

Indien (25)

[\[Print Friendly Version\]](#)

U.S. DEPARTMENT OF STATE

[Home](#) | [Contact Us](#) | [FOIA](#) | [Privacy Policy](#) | [Archive](#) | [Search](#)[About the State Department](#) | [Press & Public Affairs](#) | [Travel & Living Abroad](#)
[Countries & Regions](#) | [International Topics & Issues](#) | [History, Education & Culture](#)
[Business Center](#) | [Other Services](#) | [Employment](#)

India



International Religious Freedom Report

Released by the Bureau of Democracy, Human Rights, and Labor
October 2001

The Constitution provides for secular government and the protection of religious freedom, and the central Government generally respects these provisions in practice; however, it sometimes does not act effectively to counter societal attacks against religious minorities and attempts by state and local governments to limit religious freedom. This failure results in part from the legal constraints inherent in the country's federal structure, and in part from the law enforcement and justice systems, which are at times ineffective. The ineffective investigation and prosecution of attacks on religious minorities is interpreted by some extremist elements as a signal that such violence is likely to go unpunished.

There was no overall change in the status of religious freedom during the period covered by this report. India is a secular state in which all faiths generally enjoy freedom of worship. Central government policy does not favor any religious group; however, governments at state and local levels only partially respect religious freedom, and a number of such governments considered legislation during the period covered by this report that would limit religious freedom. In addition, in May 2001, the central Government banned Deendar Anjuman, a Muslim group. The central Government is led by a coalition called the National Democratic Alliance (NDA), which has pledged to respect the country's traditions of secular government and religious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party (BJP), a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa, Gujarat, Himachal Pradesh, and Uttar Pradesh. Human rights groups and others have suggested that the authorities in these states have not responded adequately to acts of violence against religious minorities by Hindu extremist groups, due at least in part to the links between these groups and the BJP, and have noted that the ineffective investigation and prosecution of such incidents may encourage violent actions by extremist groups.

Tensions between Muslims and Hindus, and increasingly, between Hindus and Christians, continued. During the period covered by this report, attacks on religious minorities occurred in several states. During the summer of 2000, in particular, there were a number of attacks on Christians.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

Relevant statistical information from the 2001 census had not been released by the end of the period covered by this report. According to the latest government estimates, Hindus constitute an estimated 82.4 percent of the population, Muslims 12.7 percent, Christians 2.4 percent, Sikhs 2.0 percent, Buddhists 0.7 percent, Jains 0.4 percent, and others, including Parsis (Zoroastrians), Jews, and Baha'is, 0.4 percent. Hinduism has a large number of branches, including the Sanatan and Arya Samaj groups. Slightly over 90 percent of Muslims are Sunni; the rest are Shi'a. Buddhists include followers of the Mahayana and Hinayana schools, and there are both Catholic and Protestant Christians. Tribal groups (members of indigenous groups historically outside the caste system), which in government statistics generally are included among Hindus, often practice traditional indigenous religions. Hindus and Muslims are spread throughout the country, although large Muslim populations are found in the states of Uttar Pradesh, Bihar, Maharashtra, West Bengal, Andhra Pradesh, and Kerala, and Muslims are a majority in Jammu and Kashmir. Christian concentrations are found in the northeastern states, as well as in the southern states of Kerala, Tamil Nadu, and Goa. Three small northeastern states have large Christian majorities—Nagaland, Mizoram, and Meghalaya. Sikhs are a majority in the state of Punjab. In January 1999, the National Commission for Minorities (NCM) recommended that Hindus be declared minorities in six states—Jammu and Kashmir, Punjab, Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland—in order to help the NCM to recognize the problems of Hindus in those states. At the end of the period covered by this report, the proposal still was under consideration.

There are a number of immigrants, primarily from Bangladesh, Sri Lanka, and Nepal, who practice various religions. Immigrants from Bangladesh usually reside near the border area.

According to the Catholic Bishop's Conference of India, there are approximately 1,100 registered foreign missionaries in the country; in 1993 there were 1,923 (see Section II).

Over the years, one of the reasons lower castes and Dalits (formerly called "untouchables"—see Section II) have converted to other faiths is that they viewed conversion as a means to achieve higher social status. However, lower caste and Dalit converts continue to be viewed by both their coreligionists and by Hindus through the prism of caste. Converts are regarded widely as belonging to the caste of their ancestors, and caste identity, whether or not acknowledged by a person's own religion, has an impact on marriage prospects, social status, and economic opportunity.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the central Government generally respects this right in practice; however, state and local governments only partially respect this freedom. There are no registration requirements for religions. Legally mandated benefits are assigned to certain groups, including some groups defined by their religion. The Government is empowered to ban a religious organization if it has provoked intercommunity friction, has been involved in terrorism or sedition, or has violated the Foreign Contribution Regulation Act, which restricts funding from abroad. In May 2001, the Government officially banned Deendar Anjuman, a Muslim group.

There are many religions and a large variety of denominations, groups, and subgroups in the country, but Hinduism is the dominant religion. Under the Constitution, the Buddhist, Jain, and Sikh faiths are considered different from the Hindu religion, but the Constitution often is interpreted as defining Hinduism to include those faiths. This interpretation has been a contentious issue, particularly for the Sikh community.

The legal system accommodates minority religions' personal status laws; there are different personal status laws for different religious communities. Religion-specific laws pertain in matters of marriage, divorce, adoption, and inheritance. For example, Muslim personal status law governs many noncriminal matters involving Muslims, including family law, inheritance, and divorce. Hindu groups such as the RSS are pushing for a uniform civil code that would treat members of all religions alike. The personal status laws of the religious communities sometimes discriminate against women. For example, Christian divorce law discriminates in favor of the husband.

Some major religious holidays celebrated by various groups are considered national holidays, including Christmas (Christian), Eid (Muslim), Guru Nanak's Birthday (Sikh), and Holi (Hindu) all are national holidays.

The Government permits private religious schools, which can offer religious instruction, but does not permit religious instruction in government schools. Some Hindus believe that this disadvantages them since Muslims have many private religious schools (madrassas), but Hindus mostly attend government or Christian schools. Many Christian schools avoid overt religious instruction to avoid retaliation from Hindu extremists.

