



Human Rights and Religious Freedom in South Asia

M. Phil. Thesis

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Registration No. 77
Session: 2013-2014

**Department of World Religions and Culture
University of Dhaka**

May 2022



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Thesis Submitted to the University of Dhaka for the Degree of Master of Philosophy

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DEDICATION

This dissertation is dedicated to Dr. Kazi Nurul Islam, the founder of the Department of World Religions and Culture, who is also a pioneer in establishing interfaith harmony in Bangladesh.

ABSTRACT

This research examines the status of human rights and religious freedom in South Asia, particularly Bangladesh, critically. South Asia is one of the multi-cultural and multi-religious regions where Islam, Christianity, Hinduism, Buddhism, and Sikhism are the major religious traditions. Besides, more than half of the world's economically poorest people live in South Asian countries, most of whom are sensitive to religion. South Asia is an area of religious and political instability which contains limited civic amenities where religious freedom and minority rights have been under threat for decades. Religious freedom is one of the fundamental human rights, and violation of this right leads to the rise of intolerance and religious extremism. This study is a sincere effort to explore the causes of the weakness of South Asian states and governments in terms of ensuring human rights and religious freedom. South Asia consists of Bangladesh, India, Pakistan, Nepal, Bhutan, Maldives, Sri Lanka, and Afghanistan, where religion-based conflicts have taken a terrible turn. Minor religious groups in different regions of South Asia face challenges. For decades, they have become victims of persecution because of political issues, economic and cultural crises, misunderstanding of secularism and pluralism, religious extremism, and misconception about religious harmony. Though fundamental human rights have been guaranteed by most of the Constitutions of South Asian Countries recently, we can see the opposite scene in practice. The violation of religious and political rights is pervasive in these countries. There is a strong link between democracy, the state, and terrorism. The study examines that the weak democracy of almost all countries of South Asia aggravates political and religious turmoil and thus fosters terrorism. It is the prime hindrance to securing human rights in these areas. As a result, the consecutive violence centered on religion and politics has made the life of the people of this region miserable.

It is noteworthy that mutual communication and understanding among South Asian regions is comparatively less than that of the people of other regions in the world. Consequently, religious intolerance and the rise of militancy in these countries have taken a terrible shape. That is why it is the great responsibility of the states and governments to increase dialogue and open discussion among the people of the region in order to enhance interfaith and inter-cultural understanding. The current research tries to analyze international interference in case of violating human rights and religious freedom and the effectiveness of the international organizations in preventing such types of violations. This study explores the major causes of the violations of human rights and religious freedom in South Asia. The misuse of religion for political purposes, international conspiracies, and the silent role of international organizations, poverty, unemployment, and lack of knowledge about other religions among the adherents of different faiths accelerate the problem. South Asian governments should take necessary steps and be alert to national and international conspiracies. Rumors in the name of religion and misconceptions about the beliefs and practices of other faiths accelerate the tendency of religious fanaticism, which later turns into communal strife.

Along with governments and mass media, people of these countries should be aware of the misuse of religions and the rumors in the name of religions. This research indicates that interfaith dialogue can ensure peaceful coexistence among the followers of different faith-based communities in South Asia. In this research, by analyzing the respondent's responses and views on this problem, necessary suggestions are put forward, intending to expose the fundamental catalysts of religious intolerance alongside the precautions and measures that can be taken to ensure religious freedom.

ACKNOWLEDGEMENTS

First of all, I would like to thank Almighty God for completing this work. My heartiest thanks and gratitude goes to my supervisor, Dr. Mohammad Jahangir Alam, the chairman of the Department of World Religions and Culture, University of Dhaka, for his excellent and sincere guidance, constant encouragement, valuable suggestions, kind cooperation, and support. He has patiently supervised and reviewed all the stages of this thesis and offered well-thought criticism of its earlier drafts. I am indebted and grateful to Kazi Nurul Islam, the founder of this Department, for keeping me motivated in my research work. I have learned many inspirational stories and helpful directions from him for managing my life correctly. I want to thank Dr. Fazrin Huda, the former Chairperson of my Department, for her sincere cooperation. I am grateful to Dr. Shafi Md. Mostofa for his sincere cooperation in completing this study. I also sincerely thank Dr. Shaikh Farid for encouraging me to do this work.

I must acknowledge the motivation and encouragement of my parents in completing this painstaking work. I am thankful to all of the respondents who were wholehearted about my research and cooperated with me in every possible way. I want to thank all of my honorable teachers, colleagues, family members, and friends who have shared their valuable suggestions and encouraged me to complete this research work. Besides, I am grateful to the Bangladesh University Grand Commission for allocating research grants for carrying out this research work.

Finally, the most important thing to me in pursuing this work is the University of Dhaka, the ideal academic home for me, whose pleasant learning-friendly environment and enormous facility have helped me carry out this research work.

SUPERVISOR'S DECLARATION

To the best of my knowledge, I confirm that the research work entitled “Human Rights and Religious Freedom in South Asia” has been carried out under my direct supervision. The dissertation represents the original research work of the candidate.

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DECLARATION OF AUTHORSHIP

I, Md. Mohshin Reza, am hereby declaring that this thesis titled “Human Rights and Religious Freedom in South Asia” is my work carried out under the supervision of Dr. Mohammad Jahangir Alam, Department of World Religions and Culture of the University of Dhaka. I have generated this work to fulfill my M. Phil. degree from the Department of World Religions and Culture, University of Dhaka. I have acknowledged all primary sources of help. I confirm that none of this work has been published or submitted anywhere.

19 May 2022

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Session: 2013-2014

Abbreviations

ABT	Ansarullah Bangla Team
AQ	Al Qaeda
AQIS	Al Qaeda in Indian Subcontinent
BAL	Bangladesh Awami League
BNP	Bangladesh Nationalist party
CE	Common Era
CHT	Chittagong Hill Tracts
CIA	U.S. Central Intelligence Agency
CID	Crime Investigation Department
CL	Chatra League
DGFI	Directorate General of Forces Intelligence
EPA	Enemy Property Act
HRW	Human Rights Watch
IS	Islamic State
ISIS	Islamic State of Iraq and Syria
ISIS-K	Islamic State-Khorasan State
JMB	Jamatul Mujahidin Bangladesh
NRC	National Register of Citizens
NSI	National Security Intelligence
PBUH	Peace Be Upon Him
RAB	Rapid Action Battalion
SAARC	South Asian Association for Regional Cooperation
TTP	Tehrik- Taliban Pakistan
UDHR	Universal Declaration of Human Rights

UN	United Nations
U.S.	United States
VIP	Very Important Person
VPA	Vested Property Act

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Chapter One

Introduction

1.1 Statement of the Research Problem

South Asia is one of the world's poorest and most densely populated regions with limited civic amenities where human rights and religious freedom have been under threat for decades. South Asia consists of Bangladesh, India, Pakistan, Nepal, Bhutan, Maldives, Sri Lanka, and Afghanistan. These countries are socio-culturally influenced by each other due to being geographically located in the same region. Therefore, the problems of one country affect other countries just as the positive developments.

The people of South Asia all fight for the same dream of establishing a peaceful society. In this perspective, disruption of human rights is the main obstacle to establishing a peaceful society. The voice of the people of South Asia against human rights violations is unique. Hence, it is necessary to increase communication and dialogue among the people throughout this region to strengthen solidarity. This research provides a critical analysis of the patterns of human rights and religious freedom violations in each South Asian country. It also analyzes the role of the constitutions and legislative policies in protecting religious freedom.

India, Pakistan, Afghanistan, Bangladesh, Sri Lanka, and Nepal are the most vulnerable countries in South Asia regarding human rights and religious freedom. The region has been battling poverty, sectarian hatred, and conflicts for a long time. In the case of Bangladesh, prolonged military rule, political violence, the rise of religion-based intolerance, and conflicts for decades have contributed to exacerbating the problem. The problem needs a broad explanation, and this study explores the major causes of the increase in this problem in recent times. The researcher considers the rise of intolerance and religious extremism due to South Asia's human rights and religious freedom violations.

Jamatul Mujahidin Bangladesh, Harkatul Jihad Bangladesh, Al Qaeda, Hijbut Tahrir, Ansarullah Bangla Team, Harkat-ul-Mujahideen, Neo-JMB, AQIS, and many other religious extremist organizations are carrying out their activities in different states of South Asia, especially Bangladesh, India, and Pakistan. This study will discover a possible guide to securing human rights and religious freedom in South Asia through an in-depth analysis of the respondents' experiences and data collected from various books, journals, reports, and daily newspapers. There are several challenges in improving human rights and religious freedom in the region. The lack of transparency, judicial failings, oppression and incitement, weak democracy, faulty education system, inadequate support for civil society, and lack of individual liberty are some unprecedented challenges.

1.2 Research Questions

The main research question is the heart of research, based on which the whole research process relies. It clarifies the research goals and keeps the researcher from touching, unproductive and unethical directions (Leedy & Ormrod, 2015). Violations of human rights and religious freedom have become a severe problem in almost all countries of South Asia, and these human rights violations are the cause of the rise of intolerance and religious extremism. This study explores the major causes of this complex social problem, where the misuse of religion for political purposes, international conspiracies and the silent role of international organizations, lack of guidance, poverty, illiteracy, and lack of knowledge about other religions among the adherents of different faiths accelerate the problem.

To realize a comprehensive picture of a social problem during conversations with respondents, the researcher often asks 'why' or 'how' (McNeill & Chapman, 2005). This field of qualitative research follows semi-structured interviews where the researcher offers mainly two central and six sub-central questions to the respondents.

Central Questions

1. Why are human rights and religious freedom violations on the rise in South Asia?
2. What are the inevitable consequences of human rights and religious freedom violations, and what to do to solve them?

Sub-central Questions

1. What are the significant threats to human rights and religious freedom in South Asian regions, including Bangladesh, in the contemporary period (2015-2019)?
2. How are the state, government, and political parties responsible for increasing human rights and religious freedom violations?
3. How do different political groups play a role in accelerating this problem?
4. Why is the practice of democracy and secularism in South Asia incompatible with the international standard of human rights and religious freedom?
5. How consistent is the declaration of 'state religion' with religious freedom?
6. How do fanaticism and lack of interfaith and interfaith knowledge increase religious violence?

1.3 Background of the Study

This research critically examines the status of human rights and religious freedom in South Asia, particularly Bangladesh. It explores the major causes of human rights and religious freedom violations in South Asia and recommends the initiatives that need to be taken to solve the problem. South Asia is the region where the problem of human rights and religious freedom are intertwined with complex social, political, economic, and educational issues. It is deplorable that due to the lack of proper enforcement of the law, extrajudicial arrests, arbitrary killings, disappearances, and violations of religious freedom have pushed South Asian people into extreme insecurity (Dhaliwal, 2008). The crisis of human rights and religious freedom is not a

problem of any single country, and any inconsistency of one country regarding the problem affects another country. Almost all the constitutions of South Asian countries guarantee fundamental human rights, including religious freedom, but we do not see their proper executions in these countries. Therefore, the countries of this region need to take unified actions on the problem of human rights violations and resolve the issue through debate and mutual communication.

The idea of human rights is a global concept, and these are the rights that a person is entitled to enjoy just as a human being. The political history of South Asia is closely related to its value debate on human rights. One of the features of politics in the region is the “polarization of religion in politics.” The use of religion in politics is a more severe obstacle than religion-based politics to establishing religious freedom in South Asia. All political parties in South Asia use religion for political purposes to make their power long-lasting.

Freedom of religion is a foundational human right. Article 18 states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance (United Nations, 1948).

Despite such vehement declaration, we can see the minority religious groups of South Asia face challenges and become victims of persecution for decades because of political issues, economic and cultural crisis, misunderstanding of secularism and pluralism, religious extremism, and misconception about religious harmony.

South Asia is a politically unstable area. The unprecedented instances of recent insecurities and human rights violations have made South Asia an insecure region globally. Afghanistan and Pakistan have become aggressive under the influence of the Taliban. In

addition, the questionable role of the U.S. in Afghanistan has run to a further deterioration of the country's human rights situation. India is at high risk of insecurity. International human rights organizations have regularly expressed concern about killings, rape, torture of minorities, and, above all, the human rights situation in India. Its neighboring countries enjoy less democratic facilities, which cause the rise of Islamist militant groups in Bangladesh, the risk of repeated ethnic and political trouble in Nepal and Sri Lanka, and innumerable problems in Pakistan and Afghanistan (Paul, 2010).

Bangladesh was never acquainted with continuous intolerance and terrorism, and it was a safe place for minority communities and foreign nationals. The extremism and minority crisis trend are vividly apparent after the year 1990. Article 41 (2) of the Bangladeshi constitution has ensured the rights of minorities and permitted the free practice of religious rites and rituals without any interference and persecution (Bangladesh Constitution, 2011, p. 18). Nonetheless, it is a matter of great regret that in recent years, the peaceful nature and pluralistic coexistence of Bangladesh have reached a vulnerable position by the frequent attack on online activists, religious minorities, and the Holey Artisan incident of 2016, which shocked the whole of Bangladesh as well as the world. The failures in various sectors of the country's governance have created such a situation that IS, and other international extremist groups see Bangladesh as a probable field to strengthen their dominance as the flag bearer of the radical form of Islam (Khan S. E., 2017). Bangladesh has come under discussion in the international media, primarily due to the increased militant activities and human rights violations in 2015 and 2016. A series of killings of bloggers and publishers were claimed to be affiliated with Al Qaeda in the Indian Subcontinent (AQIS), and after the horrible slaughter of foreign nationals, the Islamic State (IS) took responsibility for the killings (Riaz, 2016). The unauthorized entry of hundreds of thousands of Rohingya Muslims from Myanmar in 2017 has further increased the security risk in Bangladesh.

India is the largest country in South Asia. Almost all the countries in the region are linked with the boundaries of historical India, and India has a substantial impact on other countries' socio-political, religious, and cultural arenas. The inter-state disputes occur due to the discrepancy with the larger states like India and Pakistan. Internal conflicts and minority persecutions in India are being turned into International disputes. It is claimed that ethnic divisions in Sri Lanka began with the direct influence of India. Due to the Indian suppression of Tamil Tigers in Sri Lanka, the Indo-Sri Lankan agreement in 1987 was not fruitful (Naqvi, 1992). In this case, India's willingness is needed first to resolve such bilateral disagreement.

The partition of the Indian subcontinent is a result of the two-nation theory. We can see two-fold effects of this partition in this region, especially in Bangladesh, India, and Pakistan. Firstly, it enhanced animosity and hatred between two newly independent countries (India and Pakistan). Secondly, it affected the security of minority people within these two states. It is to be considered that the polarization of religion and politics in the context of South Asia is rooted mainly in the process of nation-building and governance. So, this Hindu-Muslim division is an issue of politics, not religion (Mohsin, 1984; Datta, 2005). The weakness of South Asian states and governments is the prime reason behind the rise of human rights violations. Despite having the constitutional assurance of rights and human freedom, human rights are almost non-existent in almost all countries of South Asia. Surprisingly, these countries' governments have not yet come out of the colonial mentality, which might be one of the reasons behind the problem.

It is a common question whether the state's insertion of a state religion accelerates the violation of minority rights in a country or not? Some respondents opine that it is not a vital problem for executing the rights of the minority in a country. The other factors, e.g., lack of the execution of the rule of law and mainly the relaxation in the execution of constitutional jurisprudence, hasten the minority crisis. Regarding the problem of minority rights, this

research explores the main grounds of minority oppression in most cases: possession of the property and the pursuit of personal interests.

Political instability and the degradation of the democratic system in almost all countries of South Asia is the prime hindrance to securing human rights in these areas. The issue of democracy, freedom of expression, politics, religion, and security are inextricably linked with each other in the South Asian perspective. The people of South Asia have recently witnessed the dramatic rise of authoritarian forms of politics where democracy is lagging in the region. As a result, civil liberties, particularly interference with freedom of speech, and growing intolerance and threats on religious and cultural minorities have become prime concerns of South Asian people.

In this way, intolerance and religious extremism have become a severe threat to the people of all spheres in South Asia. Along with governments and mass media, people of these countries should be aware of the misuse of religions and the spreading of rumors in the name of religions. This research indicates that the rights and dignity of a human being can be ensured only by creating the teachings of mutual respect among the people of different faiths. In this perspective, interfaith knowledge and dialogue can ensure peaceful coexistence among the followers of different faith-based communities in South Asia.

1.4 Literature Review

This research has followed different reports, indexes, and dailies on South Asia's human rights and religious freedom. *International Religious Freedom Reports* on South Asian Countries focus on religious identities, legal frames, recent problems, violations of religious freedom, and law implementation methods of respective countries regarding the problem. Religious demography has been highlighted in this report with recent documents and census. The respect of governments and civil society for religious freedom is given importance from an analytical

point of view. Amnesty International's reports are widely recognized as one of the most accurate, reliable, and comprehensive sources of information on the human rights situation in various countries. It serves as the most applicable criteria for theory evaluation (Ron, Ramos, & Rodgers, 2005; Spry, 2008).

Human Rights Watch (HRW) world report is another reliable source for evaluating the status of human rights in different states throughout the world. As a mass-based human rights organization *Odhikar*, a quarterly human rights report, provides reliable information on human rights in Bangladesh. In addition, Bangladeshi dailies *The Daily Star*, *Prothom Alo*, *Dhaka Tribune*, and *The New York Times*, a world-famous daily, also provide dependable pictures of human rights violations and religious freedom in South Asia. *The Constitutions* are the basis of the system of governance in this region, which offers a vibrant idea of the constitutional basis of religious freedom in their respective countries.

Paul (2010) has tried to find out the reasons behind the failures and weaknesses of the South Asian states. Important variables presented in the literature for the weakness and insecurity are contradictory national identities, scarcity of political development, absence of democratic institutions, fragile economies, unresolved territorial disputes, and shortage of regional institutions. Despite having many merits, the book gives less attention to many significant political and historical issues. Dhaliwal (2008) also represents the weakness of the states, particularly the colonial mindset in the system of South Asian governance.

