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Violations in Society based on Religion

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ABSTRACT

Religion is a fundamental aspect of human culture, providing guidance, values, and a sense of purpose to individuals and communities. However, throughout history and in contemporary times, violations of human rights and social justice have occurred based on religious differences. This abstract discusses the multifaceted nature of violations in society stemming from religious beliefs. It highlights key themes such as discrimination, violence, intolerance, and the infringement of basic human rights experienced by individuals and groups due to their religious affiliations. The abstract also underscores the importance of promoting religious freedom, interfaith dialogue, and a deeper understanding of diverse belief systems to foster inclusivity and mitigate such violations. By exploring case studies and examining the role of societal, political, and economic factors, this abstract seeks to provide insights into the complex dynamics that contribute to violations in society based on religion. Ultimately, it aims to raise awareness about the significance of upholding human rights and promoting a harmonious coexistence among people of various religious backgrounds.

Keywords: *Violations, Society, Religion.*

I. INTRODUCTION

Religion has been a cornerstone of human identity and culture for millennia, shaping worldviews, moral frameworks, and social norms. While many societies celebrate the diversity of religious beliefs and practices as a source of enrichment, history has also borne witness to instances where religion has been wielded as a tool to justify and perpetrate violations against individuals and groups. The intersections of religion, power, and identity have at times given rise to discrimination, persecution, and even violence. This introduction sets the stage for a comprehensive exploration of violations in society based on religion, delving into the complexities of these violations, their underlying causes, and potential avenues for redress. Throughout human history, religious beliefs have often been intertwined with cultural and political systems, creating a potent amalgamation that can either foster harmony or sow discord. Instances of violations rooted in religion are diverse and span across the globe, from historical episodes like the Spanish Inquisition and the Salem witch trials to more recent occurrences such

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as religiously motivated terrorism and systemic discrimination against religious minorities. These violations manifest in various forms, ranging from overt acts of violence to subtle forms of prejudice that permeate everyday interactions. The causes of religious-based violations are multifaceted, involving a complex interplay of factors such as socio-economic disparities, political agendas, historical grievances, and ideological clashes. In some cases, religious identity becomes a rallying point for marginalized groups seeking empowerment, while in others, it serves as a pretext for the consolidation of power by dominant groups. The dynamics of these violations are further complicated by the globalization of information, which can both exacerbate and mitigate conflicts based on religious differences. As societies become increasingly diverse and interconnected, the urgency of addressing violations based on religion becomes more pronounced. Upholding the principles of religious freedom, human rights, and social justice is essential for fostering inclusivity and maintaining stability in pluralistic societies. This exploration will delve into case studies, examining both historical and contemporary incidents, to provide insights into the intricate interplay between religion, identity, and societal dynamics that contribute to violations. Moreover, it will highlight the importance of education, interfaith dialogue, and legislative measures in mitigating these violations and promoting a culture of respect and understanding among people of differing religious backgrounds.

II. HISTORICAL PERSPECTIVES

India's ancient history is marked by religious conflicts that arose from the interactions between various religious and philosophical traditions. Disputes between different schools of thought, such as those between Buddhists and Hindus, often led to clashes and even violence. These instances highlight the complexities of coexistence among diverse religious communities.

Mughal Era (16th-19th centuries): The Mughal Empire witnessed both periods of religious tolerance and instances of religious oppression. Emperor Akbar is known for his efforts to foster interfaith dialogue and tolerance, while his successors like Aurangzeb implemented policies that favoured Islam and marginalized other religious groups. The construction of religious monuments, like the Babri Masjid, became points of contention that have reverberated through modern times.

Partition of India (1947): The partition of India and Pakistan led to one of the most devastating instances of religious-based violence in the country's history. The partition along religious lines, with Muslims migrating to Pakistan and Hindus and Sikhs to India, resulted in widespread communal violence and loss of life. The scars of this partition are still felt today, shaping India's communal dynamics.