In June 2000, the National Human Rights Commission (NHRC) ordered affected states to provide written reports detailing the violence against Christians and the actions taken by state governments. All the states submitted reports to the NHRC, which found no organized pattern of anti-Christian activity. Another official inquiry by the NCM into the roughly 400 attacks on Christians between December 1998 and December 2000, only found random acts of unconnected violence, rather than a pattern of religiously motivated hate crimes. The Sangh Parivar (which forms part of the Government's support base), interpreted this conclusion as exculpation. However, the Archbishop of Delhi spoke on behalf of Catholics to voice his great disappointment with the Commission's report. Many Christian leaders are unhappy with the single Christian member on the NCM, who they believe is not representative of their views. Local church leaders opposed a proposed visit by the NCM to Ahmedabad to investigate violence against Christians for that reason.

The central Government is conscious of the perception that because of the composition of its support base it is less likely to respond to acts of violence against religious minorities by Hindu extremist groups, and has made efforts to show that it is addressing the concerns of religious minorities who believe that they are threatened. In the period covered by this report, the Prime Minister met on several occasions with delegations from the Christian and Muslim communities to discuss their particular concerns.

The Government has taken steps to promote interfaith understanding, including the creation of the National Integration Council in 1962 as a non-statutory body with an objective of maintaining social tranquility and communal harmony. The NCM and the NHRC have appointed members and are tasked respectively with protecting the rights of minorities and protecting human rights. These governmental bodies investigate

allegations of discrimination and bias, and can make recommendations to the relevant local or central government authorities. These recommendations generally are followed, although the recommendations do not have the force of law.

Restrictions on Religious Freedom

On May 3, 2001, the Government officially banned Deendar Anjuman, a Muslim group, for "fomenting communal tension" and actions "prejudicial to India's security". State prosecutors alleged that some members of the tiny Muslim group called Deendar Channabasaveshwara Siddique (DCS) and its parent organization, Deendar Anjuman, were responsible for the Karnataka and Andhra Pradesh church bombings in 2000 (see Section III). From July to August 2000, approximately 45 members of the organization were taken into custody in Karnataka and Andhra Pradesh in connection with the bombings. During this time, the Government claimed that Deendar Anjuman was involved in a complicated plot to destabilize the country's communal relations, thus justifying its ban; however, of the group's few thousand members, probably only a few were involved in terrorist activities. The fact that a Muslim group was responsible for the bombings of Christian churches was unusual; most attacks against Christians are perpetrated by Hindu extremist groups or by mobs. Some observers have compared the vigorous investigation and prosecution of Deendar members for attacks against Christians with the general lack of vigor in the investigation and prosecution of Hindus accused of carrying out attacks against Christians.

The Religious Institutions (Prevention of Misuse) Act makes it an offense to use any religious site for political purposes or to use temples for harboring persons accused or convicted of crimes. While specifically designed to deal with Sikh places of worship in Punjab, the law applies to all religious sites. The state of Uttar Pradesh passed the "Religious Buildings and Places Bill" during the state assembly budget session from March to May 2000. The bill requires a permit endorsed by the state government before construction of any religious building can begin in the state. The bill's supporters say that its aim is to curb the use of Muslim institutions by Islamic fundamentalist terrorist groups, but the measure has become a controversial political issue among religious groups in the northern part of the country. Most religious groups from all of the communities oppose the restriction on building religious structures and view it as an infringement upon religious freedom. In West Bengal, legislation implemented in early 2000 requires any person who plans to construct a place of worship to seek permission from the district magistrate; anyone intending to convert a personal place of worship into a public one also requires the district magistrate's permission.

There is no national law that bars a citizen or foreigner from professing or propagating his or her religious beliefs; however, speaking publicly against other beliefs is considered dangerous to public order and is prohibited. Given this context, the Government discourages foreign missionaries from entering the country and has a policy of expelling foreigners who perform missionary work without the correct visa. Long-established foreign missionaries generally can renew their visas, but since the mid-1960's the Government has refused to admit new resident foreign missionaries.

New missionaries currently enter as tourists on short-term visas. In November 2000, the Home Ministry ordered a family of American Christian missionaries based in Tamil Nadu to leave the country because their business/tourist visas were incompatible with their work in the country. In addition to foreign missionaries, several Christian relief organizations have been hampered by bureaucratic obstacles in getting visas renewed for foreign relief work. Missionaries and foreign religious organizations must comply with the Foreign Contribution Regulation Act, which restricts the ability of certain NGO's, including religiously affiliated groups, to finance their activities with overseas assistance.

Government officials also allegedly subjected Christian-affiliated foreign relief organizations to arbitrary bureaucratic obstacles; many of these organizations are not engaged in religious activity. Human rights and religious groups that receive funding from overseas must apply to the Home Ministry for a permit in order to receive such funds. The process appears to be easier for Hindu organizations than for Christian organizations.

The BJP, which has led two coalition national governments since March 1998, is one of a number of offshoots of the Rashtriya Swayamsewak Sangh, an organization that espouses a return to Hindu values and cultural norms. Members of the BJP, the RSS, and other affiliated organizations (collectively known as the Sangh Parivar) have been implicated in incidents of violence and discrimination against Christians and Muslims. The BJP and RSS express respect and tolerance for other religions; however, the RSS in particular opposes conversions from Hinduism and believes that all citizens should adhere to Hindu cultural values. The BJP officially agrees that the caste system should be eradicated, but many of its members are ambivalent about this. Most BJP leaders, including Prime Minister A.B. Vajpayee and Home Minister L.K. Advani, also are RSS members, as are the chief ministers of the state governments in Uttar Pradesh, Gujarat, Goa, and Himachal Pradesh. The BJP's traditional cultural agenda has included calls for construction of a new Hindu temple to replace an ancient Hindu temple that was believed to have stood on the site of a mosque in Ayodhya that was destroyed by a Hindu mob in 1992; for the repeal of Article 370 of the Constitution, which grants special rights to the state of Jammu and Kashmir, the country's only Muslim majority state; and for the enactment of a uniform civil code that would apply to members of all religions. In mid-October 2000, the RSS held a 3-day rally in Agra, which more than 75,000 Hindus reportedly attended. Speaking at the rally, RSS chief K.S. Sudarshan created controversy when he called for a ban on foreign

churches and the creation of a national Christian Church based on the Chinese model. Sudarshan reportedly also encouraged Christian citizens to free themselves from the strong influence of foreign countries by setting up Indian nationalistic churches. Of particular concern for minority groups was Home Minister L.K. Advani's highly publicized participation at the Agra rally and vocal support of the RSS on his return to New Delhi. All of these proposals are opposed strongly by some minority religious groups. The BJP-led national Government took no steps to adopt these controversial proposals.

