashir and Ashok were transporting cattle in a pick-up vehicle. A group of Sangh Parivar activists reportedly stopped the vehicle at Tumbya in Kasba village and called the police. The police arrived at the spot and took Ivan into custody. His associates managed to escape. The police said they recovered valuables worth Rs 3.36 lakh in addition to the cattle. Ivan has filed a counter complaint alleging that Prashant, Tilak Raj, Umesh and others attacked them shouting anti Christian and anti-Muslim slogans and abused and threatened them. The police have arrested three of the alleged attackers

4.3.2 Ghar Wapasi

Ghar Wapsi is a series of religious conversion activities, organized by Hindu organizations like VHP, RSS and Arya Samaj, to reconvert non-Hindus (who had converted from Hinduism to Christianity or Islam) back to Hinduism. Ghar Wapsi basically means "Home Coming". This became a big campaign for the Hindu nationalist organisations. The BJP has claimed this as a means to get conversions banned altogether in the country. VHP and the RSS organized several Ghar Wapsi events in Kerala and Goa, the two States with a sizeable Christian population. 37 Christian families were reconverted by VHP at the Keezhe Perunthura temple at Elappara in Idukki district⁹⁸; 35 people at the temple at Uzhavoor in Kottayam district⁹⁹; the VHP spokesperson claimed that 120 people had returned to the Hindu faith in 3 months from Kottayam district alone. About 1,200 people were converted to Hinduism in a Ghar Wapsi event organized by VHP in Telangana as well. The Indian Express had reported that the Scheduled Caste Manjhi families demanded better facilities along with education and healthcare before they converted. In West Bengal, the ruling Trinamool Congress alleges that several tribal families who had accepted Christianity in the past were converted to Hinduism by VHP at Rampurhat in Birbhum district.¹⁰⁰ The Ghar wapsi campaign has made the Christian and Muslim communities vulnerable and has raised fears of the associated violence it could erupt. There are precedents of campaigns similar to ghar wapsi leading to anti-Christian violence – in the Dangs in Gujarat, in Kandhamal district in Orissa, and the murder of Graham Staines in Orissa.

In Agra, over 350 Muslims were converted to Hinduism at Madhunagar slum area in a programme titled "Purkhon jki ghar wapsi" (homecoming for ancestors). The Hindu reports that most of those who converted hailed from Bihar and West Bengal. They were promised BPL and Aadhar cards, free housing plots, monetary benefits and

⁹⁸ <http://www.thehindu.com/todays-paper/tp-national/ghar-wapsi-in-idukki-alappuzha/article6800501.ece>

⁹⁹ <http://www.thehindu.com/news/national/tamil-nadu/35-reconverted-in-kottayam-district/article6899926.ece>

¹⁰⁰ <http://www.thehindu.com/todays-paper/tp-national/tmc-alleges-conversion-by-vhp-in-birbhum/article6831936.ece>

other benefits under government-sponsored schemes ¹⁰¹ . The programme coordinators claimed the conversions were voluntary.

In the face of outrage over the aggressive “ghar wapsi” campaign by Sangh Parivar, the BJP has repeatedly pressed for an anti-conversion law. Speaking at the Annual Conference of State Minorities at Vigyan Bhawan, Minister of Home Affairs, Rajnath Singh said: “There is a feeling of insecurity among minorities, and it is necessary that a sense of security should be instilled in them. There are a lot of misconceptions... But the government cannot do everything. On issues like ghar wapsi and religious conversions, the cooperation of society too is required”. He went on to say, “Do we need to impose the supremacy of our faith over others? Can’t we decide that serving humanity is fine, but why do people have to be converted to another faith? Why are religious conversions being carried out?” Rajnath Singh was obviously attacking Christians and Muslims that they should give up conversions and agree to anti conversion bill which would put a stop to ghar wapsi.

Case Study 4.4: Story of Vasantha, a dalit Christian, Kerala

Vasantha, 45 year old, is a Dalit Christians belonging to a Pentecostal church in Thiruvananthapuram, the capital of Kerala. She admits that her family has been professing Christian religion for the last three generations. Her grandfather’s name was Harris and grandmother’s name was Rosamma. Vasantha’s mother, Phoebe was a member of the Salvation Army Church. The Church was a great support to Phoebe when her husband died at an early age. Phoebe has three daughters and due to her great sufferings the church constructed a house for the family. Later, the family moved to the Pentecostal sect and is staunchly professing the Christian faith.