Following the assassination of Prime Minister Indira Gandhi by her Sikh bodyguards, anti-Sikh riots (1984) erupted in various parts of India, particularly in Delhi. Thousands of Sikhs were killed, and many were displaced or had their properties destroyed. The riots exposed underlying tensions and prejudices that persisted within Indian society. The demolition of the Babri Masjid (1992) in Ayodhya sparked communal violence across India. The dispute over the site's ownership, claimed by both Hindus and Muslims, led to intense religious polarization and violent clashes. The incident remains a significant symbol of religious-based conflict and underscores the challenges of maintaining communal harmony. The Gujarat riots resulted from religious tensions following the burning of a train carrying Hindu pilgrims. The violence between Hindus and Muslims left hundreds dead and displaced thousands. The incident highlighted issues of political manipulation, discrimination, and religious extremism.

III. TYPES OF VIOLATIONS IN SOCIETY BASED ON RELIGION

- **Discrimination and Prejudice:** Religious discrimination involves treating individuals or groups unfairly based on their religious beliefs. This can manifest in various ways, including denial of opportunities, unequal treatment in education or employment, and social exclusion. Prejudice against certain religious groups can result in stereotypes, stigmatization, and bias that hinder their full participation in society.
- **Hate Crimes:** Hate crimes are violent acts or offenses committed against individuals or groups due to their religious identity. These crimes can range from verbal abuse and vandalism to physical assault and murder. Hate crimes not only harm individuals but also create an atmosphere of fear and insecurity within religious communities.
- **Religious Persecution:** Religious persecution involves the systematic mistreatment, oppression, or suppression of individuals or groups based on their religious beliefs. This can include forced conversions, destruction of religious sites, and restrictions on religious practices. Persecution can be driven by religious, political, or ideological motives.
- **Forced Displacement:** Religious-based violations can lead to forced displacement, where individuals or entire communities are forced to leave their homes due to threats, violence, or discrimination based on their religion. This displacement can result in refugees or internally displaced persons who face challenges in finding safety, shelter, and basic necessities.
- **Violence and Terrorism:** Religious extremism and terrorism can lead to acts of violence

perpetrated in the name of a particular religion. Extremist ideologies can manipulate religious teachings to justify violent actions, affecting both members of the same faith and other religious communities.

- **Censorship and Restrictions:** Governments and institutions can impose censorship and restrictions on religious practices, expressions, and beliefs. This can include limiting the construction of religious buildings, regulating religious gatherings, and controlling religious literature. Such actions impede religious freedom and hinder the free exchange of ideas.
- **Forced Conversion:** Forced conversion involves pressuring individuals to change their religious beliefs against their will. This can occur through coercion, threats, or inducements. Forced conversions undermine individuals' autonomy and violate their right to practice their chosen religion.
- **Cultural Erasure:** In some cases, religious-based violations can lead to the erasure of cultural and religious heritage. This can involve the destruction of religious sites, and traditions that hold significance for a particular religious community. The loss of cultural and religious heritage contributes to the weakening of communal identities.
- **Institutional Bias:** Religious-based violations can be perpetuated by institutional biases, where religious discrimination is embedded in laws, policies, and practices. Such biases can lead to unequal access to resources, services, and opportunities for individuals of different religious backgrounds.
- **Online Harassment and Disinformation:** The rise of digital communication has given rise to online harassment, hate speech, and the spread of disinformation targeting specific religious groups. This virtual form of violation can amplify tensions and contribute to real-world conflicts.

IV. CAUSES OF VIOLATIONS IN SOCIETY BASED ON RELIGION

- **Religious Extremism and Fundamentalism:** Extremist interpretations of religious teachings can lead to the justification of violence and discrimination against individuals or groups perceived as holding different beliefs. Fundamentalist ideologies often seek to establish strict adherence to a particular religious doctrine and exclude those who deviate from it.
- **Ethnic and Religious Identity:** Religion can be closely intertwined with ethnic identity, and differences in religious beliefs can be used to reinforce distinctions between groups.

When ethnic and religious identities align, conflicts can become more intense and deeply rooted.