Gunasingham (2021) in *SOUTH ASIA* conveys a vivid picture of religious freedom violations, including militant and terrorist attacks between 2015 and 2020 in every state of South Asia. Intra-religious conflicts, the Shia-Sunni conflict in Pakistan and India, have gained

importance in the article. Nasir (2004), in *Rise of Extremism in South Asia*, claims that violent and extremist trends in South Asian politics are associated with the contradictions arising out of flawed national policies. The book claims that no post-independence South Asian country has become able to resolve the dilemma in the affiliation between religion and politics. Ollapally (2008), in *The politics of extremism in South Asia*, gives an in-depth analysis of the ups and downs in the internal political arena and the international relations of South Asia before and after 9/11. It analyzes the critical trends in the rise of extremism, especially in Bangladesh, India, Pakistan, Afghanistan, and Sri Lanka. In order to understand the fundamental nature of extremism in South Asia, this book considers the three-fold identity struggle that exists throughout the region: ethno-religious, secular, and geopolitical identities.

Political scientist Ali Riaz (2017) critically analyzed in his *Lived Islam and Islamism in Bangladesh* the role of religion in public life, political activism, democracy, and election, and their relation with religion, especially from the perspective of Bangladesh. The nature of Islamic militancy and the Madrasa education system in Bangladesh got importance in the book. Riaz attempts to stretch an outline of the current status of Bangladesh and its political circle, where religion has an active role (Riaz, 2017). In addition, Riaz & Fair (2010) in *Political Islam and governance in Bangladesh* have addressed many of the empirical gaps centering on the politics and governance of Bangladesh. The book shows the amalgamation of governance, Islamism, and militancy in Bangladesh and determines how risky the internal security of Bangladesh is? Finally, they evaluate the impact of the security risk of Bangladesh on other South Asian states. Md Nazrul Islam and Md Saidul Islam (2018), in their research paper *Islam, Politics and Secularism in Bangladesh: Contesting the Dominant Narratives* explores, the Constitutional basis of religious freedom, socio-political instability, the status of secularism and democracy, and the views of Islam on democracy from the perspective of Bangladesh (Islam & Islam, 2018). Ten Chin Liew & Michael Siam Heng (2010) in *State and Secularism:*

Perspectives from Asia explain the limits and challenges of secularism. Secularism itself sometimes leads to conflict by destroying religious freedom. Many consider that the relationship between religion and secularism is always hostile. However, Ten Chin Liew, in the second chapter of this book named “Secularism and Its Limits,” opined that ignorance of distinguishing various versions of secularism is responsible for such a view. Secularism is of two types: perspectival secularism and state secularism; the first one is dangerous not only for religion but also for liberal democracies and civil society (Liew & Heng, 2010).

Saiya (2015), in *Religion, Democracy and Terrorism*, explores that religion, democracy and terrorism are uniquely influenced by each other. Weak democracy is the basis for rising religious as well as non-religious forms of terrorism. The book focuses on four issues for the proper practice of democracy: multi party competition, the rule of law, democratic participation, and different representation systems. Mohsin (1984), in *Religion, politics and security: The case of Bangladesh*, focuses on the security threat of minorities in Bangladesh, especially the Hindu community. Individual autonomy is under threat by majoritarian democracy in the name of politics. She blamed politics, not religion, for the minority crisis after the partition of 1947. Sunil Kukreja (2015), in *State, Society, and Minorities in South and Southeast Asia*, presents the relationships between the dominant and minority community. The book explores the minority crisis and persecutions in India, Pakistan, Bangladesh, and Sri Lanka. It explains that due to geographical region, the states of South and Southeast Asia are intertwined; hence the domestic security of one state becomes affected by the weak regional security. The writer suggests enhancing the interstate relationship to reduce the persecution on minorities (Kukreja, 2015). Borhan Uddin Khan & Muhammad Mahbubur Rahman (2011) in *Freedom of Religion in South Asia: Implications for Minorities* said that the declaration of the religion of the majority people as the state religion by the state was not a significant obstacle

to the establishment of minority rights. Instead, he claimed, the state's lack of enacting various laws produces anger and grievances in the minority community (Khan & Rahman, 2011).

Naqvi (1992), in *Challenges and opportunities for South Asia*, highlights inter-state disputes in South Asia. India is the largest state, and due to geographical reasons, it has bilateral conflicts with other countries in this region. The long-running conflict between India and Pakistan over several issues, including Kashmir, threatens the peace and harmony of other states in the region. Amitendu Palit & Gloria Spittel (2013), in *South Asia in the New Decade: Challenges and Prospects*, have considered political riots, elections, and poverty as the prime obstacles to establishing human rights in South Asia, where it is possible to alleviate poverty through regional cooperation. The book also claims that this region's social, economic, and cultural security is threatened.

In this case, India's political and cultural influences through satellite and TV channels further exacerbate the problem (Palit & Spittel, 2013). Paul Chaney & Sarbeswar Sahoo (2020) in *Civil society and the contemporary threat to religious freedom in Bangladesh*, provides a timely assessment of the role of Bangladesh in fulfilling religious freedom as part of international obligations. It examines the intolerance and extremism in Bangladesh due to the political use of religion and the aftermath of ideological conflicts between secularism and extremism (Chaney & Sahoo, 2020). Mondal (2016), in *Articles of Faith: Freedom of Expression and Religious Freedom in Contemporary Multiculture*, has given the priority to freedom of speech over all other freedoms because it is the very foundation of human liberty.

There are a handful of literary works on interfaith dialogue by different scholars. The researcher has studied the literature on interfaith dialogue to have the advanced role of dialogue in resisting communal conflicts in South Asia. In their book *Inter-religious Dialogue: Chance*

for Peace, Professor Dr. Niru Kumar Chakma & Dr. A.K.M Salauddin have presented the importance of interfaith dialogue in preventing religion-based violence from several perspectives. The book blames the lack of knowledge of different religions, the lack and reluctance of communication, and the exchange of ideas among the people belonging to different faiths as the main reason behind the minority crisis in Bangladesh and India (Chakma & Salauddin, 2004). Religious scholar and Philosopher Dr. Kazi Nurul Islam and Dr. Azizunnahar Islam (2002), in their book *Tulanamulak Dharma: Naitikata O Manabkalyan* (Comparative Religions: Ethics and Human Welfare), critically analyzed the ideas of religious freedom with the most elaborated meaning of religion. The role of religion in ensuring religious harmony is also identified in a befitting manner. The book emphasizes interreligious harmony in all religions and its role in ensuring religious freedom, especially in Sikhism, Shintoism, Hinduism, Buddhism, and philosophical discussions on Sankara's philosophy and the Philosophy of Gautama Buddha (Islam & Islam, 2017).

Religion, through its ethical and practical values, enriches human life. Leonard Swidler & Mojzes (2020), in *The Study of Religion in an Age of Global Dialogue*, consider religion as the life-enriching ways intimately related to the existence of human beings. It also suggests different ways to successfully dialogue among the followers of diverse faiths. Phan (2015) focused on reciprocation among pluralism, multiculturalism, and interfaith dialogue. Fr. Gervas Rozario (2004), in *Inter-religious Dialogue and Racial Harmony in South Asia: A Christian View*, has argued that religions do not bring divisions and conflict. Unity, love, and compassion are the central messages of all religions. So, it is not necessary to study and know the religions of others. He assumes that inter-religious dialogue and cooperation among the adherents of diverse faiths effectively can resist the racial violence in South Asia and the whole world (Rozario, 2004). In *Religion And Violence in South Asia: Theory and Practice*, John R. Hinnells & Richard King (2007) have tried to show that religion has two sides - violent and

non-violent. They think every religion supports war and violence, but some conditions exist behind such violent activities. This book emphasizes the spiritual aspects of different religions. The authors present here that spirituality and non-violence in Hinduism and Buddhism can play a vital role in preventing violence and extremism in a society (Hinnells & King, 2007).

This study intends to identify a gap regarding the rights and freedom of humans in South Asia because the books mentioned above have not fully covered the existing challenges regarding the issue. There have literary works on minority crisis, the rise of religious extremism, and religious-based terrorism, but few studies are on the causes of human rights and religious freedom violations. It is a problem of the whole South Asian people, and no state can solve it alone without joint efforts. Exploring the causes of religious freedom violations in South Asia is an almost unexplored area of research. Besides, the role of religious education in the establishment of human rights is not negligible. However, most studies have presented religion and violence as complementary, where religion has been portrayed as a threat to human rights and religious freedom. The cultivation of religious norms and values makes people aware of the need to protect the religious freedom of others. In this regard, the researchers have paid less attention to the objective role of major religions in this region in protecting the rights and dignity of the people of South Asia.

1.5 Objectives of the Study

Human rights, especially religious freedom in South Asia, have been threatened for decades. It is impossible to solve this problem without the concerted efforts of all the countries of South Asia. As this study explores the features, problems, and ways to minimize the problem, it attempts to focus on the following objectives:

- To give a short exposition of the current position of human rights and religious freedom in South Asia, emphasizing Bangladesh.

- The prime objective of this study is to discover the valid reasons behind the rise of intolerance and religious extremism in South Asia with a relevant and adequate database.
- To propose objective ideas about religion, human rights, and religious freedom.
- This research aims to highlight a comparative picture of the constitutional position of all South Asian countries on religious freedom.
- To identify and present the significant threats to human rights and religious freedom in contemporary times (2015-2019) in South Asian countries.
- To show violation and intolerance to religious freedom and persecution to ethnic and minor religious groups.
- To highlight the teachings of major religions of South Asia in promoting religious freedom and dispel misconceptions about religion centered on the concept of human rights.
- To find out the role of interfaith dialogue in resisting communal grievance and establishing religious freedom in South Asia.
- To give an overview of the role of religion in promoting religious freedom.
- To recommend initiatives to prevent intolerance and religious extremism from human rights and religious freedom violations.

1.6 Importance of the Study

South Asia is one of the multicultural and multi-religious regions of the world where the countries have been suffering from a high rate of national and regional insecurity. This study explores the issues that lead to the violations of human rights. It is a sincere effort to identify the causes of the weakness of South Asian states and governments in terms of ensuring human rights and religious freedom. This study aims to make the states, governments, and the general people aware of their responsibilities and duties towards establishing human rights and

religious freedom. The study is essential for several reasons in South Asia's social, political, and religious context.

It will guide the literature on South Asian Studies and human rights activists in this subcontinent. It can also be a practical guide for the students of comparative religion and other disciplines who are keen to work with various human rights organizations. The research approaches the questions of human rights and religious freedom in South Asia from multiple angles. It will offer readers and researchers new questions to research and areas of study to pursue.

The political history of South Asia is not very old, and the history of human rights violations is directly linked with political history. Whenever a horrible situation of human rights violations is observed, the nature of politics in this region arises in front of us. The study propounds salient aspects of South Asian politics, discusses the negative role of political parties in the issue of religious freedom, and recommends their future responsibilities.

The education system is also responsible for rising intolerance in South Asia. Interfaith knowledge is not included in the education system of these countries and is also not appreciated at any level of education. As a result of being ignorant of other faiths, people are often intolerant of followers who belong to different views and religions. This field of study presents different messages of major religions in South Asia regarding human rights that will help to dispel misconceptions about religious interdictions. Fanaticism, prejudices, and misconceptions in the name of religion help to raise intolerance in any society. The current research tries to find out the dual role of interfaith dialogue in resisting religious fanaticism and establishing religious harmony. It has been clarified that religious values and the objective study of different religions are essential in establishing friendly relations in society.

The judiciary's role is crucial in establishing peace in a country. Religious freedom has been guaranteed in almost all constitutions of South Asia, but we can see continuous threats to human rights in this part of the world. This study highlights the constitutional jurisprudence for religious freedom so that the governments and ruling parties can concentrate on implementing constitutional laws.

There is a strong link between democracy, state, and terrorism. When democracy is weak, authoritarian behavior is observed in the government. The study examines that the weak democracy of South Asian countries aggravates political as well as religious turmoil and thus fosters terrorism. In a state where freedom of expression is threatened, the power of democracy is reduced there. Similarly, the decline of democratic values in a state increases human rights and religious freedom violations. The study tries to show the interrelation among these issues and suggests the governments of this region for upholding democratic values. It is noteworthy that mutual communication and understanding among South Asian regions is comparatively less than that of the people of other regions of the world. That is why it is the great responsibility of the states and governments to increase dialogue and open discussion among the people of the region to enhance interfaith and intercultural understanding.

1.7 Methodology

1.7.1 Qualitative Method

The methodology is an organized process of collecting, interpreting and analyzing data to realize a research problem (Williams, 2007; Leedy & Ormrod, 2015). The qualitative method is popular for analyzing a social problem. It allows the researcher to study the individual's problems and experiences using a particular set of research methods, e.g., in-depth interviews, focus group discussions, observations, content analysis, and visual methods. (Hennink, Hutter, & Bailey, 2020). The qualitative method has been used in this research for describing,

explaining, and analyzing collected data. It is an effective model that allows attaining in-depth knowledge through the researcher's involvement in the actual experiences (Williams, 2007; Creswell, 2017).

1.7.2 Data Collection and Data Analysis

In this qualitative research, both primary and secondary sources have been used to collect relevant data and information regarding the research problem. Secondary data is required for the background of the research problem, and it is also used to attain proper knowledge of the existing theories and ideas. In this study, secondary data has been compared with primary data to make the findings more meaningful and put the data into a larger context (Walliman, 2011). The researcher would like to give a very delicate look at the status of human rights and the major causes: why are human rights and religious freedom under threat in South Asia? A detailed explanation of this problem is needed. Thus, this work has followed the discourse analysis of different related books and online-based research papers to attain cognitive knowledge about the problem. The study analyzes various international reports on human rights and religious freedom, constitutions of South Asian countries, and national and international dailies to present the current status of human rights and religious freedom in South Asia.

Although we are surrounded by secondary data like television, radio, newspapers, posters, magazines, and books, there is no substitute for primary sources to collect detailed and accurate data (Walliman, 2011). The researcher arranged the semi-structured interview to collect the primary data. This research follows a case study method for learning more about a poorly understood situation (Leedy & Ormrod, 2015). The interviews were conducted between October and November 2019 in Dhaka, Bangladesh. A Total of 10 renowned academics were interviewed from different ideologies who are experts in relevant areas. The research topic is

religiously sensitive, and some respondents provided their opinion on the condition of maintaining secrecy. Thus, in the case of identifying the respondents' anonymity has been maintained, and pseudo names (A, B, C, D, E...) have been used in the research. Each interview was more than 40 minutes long. There are two types of research questions: closed and open format questions. Open format question has been used in this study, which is more time-consuming for the respondents, but the answers are very open to interpretation for the researcher. In addition, this question format is suitable for avoiding biases in qualitative research where the respondents can freely answer in their ways (Walliman, 2011).

At least five respondents have given almost the same ideas about the problem. However, by collecting data from all respondents, the researcher reaches a final and combined decision. In addition, various secondary sources provide several examples regarding the issue. In this case, the inductive method has been used for analyzing data through which the researcher uses specific cases or events to conclude entire sections of events (Leedy & Ormrod, 2015). There has been a growing trend of religious intolerance among the people of all spheres in recent times. In this research, by analyzing the respondents' responses and views on this problem, necessary suggestions are put forward to unveil the fundamental catalysts of intolerance and religious extremism alongside the precautions and measures that can be taken to ensure religious freedom.

1.8 Limitations of the Study

The researcher had to face several obstacles and challenges to perform the current research, one of them being the unavailability of enough literary works. Only a few books and articles on this related topic have minimized the scope of acquiring in-depth knowledge about the concerning study. Another significant limitation of this study is that only Bangladeshi

respondents joined in the semi-structured interview of this research. It was not possible to take interviews with any respondent from other South Asia due to the pandemic of Covid 19, shortage of time, and financial support. Besides, human rights and religious freedom are not topics the government is comfortable conversing regularly. That is why it was challenging to collect primary data. In addition, the common people lacked proper knowledge regarding human rights and religious freedom. If it were possible to take interviews of one or two extremists and militants, lawmakers, and home ministers, this study would be more perfect. However, it was not possible for security purposes. In addition, interviews of security forces, including CID, NSI, DGFI, and RAB (Rapid Action Battalion), were also restricted for some confidential reasons.

1.9 Chapter Organizations

Fundamentally, the presentation of this research follows the structure of an M. Phil. thesis prescribed by the supervisor Dr. Mohammad Jahangir Alam. A complete framework, as well as structural decorations, have been discussed in this section. The whole research is classified into five chapters: introduction, conceptual analysis, the state of human rights and religious freedom in South Asia, reasons for the rise of human rights and religious freedom violations, and results and concluding analysis. Each of these five chapters is introduced as follows:

Chapter One: **The introduction** gives a brief outline of the problem statement with relevant research questions and background of the research problem. It focuses on the review of the literature and the existing gaps centering on the problem. This chapter also focuses on the objectives, scope and importance, methodology, and research limitations.

Chapter Two: **Conceptual Analysis** presents an accurate idea of religion, human rights, and religious freedom. South Asian regional characteristics with its religious demographics and historical background of religious freedom in Bangladesh are also discussed in this section.

Chapter Three: **The State of Human Rights and Religious Freedom in South Asia** highlights the major contemporary threats to human rights and religious freedom, emphasizing Bangladesh. It also gives an overview of the comparative discussion on the South Asian constitutional references to religious freedom.

Chapter Four: **Reasons for the Rise of Human Rights and Religious Freedom Violations** presents the findings and analysis of the collected data. It analyzes the causes of human rights violations and religious freedom in South Asia based on qualitative data collected for conducting the research. It is the central part of the research. The weakness of the states and governments, controversial roles of political parties, failure of legislative policies, defective education system, fanaticism and the lack of interfaith knowledge, the questionable role of international organizations are claimed here to be the main reasons behind the growing violations of human rights and religious freedom in South Asia.

Chapter Five remarks **Results and Concluding Analysis** of significant findings of this study and recommends the initiatives that need to be taken to solve the problem. This section also deals with the role of interfaith dialogue in ensuring religious freedom and the essence of religious freedom in major south Asian religious traditions.

Chapter Two

Conceptual Analysis

Religion is related to human beings' socio-economic, political, and cultural life, and it plays a significant role in the social control system. This chapter has analyzed the ideas of religion, human rights, religious freedom, and religious demography of South Asian countries. It also critically analyses the history of religious freedom in Bangladesh.

