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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

IMPACT OF ANTI-CONVERSION LAWS IN INDIA ON RELIGIOUS MINORITIES- A CRITICAL ANALYSIS

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Abstract

India's anti-conversion laws, enacted at the state level with the apparent purpose of preventing forced conversions, have raised significant constitutional, social, and legal concerns. While these laws claim to protect religious freedom by prohibiting conversions through force, fraud, or inducement, the vague and ambiguous language, along with the selective enforcement have disproportionately impacted religious minorities, particularly Muslims and Christians. This paper seeks to critically analyse the development, implementation, and impact of these laws in India on religious minorities, with a specific focus on the Christian and Muslim community. It examines the constitutional challenges, in light of Article 25 of the Indian Constitution, which guarantees the right to freely practice, profess, and propagate religion.

Additionally, the paper explores the political and ideological motivations behind the enactment of these laws, linking them to the rise of majoritarian nationalism. By assessing legal precedents, available empirical data on prosecution under these laws, and international human rights standards, this study attempts to highlight the discriminatory application of these laws and their role in exacerbating religious polarization. The author attempts to provide reforms that could potentially contribute towards upholding religious freedom and preventing the misuse of anti-conversion laws against marginalized communities.

Introduction

Anti-conversion laws should ideally seek to prevent forced conversion from one religion to another. Essentially it seeks to prohibit conversion without a person's will. They are state-level statutes that have been enacted to regulate religious conversions. Currently, anti-conversion laws are operative in eight states in India. Odisha, Madhya Pradesh, and Arunachal Pradesh have had anti-conversion laws for decades, while Gujarat, Himachal Pradesh, Jharkhand, Uttarakhand and Chattisgarh have implemented such laws more recently. The most recent

implementation of such law was seen in the state of Uttar Pradesh. In this paper, common provisions among the laws of each state will be analysed, with reference to the rate of prosecution of religious minorities under these laws.

The Constitution of India, under Article 25, grants religious freedom and is a corner upon which India's democratic edifice has been built—since individuals have the freedom to profess, practice, and propagate their religion. Due to concerns about forced or fraudulent religious conversions, however, the Indian states of many persuasions have enacted anti-conversion laws. Typically known as "Freedom of Religion Acts," these statutes aim to regulate coercive conversions by criminalizing all conversions via force, fraud, or allurement. On paper, the stated intention of such legislation would be to safeguard people from being manipulated in the exercise of religion, but in practice, they have had a profoundly social and legal impact, especially on religious minorities.

Anti-conversion laws are criticized in that they often involve targeting religious minorities, especially Christians and Muslims. Even the threat to report increased harassment, intimidation, and prosecutions at legal levels show that the purpose of enactment is often political and social in nature, and aggravates the divide between religions. Ambiguity in terms such as "force," "fraud," or "inducement" has led to the concern these laws might be misused. This poses the challenge of balancing protection of people from exploitation or coercion, against upholding a constitutional right to religious freedom.

India's Anti-Conversion Laws- Development and Loopholes

Laws restricting religious conversions can be traced back to Hindu princely states during the British Colonial period—mainly “during the latter half of the 1930s and 1940s. These laws were enacted in an attempt to preserve Hindu religious identity in the face of British missionaries.¹ Some of the laws from that period include the Raigarh State Conversion Act, 1936; the Surguja State Apostasy Act, 1942; and the Udaipur State Anti-Conversion Act, 1946.²

¹ James Andrew Huff, Note, *Religious Freedom in India and Analysis of the Constitutionality of Anti-Conversion Laws*, 10(2) Rutgers J. L. & Religion 1, 4 (2009), <http://www.lawandreligion.com/sites/lawandreligion.com/files/A10S-6Huff.pdf>, archived at <https://perma.cc/7Z7Y-9U8Q>.

² ARSHAD KHAN, ANTI-CONVERSION LAW 5 (White Dot Publishers 2023).

Post independence, anti-conversion laws were not established centrally. However, Freedom of Religion Acts began to develop at the state level in the face of rampant conversion. In 1954, Madhya Pradesh commissioned a report prepared by the Committee after such instances of conversion. It became the first state to pass an anti-conversion law. Madhya Pradesh Dharma Swathanthraniya Adhiniyam, 1967 was enacted which penalized conversion by force, fraud or allurement. It was in force till the enactment of the Madhya Pradesh Freedom of Religion Act, 2021. Following Madhya Pradesh, Orissa passed the Orissa Freedom of Religion Act, 1968, which added the concept of “inducement”. Using the Madhya Pradesh Act as the model, the Chhattisgarh Freedom of Religion Act, 1968 was passed.