- **Political Manipulation:** Political leaders and entities may exploit religious differences to consolidate power, rally support, or divert attention from other issues. This manipulation can lead to the marginalization and scapegoating of particular religious groups.
- **Economic Disparities:** Socio-economic disparities can contribute to tensions between religious groups. Economic inequities can be exacerbated along religious lines, leading to perceptions of inequality and breeding resentment.
- **Lack of Education and Awareness:** Ignorance about different religious beliefs and practices can foster misunderstanding and perpetuate stereotypes. Lack of education and awareness can create a fertile ground for intolerance and discrimination.
- **Lack of Interfaith Dialogue:** Insufficient communication and interaction between different religious communities can lead to misconceptions and mistrust. Interfaith dialogue is essential for promoting understanding and cooperation.
- **Colonial Legacy:** Colonial histories have often left lasting divides and tensions between religious groups. The imposition of foreign rule and policies can have long-term impacts on societal dynamics.
- **Territorial Disputes:** Religious sites and symbols can be at the center of territorial disputes, leading to clashes over ownership and access. These disputes can escalate into violence and contribute to broader conflicts.
- **Globalization and Communication:** While globalization can facilitate intercultural exchange, it can also amplify religious tensions by disseminating inflammatory rhetoric and extremist ideologies on a global scale.
- **Lack of Legal Protections:** Inadequate legal frameworks and protections for religious freedom can allow for discrimination and violations to persist without consequences.
- **Media Influence:** Biased or sensationalist media coverage can perpetuate stereotypes and exacerbate tensions between religious groups.

V. LEGAL FRAMEWORK

Constitution of India:

- **Article 15:** Prohibits discrimination on grounds of religion, race, caste, sex, or place of birth.

- Article 25-28: Ensures the right to freedom of religion, including the right to freely practice, profess, and propagate religion.

Protection of Civil Rights Act, 1955: Prohibits discrimination against any citizen on grounds of religion, race, caste, sex, place of birth, or any of them. Prohibition of Certain Acts: The Act prohibits various acts that discriminate against individuals on the basis of their religion, caste, race, or place of birth. It includes acts like refusing access to public places, preventing a person from using amenities, and practicing untouchability.

1. **Enhancement of Penalties:** The Act prescribes penalties for offenses related to discrimination and untouchability. It enhances the punishment for these offenses compared to the penalties under the Indian Penal Code.
2. **Offenses Cognizable and Non-Bailable:** The offenses under the Act are cognizable and non-bailable, which means that law enforcement authorities can arrest the accused without a warrant, and bail is not easily granted.
3. **Prohibition on Forcing a Person to Practice Untouchability:** The Act specifically prohibits forcing a person to practice untouchability, which includes compelling someone to undertake tasks considered degrading due to their caste or religion.
4. **Appointment of Special Courts:** The Act allows for the appointment of Special Courts to try offenses under this Act. These courts are designated to expedite the trial process and ensure effective justice delivery.
5. **Prohibition of Bonded Labour:** The Act also addresses the issue of bonded labour, a form of modern-day slavery, by prohibiting the practice and making it an offense.
6. **Powers of Enforcement:** The Act empowers certain officers, such as District Magistrates and Sub-Divisional Magistrates, to enforce its provisions and take measures to prevent and remedy violations.
7. **Protection of Witnesses:** The Act provides for the protection of witnesses who testify against the accused, aiming to encourage reporting and reduce fear of retaliation.

Indian Penal Code (IPC), 1860: Several sections of the IPC address offenses related to religious-based violations, such as promoting enmity between different groups, deliberate and malicious acts intended to outrage religious feelings, and promoting hatred and ill-will between religious groups. The Indian Penal Code (IPC) is the main criminal code of India that

comprehensively covers a wide range of criminal offenses and their punishments. It was enacted in 1860 during the British colonial rule and has been subsequently amended to reflect the changing social and legal landscape. The IPC outlines various criminal offenses, including those related to religious-based violations, and prescribes penalties for those offenses.