Vasantha has been working as a contract labourer in the University of Kerala since 1998. She gets daily wages for her cleaning job in the institution. She travels about 50 kms daily to and fro to make a living for her family. She has one daughter aged 18 and her husband abandoned them in her young age. Last year, her daughter finished her 12th standard and intended to go to college for higher studies. Unfortunately, being a Dalit Christian, the reservation policy doesn’t help her to get a place in the rank list.

Naturally, Vasantha and her daughter are a bit depressed on the whole issue. A person who identified himself as prominent member in the right wing movement of Hinduism started advising her. According to her, there is a high pressure from him to reconvert to Hinduism so that she can enjoy all the benefits of a Dalit Hindu. The person also offered all facilities to make arrangements for the reconversion. He also promised to get admission for her daughter in any of the college of her choice. He tried to convince her that the reconversion would fetch

¹⁰¹ <http://www.thehindu.com/news/national/other-states/hindu-outfits-accused-of-converting-muslims-in-agra/article6677665.ece>

a lot of benefits to her and that the future of her daughter would be safe. He has been insisting Vasantha on reconversion for many months.

Vasantha, being a traditional Christian, did not respond to the lure. She stood still on her belief and faith. Naturally, her daughter did not get an entry into a college, but she had to content with private registration for BCom in a tutorial college (parallel college) near her house. While talking to Vasantha, it was understood that many people from her locality face the same issue of pressure from strong outfits for reconversion by pointing the accrued benefits of the same.

4.3.3 Love Jihaad/ Beti Bachao Bahu Lao

Love Jihad is an alleged activity under which young Muslim boys and men are said to target young girls belonging to non-Muslim communities for conversion to Islam by feigning love. This activity is based on the power of emotional appeal in religious conversion.¹⁰² This had got a lot of international attention and investigations were done in India in 2009, 2010, 2011, and 2014 to find out if there was any truth about the allegations. No evidence was found. BJP and the Hindu nationalists groups brought new life to the conspiracy, using it as propaganda against Muslims in India. BJP MP Yogi Adityanath announced on television that Muslims “can’t do what they want by force in India, so they are using the love jihad method here.” In September 2014, another BJP MP Sakshi Maharaj claimed that Muslim boys were encouraged for love jihad with rewards of money – Rs. 11 lakh for an “affair” with a Sikh girl, Rs. 10 lakh for a Hindu girl and Rs. 7 lakh for a Jain girl. In January 2015, the VHP women wing, Durga Vahini brought out an issue of their magazine in which the cover photo was that of Kareena Kapoor’s morphed image half covered in burqa and the caption read “conversion of nationality through religious conversion”. In Himachal Pradesh, the Durga Vahini Regional Coordinator, Rajni Thukral launched the ‘Himalayan Dhvani’ magazine special issue on love jihad and said Durga Vahini would launch a state-wide campaign to caution locals from being allured by men posing as Hindus.¹⁰³ The Himachal police, clarified there were no cases of forced conversion, or Bangladeshi migrants settling there, or of love jihad. However, the campaign continued - parents were encouraged to be strict with daughters in order to protect them; in the Northern belt the *Khaap* panchayats took over and banned cell phone use and possession by young girls.

¹⁰² https://en.wikipedia.org/wiki/Love_Jihad

¹⁰³ <http://www.thehindu.com/news/national/other-states/no-case-of-forced-conversion-in-himachal/article6781731.ece>

This was followed with another idea from the Hindutva lab – beti bachao bahu lao i.e. protect your daughter, bring in a daughter-in-law; where, instead of hounding a Hindu-Muslim couple, they actively facilitate their union. The only difference being, in this case the bride is a Muslim who becomes a Hindu after a “suddhikaran” (purification programme).¹⁰⁴ In West Bengal, especially in districts where the BJP had made significant electoral gains, the Hindutva brotherhood, from VHP to Hindu Samhati, Hindu Jagran Manch to Bharat Sevashram Sangha, stepped up the campaign. Indian Express reports after travelling through South 24 Parganas, North 24 Parganas, Murshidabad, Howrah and Birbhum that the rise of BJP in these areas has coincided with the spread of this campaign.¹⁰⁵ In West Bengal, the Hindu nationalists have gone as far as exhorting the Hindu boys and their families to become members of BJP for ‘safety and security’ after they marry Muslim girls and convert them to Hinduism.