2.1 Religion

All human beings' material and spiritual nourishment is necessary for creating a peaceful society. It is the most fundamental and comprehensive of all human activities. It is the most powerful organ in the socio-cultural context of a country. From the beginning of human civilization, religion and society have been intimately related. All the religions in the world teach a sense of social responsibility, mutual respect, and tolerance towards other people. Thus religion plays an active role in the social control system. Defining religion is not an easy task; instead, we can have definitions of religion but not the definition of religion. The word 'Religion' derives from the Latin word '*Religare*' where 'Re' means 'Again' and '*Ligare*' means 'Bond.' So, '*Religare*' or religion means 'Bond Again.' This definition contains the message of brotherhood and unity among the people of a society. According to another view, it comes from the Latin word '*Religio*,' which means 'Afraid, Devotion, Reverence.' According to some famous scholars, there are attempts to define religion, which are somewhat supportive, and on the other hand, they are contradictory to one another. Religion, through positive motivations, is involved in the psychological development of human beings. From this

point of view, religion is a unique form of motivation and dimension of personality (Pargament, Magyar-Russell, & Murray-Swank, 2005)

Professor E.B. Tylor has defined religion, as cited in Howerth (1903), as “the belief in spiritual beings” (p. 194). Besides, Robert Bellah and Clifford Geertz represent the functional definitions of religion. Robert Bellah defines religion as “A set of symbolic forms and acts which relate man to the ultimate condition of his existence” (Bellah, 1964, p.358). Geertz has a more complex definition of religion:

A system of symbols that acts to establish powerful, pervasive, and long-lasting moods and motivations in men by formulating conceptions of a general order of existence and clothing these conceptions with such an aura of factuality that the moods and motivations seem uniquely realistic (Geertz, 1973, p. 90).

The contribution of religion to human beings’ moral, social, and spiritual advancement is undeniable. However, most of the conflicts and bloody wars in the world have taken place in the name of religion. Misconceptions and very little knowledge about religions is the main reason behind such conflicts. To practice religion in a peaceful environment is considered one of the fundamental rights of human beings. Religion enriches human life through its moral and practical interdictions: “Religion is the human adjustment to the realities of existence in life-enriching ways” (Swidler & Mojzes, 2000, p. 5). Religion is also the submission to the Absolute. Freidrich Schleiermacher defined religion as a “feeling of absolute dependence” (Eliade, 1987, p. 283).

Religion has a powerful influence on human life, and it is often intimately intertwined with the socio-economic, political, and cultural life of human beings. Religion holds man accountable to his conscience, whereas some moral principles that govern human life can be called religion. The jurisprudence of the Bombay High court of India considers religion in a

broad sense that encompasses all forms of belief and devotion, including the faith systems or guiding principles regarded by those who profess any religion as beneficial to their spiritual well-being and the code of ethical directions (Khan & Rahman, 2011).

It is more important to know what religion is than what religion is not. Every religion forbids doing anything harmful to others. Whatever evil deeds in the world happened in the name of religion, there was no religion, and there was unrighteousness. Tolerance, forgiveness, restraint of mind, purity, restraint of senses, wisdom, knowledge, truth, and anger are the ten signs of religion (Islam & Islam, 2017). Hence, there can be no envy, hatred, and slander where there is religion. One of the main functions of religion is to stimulate individuals to live an honest and moral life. Thus, the researcher of this current study considers religion as a set of beliefs and practices combining some rules, regulations, and prohibitions through which a man can lead a moral life.

2.2 Human Rights

Universal Declaration of Human Rights (UDHR) of 1948 is laid down on the philosophy of ‘equality of human beings irrespective of their caste, creed, nations or religions.’ It is declared in Article 1, as cited in Rashid (2005): “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood” (p. 139). The orthodox meaning of human rights is essential in the perspective of this research. Human rights stand against discrimination, inequality, and oppression. These are the rights occupied by all men simply because of their humanity (Tasioulas, 2012). Education is of utmost importance because education itself is a right, and again, it makes people aware to realize the rights of others. Education is considered the driving force of socio-economic development, and it helps people stay away from poverty.

Human rights are the fundamental rights that are intimately related to the life of all human beings. A man cannot live with inherent dignity without these rights, just born as a human being. These rights promote equality, justice, freedom, and respect for all. Right to equality, freedom, freedom of religion, right against exploitation, and right to education are fundamental human rights. The terms ‘human’ and ‘rights’ are related to the word ‘dignity.’ The protection of human dignity by the states is the precondition for ensuring the rights of citizens. Thus, human dignity is often considered the ground of human rights (Hartogh, 2014). The idea of the dignity of man developed from the very beginning of human civilization, and all the religions in the world have attached extraordinary importance to it. Human dignity is inviolable, and the state and every citizen have to protect and respect the dignity of human beings. Thus dignity, rights, and duty of human beings are inextricably related to each other.

Human rights are classified into two categories: legal rights and moral rights. These modes of human rights can vary from place to place. A right is legal when included in the state’s legal system. The right to freedom of religion in European countries, for example, is a legal right because it is enacted in its legal system. On the other hand, it is not a legal right in Saudi Arabia since it is not recognized in its legal structure. Human rights are legal from a political perspective, and states are lawfully liable to respect, protect and fulfill these rights. In this segment, human rights are “political norms dealing mainly with how people should be treated by their governments and institutions” (Landman & Carvalho, 2009, p. 9).

Human rights as moral rights signify the moral duties of human beings. These rights also vary based on the socio-economic contexts of a region. Protecting people from poverty is a fundamental right in the South Asian region, where most of the world’s poorest people reside. The safety of human life from fear, distress, torture, poverty, and deprivation is the root of the model of individual human security (King & Murray, 2001). Duty is a prerequisite for

establishing rights, and the states and their people should contribute to the prevention of poverty. So, human rights can be understood as “moral propositions and, more specifically, as a subset of universal moral rights that ground moral duties” (Besson, 2011, p. 21). In the twenty-first century, the issue of responsibility should be given utmost importance in the question of human rights and dignity. Most human rights, such as the right to equality and justice, security, protection, education, service, humane treatment, freedom, and happiness, are duty-based. Society or state cannot guarantee such rights without harmonious mutual relations among the people.

2.3 Religious Freedom

Freedom of religion is considered one of the most talked-about human rights, and it was first guaranteed by the first amendment of the U.S. Constitution. Religious freedom dignifies the right to choose a religion or no religion without any government interference and is permitted by the constitution of a country or state. In western countries, religious freedom is often described as the ‘first freedom,’ a fundamental human right. Human rights and religious freedom are the basis of mutual respect and understanding, which is the precondition for establishing a peaceful society. In the 21st century, where conflicts, killings, and robberies in the name of religion are on the rise, without ensuring the peaceful coexistence of religions and the official practice of promoting religious freedom, it is impossible to resist the violation of human rights and religious freedom. The Universal Declaration of Human Rights (UDHR) of 1948 promotes the modern concept of religious freedom where it is stated in section 18:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in

community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance (United Nations, 1948).

27 October of each year is observed as the “International Religious Freedom Day” worldwide. Religious freedom or religious liberty is a complex and factional idea (Sullivan, Hurd, Mahmood, & Danchin, 2015) that has more than meaning. It denotes nothing less than the right to be who we indeed are as human beings. We may disagree on various issues of other religions, but we all should tolerate the views of others so that they can tolerate us. In this context, religious freedom is not a moral or human right but one kind of mutual nonaggression contract (George, 2018). Freedom of expression is another fundamental human right that has a prior legitimacy over freedom of religion because, without freedom of expression, freedom of religion would not be possible. So, religious freedom denotes that an individual or group can believe, worship, practice, and witness as they wish and want without any oppression.

Respect for freedom of religion is the cornerstone of equality, justice, peace, and freedom in a civilized society. This right is undeniable and cannot be weakened under any circumstances. Some features which are essential to religious freedom are:

- It allows us to think, express, and act upon what we deeply believe and grows respect for other religions that we do not believe in.
- Religious organizations, institutions, and every individual in a society can preserve and strengthen religious freedom.
- It extends religious tolerance to the people of different faiths even though they probably disagree with some of their beliefs, practices, dogmas, and doctrines.
- It refrains from comparing beliefs or doctrines which are superior or inferior.
- Religious freedom avoids criticizing statements, policies, and activities of different religious groups.

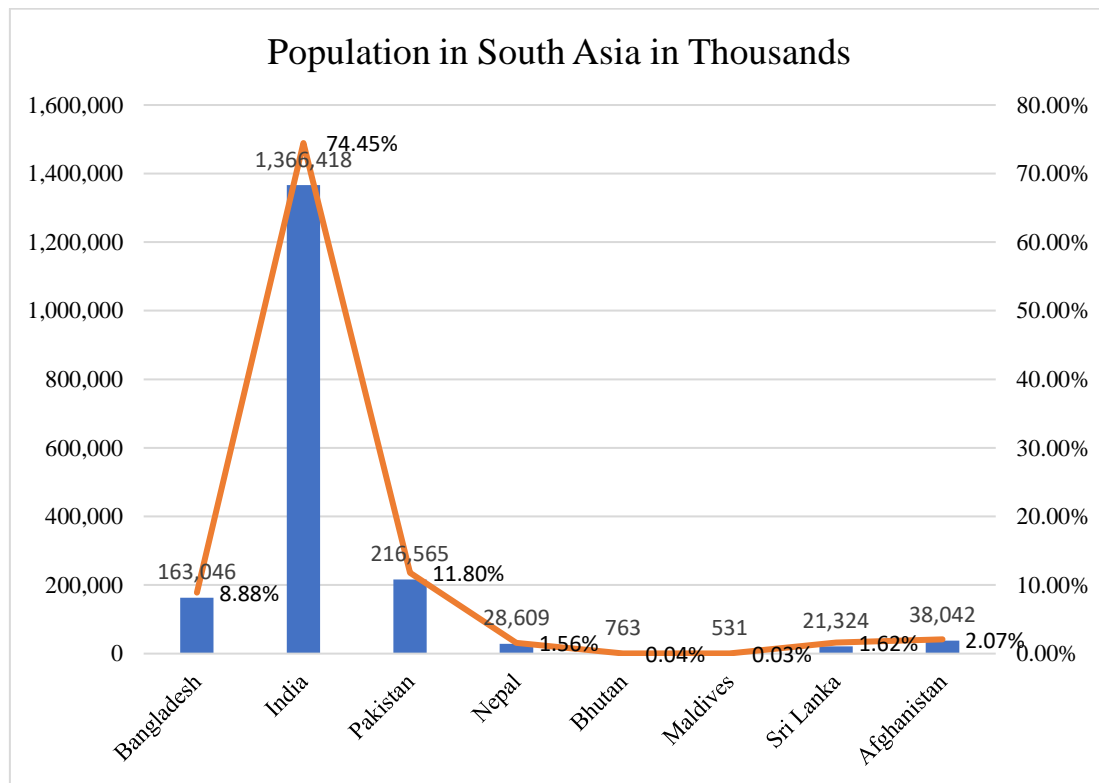
- It ensures that people can exercise their moral and ethical agencies in matters of faith.
- It embraces the right to believe and worship freely and speak, wear, act, and conduct life based on one's religious beliefs.

Religious freedom encourages a theological and political awareness of the need to accept the “other” (Grieboski, 2011). When freedom of religion and belief is secured by the governments, stimulated by religious followers and institutions, and esteemed by the citizens, religious-based conflicts, oppression, and terrorism will not occur. In this sense, freedom of religion is medicine to terrorism, especially religion-based terrorism

2.4 Demography of South Asia

South Asia is one of the most heavily populated areas globally, where the total population in 2020 is estimated at 1.857 Billion (The World Bank Data, 2020). It is very diverse and mixed, containing several religious and cultural groups, and the socio-cultural practices of one country are vastly different from those of other countries (Baten, 2016). Despite the differences, we can see solid cultural assimilation and influence among different countries of South Asia. The terms “South Asia” and “Indian subcontinent” are often used interchangeably (McLeod, 2002, p. 1) because variations of the boundaries of South Asia are dependent on how the county is defined. Most of the countries in this region are located on the Indian Plate, where each country is separated by mountain barriers (South Asia, n.d.). The country-wise population in South Asia can thus be expressed through a graph:

Figure 2.1



Sources: (South Asia, n.d.)

2.4.1 Religious Demography of Bangladesh

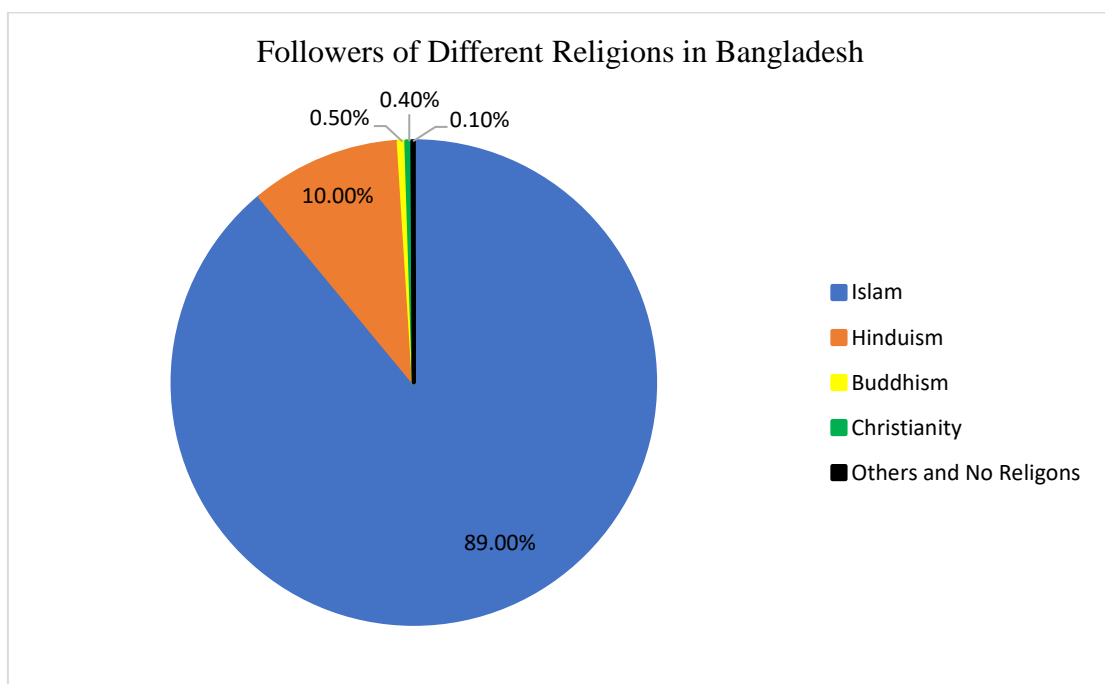
Bangladesh is one of the highest compactly populated countries in the world. The total population of Bangladesh on 1 July 2018 is estimated at 162.95 Million (Bangladesh Statistics 2019, n.d.). Sunni Muslims constitute 89 percent of the total population, and the Hindus 10 percent. The remainder of the population is predominantly Christian and Buddhists” (2020 Report on International Religious Freedom: Bangladesh). The Hindus live in almost all parts of Bangladesh, and most Buddhists live in the area of Chittagong divisions. The Christians live primarily in urban society. Roman Catholics are predominant in the country, and others are mostly Baptists and Protestants (Religion in Bangladesh, n.d.). Most Christians live in Barisal, Gopalganj, Christianpara in Dhaka, Gazipur, and Khulna City (2020 Report on International Religious Freedom: Bangladesh). Few Christians are also present among tribal communities

such as Garo, Santal, Chakma, Lusai, Orao, and Khasi. Bangladesh also has some Shia Muslims, Sikhs, Bahais, Ahmadi Muslims, animists, agnostics, and atheists. Most of the tribal and ethnic groups live in Chittagong Hill Tracts (CHT) and the northern districts of Bangladesh. Buddhists are predominant in (CHT), and most of them are members of indigenous (Nonbengali) people (2020 Report on International Religious Freedom: Bangladesh).

The largest noncitizen population in Bangladesh is Rohingya, who came from Myanmar. More than one million Rohingya refugees fled Myanmar in several waves and took shelter in Bangladesh in the early 1990s. In August 2017, about 740000 Rohingya fled Burma due to violence in Rakhine State, took refuge in Bangladesh, and found shelter in Cox's Bazar. According to the estimation of Human Rights Watch, among all the Rohingyas, approximately 1500 are Christians, 450 are Hindus, and the others are Muslims (2020 Report on International Religious Freedom: Bangladesh).

Figure 2.2

Religions in Bangladesh

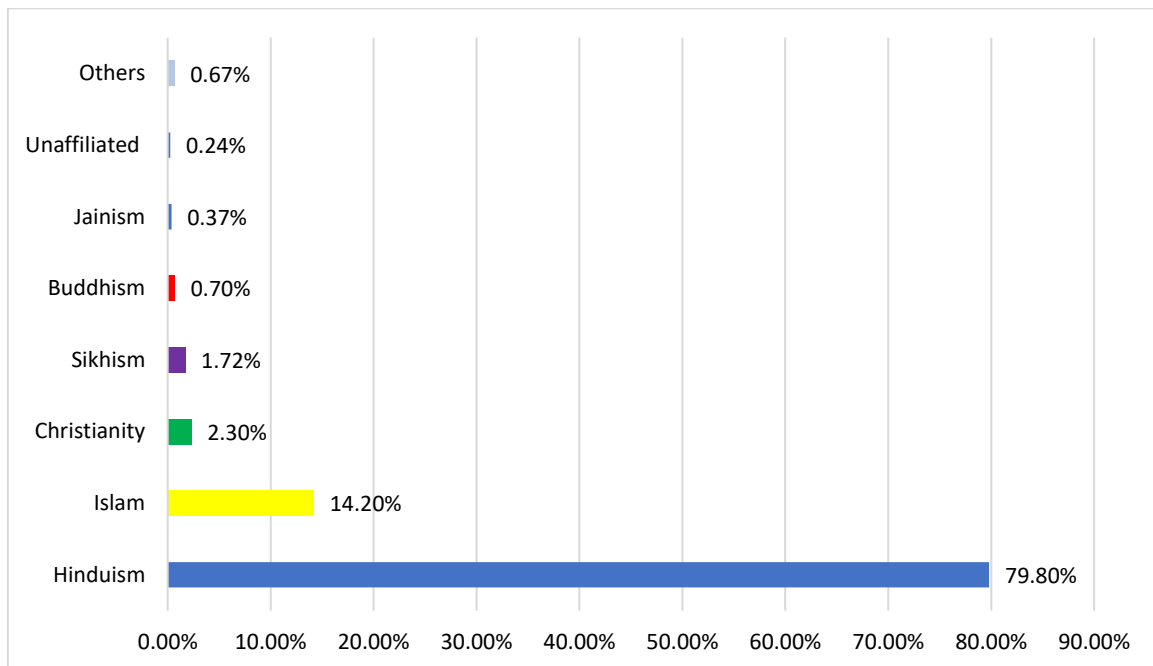


Sources: (Religion in Bangladesh, 2011 Census, n.d.)