The BJP does not include the above RSS goals in the program of the coalition Government it leads; however, some Christian groups have noted that the coming to power of the BJP coincided with an increase in complaints of discrimination against minority religious communities. These groups also claim that BJP officials at state and local levels have become increasingly unresponsive in investigating charges of religious discrimination and in prosecuting those persons responsible.

The degree to which the BJP's nationalist Hindu agenda has affected the country with respect to religious minorities varies depending on the region. State governments continue to attach a high priority to maintaining law and order and monitoring intercommunity relations at the district level. Thus, the central Government often is not the most important player in determining the character of relationships of various religious communities between each other and with the state.

In general, religious minorities in the northern area of the country claim that the regional governments' attitudes toward their communities have deteriorated since the BJP assumed power in 1998, and are concerned that attacks on religious minorities no longer appear to be confined to Gujarat and Orissa. In the north, sporadic attacks against Christians that began in April 2000 continued into the summer of 2000. The Government dispatched the NCM to investigate the attacks in the north, but the NCM's findings that the attacks were not "communal in nature" led to widespread criticism in the minority community. There is strong evidence that the NCM report misrepresented the victims by claiming that the victims were entirely satisfied that there was no religious motivation behind the violence; in fact, Christian groups in the north believe that these incidents were religiously motivated. Victims of the incidents claim that the local police were not responsive either before or during the attacks. By the end of the period covered by this report, no arrests had been made.

The eastern part of the country presented a varied picture with regard to religious freedom during the period covered by this report. Sporadic attacks continued but were not concentrated in one geographical area. The political leanings of the state governments in the eastern region did not appear to correlate with their level of protection for religious freedom. In Orissa, which has been known for violence against religious minorities (particularly after the murders of Australian missionary Graham Staines and his two young children there in January 1999), the communal situation remained relatively unchanged during the period covered by this report, despite the installation of a BJP-Biju Janata Dal (BJD) government in February 2000. The Orissa government in November 2000 notified churches that religious conversions could not occur without the local police and district magistrate being notified in order to give permission; however, this does not appear to have been enforced. The Orissa Freedom of Religion Act of 1967 contains a provision requiring a monthly report from the state on the number of conversions; district officials are required to keep such records. After a conversion has been reported to the district magistrate, the report is forwarded to the authorities, and a local police officer conducts an inquiry. The police officer can recommend in favor of or against the intended conversion, and is often the sole arbitrator on the individual's right to freedom of religion; if conversion is judged to have occurred without permission from the district magistrate or with coercion, the authorities may take penal action. There were no reports that the district magistrate denied permission for any conversions.

The four southern states are ruled by political parties with strong secular and pro-minority views. Each of these parties—the All-India Anna Dravida Munnetra Kazhagam (AIADMK) in Tamil Nadu, the Telugu Desam Party (TDP) in Andhra Pradesh, and the Congress Party in Kerala and Karnataka—has a history of support for religious minorities and has attempted to assuage religious minority fears about religious tension in the rest of the country. After the DMK (the former ruling party of Tamil Nadu) and the TDP entered the NDA in cooperation with the BJP during the 1999 Lok Sabha (lower house of Parliament) elections, both parties made efforts to reaffirm their commitment to secularism and to allay apprehensions from their religious minority supporters.

The southern branches of the BJP generally take a more moderate position on minority issues; however, religious groups in the region still allege that since the BJP's rise to power in the national Government, some local officials have begun to enforce laws selectively to the detriment of religious minorities. The groups cite numerous examples of discrimination, such as biased interpretations of postal regulations, including removal of postal subsidies; refusals to allocate land for the building of churches; and heightened scrutiny of NGO's to ensure that foreign contributions are made according to the law.

In the west, Gujarat continued to experience incidents of intercommunity strife in which Hindu nationalist groups targeted Christians and Muslims. While Muslim and Christian leaders in Gujarat maintain that overt incidents of discrimination or violence against minority religions declined slightly during the period covered by this report, Christian and Muslim communities remain suspicious of the state government, the only non-alliance BJP government in the country. However, the state government generally remained even-handed in its treatment of minorities. The Christmas festival in the southern Dangs district was peaceful. (In 1998

Hindus attacked Christians during Christmas, and in 1999 Christmas was peaceful but tense as Hindu nationalist groups held demonstrations.) In Maharashtra, Hindu-Muslim violence increased during the period covered by this report (see Section III), but again there was no evidence that the state government was favoring one community over another. In Madhya Pradesh, intercommunity strife is relatively uncommon. In April 2001, the state's Chief Minister Digvijay Singh strongly stated that his government would deal equally strictly with any violence committed by either Hindu or Muslim fundamentalist groups. There were no incidents of intercommunity strife in the new state of Chhattisgarh during the period covered by this report. Religious communities generally live together harmoniously in Goa, despite one incident of intra-Christian strife during the period covered by this report (see Section III).

Some persons alleged that the state of Gujarat discriminated in distributing aid to victims of the January 26, 2001 earthquake in Kutch district, which left over 20,000 persons dead. In April 2001, Human Rights Watch activist Smita Narula toured the affected region and claimed that in the distribution of relief supplies upper caste Hindus received better treatment than lower caste Hindus and poor Muslims in the worst affected towns of Bhuj, Bhachau, and Anjar. However, representatives of many NGO's working in the region reported that the Gujarat government's relief effort did not discriminate by caste or religion. (There are almost no Christians in the quake-stricken region.)