In 1978, the Arunachal Pradesh Freedom of Religion Act, 1978 was passed with the intention of protecting the identity of the indigenous tribes in the State.

In 2002, Tamil Nadu passed the Tamil Nadu Prohibition of Forcible Conversion Act, 2002, which was eventually repealed in the year 2004 due to populist opposition.

In 2003, the State of Gujarat passed the Gujarat Freedom of Religion Act, 2003.

The Freedom of Religion Act, 2006 passed by the state of Himachal Pradesh was repealed and currently, the 2019 Act is in force.

In 2017 and 2018, Jharkhand and Uttarakhand passed their respective Freedom of Religion Acts.

The most recent stage of development of these laws can be seen in the states of Karnataka, Haryana and Uttar Pradesh. The state of Uttar Pradesh passed the Prohibition of Unlawful Conversion of Religion Act, 2021. Karnataka passed the Protection of Right to Freedom of Religion Act, 2022. Haryana passed the Prevention of Unlawful Conversion of Religion Act, 2022, as well as the corresponding Haryana Prevention of Unlawful Conversion of Religion Rules, 2022. The states of Goa and Maharashtra are considering passing similar laws.

Broadly, all these laws have been enacted claiming to prohibit conversions by force, fraud, and inducement or allurement. The Acts state that no person shall convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use of force or by inducement or by any fraudulent means, nor shall any person abet any such conversion.

The main criticism of these laws is that key terms that determine whether a conversion should be penalized, such as ‘force’, ‘fraud’, ‘allurement’ and ‘inducement’ are not clearly defined.

This opens up the possibility for easy misuse of the laws to penalize any type of conversion activity, threatening the choice of individuals to voluntarily convert to another faith. It also brings non-coercive religious activities within its ambit by virtue of this broad and ambiguous language.

Further, the language used in conversion laws often neglects the rights of individuals to convert freely. It focuses on the idea of protecting vulnerable groups, which although done with the intention of protecting them from forcible conversions, makes it possible to obscure the personal nature of religious identity and the right to choose one's faith.

The laws also prescribe mandates to notify the government of one's intent to convert. This brings up the issue of increased increased scrutiny and regulation of conversions, alongside growing Hindu nationalism, which has significant implications for religious minorities, as the laws can restrict their freedom to change their religious identity and can be used to justify state intervention in personal choices.

Another feature of the laws is the burden-shifting provisions, that can be observed in 7 of them is the requirement of individuals who are accused of breaching an anti-conversion law to demonstrate their innocence³. The states in question are Gujarat, Haryana, Himachal Pradesh, Karnataka, Madhya Pradesh, Uttarakhand, and Uttar Pradesh. For instance, section 12 of the Freedom of Religion Act, 2021 in Madhya Pradesh specifies that the responsibility to prove whether "*a conversion was not carried out through misrepresentation, allurement, threat or use of force, undue influence, coercion, or through marriage or any other deceitful means, rests with the accused.*"⁴ The right of the accused, as in other cases, to be presumed innocent until proved guilty, is done away with under these laws.

Based on reports from the United States Commission on International Religious Freedom (USCIRF) from 2016⁵ and 2018⁶, there have been very few arrests or legal actions taken under these laws, yet they foster a hostile, and sometimes violent, climate for religious minority communities since they do not necessitate any proof to back accusations of misconduct. The

³ United States Commission on International Religious Freedom, *Issue Update on India's State-Level Anti-Conversion Laws* (March 2023).

⁴ The Madhya Pradesh Freedom of Religion Act, 2021, §. 12.

⁵ United States Commission on International Religious Freedom, Annual Report 2016.

⁶ United States Commission on International Religious Freedom, Annual Report 2018.

USCIRF's Annual Report for 2020⁷ categorized India as a "country of particular concern," and subsequent reports, up to 2024, have upheld this designation, calling for the U.S. government to impose sanctions on Indian officials implicated in abuses. The recent USCIRF Annual Report of 2023⁸ indicated that the state-level anti-conversion laws in India contravene international human rights law's safeguards for the right to religious freedom or belief.