2.4.2 Religious Demography of India

India is the largest country in South Asia, with diverse religious and cultural heritages. It consists of 29 states and is the second-largest country in the world in terms of population, just after China. CIA World Factbook estimates that among the total population of India, 72% are Indo-Aryan, 25% are Dravidian, and the rest 3% are Mongoloid and other (India Population 2021, n.d.). Hinduism, Sikhism, Buddhism, Jainism and Zoroastrianism are the major religions of India. Except for a few foreign-origin, these crucial religions of India originated on their soil. According to the assessment of the U.S. government, the total population in India is 1.3 billion, where the Hindus are most predominant, and the Muslims, Christians, Sikhs, Buddhists, Jain, Zoroastrians, Jews, and Baha'is are consistently in the majority (India 2020 International Religious Freedom Report). According to the Indian Ministry of Tribal Affairs, 104 million people of scheduled tribes live in the country, of which 10 million are estimated as Christians (Religion in India (2011 Census), n.d.).

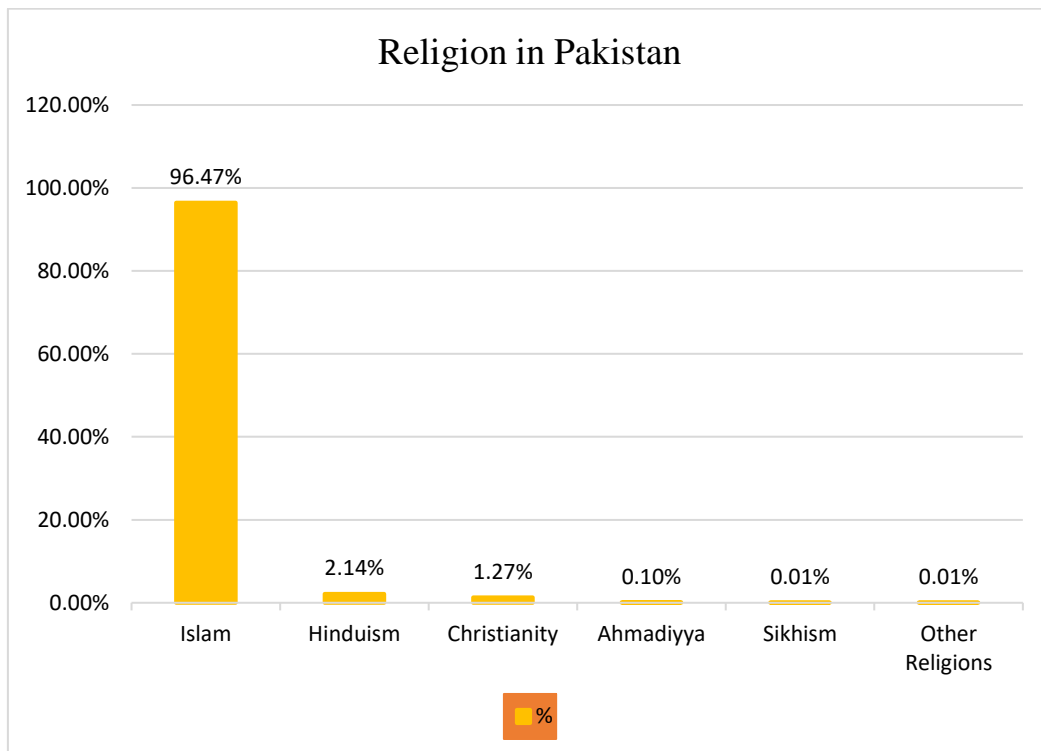
Twenty-seven states of India consist of Hindu people except in Jammu & Kashmir, Punjab, Manipur, Mizoram, Arunachal Pradesh, Lakshadweep Nagaland, and Meghalaya (Religion, n.d.). India is the land of the largest Muslim community. Among the Muslims, 85% are Sunni, and the left is predominantly Shia. Christianity is distributed throughout the country, but a significant portion resides in the northeast regions (Nagaland, Mizoram, and Meghalaya) and Kerala, Tamil Nadu, and Goa. The Sikhs comprise 54 percent of the population of Punjab. There are almost 100,000 Tibetan Buddhists in India, and most of them reside in Delhi, Himachal Pradesh, Karnataka, and Uttarakhand. In addition, about 40,000 Rohingya Muslims from Myanmar reside in the country (India 2020 International Religious Freedom Report).

Figure 2.3**Religions in India**

Sources: (Religion in India, 2011 Census, n.d.)

2.4.3 Religious Demography of Pakistan

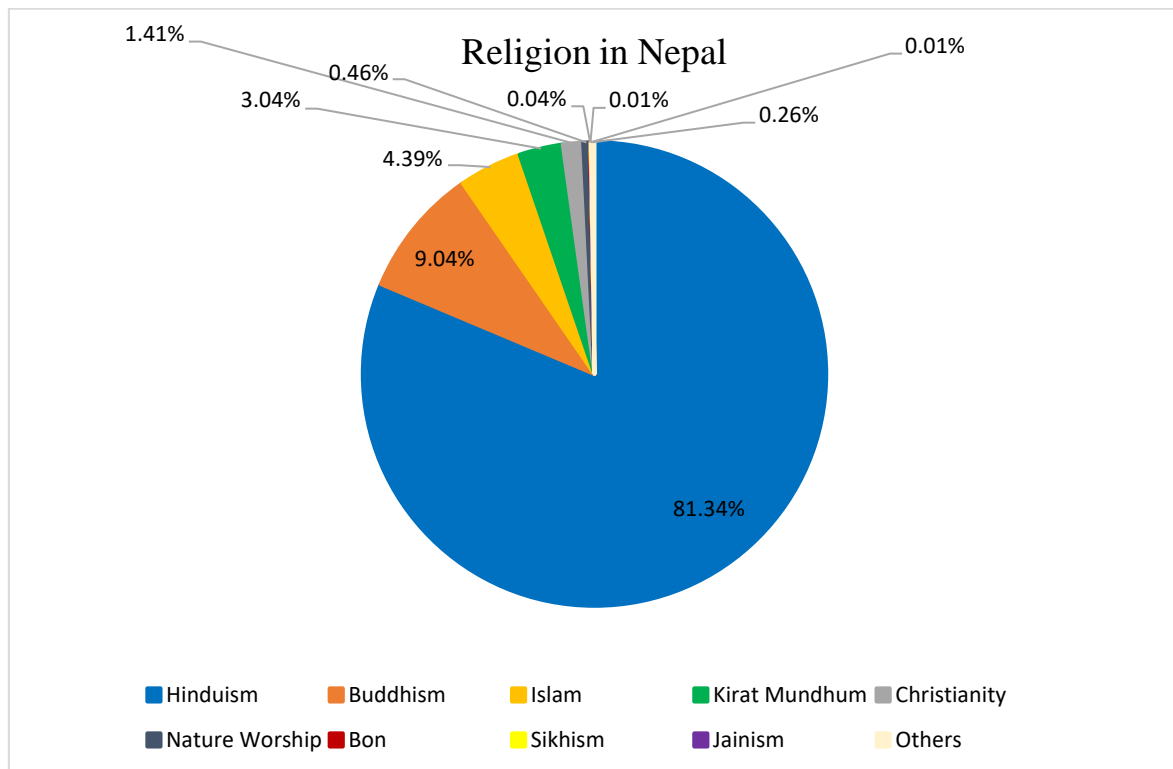
The evaluation of the U.S. government indicates the total population of Pakistan in midyear 2019 is 210.8 million. According to the Pakistan national census 2017, the Muslims (Sunni and Shia) constitute 96% of the whole population, and the other 4% comprises Ahmadi Muslims (who are not recognized as Muslim by the Pakistan national law), Hindus, Christians, Zoroastrians (Parsis), Baha'is, Sikhs, Buddhists, and Jains. According to the Ahmadi Community, they are approximately 500,000-600,000. Considering the boycott of the Ahmadi community from the official census of Pakistan, their number has been estimated between 500,000-600,000. The number of Zikri Muslim Communities in Balochistan is considered to be between 500,000-800,000 individuals. Some minority organizations claim that their actual numbers were not mentioned in the national census of 2017 (Pakistan 2019 International Religious Freedom Report).

Figure 2.4

Sources: (Religion in Pakistan, 2017 Census, n.d.)

2.4.4 Religious Demography of Nepal

The total population of Nepal as of July 2020 is estimated at 30,327,877 (Nepal People 2020, n.d.). According to the 2011 National Census of Nepal, the Hindu community constitutes 81.3% of the whole population, Buddhists contribute 9%, Muslims (almost Sunni) 4.4%, and Christians comprise 1.4%. Other religious groups include Kirats (a Hindu dominant indigenous religion), animists, Sikhs, Jains, Baha'is, and Bon (A Faith of Tibet). Some Muslim leaders claim the Muslim community creates no less than 5.5% of the population who are mostly focused in the southern region of Nepal. Most Christians are Protestant, and the rest are Roman Catholics in Nepal. Some Christian groups in Nepal claim that Christians make up 3% to 10% of the total population. According to several scholars, many people in Nepal are followers of a syncretic religion where a person believes and practices different fundamentals of Hinduism, Buddhism, and traditional folk religions (Nepal 2019 International Religious Freedom Report).

Figure 2.5

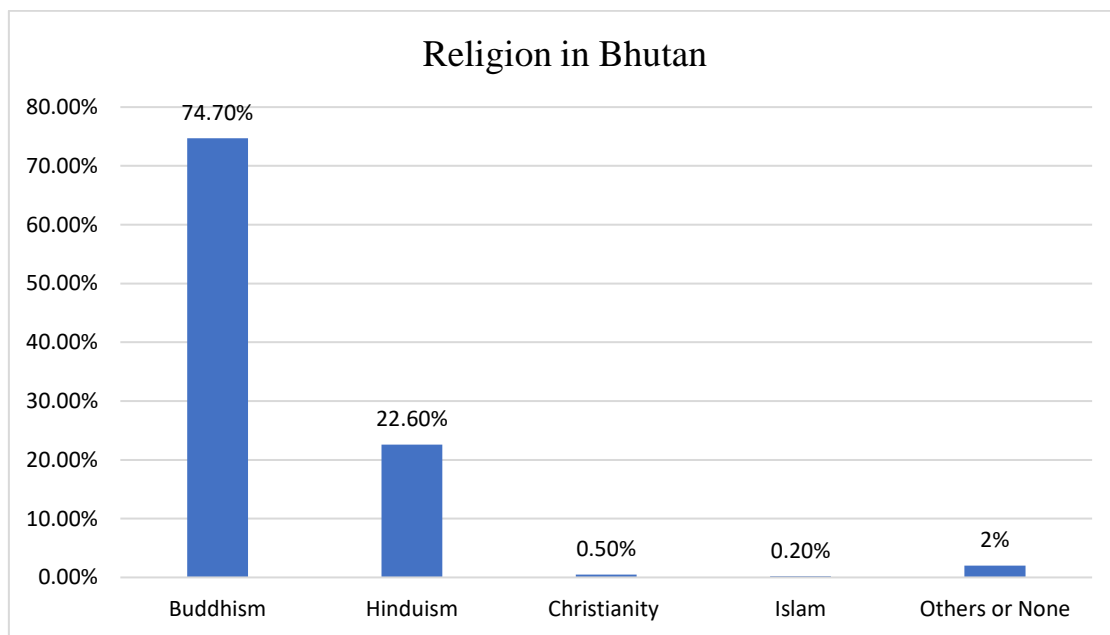
Sources: (Religion in Nepal, 2011 Census, n.d.)

2.4.5 Religious Demography of Bhutan

The population of Bhutan is estimated at 774,000 by 2109. Based on a report in 2010 by the Pew Research Center, almost 75% of the total population of Bhutan are followers of either the Drukpa Kagyu or the Nyingma school of Buddhism (Religion in Bhutan, n.d.). The Hindus constituted about 22% of the population who live predominantly in southern parts of Bhutan. The size of the Christian community is estimated at 8000-30000. Almost all Christians of the country reside in the towns of the southern region. According to the views of scholars, very few citizens belong to the traditional Bon practices because their practices are often merged with Buddhism. Bon is the traditional animistic and Shamanistic belief system where different elements of nature are worshiped (Religion in Bhutan, n.d.). The Sarchop is an ethnic community that comprises the more significant number of people in the east who practice the belief system of Tibetan Buddhism assembled with elements of the Traditional Bon practices

and Hinduism. Besides, just 0.2% of the population are Muslims, and their number is less than 2000. According to the estimation of the Ministry of External Affairs of India, approximately 60000 Indian nationals are living in Bhutan, who operate mainly in the manufacturing sectors, and most of them are expected to be Hindus and, in fewer numbers, are Muslims (Bhutan 2019 International Religious Freedom Report).

Figure 2.6



Sources: (Religion in Bhutan, Pew Research 2010, n.d.)

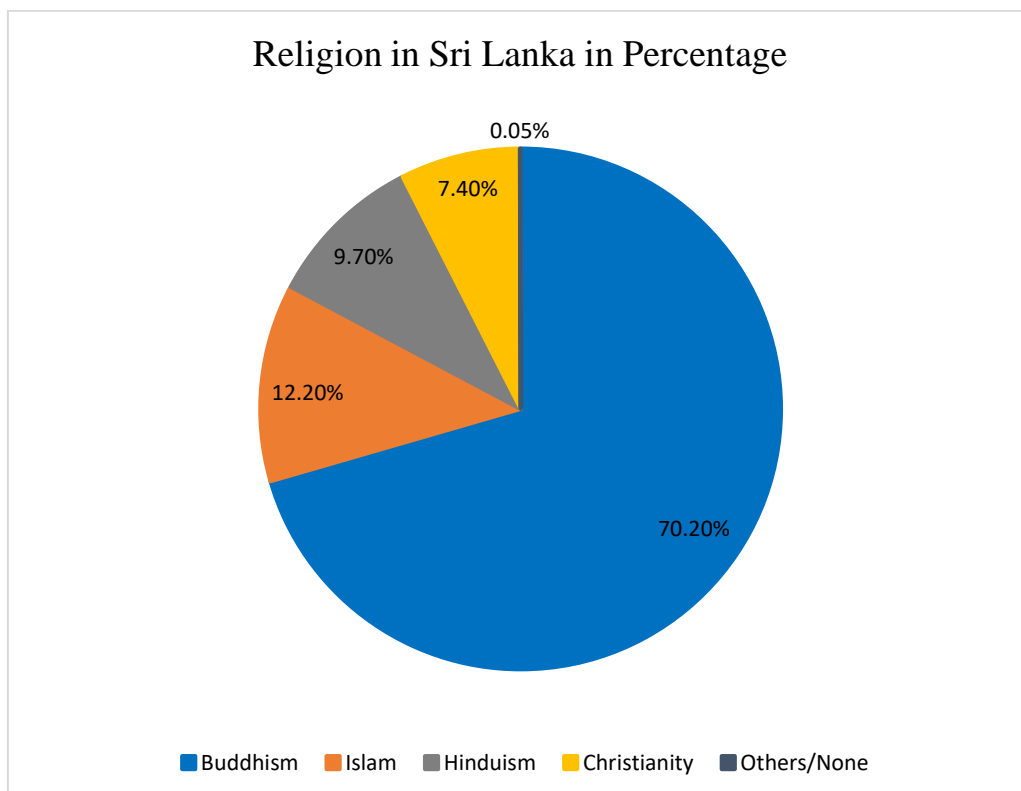
2.4.6 Religious Demography of Maldives

The Maldives is one of the geographically scattered sovereign countries in the world. Geographically, it is the smallest state in South Asia. The state has total inhabitants of 557,426 and is the second smallest country in Asia by population (Maldives, n.d.). The population of the Maldives in the year 2019 was almost 392,000, and there are a supplementary 200,000 authorized and other 63,000 unauthorized foreign workers who are mainly from Pakistan, Bangladesh, Sri Lanka, and India. Islam is the state religion of the Maldives, and that is a country of almost 100 percent Muslims (Sunni) (Maldives 2019 International Religious Freedom Report).

2.4.7 Religious Demography of Sri Lanka

2012 census estimated that the population of Sri Lanka was 20,359,439 (Demographics of Sri Lanka, n.d.). According to the National Census 2012, Theravada Buddhism consists of almost all Buddhists in Sri Lanka. They are predominant in the central, North-Central, Western, Northwestern, and Southern Provinces. Sinhalese are mainly Buddhist. Tamils are predominantly Hindu, with a considerable portion of the Christian minority who set up the mainstream group in the Northern region. Muslims are more comfortable identifying themselves as a distinct ethnic group than Tamils or Sinhalese. Muslims constitute a significant number in the Central, Western, North-Central, and Northwestern Provinces. The Christians reside in almost all of Sri Lanka, with a significant attendance in the Northern, Eastern, and Western Provinces.