1. Section 153A: Promoting Enmity between Different Groups on Grounds of Religion, Race, Place of Birth, Residence, Language, etc.:
 - a. This section deals with promoting enmity, hatred, or ill-will between different religious, racial, linguistic, or regional groups.
 - b. It prohibits actions that incite communal tensions and can lead to violence or disharmony between religious communities.
2. Section 295A: Deliberate and Malicious Acts Intended to Outrage Religious Feelings of Any Class by Insulting Its Religion or Religious Beliefs:
 - a. This section addresses acts that are intended to insult the religious feelings of any class or community.
 - b. It aims to prevent deliberate attempts to provoke religious sentiments, which can potentially lead to public disorder.
3. Section 298: Uttering Words, Etc., with Deliberate Intent to Wound the Religious Feelings of Any Person:
 - a. This section pertains to uttering words or making gestures that are intended to wound the religious feelings of any individual or group.
 - b. It seeks to prevent hate speech that targets specific religious beliefs or practices.
4. Section 505: Statements Conducive to Public Mischief:
 - a. This section addresses making statements, rumors, or reports with the intent to cause fear or alarm to the public, or to promote enmity, hatred, or ill-will between different groups.
 - b. It includes statements related to religious beliefs that could incite violence or unrest.
5. Section 153B and 295: Offenses Relating to Communal Harmony:
 - a. These sections deal with offenses related to communal harmony and religious harmony.
 - b. They cover acts that disturb public tranquillity and communal harmony,

including acts related to desecration of religious places.

6. Section 298A: Offenses Relating to the Scheduled Castes and the Scheduled Tribes:

- a. While not specific to religion, this section addresses offenses that insult or humiliate individuals belonging to Scheduled Castes or Scheduled Tribes based on their identity.

7. Section 153C and 153D: Offenses Relating to Communal Harmony and Promoting Enmity:

- a. These sections were added in 2008 to address offenses related to communal harmony and promoting enmity between different religious groups.
- b. They cover actions such as publishing, promoting, or facilitating hate speech and content that can lead to communal violence.

Protection of Human Rights Act, 1993: While not specific to religious-based violations, this law establishes the National Human Rights Commission and State Human Rights Commissions to address human rights violations, including those involving religious discrimination. The National Commission for Minorities Act, 1992, is a significant piece of legislation in India that aims to safeguard and protect the rights of religious and linguistic minorities in the country. The Act establishes the National Commission for Minorities (NCM), an independent statutory body tasked with monitoring and evaluating the educational, economic, social, and cultural development of minority communities. Establishment of National Commission for Minorities:

- The Act establishes the National Commission for Minorities (NCM), which is responsible for addressing issues related to religious and linguistic minorities in India.
- The NCM is composed of a Chairperson, Vice-Chairperson, and members representing different minority communities.

2. Functions of the Commission:

- The NCM is tasked with evaluating the progress of the development of minorities in various fields.
- It monitors the working of various safeguards provided to minorities under the Constitution and other laws.
- The Commission investigates specific complaints regarding deprivation of rights and safeguards of minorities.

3. Powers of the Commission:

- The NCM has the power to summon and examine witnesses, call for records and documents, and make recommendations to address the issues faced by minority communities.

4. Reporting and Recommendations:

- The NCM submits an annual report to the President of India detailing its activities, findings, and recommendations.
- The President lays the report before both houses of Parliament, which allows for parliamentary oversight.

5. Advisory Role:

- The NCM provides advice to the Central Government on policy matters affecting minorities and their development.

6. Empowerment of the Commission:

- The Commission has the authority to inquire into complaints of deprivation of rights and safeguards of minorities and take necessary steps to address them.

VI. CONCLUSION

Violations in society based on religion remain a complex and persistent challenge, affecting individuals, communities, and societies on a global scale. Rooted in historical grievances, socio-economic disparities, political agendas, and ideological conflicts, these violations highlight the potential for religious beliefs to both unify and divide humanity. Addressing violations based on religion requires a multifaceted approach that combines legal measures, education, awareness, and interfaith dialogue. Laws such as the Indian Penal Code, the Protection of Civil Rights Act, and the National Commission for Minorities Act play crucial roles in safeguarding religious freedom and curbing discrimination. However, laws alone are not sufficient; proactive efforts to promote understanding, tolerance, and empathy among diverse religious groups are essential to foster harmonious coexistence. In the face of violations based on religion, societies must rally around shared values of dignity, compassion, and respect for all individuals, regardless of their faith. By recognizing the lessons of history, embracing dialogue, advocating for inclusive policies, and promoting education, we can collectively work towards a world where religious diversity is celebrated and where the rights of all individuals are protected, fostering a more harmonious and just future for generations to come.

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