Constitutional Challenges

The constitutionality of the anti-conversion laws in India have been called into question in many instances, given their position with respect to the freedom of religion and conscience guaranteed as a fundamental right under Article 25, along with the right to choice, privacy, personal liberty, marriage, and dignity under Article 21.

In *Rev. Stanislaus v. State of Madhya Pradesh*⁹, the Supreme Court held that Article 25 of the Constitution does not include the right to convert others. The Court clarified that while individuals have the right to spread their religion through the exposition of its tenets, forced or induced conversions are not allowed under Article 25. This judgment has since been used as precedent to justify the enactment of anti-conversion laws.

In *Shafin Jahan v Ashokan K.M*¹⁰, while upholding the validity of the marriage between Hadiya Jahan (originally Akhila Ashokan), who converted to Islam during her medical studies in Coimbatore, and a Muslim man named Shafin Jahan, the Supreme Court identified the right to change religion as a fundamental right. This underscores the controversy surrounding anti-conversion laws, which are viewed as potential infringements on this constitutional freedom.

The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 was challenged before the Allahabad High Court in *Ruksar v. State of Uttar Pradesh*¹¹. The Court observed that frequent interference with prosecutions at the initial stage would hinder the law's intended objectives, indicating judicial concerns regarding the potential for misuse and arbitrary application of such laws.

⁷ United States Commission on International Religious Freedom, Annual Report 2020.

⁸ United States Commission on International Religious Freedom, Annual Report 2020.

⁹ *Rev. Stanislaus v. State of Madhya Pradesh*, (1977) 1 SCC 677.

¹⁰ *Shafin Jahan v. Asokan K.M.*, (2018) 16 SCC 408.

¹¹ *Ruksar v. State of Uttar Pradesh*, 2024:AHC:101896-DB.

In *S. Pushpabai vs. C.T. Selvaraj*¹², the Supreme Court reiterated that individuals have the right to convert to another religion, provided that such conversion is voluntary and genuine. The Court stressed that coercion, fraud, or misrepresentation in religious conversions violate the constitutional guarantee of religious freedom.

A major constitutional challenge to anti-conversion laws was raised in *Citizens for Justice and Peace v. State of Uttar Pradesh*¹³, wherein a writ petition was filed in the Supreme Court in December 2020 challenging the validity of these laws. The contention was that such laws are rooted in unsubstantiated claims of ‘love jihad’ and infringe upon fundamental rights, including personal liberty, privacy, freedom of choice, and freedom of conscience. The case remains pending before the Supreme Court. The decision is likely to have a significant impact on the legal landscape surrounding religious conversions in India.

Further, in *Rev. Suresh Carleton & Ors. vs. the State of M.P. & Ors.*¹⁴, the Madhya Pradesh High Court found Section 10 of the Madhya Pradesh Freedom of Religion Act, 2021 (MPFRA) prima facie unconstitutional. This section mandates that individuals intending to convert, along with the officiating priest, to notify the district magistrate 60 days in advance. The court’s ruling challenges the provision for placing unreasonable restrictions on religious freedom. The states of Gujarat and Madhya Pradesh have since appealed this decision before the Supreme Court, bringing further attention to the constitutionality of prior notification requirements in conversion laws.

These judicial pronouncements and pending decisions highlight the constitutional complexities surrounding anti-conversion laws in India. While proponents argue that such laws prevent forced conversions, it is met with the criticism that they disproportionately target religious minorities and infringe upon fundamental freedoms.

International Perspective

This section provides a review of the enactment of anti-conversion laws in the context of international human rights protection. In the international scale, the right of an individual to convert to a different religion or belief, or to become non-religious, is protected under Article

¹² *S. Pushpabai v. C.T. Selvaraj*, AIR 1971 SC 1180.

¹³ *Citizens for Justice and Peace v. State of Uttar Pradesh*, WP (CrI) 428/2020.

¹⁴ *Rev. Suresh Carleton v. State of M.P.*, 2022 SCC OnLine MP 6054.

18 of the Universal Declaration of Human Rights¹⁵ (hereinafter referred to as 'UDHR'). The International Covenant on Civil and Political Rights¹⁶ (hereinafter referred to as 'ICCPR') provides that everyone has the freedom to have or to adopt a religion or belief of their choice under Article 18(1), while also prohibiting any individual or group of individuals from converting any other individual or group of individuals to a different religion or to no religion at all through coercion, under Article 18(2). Further, General Comment 22, the United Nations Human Rights Committee's¹⁷ interpretive guidance to ICCPR Article 18, affirms that the right to freedom of religion or belief does not permit any limitations whatsoever, on the freedom to have or adopt a religion or belief of one's choice. This corroborates the international stance of protecting an individual's choice to convert, provided that such choice is taken voluntarily and free of coercion.

