Hearings on Religious Freedom in India and Pakistan: Arvind Sharma Prepared Testimony

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I have been asked to provide a Hindu perspective on religious freedom, to identify the diverse positions within it on the point and to comment on the relationship of Hindu nationalism to religious freedom. I shall offer my comments accordingly.

I

I would like to use article 18 of the Universal Declaration of Human Rights as the basis for advancing t1u-ee propositions:

(1) That the concept of religious freedom articulated in article 18 presupposes a certain concept of religion itself, a concept associated with Western religion and culture;

(2) That a different concept of religion, associated with Eastern and specially Hindu religion and culture, leads to a different concept of religious freedom; and

(3) That unless human rights discourse is able to harmonize these two concepts of religious freedom, ironically but not surprisingly, the clash of the two concepts might ultimately result in the abridgement of religious freedom in actual practice, India representing a case in point.

The concept of religious freedom as embedded in article 18 presupposes that an individual can only belong to or profess one religion at a time. If one believes that. one can only bel.ong to one religion at a time, then it stands to reason that religious freedom would essentially consist of one's freedom to change such affiliation by the voluntary exercise of choice.

In parts of the East, however, one encounters a somewhat different notion of religion, as illustrated by the contemporary reality of Japan. According to the 1985 census, 95% of tIle population of Japan declared itself as followers of Shinto and 76% of the same population also declared itself as Buddhist.

To turn now to India. It is well-known that most modern Hindus do not regard the various religions of Indian origin -Hinduism, Buddhism, Jainism and Sikhism -as mutually exclusive religions. If the Indian census-takers did not insist that one can only belong to one religion -significantly a British and therefore Western legacy -I would not be at all surprised if the Indian religious statistical reality began to resemble the Japanese.

What would the concept of religious freedom possibly mean in the context of , such a concept of religion. I would like to propose that it would now imply the idea of multiple religious participation rather than the idea of religious conversion. Mahatma Gandhi was once asked: What if a Hindu comes to feel that he can only be saved by

Jesus Christ? Gandhi's reply may be paraphrased thus: So be it, but "Why should he cease to be a Hindu'? (Harijan, 28-11-1936) Thus in the Eastern cultural context, freedom of religion means tIlat the person is left free to explore his or her religious life without being challenged to change his or her religion. Such exploration need not be confmed to anyone religion, and may freely embrace the entire religious and philosophical heritage of humanity.

I can now advance to, and advance, the third proposition. According to one concept of religion-described earlier as Western-freedom of religion consists of freedom to change one's religion when faced with a religious option. According to another concept of religion-described earlier as Eastern-freedom of religion consists of not having the need to do so w-hen faced with such an option.

Recent events in India indicate that the simultaneous operation of these two concepts can lead to religious yolatility .India's religious culture is hea,,'ily imbued with the Eastern concept of religion, India's political culture relies heavily on the Western concept of it. The tensions now building up in India seem to lend support to this third proposition. A number of states in India have introduced Freedom of Religion Bills. These legislations require prior clearance from government authorities before a conversion can be carried out. Hindus are resentful because conversion is thereby still allowed; Christians are resentful because conversion is thereby impeded! Thus proponents of both Western and Eastern concepts of religion can allege that these enactments restrict religious freedom.

II

In this second part of my presentation I would now like to examine the Hindu attitude towards conversion in more detail, in vie\v of its centralit)' to the Hindu understanding of religious freedom. I shall confme my discussion to the range of opinion regarding conversion found in Hinduism to the modem period; that is, in the post-1800 period. During this peliod t\vo attitudes in the main towards conversion can be clearly identified.

1. Most modem Hindus are opposed to the idea of conversion from one religion to another per se. This opposition is rooted in the neo-Hindu doctrine of the validity of all paths to the divine. If all paths are valid, then conversion from one religion to another does not make much sense. Two counter arguments against this position now may be considered: (1) if all religions are valid then why object to conversion from one to the other and (2) sometimes it might be in a person's interest to change to another religion, to ensure one's spititual progress. One neo-Hindu response to the first point would be that conversion often involves cultural violence and so if all religions are valid the relevant question is not "why not" but "why"? As for the second, one neo-Hindu response urges that if all religions are valid this makes all of them members of a fraternity .So if someone feels that one's spiritual progress will be speeded up by adopting another religion there is no harm in doing so, but does one have to abandon one's religion in order to adopt another?

2. Some modem Hindus also believe that while conversion from Hinduism, like conversion from any religion, is undesirable yet conversion to Hinduism in India should be tolerated, and even encouraged. According to them the conversion of Hindus to Islam and Christianity, specially during Islamic and British Rule, took place during Hinduism '8 times of troubles, and therefore such reconversion is now valid, as it represents the rigluing of a historical wrong.

If the first position may be described as the neo-Hindu position then this second position could be called the Hindu nationalist position. It should be noted though that both are equally opposed to conversion from Hinduism.

III

I would now like to refer back to article 18 as I conclude, for it constitutes the bedrock provision for religious freedom in human rights discourse. It should not come as a surprise, in the light of what has been said, that according to most. Hindus article 18 does not help insure genuine religious freedom because it seems to stack the deck in favour of the proselytizing religions. It recognizes the right t.o change one's religion, but " does not, equalemphatically recognize one's rightto retain one's Teligion. It seems to recognize one's right to proselytise, but does not, equally emphatically, recognize one's right not to be made an object of proselytization. I thank you