Abuses of Religious Freedom

The personal status laws of the religious communities sometimes discriminate against women. Under Islamic law, a Muslim husband may divorce his wife spontaneously and unilaterally; there is no such provision for women. Islamic law also allows a man to have up to four wives but prohibits polyandry. Under the Indian Divorce Act of 1869, a Christian woman may demand divorce only in the case of spousal abuse and certain categories of adultery; for a Christian man, a wife's adultery alone is sufficient.

The Government is reviewing the legislation on marriage. A draft "Christian Marriage Bill" considered in early 2000 was intended to replace the Indian Divorce Act of 1869, which is criticized widely as biased against women. If enacted, the draft bill would place limitations on interfaith marriages and specify penalties, such as 10 years imprisonment, for clergymen who contravene its provisions. The current form of the proposed bill states that no marriage in which one party is a non-Christian may be celebrated in a church. The bill was not introduced during the Parliament session of March to May 2000 due to the strong objections and reservations of the Christian community. Christian leaders continued to oppose the bill when the Government proposed to introduce it in late November 2000, this time objecting that the bill did not go far enough in its efforts to equalize the treatment of women. The bill was on the agenda of the February 2001 Budget session, but was never brought to the floor for debate.

Jammu and Kashmir, the country's only Muslim majority state, has been the focus of repeated armed conflict between India and Pakistan, and internally between security forces and Muslim militants who demand that the state be given independence or ceded to Pakistan. Particularly since an organized insurgency erupted in Jammu and Kashmir in 1989, there have been numerous reports of human rights abuses by security forces and local officials against the Muslim population, including execution-style killings, beatings, and other forms of physical abuse. Many of the charges of government responsibility for massacres of civilians lack credibility; however, significant evidence emerged in August 1999 regarding the Government's earlier role in the killing of 19 Muslims in Saalan village of Poonch district on August 4, 1998. An investigation by the chief minister revealed that the state and federal governments had created an overall infrastructure that specifically included individuals with the demonstrated capacity and attitude to commit such acts of violence. It is difficult to separate religion and politics in Kashmir; Kashmiri separatists are exclusively Muslim, and almost all the higher ranks as well as most of the lower ranks in the Indian forces stationed there are non-Muslims.

On June 10, 2000, in Uttar Pradesh, Vijay Ekka, a witness to the killing of a Catholic priest, George Kuzhikandum, died in police custody. Ekka initially was placed under police protection because of the risk of Hindu reprisals against him. Human rights organizations and minority communities across the country criticized his death. Archbishop Vincent Concessao of Agra said that Ekka's body showed signs of torture, and that police had told church authorities that Ekka had committed suicide. While in detention, Ekka told visitors that he was being tortured constantly in police custody, and said that he was afraid that the police would kill him. The state government initiated an investigation into Ekka's death on June 17, 2000, and a few days later announced plans to establish a judicial inquiry. The Mathura superintendent of police was transferred, and two policemen were arrested in connection with the incident. By the end of the period covered by this report, the trial against the two police was continuing; another eyewitness in the case had registered a complaint with the NHRC regarding harassment by the local police.

The Government is led by a coalition called the National Democratic Alliance, which has pledged to respect the country's traditions of secular government and religious tolerance. However, the leading party in the coalition is the Bharatiya Janata Party, a Hindu nationalist party with links to Hindu extremist groups that have been implicated in violent acts against Christians and Muslims. The BJP also leads state governments in Goa, Gujarat, Himachal Pradesh, and Uttar Pradesh. Human rights groups and others have suggested that the response by authorities in these states to acts of violence against religious minorities by Hindu extremist groups has been less than optimal, at least in part because of the links between these groups and the BJP, and have noted that the ineffective investigation and prosecution of such incidents may encourage violent

actions by extremist groups.

The BJP has been inconsistent and perhaps is not united in its approach to violence against Christians. In July 2000, the BJP urged the Government to investigate a series of small, nonlethal bomb blasts in churches in Karnataka and Andhra Pradesh for which Hindu extremist groups were being blamed, but subsequently resisted efforts to widen the investigation to cover other attacks on Christians. Governments at state and local levels only partially respect religious freedom. A number of such governments considered legislation during the period covered by this report that would limit religious freedom.

On occasion, Hindu-Muslim violence led to killings and a cycle of retaliation (see Section III). In some instances, police and government officials abetted the violence, and at times security forces were responsible for abuses. Police sometimes assisted Hindu fundamentalists in committing violent acts. In August 2000, after a Hindu-Muslim clash in Surat, Gujarat, Muslims alleged that the state reserve police sided with the attackers rather than with the victims (see Section III). The NHRC reportedly sought an explanation from the Gujarat government about this incident; however, the Gujarat government stated that it never received an official complaint from the NHRC. Following riots in Ahmedabad, Gujarat from August 5 to 7, 2000 (see Section III), some police officers allegedly forced some Muslim residents to sing the Sanskrit anthem to prove that they were not "antinational."

Weak enforcement of laws protecting religious freedom is partly due to an over-burdened and corrupt judiciary. The legal system as a whole has many years of backlog, and all but the most prominent cases move slowly. Official failure to deal adequately with intragroup and intergroup conflict and with local disturbances has in some places practically abridged the right to religious freedom. A federal political system in which state governments hold jurisdiction over law and order problems contributed to the Government's ineffectiveness in combating religiously based violence. The country's only national law enforcement agency, the Central Bureau of Investigation (CBI), is required to ask state government permission before investigating a crime in the affected state. States often delay or refuse to grant such permission.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no credible reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

During the period covered by this report, the central and state governments achieved some successes in prosecuting perpetrators of religiously based violence. In May 2001, the Jabua district court in Madhya Pradesh sentenced 10 Hindu men to life in prison for the September 1998 attack and rape of 6 Christian nuns at a convent in Navapada, an incident that had caused nationwide outrage.

The trial of Dara Singh, alleged ringleader of the mob responsible for the Staines murders (see Section III), is being prosecuted by the CBI rather than local prosecutors. Under the CBI's efforts, the trial appears to be making progress. Singh has been denied bail, and witnesses are beginning to testify to his involvement. This trial is expected to be a bellwether for the minority community in assessing the central Government's commitment to convicting persons who commit crimes of religious hatred.

