

In the Name of Religious Freedom Swami Dayananda Saraswati

The controversy and alarmist rhetoric surrounding the recently passed Freedom of Religion Act in Himachal Pradesh can be addressed, to a large extent, simply by reading the Act. As with all other so-called 'anti-conversion' Acts, there is no prohibition of professing and practicing one's religion anywhere in it. Yet such acts have been routinely cited as measures that infringe upon religious freedom. Even a cursory reading shows that, to the contrary, they ensure a measure of religious freedom. By prohibiting unlawful and unethical conversion practices, they protect the rights, particularly of the vulnerable and disenfranchised, from unscrupulous methods of conversion. Religious officials may find it a source of embarrassment that such practices have to be legislated against, but not only is that not the case, those who proselytize are protesting this legislation. More precisely, they are protesting their own misrepresentation of it. It is troubling that after so many controversies over so many such bills, no one has tried to make the protestors accountable for the fact that these bills are being consistently misrepresented. I think the media have to play an effective role in exposing the motives of the protestors.

By claiming a curtailment of religious freedom, those who object to such Acts are disingenuous, to say the least. Freedom of religion sought through the U. N. Declaration of Human Rights (Article 18) is only freedom to change one's religion, not to dissuade another from practicing his or her religion. The framers of the Indian Constitution took the highly edited precaution against this by making provisions for freedom of religion "subject to public order, morality and health" and entrusting the State to "regulat[e] or restrict any economic, financial, political or other secular activity which may be associated with religious practice." The first State to assert this right was Madhya Pradesh, enacting a religious conversion bill in 1966 in response to the Niyogi Commission report which documented widespread fraud and abuse in conversion efforts. One of the primary concerns of the Commission

was the credible threat of secession of converted tribal people who were being instigated to take possession of their own land, Jharkhand. Bills subsequently promulgated by other states are almost identical, and now Himachal Pradesh has also found it necessary to take such precautionary measures.

From this, it is clear that religious freedom includes not just the right to choose, practice and propagate one's religion, but the very important right to have those freedoms protected from an unsolicited attempt, especially a coercive attempt, to supplant one's religion. And this may involve implementing protective measures. While the right of propagation applies equally to all religions, in India, where the historically non-aggressive, pluralistic tradition is confronted by an aggressive, proselytizing religion with a highly organized, well-funded (including foreign funding) network that is established in political and educational institutions as well as the media, the equality, Koeneder Elst, maintains, "is like giving wolves and sheep the 'equal' liberty to eat one another."

It is necessary, therefore, to examine our understanding of religious freedom, and include in it the freedom not to have one's religion targeted for destruction. And we need to examine, understand, and see the wisdom in the conversion bills. If there had been such bills in the Americas 400 years ago, today we would have a living Native American culture, instead of a broken people withering away on reservations, trying to piece together fragments of lost traditions. For Hindus in India today, the story of the Native Americans is a cautionary tale.

Om Tat Sat

Compiled by Swamini Agamananda. This is the third of nine articles based on Pujya Swamiji's talks on the said subject matter.