Figure 2.7

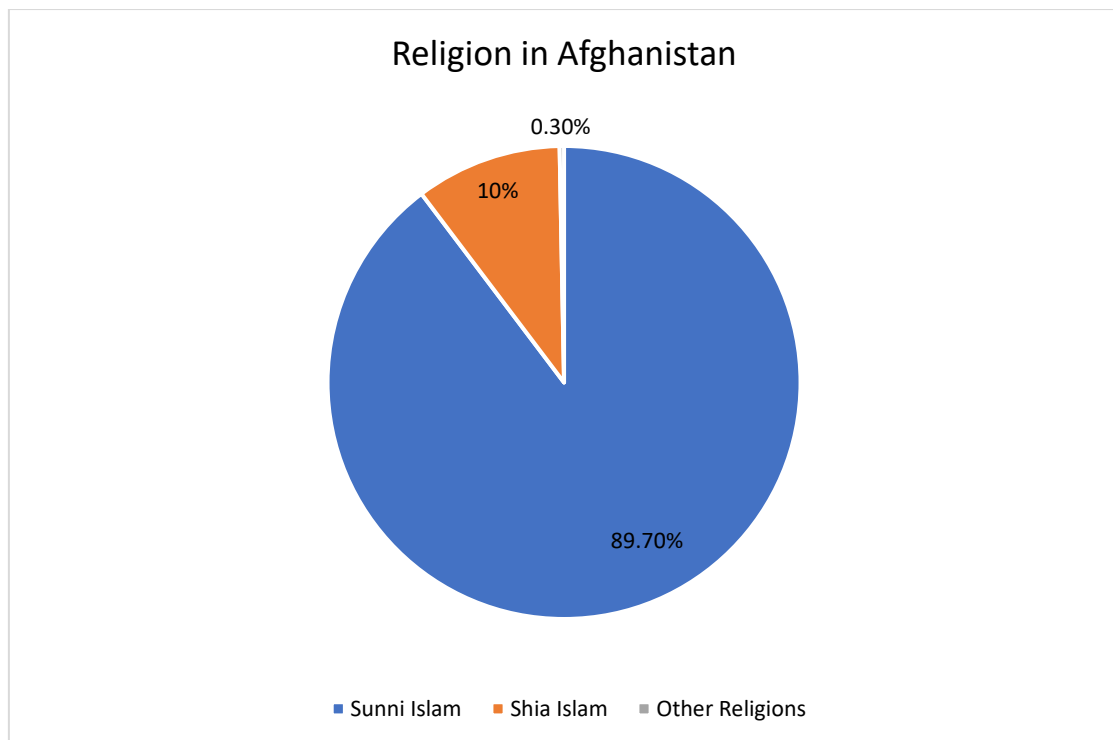


Source: (Religion in Sri Lanka, 2012 Census, n.d.)

2.4.8 Religious Demography of Afghanistan

The population of Afghanistan is estimated at 35.5 million in 2019. It is a Muslim-dominated state. The Statistics Office of the Afghanistan government does not provide any exact data centering on the percentage of Sunni and Shia Muslims in the country. In the view of Pew Forum, Shia and Sunni Muslims constitute almost 99% of the whole population of Afghanistan. Others are mainly Hindus, Sikhs, Christians, and Baha'is, who create less than 0.3% of the total population. According to Hindu and Sikh leaders, their number in Afghanistan was 1,300 in 2017, which dropped to 700 by 2018. They live primarily in Kabul. The Ahmadi Muslims were estimated at 450 believers countrywide, down from 600 in 2017. Among the Shia, Hazaras reside primarily in the central and western provinces and Kabul; Ismaili Muslims live predominantly in Kabul besides the central and Northern provinces. Adherents of the Baha'i Faith dwell mainly in Kabul, with a small community in Kandahar (2019 Report on International Religious Freedom: Afghanistan).

Figure 2.8



Sources: (Religion in Afghanistan, 2012 Census, n.d.)

2.5 History of Religious Freedom in Bangladesh

Bangladesh is a land of natural beauty where people are simple, peace-loving, religious, and democratic-minded. The followers of different religions have lived here with amity and peace from time immemorial. The traditional religious culture of Bangladesh is a product of varied elements- Arabian, Persian, Turkish, Indo-Aryan, Tibeto-Burman, Austro-Asiatic, Portuguese and English. They left their way of life, manner, lifestyle, religious thinking, and culture, which impact the cultural enrichment of this country.

A visiting U.S. diplomat David N Saperstein, US ambassador, on 22 December 2016, said there was effective freedom of religion in Bangladesh, especially in the case of religious practices and harmonious coexistence of different religious communities. He encouraged the long history of religious freedom in Bangladesh. He said religious freedom is supposed to be effective in a country where minority communities can build their places of worship and practice their religion freely (Bangladesh has substantial religious freedom, 2016). It is necessary to briefly discuss the historical context of this country to know the current status of religious freedom in Bangladesh. Bangladesh is probably the only country in the world that has changed its name three times in less than 25 years. Bangladesh was known as East Bengal before 1947; it was East Pakistan from 1947 to 1971; and finally, in 1971, it emerged as Bangladesh (Islam, 2011).

The Buddhist rulers established the Pala dynasty in Bengal in the 8th century C.E. It ruled for about 400 years, the longest-ruling period of a dynasty in Bengal. They showed and implemented proper honor, respect, and love for all the people of different religions. Hindus, Buddhists, and different indigenous groups lived in the region for many centuries in such a harmonious way that the Pala dynasty is known as the golden period of religious freedom and interfaith harmony in Bengal. After this heyday was over, the Sena dynasty of Hindu ruling

persecuted and oppressed the Buddhists. There were political motives and reasons behind the brutal suppression. In 1203 C.E., there was an journey to a new era by the Turkish Muslim warrior Ikhtiyar Uddin Muhammad bin Bakhtiyar Khalji who was sympathetic toward all religions. Muslims ruled up to 1757 C.E. being quite respectful to other religious traditions. After that, Bengal was conquered by the British. They implemented the “divide and rule” policy. Then Hindu-Muslim conflict started in this region. Eventually, divisions and conflicts were intensified by introducing the “two-nation theory” by the founder of Pakistan, Muhammad Ali Jinnah. India got independent in 1947, dividing it into two parts-India and Pakistan. Pakistan is again divided into West Pakistan and East Pakistan on a regional basis (Islam, 2011).

After nine months of the blood-shedding war, Bangladesh emerged as a sovereign country on 16 December 1971. One of the most outstanding charismatic leaders of East Pakistan, Bangabandhu Sheikh Mujibur Rahman, became the first president of Bangladesh who emphasized secularism to promote harmonious living for all people in Bangladesh. He was assassinated brutally on 15 August 1975 with all of his family members except his two daughters, Sheikh Hasina, the present Prime Minister, and Sheikh Rehana, who were not present with their family. With the help of the military, general Ziaur Rahman (19 January 1936- 30 May 1981) came to power. Through martial law, he dispelled secularism and added a new point, “Islamic Solidarity,” in the constitution of Bangladesh that encouraged religion-based politics in the country. Hussain Muhammad Ershad came to power as a military ruler in 1982 who used religion for the sake of politics and personal gaining more than before. Then the religio-political situation became more unstable.

Fanaticism, religious extremism, persecution of religious minorities, and religious intolerance were on the rise from 2001 to 2006 during the ruling of the BNP (Lintner, 2002). Then the Caretaker government took charge, and the situation became smoother than in the

immediate past. The Awami League came to power in 2009 and initially took several steps to ensure religious harmony and religious freedom. After 2010 the notion of secularism changed. The concept of new secularism evolved in the mindset of many activists of ruling parties that caused great harm in the sector of human rights and religious freedom in Bangladesh. However, after being elected for a second term in 2014, the country became more unstable due to political instability, religious extremism, and the activities of various militant groups. In particular, the attacks on minorities, including several militant attacks in 2015 and 2016, greatly tarnished the image of Bangladesh throughout the world. The contemporary position of human rights and religious freedom in South Asia will be discussed in the next chapter.

Chapter Three

The State of Human Rights and Religious Freedom in South Asia

The religious demography of South Asia and the history of religious freedom in Bangladesh have been explained briefly. The concepts of religion, human rights and religious freedom have also been clarified. This chapter has thoroughly examined how Constitutions of South Asian states perceive human rights and religious freedom. An attempt has also been made to uncover contemporary (2015-2019) threats to enforce human rights and ensure religious freedom in South Asia.

3.1 Constitutional Essence of Religious Freedom

The Constitution comprises many laws which guarantee freedom of belief and the practice of religion, and it provides the means of amends when these guarantees are in trouble. Furthermore, a Constitution is amendable in some respects for the greater welfare of the country. It consists of essential documents of the responsibilities and duties of government and state towards the rights and dignity of its citizens. Etymologically, the term 'Constitution' comes from the Latin word '*constitutio*,' used for regulations and orders. This simple word has a latent power that encourages and motivates peoples and nations across the World (Tobgye, 2015). A Constitution is a living document, an instrument that makes the system of government work. It is the combination of cardinal principles according to which a state or other organization is acknowledged to be governed. Significantly, the set of political ideologies for the rights of the people of a country is often stated here in written form.

South Asia is a region of diverse religious faiths. Almost all the Constitutions in South Asian states contain similar language in their preambles. They adopt liberal democratic policies and stress particular emphasis on religious freedom. The Constitutional basis of religious

freedom is essential for the political and legal debate about faith-based social services. Declaration of independence and the Constitution work together to defend religious freedom in this region and propagate against persecution and intolerance (Eisgruber & Sager, 2007). It is noticeable that most of the Constitutions in South Asia insert the religion of the majority people as the state religion of the particular State. The research argues that the insertion of state religion and other amendments regarding religion and secularism in the Constitutions do not contradict the Constitutional support for religious freedom. Because they simply recognize the State's position towards the faith of majority citizens and do not weaken the Constitutional assurances of justice, equality, and the security of citizens. The position of religious freedom in the Constitutions of all the states of South Asia is presented below:

3.1.1 The Constitution of Bangladesh

The Constitution of Bangladesh is an excellent testimony of the betterment of the nation with 11 chapters, seven schedules, 153 articles, and 16 amendments that serve social, political, religious, cultural, economic, national, and international purposes. Democracy, secularism, religious pluralism, and mutual respect are the fundamental principles of the Original Bangladeshi Constitution of 1972, which deem to be the basis for uniting the people in a common ground. During the period of Ziaur Rahman, the Fifth Amendment of 1979 banned secularism and incorporated *Bismillahir Rahmanir Rahim* (In the name of Allah, the Beneficent, and the Merciful). In the same sequence, Eighth Amendment was introduced in 1988 during the reign of Hussain Muhammad Ershad, which declared Islam as the official state religion of the Republic (Ahamed & Nazneen, 1990; Mostofa and Subedi, 2020; Mostofa, 2021). In 2005, the Supreme Court of Bangladesh affirmed that the ban of secularism from the Constitution in 1979 was unlawful (Ahmad, 2020). As a result, the Parliament amended the Constitution in 2011 to restore the provision of secularism, but Islam as the state religion and

the insertion of *Bismillahir Rahmanir Rahim* were kept unchanged (Islam, 2018; Mostofa, 2020). Let us look at the clauses of our Constitution related to the security and protection of religious freedom.

The framers of the Constitution of Bangladesh promised that one of the State's principal goals would be to form exploitation and corruption-free society democratically. The Constitution shall ensure fundamental human rights. Consequently, this unique Constitution prohibits religious intolerance and discrimination and provides equality and serenity for all existing religions of Bangladesh. It also asserts that to implement the policy of secularism, all forms of communalism, permitting of political status to any religion by the state, abusing religions for political purposes, and discrimination or persecution against the adherents of any particular religious faiths shall be eliminated (Bangladesh's Constitution of 1972, 2011). The Constitution also confirms religious freedom through Article 41: "Every citizen has the right to practice, or propagate any religion." Moreover, each religious community and sub-community has been given the right to establish, maintain and manage its religious institutions. It is also declared that if a person attending an educational institution is not related to his/her religion, he/she shall not have to undergo any religious education or participate in any religious ceremony or worship (Bangladesh's Constitution of 1972, 2011).

3.1.2 The Constitution of India

India is a secular state in a strict sense from its very Constitutional foundation (Mahmood, 2007). It is a multi-ethnic country of sub-continental size in Asia. It is not surprising "for a country that is home to ancient religions like Hinduism and Buddhism, and one that is home to one of the largest Muslim populations in any single country, secularism is a very special phenomenon" (Ten & Siam-Heng, 2009; Gungwu, 2004). The Constitution of India is one of the most detailed and most extended Constitutions in the world. It prescribes that liberty,

equality, and fraternity, the three vital elements, must be secured and protected with social, political, and economic justice (The Ministry of law and Justice, The Republic of India, 2015). It is an excellent achievement of Indian democracy not to insert official state religion, but its neighboring countries, e.g., Bangladesh, Pakistan, Sri Lanka, and Myanmar, uphold particular religions as state religions. Articles 25 and 26 of the Indian Constitution confirm religious freedom in the State: All persons shall have the right to freedom of conscience and confess, practice, and propagate religion freely. In addition, the Indian Constitution provides for the freedom to conduct religious activities as well as the freedom to establish and maintain religious and benevolent institutions (Basu, 2011).

3.1.3 The Constitution of Pakistan

Islam is the official religion of the Islamic Republic of Pakistan. Religion incorporates certain practices and beliefs, and the Constitution protects such activities. After several years of efforts, the first Constitution of Pakistan was adopted by the Second Constituent Assembly on 29 February 1956. The Constitution is lengthy, detailed, and rigid, which contains 234 articles, divided into 13 parts and six schedules (Choudhury, 1956). It was short-lived, and following a 1958 military revolution under General Muhammad Ayub Khan, a new constitution came into being in 1962 as part of the restoration to civilian rule. In the new Constitution, references to the “Quran” and “Sunnah” inserted in the Constitution of 1956 were abolished, and General Khan attempted to govern the newly formed Islamic institutions in a secular manner (Hassan, 2002). The current authentic version of the Constitution of Pakistan was passed in the National Assembly of Pakistan on 10 April 1973, which comprises 280 Articles (National Assembly of Pakistan, 2012). The position of the Constitution of Pakistan on religious freedom can be assessed from three perspectives- 1. The secular perspective 2. The moderate perspective, and 3. The Islamic view of the State. From the secular perspective, special attention should be given

to the speech of Zinnah in 1947. After being elected president of the Pakistan Constituent Assembly, he made a historic speech on 11 August 1947 and portrayed a vision of a future Pakistan that corresponds fully with the democratic notion of a secular State. Zinnah says, as cited in Khalid and Anwar (2018):

You are free; you are free to go to your temples, you are free to go to your mosques or any other place of worship in this State of Pakistan. You may belong to any religion or caste or creed- that has nothing to do with the business of the State ... We are starting with this fundamental principle that we are all citizens and equal citizens of one State... I think we should keep that in front of us as our ideal and you will find that in due course, Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State (p. 56).

Religious freedom has been guaranteed through Articles 2, 20, and 21 of the Constitution of Pakistan. Article 2 identifies Pakistan as an “Islamic Republic” wherein “the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam, should be fully observed” (Choudhury, 1956, P. 244). Article 20 of the Constitution of 1973 also declares: "every citizen shall have the right to profess, practice and propagate his religion; and every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions” (National Assembly of Pakistan, 2012).

3.1.4 The Constitution of Nepal

The new Constitution came into being in 2015 amid ongoing violence. According to the new Constitution, Nepal, the world's only Hindu state, has become a Secular Democratic Federal Republic. However, some groups have taken a stand against this Constitution and want to see Nepal as a Hindu state. The Constitution launches Nepal as a “secular state” but describes

secularism as “protection of the age-old religion and culture and religious and cultural freedom” (United States Department of State, 2017). The issue of dividing Nepal into seven distinct provinces in the Constitution was not well received by many citizens. Minority ethnic groups, in particular, feel that this regional fragmentation could be more discriminatory toward minorities. Since the end of the long monarchy of Nepal, the country has been governed by an interim constitution since 2008.

It is confirmed in the Constitution that the Republic will reject all forms of racial untouchability, discrimination, and oppression created by the feudal, autocratic, centralized, and unitary system. The State shall defend and stimulate diversity by embracing multi-cultural, multi-religious, multi-lingual, multi-caste, tolerance and harmonious attitudes, and diverse geographical features (Constitution of Nepal, 2015). Religious freedom is guaranteed in Article 13 of the Interim Constitution of 2007 and Article 18 of the new Constitution of 2015:

There shall be no discrimination in the application of general laws on the grounds of origin, religion, race, caste, tribe, sex, physical conditions, disability, health condition, marital status, pregnancy, economic condition, language or geographical region, or ideology or any other such grounds (p. 6).

The Republic shall treat all citizens equally regardless of castes and religions. The Constitution further asserts, “the state shall not discriminate among citizens on the grounds of origin, religion, race, caste, tribe, sex, economic condition, language or geographical region, ideology or any of these” (Constitution of Nepal, 2015; The Interim Constitution of Nepal, 2007).

3.1.5 The Constitution of Bhutan

The journey of the Constitutional process of the Royal Kingdom of Bhutan started in 2001 when King Jigme Singye Wangchuck declared that democracy would be the ideal of the kingdom by saying: “the destiny of the nation lies in the hands of the people, we cannot leave

the future of the country in the hands of one person.” So, Bhutan is the Independent Kingdom where the sovereign authority goes to the citizens of the State. Buddhism is declared as the spiritual heritage of Bhutan instead of the State religion in the Constitution. The Constitution guarantees the protection of the individual right of “freedom of thought, conscience and religion,” which is the fundamental principle of democracy. The declaration of Section 1 & 2 of Article 3 stimulates religious freedom: “Buddhism is the spiritual heritage of Bhutan, which promotes the principles and values of peace, non-violence, compassion, and tolerance” (Tobgye, 2015, p. 67).

There is hardly any example in world history where democracy has come instead of the monarchy by the king’s will. Because monarchies always consider the power and the country as their wealth. In this case, Bhutan, a small country in Southeast Asia, is the exception. With the end of the monarchy, the democratic journey started in the country in 2008. King Jigme Singye Wangchuck voluntarily relinquished power in 2008, making history in South Asian regional politics, where the crisis of democracy is rampant. Then his son Jigme Khesar Namgyel Wangchuck came to power, abolished the absolute monarchy, and announced the establishment of a nominal ceremonial monarchy. It is pertinent to mention that its neighboring country Nepal, has shed much blood in establishing democracy instead of a monarchy. No democratic government could sustain in Nepal, and even the entire royal family had to die for it.

Bhutan has set a different model in this regard. Three general elections have been held in the country since the beginning of the democratic process. Every time there has been a change of power in the election, three different parties have come to power. International intellectuals believe that this will also serve as a milestone in regional politics and establishing democracy and human freedom (Mostofa S. M., 2018).