On July 14, 2000, the Maharashtra government announced its intention to prosecute Bal Thackeray, leader of the rightwing Hindu organization Shiv Sena, for his role in inciting the Mumbai 1992-93 riots in which over 700 persons, the vast majority of whom were Muslim, were killed. On July 25, 2000, the authorities arrested Thackeray; a few hours later a judge ruled that the statute of limitations relating to the incitement charges had expired, and Thackeray was released. There has been some progress in the investigation of the 1992-93 riots. The Maharashtra government claims that the special investigative task force almost has completed its investigation of 31 police officers indicted by the Shri Krishna Commission. By the end of the period covered by this report, 15 officers had been arrested, but all were released on anticipatory bail.

Section III. Societal Attitudes

Animosities within and between the country's religious communities have roots that are centuries old, and these tensions—at times exacerbated by poverty, class, and ethnic differences—have erupted into periodic violence throughout the country's 54-year history. The Government makes some effort, not always successfully, to prevent these incidents and to restore communal harmony when they do occur (see Section II); however, tensions between Muslims and Hindus, and increasingly, between Hindus and Christians, continue to pose a challenge to the concepts of secularism, tolerance, and diversity on which the State was founded.

Although a Home Ministry report released on April 26, 2001, admitted that there had been "an increase in attacks on Christians and their institutions in the year 2000," the report went on to claim that communal violence as a whole had declined by 9 percent. The outbreak of societal violence against Christians that occurred during the previous reporting period, and apparently was sparked by rumors of forced conversions of Hindus to Christianity, was not repeated during the period covered by this report. However, tensions persist, and the underlying resentment of Christians by Hindus sometimes leads to violent confrontations.

In July 2000, a tribal Jesuit priest was killed while riding home on his motorcycle in South Bihar. In this case, both the Catholic mission and the police agreed that the motive was robbery. In Gujarat, a local Bajrang Dal activist assaulted a priest and a nun. The victims had been involved in distributing food to drought victims and were accused of using the aid as inducement to poor Hindus to convert. In the attack 144 sacks of grain were looted.

On July 21, 2000, in Ahmedabad, Gujarat, members of the Vishwa.Hindu Parishad (VHP), a Hindu nationalist group, beat Samson Christian, a member of the All India Christian Council. Christian had been active in trying to protect tribal Christians against attacks through the courts. A few days earlier, in the same area, alleged VHP members had attacked staff members at a Christian school. In this case, the attackers claimed that they were angry over alleged attempts at conversion in the school, although school authorities said that the incident stemmed from a dispute with a parent over nonpayment of school fees.

During the rest of the period covered by this report, there were periodic outbreaks of religiously based violence but there was no distinct geographic or temporal pattern.

In early December 2000, a Catholic priest was killed in Manipur. Earlier in Kurpania, Bihar, a nun was raped and a convent was looted.

1. "http://www.fda.gov/cder/rdmt/rdmt0001/index.cfm?docid=5685"

In late January 2001, in the Sarguja district of Chhattisgarh, there was a mass reconversion of 360 tribals back to Hinduism, which was managed by a Sangh Parivar offshoot and attended by local Congress Party leaders and a BJP member of Parliament (see Section II).

On March 26, 2001, a group of Hindus reportedly beat two members of an Indian Evangelical Team while travelling in Orissa.

In March 2001, in Orissa, Christian Archbishop Cheenath gave a speech objecting to an amendment to the Orissa Religious Freedom Act which he believed would make conversion more difficult. He said that fears of forced conversion were not credible. He noted that, although Christian schools have for generations educated a far larger percentage of Indians than there are Christians in the general population, Christians make up slightly less of the population today than they did in the 1991 census.

In May 2001, at the Banavali village of Salcete Tehsil in South Goa, a Christian priest named Satirino Antao tried to sell a disputed school property to a splinter Christian group calling themselves the "Believers." The majority of the school's parents were Catholics who opposed the move. Reportedly, on May 20, 2001, after a heated meeting, the parents vandalized school property and on May 28, 2001, allegedly assaulted Father Antao. The Archbishop's office claimed that Antao had been removed as priest of Banavali church in 1973 and had no right to sell the school because it belongs to the Catholic Church. At the end of the period covered by this report, the case against Antao remained in the Goa High Court.

On May 28, 2001, in Kapadwanj in Kheda district in Gujarat, members of the VHP stopped a funeral procession to prevent the burial of a Christian in a disputed burial ground. The police used tear gas to disperse the VHP members, but the body had to be moved to Ahmedabad for burial.

Christian missionaries have been operating schools and medical clinics for many years in tribal areas. Tribals (who have no caste status) and Dalits (who are at the lowest end of the caste system) occupy the very lowest position in the social hierarchy. However, they have made socioeconomic gains as a result of the missionary schools and other institutions, which, among other things, have increased literacy among low-caste and non-caste persons. Some higher-caste Hindus resent these gains. They blame missionaries for the resulting disturbance in the traditional Hindu social order as better educated Dalits, tribals, and members of the lower castes no longer accept their disadvantaged status as readily as they once did. Some Hindu groups fear that Christians may try to convert large numbers of lower-caste Hindus, using economic or social-welfare incentives. Upper caste Hindus, (the basis of the BJP and RSS), are afraid that this may destroy the rigid caste hierarchy that benefits from them. Many acts of violence against Christians stem from these fears.

In December 2000, a Christian school near Ranchi in Jharkhand state decided to close after a series of attacks, including assaults and an alleged rape, against teachers and staff. The police blamed a local criminal gang for the assaults, and arrested four persons. One policeman was suspended for dereliction of duty.

On March 23, 2001, alleged BJP and RSS activists attacked a Christian congregation at Chevalla in Andhra Pradesh. The alleged reason behind the attacks was the pervasive perception that Christians were encouraging conversions of Hindus.

In late March, 2001, some Christian leaders, believing that violence against Christians had declined significantly since the summer of 2000, agreed among themselves to meet with leaders of Hindu organizations. Under the aegis of the NCM, talks were proposed to discuss conversions, the issue of a "swadeshi" (i.e. indigenous) church, and attacks on Christians. However, by the end of the period covered by this report, such talks had not begun, as neither Christians nor Hindus had been able to reach agreement on their respective positions.