In the words of Sunil Parashar, Prant Gau Raksha pramukh (Chief of the Save Cow campaign), an offshoot of RSS, “Bajrang Dal and RSS have collectively saved 70 Hindu girls from love jihad in Braj Mandal ... We also helped 30 Muslim and Christian girls to marry Hindu boys on their own free will. This time, the campaign will be open and our aim to save girls, whether she is a Hindu or from any other community.”¹⁰⁶ In Agra, the Bajrang Dal members distributed pamphlets in girls’ colleges to warn Hindu girls against falling in love with Muslim men. The magnitude of the campaign was such that it attracted the State Minorities Commission’s attention and it demanded action against such hate campaign. It amounts to hate campaign as it is a deliberate attempt to spread paranoia against other communities and infringement of the rights of individuals who want to get into a matrimonial tie out of their free will and choice.¹⁰⁷

A political analyst based in UP, Prof. Sudhir Panwar explains “there is nothing surprising in the recent spate of hate mongering. It was bound to happen with the

¹⁰⁴ <http://indianexpress.com/article/india/india-others/love-jihad-gets-a-bengal-reply-bahu-lao-beti-bachao-purify-muslim-brides/>

¹⁰⁵ ibid

¹⁰⁶ <http://timesofindia.indiatimes.com/city/agra/Bajrang-Dal-to-launch-bahu-lao-beti-bachao-in-February/articleshow/45669704.cms>

¹⁰⁷ Neha Dabhade, n.24

Sangh Parivar getting stronger with the new government at the Centre. I would say it is a beginning, but we had not expected that it will start so early.”¹⁰⁸

4.3.4 Muslims population increasing

Another attempt at spreading hatred was the selective release of the 2011 Census data to show that the Muslim population in India has increased from 13.4 per cent in 2001 to 14.2 per cent in 2011. This was juxtaposed with the decrease in population of Hindus and the attempt to spread the impression that the rapidly increasing Muslim population threatened the majority of Hindus in India.¹⁰⁹ Hence, a long list of religious leaders, Hindu nationalist leaders and BJP leaders started making statements about the threat the Muslims posed to the Hindus, the need for Hindus to have more children, and so on. The head of Jyotirmath (badrinath) in Uttarakhand, Vasudevanand Saraswaiti said “it is because of Hindus’ unity that Modi has become Prime Minister; in order to maintain their majority status, every Hindu family should give birth to 10 kids.”¹¹⁰ The Shiv Sena urged Prime Minister Narendra Modi to impress the necessity of family planning upon the country’s largest minority community – the Muslims. The Shiv Sena party mouthpiece ‘Saamna’ likened the Muslim population growth to that of a “runaway bullet train”, warning that the surge in the numbers of the minority community would result in linguistic and geographical imbalance in the country¹¹¹. VHP leader Praveen Togadia said that the rising Muslim population in India is a cause of worry and that the Hindu community may have to brace itself for “ethnic cleansing” in the near future. “Hindus must act immediately so that India remains a Hindu majority nation. Or they should get ready for ethnic cleansing like it was done in Kashmir and Afghanistan”¹¹². On another occasion, he went on to say that Hindus were not safe in India; “if we are not careful, then States like Assam, West Bengal and Kerala will be devoid of any Hindu population... While Christians have monetary sources for conversions and Muslims have force of

¹⁰⁸ <http://www.firstpost.com/india/bahu-lao-beti-bachao-bajrang-dal-launches-its-version-of-love-jihad-2019911.html>

¹⁰⁹ Neha Dabhade, n.24

¹¹⁰ <http://www.thehindu.com/news/national/other-states/hindu-women-should-have-10-kids-shankaracharya/article6800004.ece>

¹¹¹ <http://www.thehindu.com/news/national/shiv-sena-calls-upon-modi-to-impose-family-planning-on-muslims/article7391868.ece>

¹¹² <http://indianexpress.com/article/india/india-others/rising-muslim-population-a-worry-says-praveen-togadia/>

population, the Hindus should do a course on unity”¹¹³. Mohan Bhagwat, the RSS Chief called upon every Hindu of the country to strengthen Hindutva as the present time is “positive” for Hindutva and the RSS (without mentioning the BJP being in power)¹¹⁴. VHP patron Ashok Singhal invoked Sai Baba saying “I was at the Sai Baba Ashram where Sai Baba told me by 2020 the entire country will be Hindu and 2030 the entire world will be Hindu. I feel that revolution has started”.¹¹⁵

