

India Considers Criminalizing Religious Liberty



NEW DELHI?Two members of India's ruling Bharatiya Janata Party (BJP) announced they will introduce bills in their respective houses of parliament to criminalize religious conversion without government approval.

?The bill will advocate for a non-bailable warrant to be issued against the person found engaged in the act [of conversion], along with a ten-year jail [sentence],? says MP Tarun Vijay, who plans to table an anti-conversion law in the Upper House of Parliament this November. MP Yogi Adityanath, calling religious conversion ?anti-national,? says he will introduce a similar bill in the Lower House. Such a law would make national legislation that already exists in six Indian states, which regulate religious conversion, usually by requiring people inform and seek approval from a local magistrate before converting.

?Passing a national anti-conversion law in India, or anywhere, is an attempt to democratically eliminate the most basic human rights of a democratic society,? remarks South Asian affairs analyst Pieter Friedrich. ?What modern government presumes to regulate the thoughts of its citizens? India stands on the verge of criminalizing religious liberty.?

India's proposed anti-conversion law comes on the heels of a new constitution in Nepal which includes provisions criminalizing the freedom of conversion. Declaring it ?punishable by law? to engage in an act ?to convert another person from one religion to another or any act or behavior to undermine or jeopardize the religion of each other,? the provision was only adopted after Indian BJP vice-president Bhagat Singh Koshiyari visited Nepal to call for a total legal ban on conversion.

Amit Shah, president of the BJP and a close advisor to Prime Minister Narendra Modi, last year called for a national anti-conversion in India, stating: ?The government is ready to bring in a law against forced conversions?. If you feel the state government's laws are not effective, there is need for an all-India law.?

Critics, however, point out that most of the laws define force as ?including threat of divine displeasure or social excommunication? and that the laws have been used to falsely charge members of various religious communities who believe their faith requires acts of charity alongside calls to conversion.

Bhajan Singh, for instance, is concerned that the BJP is using anti-conversion laws to establish a Hindu state. ?These laws are biased against India's religious minorities,? warns Singh, who is founding director of US-based human rights group Organization for Minorities of India (OFMI). ?They prevent people from leaving Hinduism by free choice but empower violent Hindu nationalists to convert minorities to Hinduism against their will. Ordering people to apply for permission from the government if they want to escape the harsh confines of the Hindu caste system is tyrannical.?

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