3.1.6 The Constitution of Maldives

The first Constitution of the Maldives was evolved in 1932 that had 92 articles. Replacing the Constitution of 1998, President Maumoon Abdul Gayoom approved the *Constitution of the Republic of the Maldives 2008* on 7 August 2008. This newly introduced Constitution advocates a new set of democratic rights, inaugurating the principles of accountability and transparency (The Constitution of Maldives, 2014). The Constitution ensures equality, justice, and freedom of expression for all citizens. However, it does not guarantee freedom of religion because the Maldives is the State of almost 100% Muslims, and according to its Constitution, a non-Muslim cannot be a citizen of the Maldives (Article 9). Article 10 of the Constitution offers the official religion of the State. It is declared that “Islam is the state religion of Maldives. Islam shall be one of the foundations of all the laws of the Maldives. No law contrary to any tenet of Islam shall be enacted in the Maldives” (Maldives’s Constitution of 2008, 2014, p. 11).

3.1.7 The Constitution of Sri Lanka

The new Constitution of Sri Lanka promulgated on 7 September 1978 provided for a *unicameral* (the practice of having a single legislative or parliamentary Chamber) Parliament and an Executive President (Sri Lankan Constitution of 1972). The Sri Lankan Constitution contains 172 Articles. Sri Lanka is a Buddhist-dominated country, and Buddhism has been given the foremost place in the Republic of Sri Lanka. In contrast, Articles 10 to 14 in Sri Lankan Constitution also guarantee freedom of religion. Article 12 ensures the right to justice and equality: “All persons are equal before the law and are entitled to the equal protection of the law. No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth, or any one of such grounds.” Article 14(1)(e) provides people the freedom to profess and practice their respective religions: “Every citizen is entitled to the freedom, either by himself or in association with others, and either in public

or in private, to manifest his religion or belief in worship, observance, practice, and teaching” (Sri Lankan Constitution of 1972).

3.1.8 The Constitution of Afghanistan

The Constitution of 1964 is the basis for the current Constitution of Afghanistan. The original Constitution provides the provision for equality and justice for citizens. In Article 25, it is proclaimed that “The people of Afghanistan, without any discrimination or preference, have equal rights and obligations before the law” (Nawabi, 2003, p. 6). Hamid Karzai officially signed the present Constitution of Afghanistan on 26 January 2004, containing 162 articles (The Constitution of the Islamic Republic of Afghanistan, 2004). Afghanistan is the Islamic Republic, an independent, unitary and indivisible state. In Afghanistan, no law can be contrary to the beliefs and provisions of the sacred religion of Islam. However, it also assures that the followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provisions of law (The Constitution of the Islamic Republic of Afghanistan, 2004).

3.1.9 Constitutional Comparisons for religious freedom

The constitutions of Bangladesh, India, and Pakistan have similar declarations on the “practice, profess and propagation” of religion. The Constitution of Nepal also mentions in almost the same language, “practice, preservation and profess” of religion. The constitutions of Nepal and Sri Lanka have limited the scope of religious freedom to some extent by referring to worship, observance, practices, and teaching of religion to mean religious freedom. The Constitution of Afghanistan shows a narrower view of religious freedom than that of Sri Lanka and Nepal by declaring the abolition of related religious traditions contrary to the ideologies of the sacred religion of Islam (The Constitution of the Islamic Republic of Afghanistan, 2004). Bhutan is

the only exceptional State of South Asia in this regard, and its Constitution guarantees the elements of religious freedom and refers to the term “Freedom of religion” (Khan & Rahman, 2011).

From the above discussion, it can be inferred that the constitutions of all the countries of South Asia except the Maldives and Afghanistan have guaranteed religious freedom for minorities. However, the Constitution of any country in this region does not fully maintain international standards in terms of religious freedom. The status of the Constitution of Maldives is most alarming among all the countries in South Asia. The Constitutional provisions like the absence of religious freedom and the non-recognition of non-Muslims to become citizens of the country jeopardize even the religious freedom of the Muslims.

3.2 Contemporary Threats to Human Rights and Religious

Freedom

South Asia is an area of religious and political instability. It is a matter of sorrow that though almost all South Asian countries’ constitutions guarantee religious freedom, we can see the opposite scenario in these countries. Violations of religious freedom have become a serious problem everywhere in South Asia. Many instances of recent insecurities and human rights violations have pushed the people of South Asia into extreme insecurity. Significant incidents of recent (2015-2019) human rights and religious freedom violations in South Asian countries are briefly discussed below:

3.2.1 Bangladesh

Bangladesh has been renowned for its moderate Muslim attitude, which has sometimes been challenged by the rise of communalism and religious extremism (Mostofa, 2021a). The country witnessed the religious tolerance and freedom of religions as the Palas ruled from 750 C.E. to

1162 C.E., the golden period of religious harmony. There existed a peaceful atmosphere among the people of different faiths. To date, the birthdays of Prophet Muhammad (PBUH), Jesus Christ, Lord Shree Krishna, and Gautama Buddha are celebrated with proper respect by declaring these events as public holidays. It is a unique and unprecedented symbol of religious freedom, rare outside Bangladesh.

It is a matter of regret that in this globalized era, many foreign terrorist groups who are affiliated with many international conspiracies are trying to shake the peaceful co-existence of different religious faiths in Bangladesh. Many foreign terrorist groups have been operating in Bangladesh, and many secular urban youths are subscribing to their ideology (Mostofa & Brasted, 2022; Brasted et al., 2020). Such a trend has challenged the peaceful co-existence of different religious faiths in Bangladesh. The political violence, terrorist attacks, extrajudicial killings, disappearances and kidnapping, arbitrary arrest and torture, lack of freedom of expression, violations of human rights at the Indo-Bangladesh Borderland, rape, and death in jail are the major threats to human rights and religious freedom in Bangladesh. The murder of Abrar Fahad, a student at Bangladesh University of Engineering and Technology (BUET), was seriously condemned both at home and abroad. This young student was brutally killed in his residential hall at BUET on 6 October 2019 by the activists of CL, a wing student organization of BAL. Abrar seemed to be alleged for his Facebook status against the domination of India over Bangladesh (Staff Correspondent, 2019).

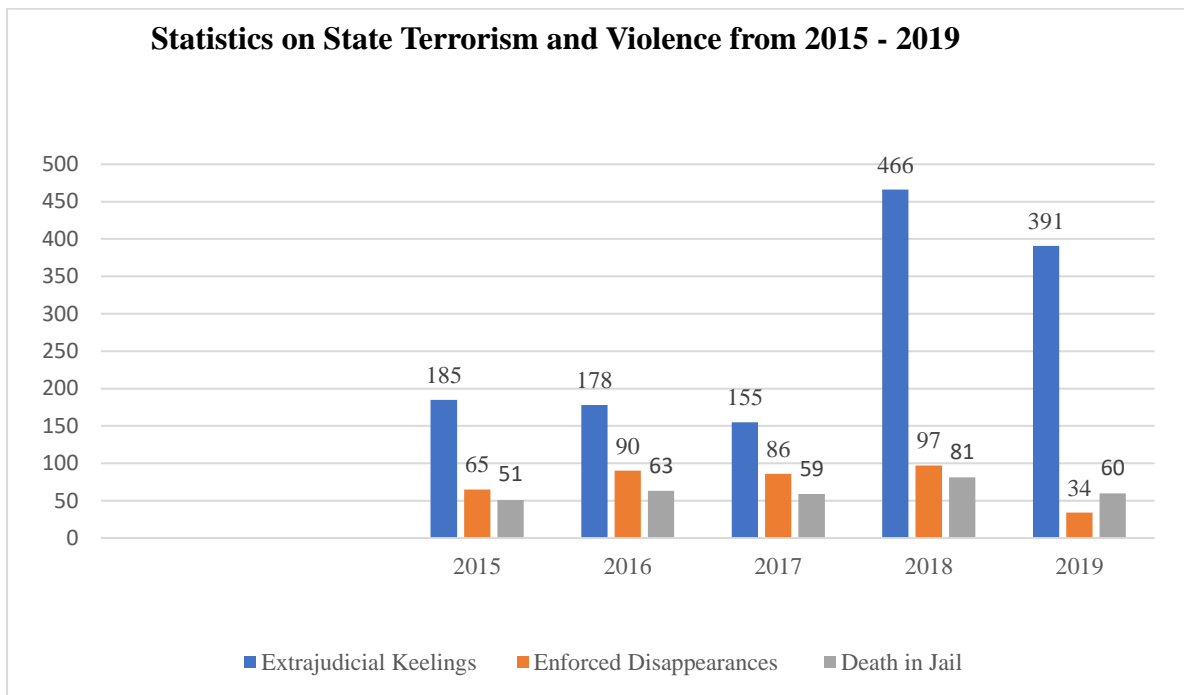
The attack on 1 July 2016 at the Holey Artisan Bakery in Dhaka is the most notable militant invasion of human rights and religious freedom. In the attack, five radical Muslims killed 24 predominantly non-Muslim civilians. The increase of Islamic militant activities in Bangladesh has been an alarming issue, and there has been a significant increase, particularly in 2015 and 2016. It seems that militant groups have identified Bangladesh as one of their new havens; for instance, Al Qaeda in the Indian Subcontinent (AQIS) and the Islamic State (I.S.)

have claimed their existence in the country (Mostofa and Doyle, 2019; Mostofa, 2019). The Ansar Al Islam, also known as the Ansarullah Bangla Team (ABT), claimed to be the unit of the India-based militant group AQIS and has taken responsibility for murdering atheists bloggers and the publisher of one of the atheist blogger books (Riaz, 2017).

Since 2009, over 3000 attacks have been reported against people of minority groups in Bangladesh (Mostofa, 2021c). Ten Hindus, including priests and teachers, were killed in 10 distinct assaults between February and July 2016. ISIS (Islamic State of Iraq and Syria) claimed responsibility for seven attacks. It also demanded accountability for a bomb blast and gun battle on 7 July 2016 near the site of a mass Eid Ul-Fitr at Sholakiya, Kishoreganj, which killed four and wounded at least seven people (Bangladesh 2016 International Religious Freedom Report; Mostofa, 2021b). On 24 March 2019, to grab the land, a group of criminals led an arson attack with sharp weapons on the ethnic minority ‘Pahan Community’ in Dhamurhat Upazila under Naogaon District and wholly ruined at least 37 homes (Ali, 2019).

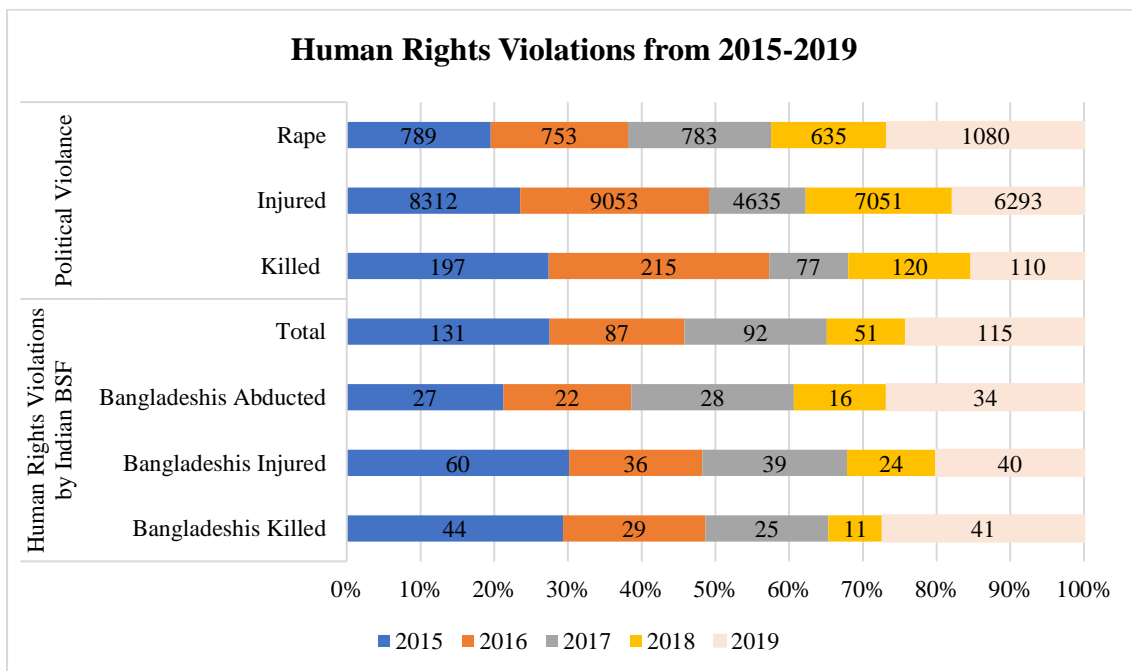
Extrajudicial killings have been drastically increased after the nationwide anti-drug campaigns since 15 May 2018. In most cases, the victims are killed in a ‘gunfight’ after being picked up from their residence. However, members of the law execution body deny this. Teknaf in Cox’s Bazar is the focal point for the anti-drug campaign. Most of the 102 *Eyaba* traders, predominantly from Teknaf, surrendered, and within the six months of surrender, 55 of them were killed in gun battles! After analyzing the statements from law enforcement agencies and the cases related to the incidents of ‘gunfights,’ it is found that the description of each incident is almost identical (Alam, 2019; Bangladesh 2019 Human Rights Report, 2019; Annual Human Rights Report 2019 Bangladesh, 2020).

Figure 3.1

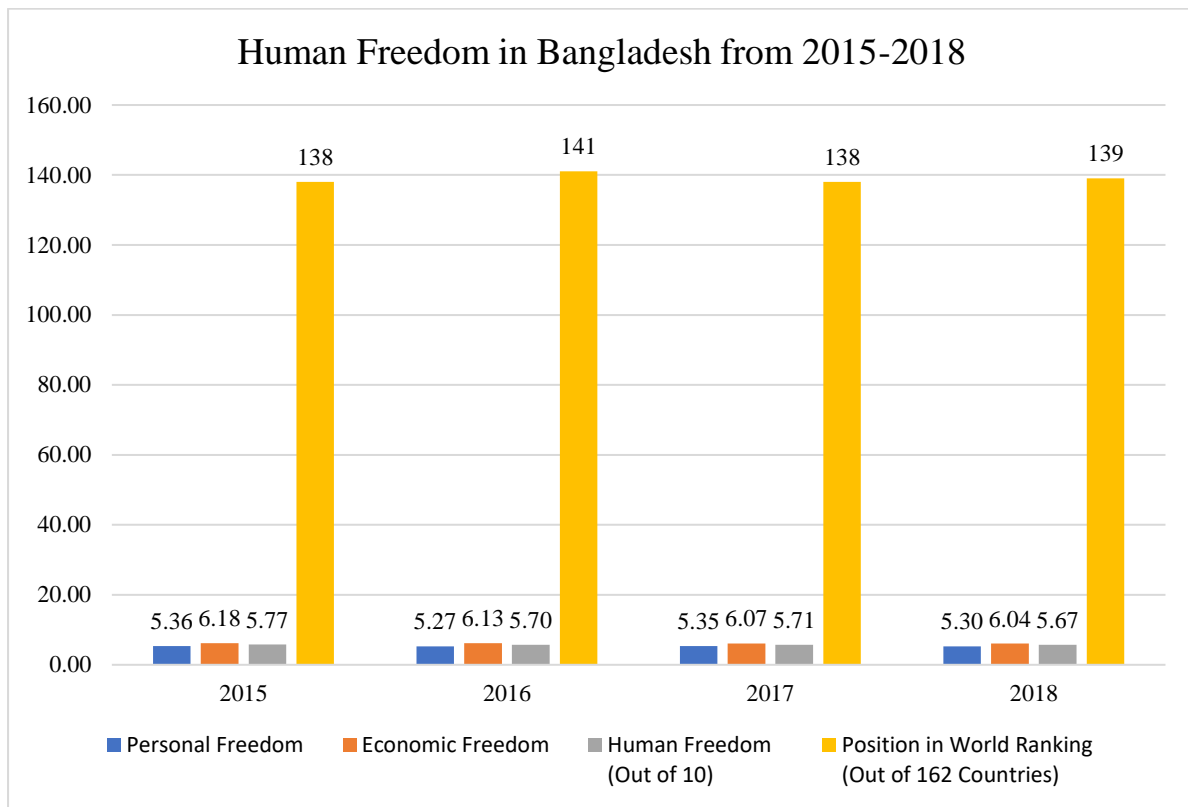


Sources: Annual Human Rights Report 2015-2019 Bangladesh, Odhikar)

Figure 3.2



Sources: Annual Human Rights Report 2015-2019 Bangladesh, Odhikar)

Figure 3.3

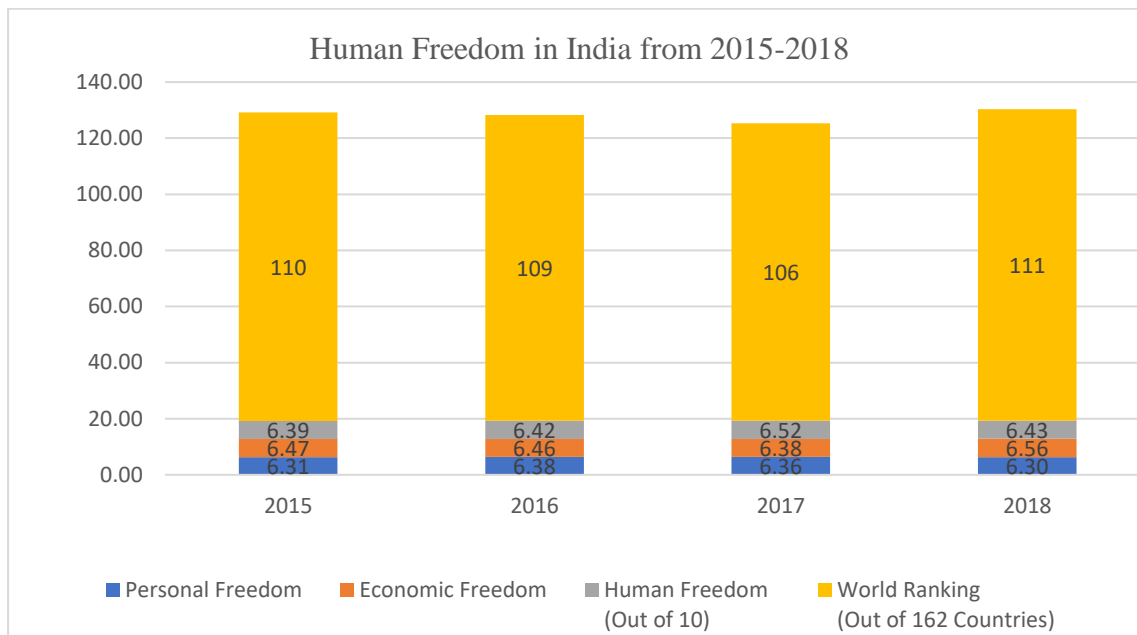
Sources: (Vasquez & Porcnik, 2020)

3.2.2 India

As the biggest South Asian country, India plays a vital role in determining the destiny of South Asia. Constitutionally, India is a secular state, but racial violence, police malpractice, discrimination, persecution, and provocation have destabilized India and its neighboring countries in South Asia. The central conflict zones in India are concentrated in Jammu and Kashmir, the North-Eastern states of Assam, Nagaland, and Manipur, the regions where the followers of minority religions are predominant (Balakrishnan, 2018; Kohli, 1990). There have been several recent violent incidents in different parts of India centered on cow slaughter. Such outbreaks of violence have been escalating, especially since Prime Minister Narendra Modi came to power in 2014. The year 2017 witnessed the maximum number of cow-related hate crimes in India, with 28 cases being reported by the media (Number of cow related hate crimes

reported in India 2010-2018, 2020). The Muslims make up about 14.5 percent of the total population in India. However, in the Indian Police Services, out of 3,209 police officers in 2015, the Muslims were 128, less than 4 percent in the Police Department. In 2016, out of 3654 Muslim officers further decreased to only 120, about 3.19% of the total police officers (Rahman, 2017).