4.3.5 Christians engaged in conversion activities

The biggest insecurity the Hindu nationalists face from Christians is regarding the issue of conversion. In the past, large numbers of weak and downtrodden from the Hindu fold – SCs, STs, and OBCs – have converted to Christianity; Christians claim they converted on their own free will to escape the atrocities meted out at them within Hinduism and because they are attracted by the message of equality of all in the eyes of God and the fellowship enjoyed with fellow Christians. The Hindu nationalists, however, accuse the Christians of luring the weaker sections with promises of gifts, money and better opportunities. In States like Madhya Pradesh and Chhattisgarh, where BJP has been in power, the Hindu nationalists have resorted to physical attacks on priests / pastors, churches, and the people gathered to pray and worship. During the attacks they shout slogans of “Jai Shri Ram” (Praise Lord Ram).¹¹⁶ People gathered for convention are attacked¹¹⁷, or for regular Sunday prayer¹¹⁸ – all on the pretext that conversion activities are going on.

Since 2014, this issue has been brought to the national discourse, which acts as fodder for the fringe elements and they are convinced about the threat posed by Christians i.e. conversion and hence the attacks. In Delhi, a visiting Pastor from Kerala accompanied two local Pastors to visit a sick child in Nihal Vihar. Suddenly, a mob entered the house and beat up the Pastors saying they were converting the family.¹¹⁹ Such attacks have made the small Christian community insecure across the

¹¹³ <http://indianexpress.com/article/india/india-others/nothing-wrong-in-ghar-wapsi-vhp/>

¹¹⁴ <http://www.thehindu.com/todays-paper/only-hindutva-can-unify-india-says-bhagwat/article6872760.ece>

¹¹⁵ <http://indianexpress.com/article/india/india-others/by-2020-india-will-be-hindu-nation-world-by-2030-ashok-singhal/>

¹¹⁶ <http://www.thehindu.com/news/national/other-states/church-vandalised-in-madhya-pradesh/article7020814.ece>

¹¹⁷ <http://www.thehindu.com/todays-paper/six-held-for-attack-on-church-in-mp/article7025604.ece>

¹¹⁸ <http://www.thehindu.com/news/national/other-states/bairang-dal-activists-vandalise-christian-building-in-bihar/article6780498.ece>

¹¹⁹ <http://www.thehindu.com/news/cities/Delhi/pastors-allege-assault-by-rss-men-in->

country. The best way to respond to such religious hatred against Christians according to Supreme Court Judge, Justice Kurien Joseph is “to look at the person and recognize that he is the creation of God”. The Christian population even today stands at 2.3 per cent of the total population. If such large scale conversions were going on, would the statistics not be different?

Case Study 4.5: Attack on a Christmas Celebration, Indore, Madhya Pradesh

Sadbhavna Pratishthan is an organization working in Indore for the propagation of communal harmony and peaceful co-existence. Its members are people from all communities who come together to celebrate each other's festivals. On 18 December 2015, the Sadbhavna Pratishthan organized a joint Christmas and New Year celebration at Geeta Bhawan (a premise meant for all religious and social activities and owned by a trust) with the permission of the concerned authorities. The celebration was attended by 20-25 people who represented Parsi, Christian, Muslim and Hindu communities. They were greeting and wishing each other for the two festivals when suddenly from nowhere arrived 40-50 young men, riding about 25 motor cycles and barged in to the hall and in a threatening manner said “we have been informed that the Hindus are being converted to Christianity here. We have come to stop it”. They announced that they belonged to Bajrang Dal.

The get-together had people like Comrade Perin Daji, who even at the age of 85 is extremely active and alert and is the wife of Late Comrade Homi Daji who had been a Member of Parliament; Shri Anand Mohan Mathur, who is among the most respected lawyers of Indore, is counted as an eminent social worker and is also more than eighty; Saroj Kumar, well known writer, journalist and professor; Father Prasad who is always present in all the important social and religious events of the city; and Tapan Bhattacharya who was very active in the student movements of the eighties and nineties and is still active in all the social forum and events in the city.

First of all the young men insulted Father Prasad, then they tried to humiliate Prof. Saroj Kumar and Advocate Anand Mohan Mathur and then said, “Move away from here and give this Christian Padre to us.” In spite of being heckled these senior citizens refused to leave without Father Prasad. In the end, the Police escorted Father Prasad and others to the police station on the pretext of ‘their own safety.’ They were detained till 10.30 in the night.

