

LEGALFOXES LAW TIMES**VIOLENCE IN THE NAME OF RELIGION IN INDIA****By Shalini Dey and Nishan Dey****ABSTRACT**

India is a secular country and it has been home to people of various religions, caste, creed, sex, colour. But after independence, it has faced a lot of communal violence and riots. These issues have played a negative role in the development of the country, both socially and economically. The Indian Constitution has many provisions to maintain peace and harmony among the people of different religions but nothing could stop the break out of the religious riots which took place at different times. This paper deals with the incidences which shook India in different times and the bad effect it left on the country. This paper will also come up with solutions to curb the various religious issues.

INTRODUCTION

Secularism has always been an integral part of the Indian Constitution, freedom of religion is a fundamental right which is provided to all citizens of India. Religion has always been one of the most important aspect in India compared to other countries, The Constitution of India has many laws for the protection of the various religions prevalent in the country and there are punishments for people those who misuse those laws. Religion plays an important role in every individual's life. It deals with the moral and sentimental values of an individual. As time has passed, people have been taking the cover of religion to commit various crimes. In recent times, religious violence has become a part of daily life. From Exodus of Kashmiri Hindus in 1989 to JamiaMillia Attack in 2020, our country has seen a lot of violence and blood bath in the name of religion. Despite of the secular and religiously tolerant Constitution of India there are numerous amount of communal riots and religious disputes among the country. The main reasons behind the religious violence are: race of supremacy and political influences for personal benefits.

In the first reason, people choose the path of violence to prove their religion to be superior over the other religions or when there is a threat to the minority. Now comes the most important reason that, is by political influences. In India, politics and religion are very closely related to each other, they cannot survive without each other. Often political leaders use religion to manipulate people for their own benefits. People are manipulated to such an extent that they commit many heinous crimes in the name of religion. This hatred for other religions has been coming down from a very long time and it's still very much prevalent in today's society. In this article we will focus on the roots of this issue and we will also suggest certain remedies to eradicate the problem.

India has witnessed religious violence and riots on a large-scale since its independence from the British colonial rule. A tremendous amount of sectarian strife and bloodshed had been caused by the aftermath of the Partition of India in 1947 in order to create a separate Islamic state for the Muslims. Since then, India has experienced occasional violence to a great extent which were triggered by underlying tensions between sections of the Hindu and Muslim communities. Furthermore, it has been observed that these conflicts also stem from ideologies of hard-line right wing groups versus Islamic Fundamentalists prevalent in select sections of the population. India has consistently maintained a constitutional commitment to secularism.

Gujarat Communal Riots,1969-

Between September and October, 1969¹ a religious violence broke out between the Hindus and the Muslims in Gujarat. The state had experienced the most fatal Hindu-Muslim riot that the country had ever seen. As per the Jagamohan Reddy Committee which was formed to investigate this riot, there were 660 deaths, 1074 people had sustained injuries, and 48000 people were made homeless. A total of 37 mosques, 50 dargahs, 6 kabristans and 3 temples were damaged. The riot was attributed to an attack on a Hindu temple on September 18, 1969 by the independent columnists at that time. The riots had initiated in Ahmedabad and had eventually spread in other parts of Gujarat.

¹enewsinsight.com

1969 in particular marked the crumbling down of the Gandhian consensus over Hindu-Muslim harmony, and in turn the success of the Hindu nationalism in Gujarat's modern politics. This event was marked as the first major ethnic violence in the post-independent Gujarat. It was predominantly associated to certain socio-economic factors such as the reducing significance of the cotton textile mills in Ahmedabad. However, this reasoning was only partly true since the use of religious bigotry was somewhat delinked with economic problems. Ahmedabad was the worst hit with maximum casualties and where the Gandhi Ashram was attacked. Participation of neighbours in violence against each other, especially the city's mill workers transcending the barrier of the class solidarity was a unique feature observed in this 1969 riot.

Anti-Sikh Riots, 1984

The anti-Sikh massacre that occurred in 1984² refers to a series of planned and organized programs against the Sikh community all over the country by anti-Sikh mobs as a revenge for the assassination of the then Prime Minister Indira Gandhi by her Sikh bodyguards. As a consequence of the assassination that took place on October 31, 1984, the anti-Sikh riots erupted in various areas for several days, killing more than 3000 Sikhs in New Delhi and about 8000 across India. The anti-Sikh mob members carried knives, iron rods, clubs and combustible materials such as petrol and diesel. They barged into the Sikh neighbourhoods and killed ruthlessly. This violence continued to exist throughout the 1980s due to the armed separatist Khalistan Movement, which sought independence from India. The Sikhs separatists in Punjab continued to commit serious human right abuses which included massacre of civilians, attacks³ on Hindu minorities and indiscriminate bomb attacks in crowded places. A number of witnesses, perpetrators and victims have died since the deadly incident, making hopes for justice more and more remote with each passing day. Alleged threats and intimidation of witnesses by powerful suspects lead to collapse of many legal cases.

²gulfnews.com

³hrw.org

Exodus of Kashmiri Pandits From 1989 to 1990

Exodus of Kashmiri Pandits was an unfortunate event which took place between 1989 to 1990. In this period all the Kashmiri Pandits were asked to leave from the Kashmiri Valley due to sudden outburst of terrorism. Thousands of people fled from Kashmir and many were brutally killed during this time period. It all started when Gullam Mohammad Shah came into power after snatching the position from his brother in law Farooq Abdullah and became the Chief Minister of Jammu and Kashmir. He wanted to construct a mosque named Shah Masjid and started to construct it with in the premises of an ancient temple in Jammu.