Religion-based violence is the prime concern in India, and conflict among the adherents of Hinduism, Islam, and Sikhism is a common feature in Indian society. The Federal Interior Ministry of India reports that the communal riots in 2015 increased by 17% compared to the previous year; 751 incidents are recorded in which 97 persons were killed and 2,246 persons were injured. Significant incidents are reported in Bihar, Madhya Pradesh, Maharashtra, Uttar Pradesh, and Gujarat. Indian Ministry of Home Affairs recognized that at least 703 communal clashes took place in 2016 across the country, in which 86 lost their lives and 2321 persons were injured. In contrast, the National Crime Records Bureau registers 876 cases of religious-based riots under offenses against public tranquility (Chaney, 2020). In the case of Jammu-Kashmir, on 14 February 2019, a suicide attack on the members of security forces in Pulwama district killed over 40 Indian troops. A Pakistan-based militant group named Jaish-e-Mohammad claimed responsibility for the attack. Following the attack, the students and people in the business of Kashmir residing in other regions of India were harassed, tortured, beaten, and even forcefully uprooted from houses and dormitories by the supporters of BJP (Human Rights Watch, 2020).

Figure 3.4

Sources: (Vasquez & Porcnik, 2020)

3.2.3 Pakistan

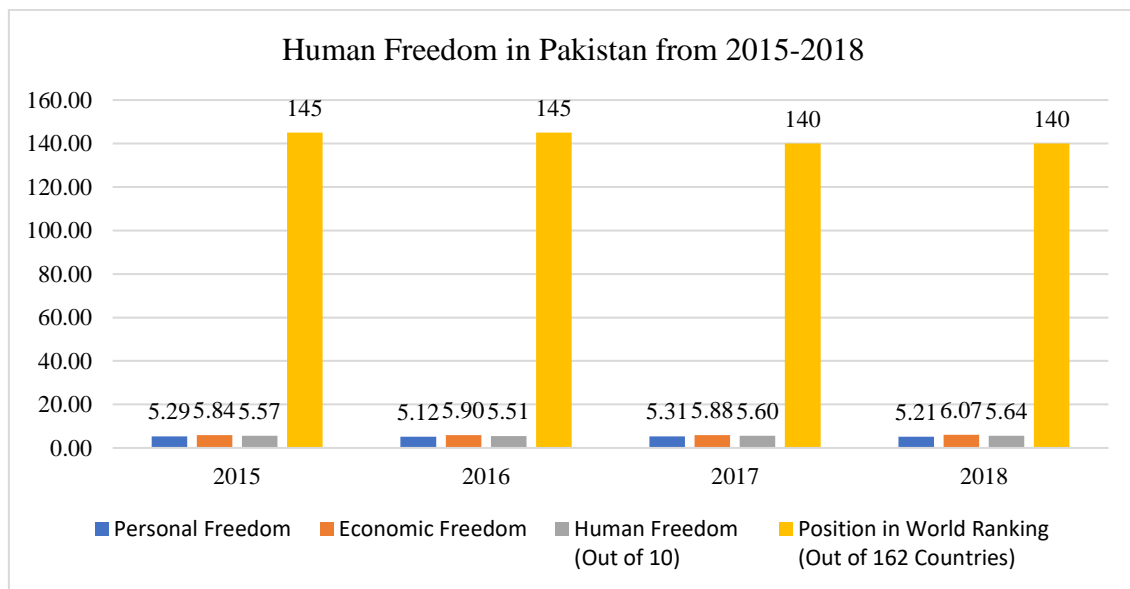
Pakistan is a more militarized country than India and Bangladesh. Freedom of expression and media and the security of minorities in Pakistan have been under threat for decades. The torture and abuses of Pakistani Police in 2016 forced many Afghans living in Pakistan to return to Afghanistan or flee elsewhere. No less than 85 individuals on death row were executed in 2016. Top-secret military courts are bequeathed to operate death sentences (Human Rights Watch, 2017).

The Tehrik-Taliban Pakistan (TTP), Al Qaeda, and their affiliated extremist groups effectuated suicide bombings and other indiscriminate attacks against security persons for a few years that caused many civilians' deaths and injuries during the year of 2015 to 2019. At least 20 persons were killed and 48 individuals injured in a sudden attack in a market in Quetta, Balochistan, targeting the Hazara community on 12 April 2019. Furthermore, at least 74 civilians were killed and 338 others injured in a suicide bombing in a public park in Lahore in

March 2016. The main target of the attack was the Christian community, who were celebrating their significant festival 'Easter' (Human Rights Watch, 2017).

In October 2018, the Supreme Court of Pakistan released Asiya Bibi, a Christian woman who had spent eight years on death row for blasphemy. She was permitted to return to her family in Canada, but she had to stay in custody due to the protests of several faith-based groups across the country. A tailor of Taxila was detained after the allegation of local traders and religious leaders against him of blasphemy in April 2019. The following month, rebellions broke out in Mirpurkhas, Sindh, after a Hindu veterinary doctor was accused of blasphemy for allegedly providing medicines wrapped in a paper with Islamic verses (Human Rights Watch, 2020).

Figure 3.5



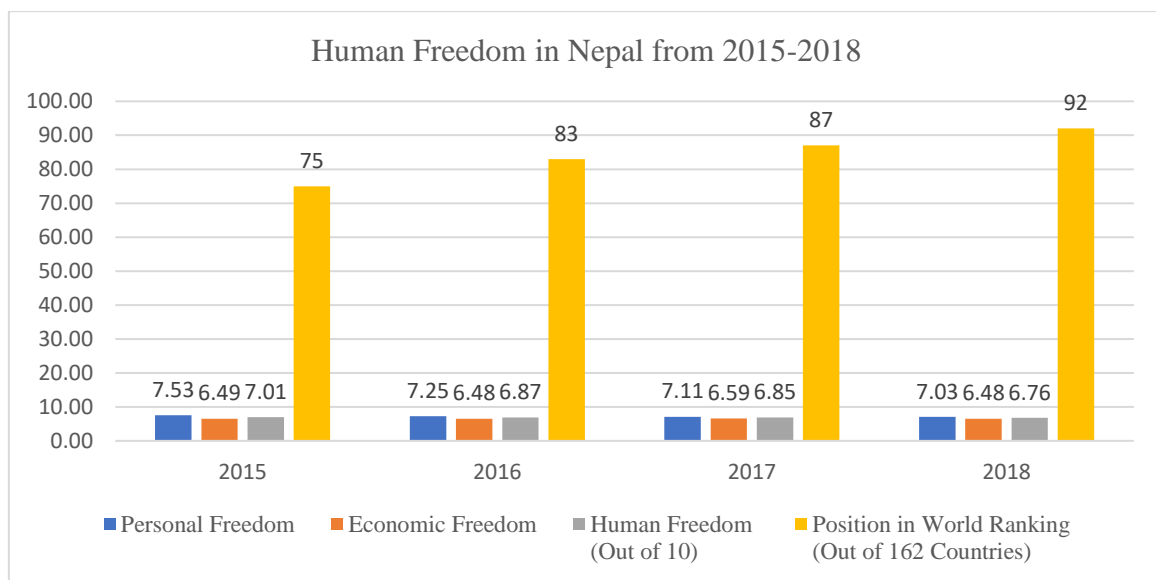
Sources: (Vasquez & Porcnik, 2020)

3.2.4 Nepal

In 2018, K.P. Oli formed the government of Nepal as the new Prime Minister. Despite having a two-thirds majority in Parliament, the Oli Government has made little advancement in executing the federal government structure, including the judiciary and police Department determined in the Constitution of 2015. Conversely, in 2019, the new government

recommended new laws and orders restricting freedom of expression and curtailing supremacies of the National Human Rights Commission (Human Rights Watch, 2020). Poverty, social pressures, limited access to education, dowry practices, and child labor are the leading issues in the contemporary period that enhance child marriage in Nepal. Besides, rape and other criminal offenses have increased across the country. It is alarming that several rural areas in Nepal have become local hotspots of a civil war (Braithwaite & D’Costa, 2018). Five Jehovah’s Witnesses were arrested in different places in 2018 on charges of proselytizing. Moreover, at least 23 persons were arrested by Police for alleged cow slaughter during the year, and several individuals remained imprisoned for previous verdicts for a similar offense (Nepal 2019 International Religious Freedom Report). Moreover, in 2017, three women were arrested by the Police in Kathmandu for converting to Christianity “through inducement” (United States Department of State, 2018).

Figure 3.6



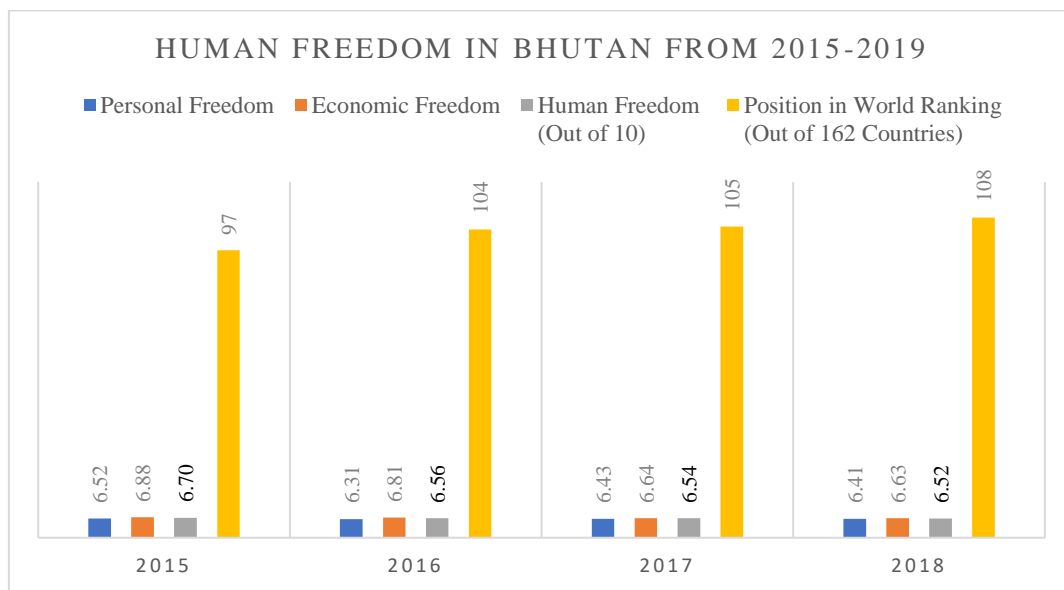
Sources: (Vasquez & Porcnik, 2020)

3.2.5 Bhutan

Christians and Muslims are the religious minority groups in Bhutan. Although the Constitution of Bhutan 2008 advocates the liberty to practice any religious faith, Christians have not been

permitted to officially record themselves as a faith-based organization under the Religious Organizations Act 2007 (The South Asia Collective, 2018). There were no reports on arbitrary deprivation of life, tortures and inhuman treatments, disappearances, and religious freedom violations. The Constitution of Bhutan has given its citizens the right to peaceful assembly and association, and the government retains the restriction on freedom of assembly and association (U.S. Department of State, 2019).

Figure 3.7



Sources: (Vasquez & Porcnik, 2020)

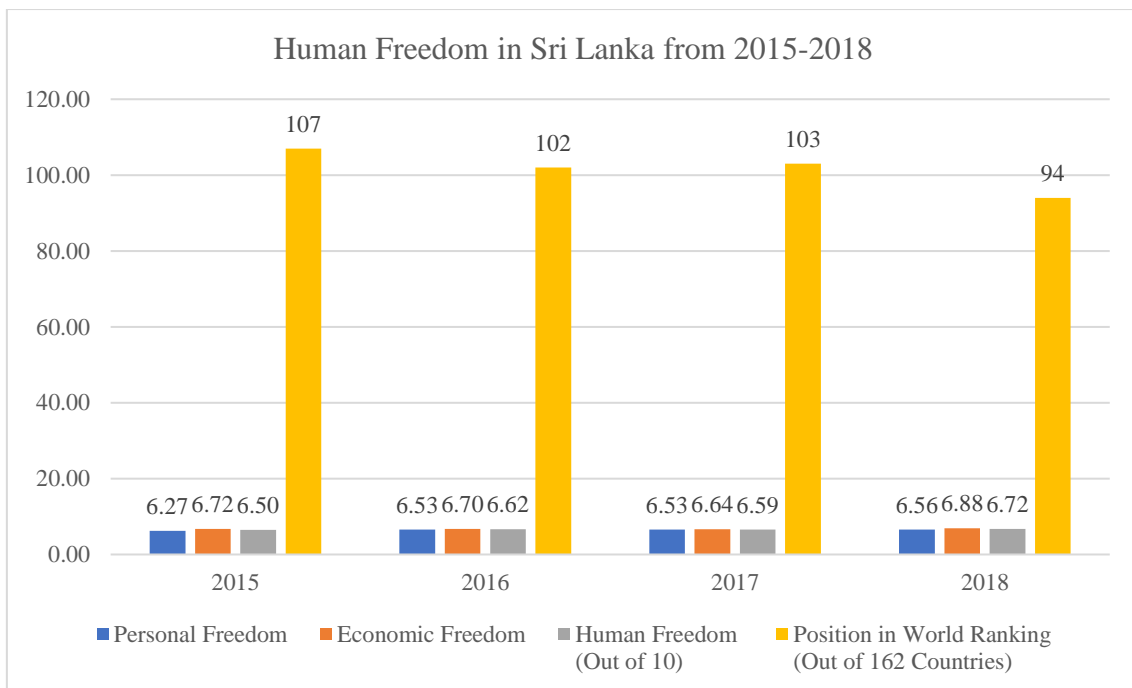
3.2.6 Maldives

The government of President Abdulla Yameen suppressed the opposition candidates by limiting their ability to increase public relations in the Maldives just before the 2016 presidential election. Using the 2016 Anti-Defamation and Freedom of Expression Act, the government enforced heavy charges on media that issued reports against the president. Three journalists of Raajje TV were arrested after an anti-government protest on 16 March 2018 (Human Rights Watch, 2019). In 2018, Ibrahim Mohamed Solih came to power in Abdulla Yameen, but political and religious unrest continued.

3.2.7 Sri Lanka

Violations of the rights of minorities, torture, and ill-treatment by Sri Lankan police and government interference in the freedom of media are common in Sri Lanka in recent times. In June 2017, a lawyer was publicly threatened by Sri Lankan Law Minister Wijeyadasa Rajapakse for criticizing the failure of the government to protect minorities. The legislative authorities took 31 Rohingya Muslim refugees into protective custody in September 2017 in the face of threats from Buddhist extremists (Human Rights Watch, 2018). Easter Sunday attacks in 2019 killed at least 268 individuals, including five U.S. citizens, and injured more than 500 persons (U.S. Department of State, 2020). Police in Sri Lanka are not appropriately held accountable for torturing people in police custody. U.N. Special Rapporteur on torture, Juan Mendis, visited Sri Lanka in 2016 and reported that torture by the Police Criminal Investigation Department was common in Sri Lanka (Human Rights Watch, 2017).

Figure 3.8



Sources: (Vasquez & Porcnik, 2020)

3.2.8 Afghanistan

Afghanistan is a country plagued by regular armed conflicts. For the past twenty years, U.S. forces have served as guards for the State in the name of establishing democracy and justice in Afghanistan. They had spent 2.2 trillion in the country to rear their troops at the time. About two and a half thousands of their soldiers were killed by the Taliban during this period. On the contrary, hundreds of thousands of Afghans have been killed by the forces of the United States (Ahmed, 2021). The United Nations registered 8,397 civilian casualties from January to September 2016. The first nine months of 2015 saw almost the same number of casualties. Kabul, the Capital of Afghanistan, witnessed several suicide attacks in 2016. A suicide truck bomb attack on 16 April near the VIP Protection Force Directorate killed 56 civilians and injured more than 300 individuals. A suicide attack on a minibus in Kabul on 20 January 2016 killed seven journalists of Tolo, a famous national media channel in Afghanistan. 2016 has been the bloodiest year for journalists since 2001, with at least 12 journalists killed in the first nine months of the year (Human Rights Watch, 2017). ISIS-Khorasan (ISIS-K), an affiliate of ISIS and a U.S.-backed terrorist group, continues to kill and persecute minorities in Afghanistan. In August 2018, ISIS-K attacked a wedding hall occupied by the predominantly Shia community of Kabul and assaulted 91 and wounded 143 civilians (U.S. Department of State, 2019). The causes of the rise of human rights and religious freedom violations in South Asia will be explored in the next chapter of this research work.

