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INDIA | Jharkhand State Introduces Anti-Conversion Bill

An anti-conversion bill was approved in India's Jharkhand State on Aug. 2 and may become law if it is approved by the State Legislative Assembly later in the year. There are concerns that the vague terminology in the bill could result in its misuse and fuel the violent targeting of religious minorities.

The Jharkhand Freedom of Religion Bill 2017 (also known as the Jharkhand Dharma Swatantra Adhinyam) was approved by the cabinet of Jharkhand's Chief Minister Raghubar Das, who is affiliated to India's ruling Bharatiya Janata Party (BJP). Since the BJP came to power in May 2014, there has been a notable shift in public discourse in India, characterized by increased hostility towards religious minorities. This trend has been encouraged by The Rashtriya Swayamsevak Sangh (RSS), the ideological arm of the BJP, which promotes a Hindu nationalist agenda.

The bill will likely be debated at Jharkhand State's Legislative Assembly, which begins Aug. 8. If approved by the majority of Assembly Members, it will become law. Anti-conversion laws, known as "Freedom of Religion Acts" are already fully enforceable in Gujarat, Himachal Pradesh, Chhattisgarh, Madhya Pradesh and Odhisa States. Similar laws also exist in Arunachal Pradesh but have not been implemented yet.

Jharkhand State's bill is identical to the anti-conversion law in Gujarat, which criminalizes conversion through allurement, force and fraud, but lacks a clear definition of these terms. Conviction carries a prison sentence of up to three years and/or a fine up to \$780. The prison term and fine increases when the person converting is a minor, woman, or member of a scheduled caste or tribe, a historically disadvantaged community in India. It also states that converting one's religion requires the prior permission of the District Magistrate.

Tehmina Arora, a human rights advocate based in New Delhi, said, "This law, like the ones in the other States, will only further incite violence against religious minorities. These laws assume

that conversion requires an external agency, overlooking the personal decision by the individual. The State should not question one's choice to change to another religion. The introduction of this new Bill in Jharkhand is a real cause of concern on freedom of religion or belief in India."

CSW's South Asia Team Leader Steven Selvaraj said, "Despite its name, the Jharkhand Freedom of Religion Bill 2017 is not designed to promote freedom of religion or belief but to restrict it by criminalizing the right to change one's religion. We believe that these laws are particularly aimed at preventing Christians from exercising their right to profess and propagate their religion. Should this Bill become law in Jharkhand, it will almost certainly create an enabling environment for hostility and violence against religious minorities, as we have seen in other states with similar laws. CSW urges India to respect its commitment to religious pluralism and its obligations under its own constitution and international law to uphold the right to freedom of thought, conscience and religion."