On May 7, 2001, a Christian priest, Father Jaideep, was attacked in Jatni town, Orissa. Local citizens who were enraged by the priest's distribution of pamphlets to propagate Christianity in a Hindu-dominated area allegedly participated in the attack.

During the period covered by this report, the RSS angered minority communities by publicly challenging the "Indian-ness" of religious minorities. On December 31, 2001, RSS chief K. Sudarshan addressed a meeting of volunteers of the Hindu Swayamsewak Sangh (a global organization of expatriate Hindus) in a suburb of Mumbai. He said that only the RSS can serve as the bulwark against what he claimed was the Catholic Church's agenda of converting large Asian populations.

On March 8, 2001, Sudarshan again made a speech advocating the "Indianization" of Islam and Christianity. He said that "they should sever their links with the Mecca and the Pope and instead become swadeshi." Catholics took special exception to this; the Archbishop of Delhi pointed out that the Indian Christian church is 2,000 years old (traditionally dating from the Apostle Thomas), and that although the spiritual head was the Pope, the day-to-day administration of the church was entirely in Indian hands. The RSS published an article entitled "Foreign Missionaries, Quit India: RSS" in their journal *The Organiser*, in which they attacked

missionary-backed Christian institutions in the country.

Citizens often refer to schools, hospitals, and other institutions as "missionary" even when they are owned and run entirely by indigenous Christian citizens. By using the adjective "missionary," the RSS taps into a longstanding fear of foreign religious domination.

Christian leaders detected a slight decrease in the incidents of violence against their community, and also a change in the type of incidents. In late April, 2001, Father Donald DeSouza of the Catholic Bishops' Conference of India said that while the incidents of violence against the Christian community had decreased in the previous 6 to 8 months, "that does not mean that the threat perception has also decreased" among Christians. The Government found that 80 percent of attacks on minorities were motivated by local incidents, economic arguments, or intradenominational feuds.

By the end of the period covered by this report, the trial continued in Orissa of Dara Singh, a member of the Hindu extremist Bajrang Dal, who was arrested on January 31, 2000, for the Staines murders (see Section II). In October 2000, a 13-year-old member of the mob responsible for the murders was sentenced to 14 years in prison. The trial of the other 14 arrested persons still was proceeding by the end of the period covered by this report. In May 2001, a witness in the trial identified Dara Singh as the person who put straw under Staines's car and set it on fire. Previously, witnesses had been unwilling to identify Dara Singh.

In Christian majority areas, Christians sometimes are the oppressors. In Tripura, there were several cases of harassment of non-Christians by Christian members of the National Liberation Front of Tripura (NLFT), a militant tribal group with an evangelical bent. For example, NLFT tribal insurgents have prohibited Hindu and Muslim festivals in areas that they control, cautioned women not to wear traditional Hindu tribal attire, and prohibited indigenous forms of worship. In Assam, where the population is increasing rapidly, the issue of Bangladeshi migrants (who generally are Muslim) has become very sensitive among the Assamese (predominantly Hindu) population, which considers itself to be increasingly outnumbered.

The country's caste system generates severe tensions due to disparities in social status, economic opportunity, and, occasionally, labor rights. These tensions frequently have led to or exacerbated violent confrontations and human rights abuses. However, intercaste violence generally does not have a significant religious component.

The country's caste system historically has strong ties to Hinduism. Hinduism delineates clear social strata, assigning highly structured religious, cultural, and social roles, privileges, and restrictions to each caste and subcaste. Members of each caste--and frequently each subcaste--are expected to fulfill a specific set of duties (known as dharma) in order to secure elevation to a higher caste through rebirth. Dalits are viewed by many Hindus as separate from or "below" the caste system; nonetheless, they too are expected to follow their dharma if they hope to achieve caste in a future life. Despite efforts by reform-minded modern leaders to eliminate the discriminatory aspects of caste, societal, political, and economic pressures continue to ensure its widespread practice. Caste today therefore is as much a cultural and social phenomenon as a religious one.

The Constitution gives the President the authority to specify, in a schedule attached to the Constitution, historically disadvantaged castes, Dalits, and "tribals" (members of indigenous groups historically outside the caste system). These "scheduled" castes, Dalits, and tribes, are entitled to affirmative action and hiring quotas in employment, benefits from special development funds, and special training programs. The impact of reservations and quotas on society and on the groups they are designed to benefit is a subject of active debate within the country. Some contend that they have achieved the desired effect and should be modified, while others strongly argue that they should be continued, as the system has not addressed adequately the longterm discriminatory impact of caste. According to the 1991 census, scheduled castes, including Dalits, made up 16 percent and scheduled tribes made up 8 percent of the population.

Muslims, Christians, and Sikhs historically have rejected the concept of caste, despite the fact that most of them descended from low caste Hindu families and continue to suffer the same social and economic limitations of low caste Hindus. Low caste Hindus who convert to Christianity lose their eligibility for affirmative action programs. Those who become Buddhists, Jains, or Sikhs do not, as the Constitution groups members of those faiths with Hindus and specifies that the Constitution shall not affect "the operation of any existing law or prevent the state from making any law providing for social welfare and reform" of these groups. In some states, there are government jobs reserved for Muslims of low caste descent.

Members of religious minorities and lower castes criticized the 2001 census as discriminating against them. They claim that they frequently were not allowed to register their correct caste status. Census results are used to apportion government jobs and higher education slots to Scheduled Castes and Scheduled Tribes. In February 2001, the Catholic Bishops' Conference of India strongly criticized the census for "discriminating against weaker sections of society" by maintaining that Scheduled Castes may only be Hindu, Sikh, or Buddhist. The National Council of Churches in India also protested the census. Despite the fact that Christianity does not recognize caste at all, Christian leaders recognize that society in general still does, and that the 50 percent of the country's Christians who are of Dalit origin may be disadvantaged by not being allotted shares of jobs and places in education under the Scheduled Castes/Scheduled Tribes provisions of

the Constitution. Dalit converts to Christianity claim that societal discrimination against them on the basis of caste continues, even within the Christian community. One indicator of the continued slowness of economic and social upward mobility of Dalit Christians is that, of the 180 Catholic bishops in the entire country, only 5 are Dalits. Muslim Dalits, who account for most of the country's 130 million Muslims, also were not counted as Dalits in the census. Muslim leaders have not protested the census issue vigorously, perhaps because they already benefit from more affirmative action programs at the state and central level.