According to Tapan, about 250-300 people, wielding trishuls (trident or three spear) and other weapons openly gathered outside the police station, demanding that Father Prasad be handed over to them.

The newspapers reported the next day that some members of Bajrang Dal along with BJP MLA, Ramesh Mendola and Municipal Councilor, Chandu Shinde washed the Geeta Bhawan with Gangajal (Holy water from the Ganges) to purify it from the

presence of non-Hindus. They also conducted a 'nazarutrai' (ward off evil-eye) of the person who had allowed the event to take place so that better sense would prevail and he would not commit the same mistake again. A Legislator and a Municipal Committee member, who have taken oath on the constitution, are not ashamed to indulge in this public display of untouchability and neither the administration nor their own party takes any action on it. This is obvious that these so called protectors of religion and Bajrang Dalis have nothing to do with religion.

Chapter Five

Conclusion and Recommendations

The popular perception is that under NDA rule the violence against Christians and Muslims have increased. The Hindutva forces belonging to the Sangha Parivar would be active and aggressive in attacking these two religious minorities. Curiously, this is not borne out by facts and figures, if one confines to physical violence. On the contrary, the number of cases of physical violence reported per time unit (eg. per year) is less than those of the UPA rule; which was supposed to be more liberal and plural. But, what has changed is the nature of violence. The Study covered three types of violence – physical, structural, and symbolic. Structural and symbolic violence marked the shift in tactic aimed at cultural hegemony of the Hindutva and denying the fundamental and constitutional rights of the minorities.

This strategic shift by Hindutva forces calls for serious and innovative rethinking on the part of the minorities in dealing with violence against them. On deeper study of political and self-styled cultural actors at play, it is seen that Hindutva forces take advantage of the stereotypical perceptions of minorities, most of which is contestable. By not taking visible actions to mitigate such perceptions, contested as they are, minorities, often play into the hands of Hindutva forces. The other major issue is that the minorities, in view of their smaller numbers in Indian polity, play the second fiddle to the Hindus, who uphold a majoritarian orientation. Secondly, most Indians are also often seen to be inward-looking as communities. Thirdly, sections of religious minorities tend to be confrontational, inviting heavy backlash from the majority community. They should not be initiators of violence.

The challenge for the minorities, therefore, is to mainstream themselves in terms of social, political and cultural engagements apart from development work – health and education. The recommendations below emanate from the above understanding and aim at effectively countering the violence against minorities. Let it be said that violence occurs as there are causes for conflict, real or imagined, and the strategy should be for mitigation of these causes. The recommendations include such tactics as well which will reduce or eliminate the causes of violence. The actions to be taken are short term, medium term and long term.

5.1 Immediate Measures

1. On an urgent basis, efforts should be made to bring about the unity among denominations and sectarian groups and the minority religious leadership to deal with the danger of violence against the religious minority communities.
2. It is necessary to secure justice for the victims of physical violence as soon as possible. This needs to be done within the legal mechanisms. The Constitution of India enshrines the right to freedom of religion – Article 25: Freedom of conscience and free profession, practice and propagation of religion; Article 26: Freedom to manage religious affairs; Article 27: Freedom as to payment of taxes for promotion of any particular religion; and Article 28: Freedom as to attendance at religious instruction or religious worship in certain educational institutions.
3. There are other legal provisions for the protection of minorities such as Articles 14, 15, 19(1), (2), 21 and 26 (a) of the Constitution. What is important is that minorities should be aware of these legal provisions. Many law enforcement agencies at the lower level are unaware of these provisions. Minorities should take initiative in building informal and institutional contact with the law and order agencies. A UNDP-supported (United Nations Development Programme) project worked on setting up police-public cooperation in most police stations¹²⁰. It is also important to note that these legal provisions should be invoked only in the cases of violence against religious communities.
4. Social and Political engagement: Minorities have to actively participate in the political process at various levels – from the local self governance to the Union. Politics is not about winning elections alone, which may depend on numbers. It includes many other things as well namely, contributing in ideas, active citizenship, and ‘making politics matter’ in peoples’ lives on a daily basis; contributing to good governance, deepening de-

¹²⁰ Refer to The Evaluation conducted by Bureau of Police Research and Development, Government of India, on UNDP-sponsored projects in three States of India – Tamil Nadu, Assam, Rajasthan, 2001

mocracy, etc. Many among the minorities are well informed and educated to be active in social mobilization. Indian society, which is partly steeped in antiquated traditions, needs to be re-organised for the sake of modernity and development. So the organic communities should co-exist with aggregative communities¹²¹. Minorities can take a lead in this. They have to move beyond inner-directed communities and engage with the wider society.