Protests broke out in Jammu and Kashmir which lead to rallies and marches by Hindus against the decision of Mohammad Shah. When Mohammad Shah returned to Kashmir, observing the current scenario he provoked the Muslims saying that their religion Islam was in danger. As a result, Kashmiri Pandits came under the radar of the Kashmiri Muslims and as a result they were being attacked. Their houses were burnt, they were brutally killed and women of the families were raped. Muslim groups robbed and broke temples. The worst affected areas were South Kashmir and Sopore. Gullam Mohammad's government was dismissed in the same year in the month of March by Governor Jagmohan. Kashmiri Muslims started a liberation front in Jammu and demanded for independence of Kashmir from India. Many prominent leaders of Kashmiri Pandits were killed, which lead to fear among the minds of the Pandits. This made the Pandits to leave Kashmir valley to save their lives.

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"OUR MISSION YOUR SUCCESS"

Demolition of Babri Masjid, 1992

Babri Masjid also called the mosque of Babur in Ayodha, Uttar Pradesh, India. According to the inscriptions on the monument it is considered to be built in the year 935 of the Islamic Calendar. The location of the mosque has always been a matter of dispute between Muslims and Hindus, the latter stating that it was built on Ram Janmaboomi, The site that was believed to be the birth place of Hindu deity Lord Rama. The first known conflict was noted in 1853 during a time of socio political transition throughout India. After the independence of India in 1949, Hindus started bringing in pictures of Lord Rama into the Mosque.

A campaign was launched in 1984 to remove the mosque and build a Hindu temple in that place. The movement gained pace in the coming years, leading to Hindu Muslim riots in 1990. This helped the BharatiyaJanta Party to gain position in many states including UP.

On 6th December 1992, forces of Hindu activists and members of Shiv Sena destroyed the mosque. Many court battles followed this incident, the land was divided between Hindu and Muslim in 2010 by the High Court. In 2019 the land was given exclusively to the Hindus by the Supreme Court

Godhra Train Burning, 2002

As suggested by most reports, the Godhra train incident⁴ which took place in Gujarat was the beginning point for the massacre and barbarism of Muslims that followed. Out of the 60 people who were killed in the train attack, most of them were Hindus. Later, Hindu militants destroyed Muslim properties by looting and burning them for many days, resulting in approximately 5000 casualties. As per the initial reports, this was an organised attack which was planned beforehand by the Muslims on the Sabarmati Express train against innocent Hindu activists who were travelling from Ayodhya to Godhra. During their journey from February 25 until they reached Godhra on February 27, the passengers which also consisted of Muslims, witnessed a wave of terror, mischief and fear inflicted upon them by the activists. According to the victims, the Ramsevaks(Hindu militants) would chant anti-Muslim rhymes and slogans, insult Muslim holy places, refused to pay the tea and snack vendors and tease both fellow passengers and the women. As per the account of a police official, both the parties were at fault. There was provocation as well as reaction but the saddest part is nobody ever imagined that all this would turn into such a big tragedy.

According to a News Report: India witnessed 10,399 communal violence cases from 2004 to 2017 wherein 1605 people were killed and 30723 people were severely injured. This was declared by The Ministry of Home Affairs in reply of an RTI query.

⁴soundvision.com

Muzaffarnagar Riots, 2013

There were about 66 killings and 50000 people were displaced in this Hindu-Muslim clash that erupted on September 7 in the town of Muzaffarnagar. This was described to be as the worst riot that took place in the country in the whole decade⁵. Thousands of people fled their homes in the fear of violence. Later onwards, seven men⁶ were convicted for murdering two people in the Kawal village and rioting by a local court Muzaffarnagar. As per the police complaint, two men of Kawal village were clobbered to death for a minor altercation by five of the seven convicts. Later, remaining 2 convicts were summoned by the court under the provisions of Criminal Procedure Code when proof of their complicity in the murders emerged while the trial was going on. There was a deployment of the Army in the State for the very first time in 20 years after the clashes that broke out between the Muzaffarnagar and Shamli districts. Post this riot, more than 6000 cases were filed and about 1500 people were arrested. The Special Investigation Team (SIT) had investigated the case and had filed 175 charge sheets.

Delhi Riots, 2020

Riots broke out between Anti-Citizenship Amendment Act (CAA)⁷ and pro-CAA protestors on the eve of February 23 in North-East Delhi. The violence went on to take a communal turn and resulted into the death of 53 deaths and more than 200 people had sustained injuries. Several shops and houses were burnt down. Moreover, places of worship were also attacked. A series of events even led to this riot which included Anti-CAA protests, 2019 Jamia Millia Islamia Students and Delhi Assembly election 2020. On 22nd February, a day before the riot began about 1000 people began a sit-in protest near the Jaffrabad metro station in North-East Delhi as well as at the entry and exit gates of the metro station. Reportedly, the protest was in solidarity with the Bharat Bandh called by the Bhim Army which was scheduled to commence on February 23.

⁵bbc.com

⁶ndtv.com

⁷business-standard.com

Remedies and Conclusion

Between 2005 to 2009, an average of 130 people die per year due to communal violence in India. Many people lose their family members and houses during communal riots and religious violence. People gain nothing in this communal wars, they get involved in them just to the grounds of religious sentiments. The sentiment of the masses are misused by the political and religious leaders.

First we have to eliminate the instigators and provoking politicians. Second, by bringing people of all religion, caste, creed, sex, colour on the same page and by preventing discrimination among people. This will make people feel equal and united. Third (only if required), if problems still persists, strict actions should be taken against the people who create differences. Fourth, politicians should stop begging for votes on the basis on narrow distinctions and citizens to stop giving votes. Fifth, By spreading free and compulsory education to all citizens.