In the past, Hindu-Muslim violence has led to killings and a cycle of retaliation. In some cases, local police and government officials abetted the violence, and at times security forces were responsible for abuses. Violence against Christians, at least outside of the northeast, rarely results in mass retaliation. However, between Hindu and Muslim communities, even rumors, supposed slights, or perceived insults can result in mass riots.

On August 1, 2000, news of a massacre of Hindu pilgrims to Amarnath by Kashmiri separatists spread through the country. In Gujarat, in the cities of Surat, Ahmedabad (see Section II), Palanpur, and Rajkot and in two villages in the Sabarkantha district, Khed Brahma and Modasa, angry Hindu mobs reacted by burning Muslim businesses. The fights that ensued left two Hindus and three Muslims dead and \$2.5 million (117.5 million rupees) of property damage. In Surat, Muslims alleged that the state reserve police sided with the attackers instead of the victims (see Section II).

In early September 2000, in the city of Nanded in Maharashtra, Hindu-Muslim violence broke out for 2 days after Muslims in a mosque allegedly threw stones at a Hindu religious procession during the annual Ganesh festival. Approximately 60 persons were injured. The Maharashtra government ordered a judicial inquiry; however, there were no reported results by the end of the period covered by this report. The local media observed a voluntary gag order to prevent the violence from spreading to other cities.

In late September 2000, during voting for city elections in Ahmedabad, a partisan clash with communal overtones developed into a riot. The police fired on the rioting mob, killing eight Muslims.

On October 16, 2000, a gang entered Tahira village, Siwan district, Bihar, and killed five members of a Muslim family. Police suspect that unknown persons in nearby Mohajirpur village committed the killings in retaliation for the killings of Hindu villagers a few days earlier. On December 3, 2000, a group of men in Tirunelveli, Tamil Nadu, attacked and killed a Muslim preacher with crude bombs and sickles.

In November 2000, riots broke out between Shi'a and Sunni Muslims in Mubarakpur, Uttar Pradesh. The fighting was believed to have political as well as intra-Muslim doctrinal causes.

In December 2000, in the southern city of Ichalkaranji in Maharashtra, members of the Hindu nationalist Shiv Sena party tried to perform "Maha-arti" (a Hindu prayer meeting) at a playground that traditionally has been used for Muslim Eid prayers. The police blocked the Shiv Sena effort, but riots and looting broke out in the city for 3 days. There were no deaths but property owned by both Hindus and Muslims was damaged. In early 2001, Hindu-Muslim tension increased after the destruction of the Bamiyan Buddhas by Afghanistan's Taliban. Almost the entire country's religious community, including most prominent Muslims, strongly protested the Taliban's action; however, some radical Hindus exploited the issue. On March 5, 2001, Bajrang Dal activists allegedly burned a copy of the Koran in New Delhi. Using evidence consisting only of a photograph of three young men burning a Koran in an unidentifiable city, a commission of Muslim leaders asked to see the Prime Minister. Vajpayee met with them and promised action, and a police investigation resulted in two arrests. There was no further action by the end of the period covered by this report.

In the Maharashtra cities of Pune, Aurangabad, Nanded, and Nasik over the weekend of March 9 to 11, 2001, Muslims reacted to the alleged Koran burning in New Delhi by going on strike and burning Hindu property, government vehicles, and a police station in Pune. A radical Muslim student's organization, Student's Islamic Movement of India, had posted inflammatory posters about the incident. Mumbai police averted trouble by holding intercommunity meetings in sensitive areas of the city.

On March 21, 2001, in Amritsar, Punjab, members of a new, fringe Hindu extremist group burned a Koran and threw pig body parts inside a mosque in a clear attempt to enrage Muslims and start communal violence. A few days of riots, resulting in several deaths and extensive property damage, ensued in the northern cities of Amritsar, Kanpur and Baramulla. A similar Koran-burning in Patiala, Punjab, did not lead to major riots. The VHP accused "hostile elements" of trying to stir up communal tension.

Hindus and Muslims continue to feud over the existence of mosques constructed several centuries ago on three sites where Hindus believe that temples stood previously. The potential for renewed Hindu-Muslim violence remains considerable. Extremist Hindu groups such as the VHP and Bajrang Dal maintain that they intend to build a Hindu temple in Ayodhya on the site of a mosque demolished by a Hindu mob, with or without the Government's approval.

Throughout the period covered by this report, Jammu and Kashmir continued to be a focus of violence. Muslim Jihadists commit atrocities against Hindus, and the security forces often use excessive force to

suppress them (see Section II). Civilians frequently are caught in the crossfire. Custodial killings of suspected militants, all of whom are Muslim, are common. Militants also carried out several execution-style mass killings of Hindu villagers and violently targeted Pandits (Hindu Kashmiris) in an attempt to force Hindus to emigrate.

There were a number of violent incidents in July and August 2000 that are believed to have been carried out by Muslim militants. On July 13, 2000, militants killed three Buddhist monks in Rangdum, Kargil district. On July 30, militants threw a grenade into a jeep carrying Hindu religious pilgrims near Gulmarg, killing one person and injuring five others. On August 1 to 2, militants entered a camp of Hindus making the annual pilgrimage to Amarnath in the northern part of the state and fired automatic weapons at tents, at the unarmed civilians in the camp, the pilgrims' local porters and guides, and at army personnel nearby. A total of 32 persons were killed in the attack, all of them unarmed civilians. Similar attacks occurred throughout the night of August 1 to 2, killing some 100 persons in various places in Jammu and Kashmir. On August 17, militants reportedly killed six Hindu villagers and seriously wounded seven others in Jammu. On August 18, militants entered a Hindu village in the Koteswara area near Rajauri and indiscriminately fired at villagers, killing four persons and injuring six others. On August 18, militants killed three elderly men and a teenage boy and wounded two other persons when they fired automatic guns at civilians in Ind village, Udhampur. On August 20, a person shot and injured a Hindu telephone kiosk operator in Qazi Gund, near Anantnag. Also on August 20, militants entered the Hindu village of Indeh, Udhampur district and killed four members of a Hindu family.