The USCIRF Issue Update on India's State-Level Anti-Conversion Laws¹⁸ suggests that certain provisions of these laws, such as those aimed at preventing so-called "Love Jihads", violate international human rights law as they curd individuals' freedom to change their religious beliefs. Further, the USCIRF Annual Report of 2024¹⁹ has suggested to designate India as a Country of Particular Concern (hereinafter referred to as 'CPC'), which is given to country that has engaged in or tolerated particularly severe violations of religious freedom. This is observed in the backdrop of a series of actions that have been taken, such as detention under the Unlawful Activities Prevention Act, the proposed National Register of Citizens which exacerbate the fear of losing citizenship among Muslims, who lack protection under the Citizenship (Amendment) Act, 2019. The designation of CPC to India can be attributed to this, along with the manner in which these policies are executed, which has enabled intolerance of religious minorities and exacerbated communal divides, resulting in violence, deaths, injuries, sexual assault, destruction of property including houses of worship, arbitrary detentions, harassment and social boycotting of religious minorities. The treatment afflicted to these communities under the state-level religious freedom acts have worsened the conditions, hence making the situation in India a matter of concern in the international domain.

¹⁵ Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. GAOR, 3rd Sess., Supp. No. 13, U.N. Doc. A/810, Art. 18 (Dec. 10, 1948).

¹⁶ International Covenant on Civil and Political Rights," Dec. 16, 1966, 999 U.N.T.S. 171.

¹⁷ General comment no. 32, Article 14, UN. Human Rights Committee (90th sess. : 2007 : Geneva).

¹⁸ *supra* note 3, at 2.

¹⁹ United States Commission on International Religious Freedom, Annual Report 2024.

Impact on Religious Minorities

According to the 2011 national census, the most recent year for which disaggregated figures are available, Hindus constitute 79.8 percent of the population; Muslims, 14.2 percent; Christians, 2.3 percent; and Sikhs, 1.7 percent.²⁰ This Section deals with the impact of anti-conversion laws specifically on the Muslim and Christian communities. This is sought to be done by looking into the prosecution under these laws, specifically the ones in force for a longer period of time such as the Madhya Pradesh and Chattisgarh Acts, along with tracing the violence that has been inflicted against these communities against the backdrop of the execution of the said laws.

To understand the impact of anti-conversion legislations on religious minorities, the background and circumstances of passing of the legislation can be looked into. The first wave of these laws, which came with the passing of the Orissa Freedom of Religion Act, 1967 and the Madhya Pradesh Freedom of Religion Act, 1968. Both laws sought to prohibit conversion from one religion to another by the use of “force” or inducement or by “fraudulent means”. It is the ambiguity within this phrase which puts the minorities at risk of being wrongly accused of unlawful conversion under these laws. In the context of the Christian community, for instance, ‘fraud’ might encompass the Christian belief in the afterlife, as it cannot be substantiated. ‘Allurement’ could suggest the endorsement or financial support of the diverse educational or medical services that the Christian community provides nationwide²¹.

Another wave of these laws in the 1990s emerged with the rise of BJP as a political force at the national level. The influence of these laws during this period can be linked to the violence perpetrated against religious minorities. This era was characterized by an increase in physical assaults targeting the Christian community. Additionally, there was a surge in publications by members of the Sangh Parivar expressing the concept of a ‘Christian threat’. The apprehension regarding this ‘threat’ led to the enactment of multiple anti-conversion laws in states governed by the BJP or its allies at the national level.

Replacing the Madhya Pradesh Dharma Swatantrya Adhiniyam, 1968, the Madhya Pradesh Freedom of Religion Act, 2021 was enacted, with the intention of preventing forcible or

²⁰ United States Commission On International Religious Freedom Country Update: India, (November 2022).