5. Minorities should take the lead in promoting pluralism. Secularism, as it is practiced in India, either undermines religion or promotes one religion and harms the other group. One of the accepted definitions of secularism is equal treatment to all religions, which is not happening. In fact, the Indian State is guilty of multiple communalism. Both Islam and Christianity are active and congregational religions whereas Hinduism is a “way-of-life”. Islam and Christianity will need active protection from the State and tolerance from the larger society. Hence we talk more about pluralism which is rights-based and positive. Pluralism will promote religious discourse and practice, not undermine it.

5.2 Medium- term measures

1. Perceptual: The perception of minorities as ‘the other’, ‘the outsider’, ‘non-Indic’, or ‘aliens’ by the majority communities should change. The perception that Islam came through conquest and Christianity through colonialism has to be changed as they are historically unfounded. That Islam and Christianity follow alien cultures, is incorrect. This can happen by minorities inviting people from other faiths to witness and participate in religious discourse as well as cultural practices. Also minorities could join, which they already do, in the cultural activities of others. This should not be seen as a PR activity but should be a genuine effort at cultural sharing and religious accommodation.
2. Inter-faith dialogue at various levels, not just at the top, should be carried out. Quite a bit of confusion and unease happens when people are ignorant of each others’ religious precepts. Focus should be on the good that each religion does, not on scriptural or spiritual superiority, nor “holier than thou”. Conflicts occur mainly from misunderstanding, not from clarity.
3. Peace Building: Peace is not just absence of war, in this case violence; peace consists of a set of conditions and behaviour that reduce or eliminate conflicts. Hence, in order to secure peace, building such conditions and instilling such behaviour is critically necessary. Peace conditions may consist of understanding and acceptance of the principle of equality of opportunity, inclusive development, fairness and transparency in the political

¹²¹ T. K. Oommen, n.3

and legal systems, rule of law, etc. The set behaviours that act as connectors not dividers are attitudes and actions – prejudices, hostility, exclusion, domination, and discrimination divide people. We need to do just the opposite to connect people, appreciation, brotherhood and solidarity, inclusion, recognizing and appreciating differences. Also behaviour that recognizes and reconciles different values and interests, different experiences etc. These initiatives have to be taken by minorities by forming neighbourhood communities and other such groups. It has to be driven home that peace is the precondition to progress, happiness and development. Fear, intimidation and violence retard the development of all individuals and groups. Hence, we have to prepare “peace-warriors” and pursue the peace agenda aggressively. This may sound a contradiction in terms but seems to be the need of the hour and way forward. Peace loving people are distant and disengaged and that is precisely the problem. Aggressive people, handful of them, become active as good people, majority of them, remain silent and inactive. Hence, it is critically important to build regional and national level networks of experts, lawyers, doctors, teachers, youth, women and workers in order to recruit peace volunteers.

4. International Laws: It is in order that minorities invoke the international provisions in their support. Minority leadership should be fully aware of these laws, some of which are:
 - Article 18, UDHR: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.
 - Article 18, ICCPR
 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
 3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

5. There is a need to work for reforms inside churches at least on two aspects – one, to instil scientific temper among youth against gender, caste, and rank prejudices; and second, to bring about civil action orientation for the sake of active citizenship in addition to preaching and fellowship, etc.

5.3 Long Term Measures

National Agenda: Democracy is territorially anchored. Therefore, Minorities usually abstain from engaging in national agenda for their low representation in the legislatures and their smaller number in general. Perhaps that is why they get involved in their own issues. As is said before, politics is not just elections; so nation-building is not just politics. Minorities can create new forums and use the existing ones and there are many at non-state level. Civil Society in India is quite vibrant and that should be used to its full strength, not just doing small projects by NGOs, where minorities are active. For instance, minorities, as a community or as an institution, should discuss, articulate and engage in Indian Economic Policy, Social Policy, Foreign Policy, Youth Policy, Gender Issues, strengthening democracy, SAARC – mainly India-Pakistan relations, environment and climate security and so on.