In May 2001, six Hindu cattle herders in the mountains around Jammu were beheaded, apparently by Muslim militants. Attacks by Muslim separatists seeking to end Indian rule in Jammu and Kashmir, and continued political violence, drove most Hindus in the Kashmir Valley to seek refuge in camps in Jammu, with relatives in New Delhi, or elsewhere.

According to the Ministry of Home Affairs, about 51,000 Pandit families fled their homes in Jammu and Kashmir due to the violence between 1990 and 1993. Of these, 4,674 families are living in refugee camps in Jammu, 235 families are in camps in Delhi, and 18 families are in Chandigarh. The rest still are displaced, but are living outside of the camps in Jammu and Delhi. The Pandit community criticizes bleak physical, educational, and economic conditions in the camps and fears that a negotiated solution giving greater autonomy to the Muslim majority might threaten its own survival in Jammu and Kashmir as a culturally and historically distinctive group. On August 18, 2000, the Jammu and Kashmir government adopted a proposal designed to facilitate the return of Pandits to the Kashmir valley and rehabilitation of the Pandits. However, various Pandit groups criticized the proposal for failing to address the political aspirations of Pandits, failing to provide economic support and adequate security for returning Pandits, and for creating special economic zones that would aggravate communal tensions. The proposal was abandoned during the period covered by this report, in large part due to the Government's inability to ensure the personal security of returnees. The NHRC released a report in June 1999 that stated that the crimes against the Pandits "fall short of the ultimate crime: genocide," but that compensation to the community had been inadequate. As a result, the Government's monthly subsistence payment to Pandit families was increased.

On February 3, 2001, two gunmen killed as many as six Sikhs and wounded at least four others in Srinagar. The public viewed this attack as punishment by militants for the killing earlier in the week of a Muslim civilian, allegedly by Sikh policemen belonging to Kashmir's Special Operations Group; however, such allegations never were proved. The Government sent a four-member team to Kashmir to investigate the killings; however, no one had been charged at the end of the period covered by this report. Sikhs protested the killings, which led to violent clashes with police. The February 2001 incident was the first attack against the Kashmir Valley's minority Sikh population since the March 2000 killing of 35 Sikh men in the village of Chatti Singhpora in south Kashmir. These mass killings in Kashmir, targeted against the Sikh community, increased fears that the remainder of Kashmir's beleaguered minorities may try or be forced to leave. There was an exodus of many from the Sikh community, particularly the young, during the period covered by this report.

There was no reported progress regarding any investigation of the March 2000 killings of 35 Sikh men in the village of Chatti Singhpora, near Anantnag in south Kashmir.

During the period covered by this report, in the temple town of Badrinath in Chamoli district, Uttar Pradesh, clashes reportedly occurred between Hindus and Jains over whether Jains should proceed with the installation in the building of the idol Shri Adinath, a principal Jain deity. Badrinath is a pilgrimage spot for Hindus.

Human Rights Watch reported that the practice of dedicating or marrying young, prepubescent girls to a Hindu deity or temple as "servants of god" or "Devadasis," reportedly continues in several southern states, including Andhra Pradesh and Karnataka. Devadasis, who generally are Dalits, may not marry. They must live apart from their families and are required to provide sexual services to priests and high caste Hindus. Reportedly, many eventually are sold to urban brothels. In 1992 the state of Karnataka passed the Karnataka Devadasi (Prohibition) Act and called for the rehabilitation of Devadasis, but this law reportedly is not enforced effectively and criminalizes the actions of Devadasis. Since Devadasis are by custom required to be sexually available to higher caste men, it reportedly is difficult for them to obtain justice from the legal system if they are raped by higher caste men.

Despite the incidents of violence and discrimination during the period covered by this report, relations between various religious groups generally are amicable among the substantial majority of citizens. There are efforts at ecumenical understanding that bring religious leaders together to defuse religious tensions. The annual Sarva Dharma Sammelan (All Religious Convention) and the frequently held Mushairas (Hindu-Urdu poetry sessions) are some events that help bring the various communities together. Prominent secularists of all religions make public efforts, to show respect for other religions by celebrating their holidays and attending social events such as weddings. Institutions such as the army consciously forge loyalties that transcend religion. After episodes of violence against Christians, Muslim groups have protested against the mistreatment of Christians by Hindu extremists, and during the period covered by this report, prominent Catholics spoke out against the killings of six Sikhs in Kashmir.

The VHP demanded a ban on the McDonald's food-chain in the country following news that an international lawyer was filing a lawsuit against the fast food company for allegedly misleading vegetarians by secretly lacing its french fries with beef tallow. VHP President Vishnu Hari Dalmia claimed that the religious sentiments of Hindus who revere cows in India and abroad had been hurt. In Mumbai, over 500 slogan-shouting Bajrang Dal activists ransacked McDonald's outlets in protest.

Section IV. U.S. Government Policy

The U.S. Mission continued to promote religious freedom through contact with the country's senior leadership, as well as with state and local officials. The U.S. Embassy and Consulates regularly meet with religious leaders and report on events and trends that affect religious freedom.

U.S. Embassy and Consulate officials meet with religious leaders to monitor religious freedom on a regular basis. During the period covered by this report, U.S. Embassy and consulate officials met with important leaders of all the significant minority communities. The NGO and missionary communities in the country are extremely active on questions of religious freedom, and mission officers meet with local NGO's regularly.

In December 2000, a U.S. Department of State official visited Delhi and Mumbai to meet with Hindu, Christian and Muslim leaders, human rights activists, and government officials about religious freedom problems in the country.

On the behest of the U.S. Embassy, the Indian Government extended a formal invitation to the U.S. Commission on Religious Freedom to visit later in 2001.

[End]

Released on October 26, 2001

[International Religious Freedom Report Home Page](#)

This site is managed by the Bureau of Public Affairs, U.S. Department of State. External links to other Internet sites should not be construed as an endorsement of the views contained therein.