²¹ Selvaraj, M. S. *Acts of Violence? Anti-Conversion Laws in India*, 33(5) SOCIAL & LEGAL STUDIES, , 790-807 (2024), <https://doi.org/10.1177/09646639241251613>.

fraudulent religious conversions with the promise of marriage, what is termed by Hindutva groups as “love jihad”. Between the time the ordinance came into effect and the passage of the Act on March 7, 2021, at least 16 cases had been registered for alleged violation of the provisions of the law. By the end of December 2021, 68 cases had been registered under the Act across the state. This was revealed by an investigation published by The Indian Express²², in March 2021 along with the data that in at least 11 of the 21 cases registered (against 47 individuals) under the anti-conversion law until then, the women who registered the complaints knew the accused. 3 cases were lodged after the intervention of Hindutva groups, while 6 cases were filed against alleged Christian missionaries “trying to lure villagers” to convert. The legislations introduced during this phase can be viewed as more severe and are intended to impose a broader restriction on the religious freedoms of Christians compared to earlier versions in other states.

Further, a study²³ of the data regarding persecution under the Madhya Pradesh Freedom of Religion Act, 2021 suggests a correlation between enforced anti-conversion laws and increased violence against minorities. According to the study conducted in between 2019 and 2020, Madhya Pradesh has the highest number of cases of anti-Christian persecution in India among states enforcing anti-conversion laws.

In 2018, Madhya Pradesh recorded three times more cases of violent anti-Christian persecution than Haryana and more than twice as many as West Bengal, despite all three states having a similar ratio of Christian populations (Madhya Pradesh at about 0.23%, Haryana at 0.20%, and West Bengal at 0.72%)²⁴.

The study further indicates that incidents in Madhya Pradesh are largely linked to allegations of religious conversion, whereas similar incidents are absent in Haryana and West Bengal, suggesting a correlation between enforced anti-conversion laws and increased violence.

This paragraph seeks to break down the methodology employed in the said study, to provide

²² Iram Siddique, *MP law on declaring intention to convert illegal: What the HC said*, THE INDIAN EXPRESS (Mar. 3, 2024, 11:22 PM), <https://indianexpress.com/article/explained/explained-law/mp-conversion-law-illegal-hc-8279689/>.

²³ Nilay Saiya and Stuti Manchanda, *Anti-conversion laws and violent Christian persecution in the states of India: a quantitative analysis*, 20(3) 587–607 ETHNICITIES (2020).

²⁴ *Id.* At 17.

an understanding of the findings of the above study. The study by Saiya and Manchanda was done by employing a negative binomial regression models to investigate how anti-conversion laws influence violent acts of anti-Christian persecution. This revealed that states that implement anti-conversion laws are notably more prone to violent incidents targeting Christians than those without such regulations. The Incidence Rate Ratios (IRR) demonstrate that: In Model IRR1, states with anti-conversion laws report 7.42 times the number of Christian victims when compared to states that do not have these laws. The IRRs of 10.57 and 8.87 in Models IRR2 and IRR3, respectively, suggest that states upholding anti-conversion laws are inclined to experience over 10 and 8 times the number of Christian victims relative to states lacking anti-conversion legislation. These results are an indication of the substantial relationship between the implementation of anti-conversion laws and the rise in violence against Christians in India.

The most recent phase of the laws emerged with the resurgence of the BJP on the national scene since 2014. In this phase, legislative measures were introduced in BJP-led states such as Jharkhand (2017) and Uttarakhand (2018), as well as in Uttar Pradesh (2021), Karnataka (2022) and Haryana (2022). Moreover, existing laws have been modified to become more stringent in Gujarat (2021) and Himachal Pradesh (2022).

Anti-conversion legislation in Karnataka can be traced back to physical violence which took place in the Dakshin Kannada district in 2008, known as the 'Church Attacks'. In September 2008, churches were vandalized in different parts of Karnataka like Mangalore, Udupi, Kolar, Bellary.²⁵ This occurred alongside widespread violence against Christians in Orissa. Various reports from civil society and government highlighted the involvement of Hindutva-aligned groups in this incident of violence, as well as the ineffectiveness of the police and the state BJP administration.²⁶

The impact of anti-conversion laws in India on the Muslim community can be decoded by looking into the intertwining of the emergence of these laws with the legal and political histories of personal laws. Structural aspects such as the distribution of power in the society,

²⁵ *Karnataka church attacks: Moily slams report*, NDTV (Mar. 3, 2024, 11:28 PM), <https://www.ndtv.com/india-news/karnataka-church-attacks-moily-slams-report-446303>.

²⁶ National Commission for Minorities, 2008; National Human Rights Commission of India, 2009; Karnataka State Human Rights Commission, 2010.

along with political or social pressure play a role in governing identity of a religion. Earlier judicial decisions have reflected the idea of Hindu primordality. This suggests that minority religions were denied a distinct and separate status, in the context of conversion. In *R Y Prabhuo v. P K Kunte*²⁷, laid that a Hindu may embrace a non-Hindu religion without ceasing to be a Hindu. The idea of 'Hindutva' has had the effect of portraying other religions as potential threats or the reasons for encroachment in the future. Emergence of anti-conversion laws under such a background reveals the controversy with the laws and their implementation.²⁸ There is reflection of growing unease with conversion, especially in the context of Hindu nationalism.

There also exists the problem of lack of uniform application of the anti-conversion laws in India. According to the USCIRF Annual Report 2024²⁹, in Chhattisgarh, where approximately one-third of the population is Adivasi and less than two percent identify as Christian, 13 pastors were apprehended for allegedly coercing Adivasis into converting to Christianity. The report further reveals that as of May 2023 in Uttar Pradesh, more than 855 individuals were reported to have been arrested on charges of illegal conversion since the introduction of the state's anti-conversion law in 2020. In 2023, NGOs documented 687 incidents of violence against Christians, who continued to face detention under various state-level anti-conversion regulations. In January, Hindu mobs in Chhattisgarh attacked Christians, vandalizing churches and attempting to "reconvert" individuals to Hinduism. About 30 individuals were assaulted for their refusal to give up their faith. The same month, two Christians were detained without bail, facing accusations of forcibly converting members of Scheduled Tribes and Scheduled Castes.³⁰

Despite allegations of forced conversions to Hinduism, there appears to be no official action taken under these laws against such conversions.³¹ This indicates a potential bias in the enforcement of anti-conversion laws, which may only serve to restrict the rights of minority

²⁷ Ramesh Yeshwant Prabhuo (Dr) v. Prabhakar Kashinath Kunte, (1996) 1 SCC 130.

²⁸ Kumkum Sangari, *Gender lines: Personal Laws, Uniform laws and Conversion*, 27 SOCIAL SCIENTIST 17-61 (May-June 1999), .

²⁹ *supra* note 19.

³⁰ *Id.*

³¹ See for example the Human Rights Watch Report, *Overview of Human Rights Developments: India* (1999), <http://www.hrw.org/wr2k/Asia-o4.htm#TopOfPage>. See Harsh Mander, *A Heavy Cross to Bear*, Hindustan Times, June 27, 2007).

religions.³²

It is the interplay of electoral politics, political agenda, along with the ambiguity of the anti-conversion laws that open up the possibility of misuse and serve as a threat to the interests of religious minorities. The issue lies in the discriminatory application of the laws as a consequence of all these facts. Prohibitions against proselytism are considered discriminatory if they disproportionately affect religious minorities. The laws may be framed in a way that allows for their application primarily against these groups, undermining the principle of equal treatment under the law, which is mainly the problem with the ambiguity in these laws.

Recommendations

In order to counter the challenges posed by these laws, specifically in the context of accruing protection to religious minorities, certain reforms can be made. Effective reform can be made mainly if changes are made from the side of the state. Change has to be brought with respect to the language of these laws. Clearer definitions, specifically of the terms- fraud, force, inducement, allurement, can prevent the misuse and arbitrary enforcement of the laws and. It can protect people from being falsely accused and harassed under the said laws. Further, enactment of rules by each state under their respective state law, can be used to prescribe a clear procedure to investigate and charge individuals under the laws. This can prevent the criminalization of voluntary religious conversions and, further it could contribute to effective prevention of genuinely coercive practices, that constitute the real problem.

Another amendment that can be useful is with respect to the burden of proof provision. Rather than placing the burden to prove their innocence on the accused, which puts them at a disadvantageous position from the beginning, the burden of proof should be placed on the person making the accusation, as is the case in other criminal acts.

Introduction of a committee independent of the state to monitor prosecution under these laws could be another way of preventing arbitrary application of the laws in question. This will serve as a legal reform that is insulated from majoritarian politics, ensuring that religious freedom is protected irrespective of political considerations.

³² Laura Dudley Jenkins, *Legal Limits on Religious Conversions in India*, 71 LAW AND CONTEMPORARY PROBLEMS, SPRING, (2008). 71.