Chapter Four

Reasons for the Rise of Human Rights and Religious Freedom Violations

The constitutional essence of religious freedom has been dealt with previously, and the threats to securing human rights and religious freedom have also been examined in the previous chapter. This chapter discovers the findings of this research work. Respondents have given their detailed views and ideas regarding the problem through the open-ended questions from their analytical perspectives. The study will explore several causes for the rise of human rights and religious freedom violations in South Asia.

4.1 Role of Government and states

We can see violence and a situation of civil strife everywhere in South Asia. The issues of free and fair elections, corruption, responsibilities of the democratic institutions, violations of human rights and religious freedom are on the rise. The politics of groups, ideological divisions within political parties, lack of consent on domestic issues, the uncompromising manner by political parties, failure in providing stable governments, Suppression of parliamentary values, institutional decay, lack of initiatives in resisting religious intolerance, compromises within the bureaucracy and bureaucratic dependence of the governments have seriously questioned the legitimacy of the government. All these issues indicate a crisis of governability in South Asian countries. Besides, some respondents think that the leaders and activists of the government party, including elected representatives involved in the rise of such incidents. Referring to the attack on the Hindu community in Nasirnagar and the arson and grab of property in the Chittagong Hill Tracts, respondent 'E' claimed that it was not possible for the people involved in these incidents to be out of the judgment without the patronage of the government party. In

most cases, members of the ruling class attack minorities primarily to seize their property, he added (E, 2019).

Combining a stable democratic government and effective civil society organizations is essential for protecting intolerance and violence in South Asia. There are numerous allegations in the region against the inadequate and indifferent response by the governments centering on the violations of human rights and minority crises. South Asian states are fearful of their incompetence in implementing the rule of law and defending the rights and freedom of individuals, especially religious minorities. Before and after the upcoming election, political violence is a rising threat in the region. Electoral violence is the most common mode of political violence in Bangladesh. This violence becomes acute by the heavy-handed approach of the Bangladesh Government to opposition leaders and activists (Parvez, 2019).

Corruption is a common factor in South Asia. Government officials and police are prone to corruption in most cases and fail to conduct impartial investigations. They lack unbiased methods to hold individuals or a group of people accountable to the state law. Such a notion of government unravels the deficiency in legal security for the citizens. The police are frequently indifferent to the file accuses against well-established and influential politicians and affluent traders for being involved in threats or violence against ethnic people, minority groups, and media workers. The current situation of rampant corruption in Bangladesh is developed based on its recent history and inherent in the political system of the military governments and military-backed civil governments, who ignored the inclusiveness and transparency of the general people in the government process (Rahman M. A., 2018). In India, the *Dalits* (untouchables) have been subjected to new forms of political violence. State and local government often does not share the commitment of central leaders to affirmative action, and some state bureaucracies, notably the police, are racist or discriminatory (Braithwaite & D'Costa, 2018).

4.2 The political use of religion

The political use of religion is more dangerous than religion-based politics in preventing racial intolerance. Islam and Huda (2016) claim that the political use of religion was a common feature in almost all South Asian countries from the advent of the Aryans. They used religion as political means, and their seed has become like a Banyan tree. That is why Bangladesh, Pakistan, and India are still suffering due to religion-based politics (Islam & Huda, 2016). The political use of religion is the basis for religious and ethnic conflicts. Every political party in South Asia wants to stay in power by using religion. No post-independence South Asian country has become capable of mitigating the dilemma between religion and politics (Nasir, 2004). Political violence is hardly a new phenomenon. It has multiple forms, perpetrators, victims, and purposes. There is a tendency to condemn the opposition parties and their activists. The number of political extremists in South Asia is not much less than that of religious extremists. Political extremists address the followers of other parties as radicalized or atheistic or in many other vulgar languages that directly hurt their religious sentiment.

Bangladesh achieved its independent political identity in 1971. Under the charismatic leadership of Sheikh Mujibur Rahman, the first president of independent Bangladesh, the fundamental principles to guide the new state were secularism, nationalism, democracy, and socialism. In the early years of independence, the state upheld a practical secular orientation. The notion of secularism changed quickly, and it fell somewhat under pressure because of foreign policy compulsions. Financial support from oil-rich Middle Eastern Islamic countries forced the founding leader Mujibur Rahman to embrace the views of Islamic religious ideals. As a result, regardless of the official ban on religion-based political parties, the secular socialist dogmas of Shaikh Mujib led to the inauguration of “multi-theocracy in the name of secularism (Chaney & Sahoo, 2020; Datta, 2002). Soon after the brutal assassination of Bangabandhu Shaikh Mujibur Rahman, secularism as a principle was banned from the Constitution. The

political parties that came to power in Bangladesh after Mujib gave priority to religion and religion-based parties to prolong their rule.

Ziaur Rahman founded Bangladesh Nationalist Party (BNP). He was the president of Bangladesh from 1977 to 1981 until his assassination. Influenced by Cold War politics that led to the Western suspicion of socialist India, President Zia promulgated a more religious sort of nationalism, highlighting an Islamic identity by making Bangladesh different from West Bengal and India (Abraham, Newman, & Weiss, 2010). He inserted “*Bismillah-ir-Rahman-ir-Rahim*” (In the name of Allah, the Most Beneficent, the Merciful) into the preamble of the Bangladeshi Constitution, and the principle of secularism was replaced with “absolute faith and trust in the Almighty Allah.” He endorsed religious-based political parties that Sheikh Mujib had banned. This religious brand of nationalism was also continued by the government of General Ershad, which declared Islam as the state religion of Bangladesh in 1988 and sought to establish a “mosque-centered” society (Abraham, Newman, & Weiss, 2010). Then BNP came to power with the help of religious-based parties, including Jamaat-e-Islami. Though Bangladesh Awami League (BAL) is well known for its democratic and secular notion of governance in contemporary times, it has been seen to use the religious brand in the hope of gaining political support several times. Religious violence in Bangladesh has been increased in recent times, primarily due to the appeasement of a conservative religious group like Hefazat-e-Islam by the Government of Bangladesh. When the government supports some groups for its own political game, which becomes an impediment to the path of religious freedom. Moreover, when religion is used to gain power, freedom of religion gets hampered (E, 2019).

Respondent ‘F’ explores that political instability is one of the prime obstacles to ensuring religious freedom in Bangladesh. When the field of government and politics becomes unstable, terrorism and extremism rise at an alarming rate, and where religious freedom rarely survives, International terrorist groups find the fertile soil to create a new hub of terrorism. Again,

political instability gives birth to frustrations among the youths, which provokes them to engage in terrorist activities by misinterpreting the religious texts and brainwashing process. He suggests that government should maintain a peaceful and stable political atmosphere to secure religious freedom. At the same time, the government should remain alert against any kinds of national and foreign conspiracies, which can destroy the foundation of freedom of religion (F, 2019).

4.3 Debate on State Religion and other Legislative Policies

The issue of the insertion of state religion sometimes exploits communal harmony. The constitutions of all South Asian countries except India and Nepal have given special status to the religious faith of the majority. Afghanistan, Pakistan, and the Maldives are Islamic states, and their state religion is Islam. Although Bangladesh is not an Islamic state, Islam is the state religion of this country. Sri Lanka and Bhutan also emphasize the security of the religion of the majority. It is already mentioned that the researcher does not consider the declaration of a state religion by the state as a major obstacle to securing religious freedom unless it destroys the freedom of minorities. However, the two respondents disagreed on the issue of the state religion. Political abuse of religion is a threat to religious freedom. States should not have any state religion, and the Bangladeshi government should re-establish the Constitution of 1972 to avoid any religious-based politics and communalism (B, 2019). When a state holds particular religion as a state religion, the other religious groups are bound to feel and experience inferiority which is completely opposite to the notion of the freedom of religion. States should not have religion; it is individuals who will have religions. Where there is a state religion, religious discrimination is bound to be (C, 2019).

The lack of the rule of law and the relaxation in implementing constitutional jurisprudence produce anger and grievances in minority communities. In the wake of the recent

conflicts in different parts of Bangladesh, including Brahmanbaria, the minority communities claim that the planned attacks and torture are not being stopped due to the lack of fair trial and punishment for such occurrences. So, the main reason behind the violation of human rights and religious freedom is the lack of the rule of law, not a state religion (H, 2019).

When the war between India and Pakistan broke out in 1965, the government of Pakistan enacted the “Enemy Property Act” (EPA) to seize and use the property of non-Muslims living in Pakistan who supported India during the war and who left Pakistan for India. After Bangladesh's independence, a law was retained under the “Vested Property Act (VPA) 1974” to use these properties. In 2001, a new law called the “Vested Properties Return Act” was enacted to give back properties to minorities, especially Hindus, but the government is struggling to implement the law effectively (Ahmed, 2016).

Anti-conversion laws in South Asia certainly narrow the scope of religious freedom. The research has already mentioned that the right to propagate religion is absent in the articles centering on freedom of religion; in the constitutions of Nepal, Afghanistan, and Sri Lanka. The anti-proselytizing clause in the Constitution of Nepal is not compatible with international standards of religious freedom. Although Bangladesh, India, and Pakistan recognize the right to preach religion, the issue in this region has been in debate for decades.

Essential practices doctrine is another area of concern that minimizes religious freedom. Compared to other parts of the world, South Asia has more multidimensional religious rites and rituals, such as some festivals, including the ‘Sab-E-Barat’ in Islam, which are not celebrated duly outside South Asia. A follower has the right to observe festivals in his religion, whether they are essential or not. Regrettably, some South Asian countries, including India, have imposed restrictions on the observation of religious festivals, which is contrary to the establishment of religious freedom. Indian jurisdiction developed the “essential practices doctrine” in 1954, through which the state recognizes only the obligatory practices of religion

under the protection of the clause of religious freedom. The courts of India, Pakistan and Sri Lanka later followed this policy (H, 2019). Based on this doctrine, clashes between Hindu-Muslim communities in India and Nepal over the issue of cow slaughter have been going on for a long time. In the case of the torture of Mohammad Hanif Qureshi in Bihar, India, the court denied the allegations of Hanif. With some references from the Islamic Scriptures, the court decided that sacrificing cows on *Eid-ul- Adha* was not an essential part of Islam (Khan & Rahman, 2009).

On the other hand, the Pakistani Supreme Court, with the Essential Practices Doctrine, declares that the public religious practices of Ahmadiyahs are not essential for their religion (Khan & Rahman, 2009). In India, the killing of people in the name of cow protection has been on the rise in recent times, and a Muslim was killed in 2016 for allegedly carrying beef in a car (BBC, 2017). There are allegations that the Hindu nationalist BJP government is not taking enough steps to prevent such incidents.

4.4 Lack of Human Security

South Asia is a religiously and politically tension-torn region. Most of the countries here are plagued by domestic and international insecurity. The war between India and Pakistan over Kashmir was held twice in 20 years, one in 1947 and the other in 1965. The security of small countries in South Asia largely depends on these two large countries. In particular, some of India's policies seem dubious and repressive to its neighbors because they only consider India's sole interests.

On the other hand, the security of the citizens in the region is under threat. Some South Asian countries have enacted different security acts in the name of the protection of individuals, states, and religions. These acts restrict human freedom (A, 2019). Human rights violations by the security forces of Bangladesh, India, and Pakistan are common. Indian security forces have

records of arbitrary arrests and detentions, extrajudicial killings, persecution, ill-treatment with detainees, and attacks on religious minorities. Security forces in Pakistan continue to attack the Ahmadiyya community. The life of ordinary citizens in Pakistan is gradually under surveillance by the state and several organizations, police, secret services, and the military. The authorities of South Asian states generally use police forces to suppress any big protest against governments (Rashid, 2005). At the same time, heavy and excessive use of force by Bangladesh's law enforcement agencies has led to human rights violations, religious intolerance, extrajudicial killings, and illegal detentions. A joint statement from 12 human rights groups claimed that at least 572 people went missing in Bangladesh between January 2009 and July 2020. A large part of them never came back. There is no guarantee that they will return at all (J, 2019).

Freedom of thought, speech, and expression are preconditions for ensuring religious freedom. The recent Digital Security Act 2018 has restricted the freedom of expression of the citizens in Bangladesh. It encompasses several controversial clauses, one of which is allowing police officers to search or arrest anyone without a warrant. Despite concerns from journalists, civil society, and human rights activists, the act was approved. There have several allegations that the security act restricts people's free thought, freedom of speech and expression (G, 2019). The most dangerous section of the law is section 32, in which the process of collecting confidential information by digital devices has referred to as espionage, and a person will be convicted for 14 years imprisonment or a fine of taka 20 lakh or both for such acts (Rahman & Harun-Or-Rashid, 2020). Many countries have enacted such laws to ensure personal and organizational information security through digital devices and the internet. This act is usually used in Bangladesh to harass civil society, especially the journalists who are mostly victimized by this law (A, 2019). These types of controversial laws undermine freedom of expression and

provoke communal violence. These controversial laws reduce human freedom of expression and create a favorable environment for the rise of religious extremism.

4.5 Misconceptions about Secularism

Secularism generally refers to a legal and political system that aims to set up a clear separation between the state and religion in the way citizens think about secularism as a system of governance. There is a considerable gap between the constructive state policy and this traditional concept of secularism in a state system. The researcher will try to reduce the gap. The conflict between secularism and religious extremism has fueled racial tensions and religious intolerance in South Asia. In this case, the most common question in human minds is whether secularism is against religion or not? Secularism is not fundamentally against religion, and it encourages citizens to respect all religions. It needs to be realized in the diversity of beliefs and values that all citizens can embrace and respect regardless of religion or caste. The two main principles of secularism are the equal status of citizens as human beings and the protection of freedom of religion and conscience (Maclure & Taylor, 2011). In an ideological sense, secularism has emerged as a popular political doctrine that prioritizes the principles of tolerance, neutrality, and impartiality in the pursuit of universality based on secular or public perception (Berg-Sorensen, 2013).

Secularism itself sometimes destroys religious freedom and leads to conflict. Many people think that the relationship between religion and secularism is always hostile. This view is arisen out of ignorance about the differences between different versions of secularism. Secularism is of two types - perspectival secularism and state secularism. The first one is dangerous for religion, liberal democracy, and civil society (Liew & Heng, 2010). Secularism assures the security and rights of minorities, restricts the influences of the majority, and secures

that followers of various religious faiths can exercise their religious rites and rituals free of fear, preference, and oppression.

Bangladeshi secularism, commonly called *dharmaniropekshota* (religious neutrality) in Bengali, holds a different view than the French version of secularism, which the scholar called ‘assertive secularism’ (Kuru, 2007). Bangabandhu Sheikh Mujibur Rahman clearly explains this Bengali idea of secularism:

Secularism does not mean the absence of religion. You are a Muslim; you perform your religious rites. The Hindus, Christians and Buddhists all will freely perform their religious rites. There is no irreligiousness on the soil of Bangladesh, but there is secularism. This sentence has a meaning, and the meaning is that none would be allowed to exploit the people in the name of religion ... No communal politics will be allowed in the country (Connell, 1976, p. 69).

Hence, secularism of Bangladesh was recognition of religion rather than the rejection of religion, which is called the assumption of ‘multi-theocracy’ (Maniruzzaman, 1990). Dr. Kamal Hossain, the chief author of the Constitution of Bangladesh, said in an interview that misuse of religion in politics of United Pakistan compelled the newly independent Bangladesh to resort to secularism in the Constitution, which was aimed not for rejection of religions but the elimination of communalism and abuse of religions in the political realm (Islam & Islam, 2018).

The concept of secularism should be distinguished from secularization. Secularization prescribes the historical and social process of rationalization, social differentiation, and the decline of religious conviction (Berg-Sorensen, 2013). True secularism allows followers of every religion to practice their religions peacefully. However, in the current system of governance in South Asia, the system of secularization has become more violent. Despite being a minority in the Western world, Muslims enjoy their religious freedom. In Bangladesh, even

the Muslims, the majority, have been deprived of this fundamental right while the country has sought to become a “uniquely secular” society (Islam M. S., 2011). After 2010 the manner of secularism changed in Bangladesh. The notion of ultra-secularism developed in the mindset of many activists of ruling parties caused great harm in the sector of religious freedom in Bangladesh. At that time, Islam M. S. (2011) also claimed that atheism and anti-religiosity were considered by many as secularism.

4.6 Weak Democracy

Democracy refers to a system of government in a nation-state where every citizen has an equal right to vote in policy-making or in electing representatives of the general people. Aristotle is considered the father of the concept of democracy. The word ‘democracy’ is derived from the Greek terms '*demos*' and '*kratos*', meaning the rule by or sovereignty of the people (Flanagan, Galloway, Gill, Galloway, & Nti, 2005). The basic theme of this concept of democracy is that legitimate citizens elect the representatives of a country to run the country for a fixed period. Though the term ‘democracy’ is usually applied to a politically sovereign state, it can be applied to any other organization, e.g., university, political, social, or economic organization. Transparency and accountability are two main features of democratic governance. Transparency in the policy of government and institutions helps to the rise of economic prosperity. Intolerance in society increases when the government and law enforcement agencies have no accountability to the people.

Democracy and terrorism are influenced by each other. Liberal democracy establishes peace in society just as fragile democracy breeds terrorism. Some long-standing liberal democracies, such as Scandinavia and Canada, are relatively terror-free, where the citizens of India, Pakistan, Greece, and Israel are the victims of hundreds of attacks. Religious terrorism is more dangerous than non-religious terrorism. Countries with liberal democracies usually

confront a non-religious form of terrorism, and countries with authoritarian democracies often experience religious terrorism. Non-religious forms of terrorism are relatively easy to handle through different methods like policing and intelligence (Saiya, 2015). According to Freedom House (a world-famous index to assess the democratic position of countries worldwide), on the scale of democracy, all the countries in the world are divided into three categories-free, partly free and not free. The current status of all the countries in South Asia is 'not free' except Afghanistan. The position of democracy in Bangladesh is in a fragile condition. The practices of democratic values are almost absent in Bangladesh. Violations of citizens' civil, political, and fundamental rights are common incidents here (Mollah & Jahan, 2018).

From a South Asian point of view, issues of democracy, freedom of expression, politics, religion, and security are closely related to each other. The people of South Asia have recently witnessed the dramatic rise of authoritarian forms of politics where democracy is lagging behind. As a result, restrictions on civil liberties, especially freedom of speech, and growing intolerance and threats against minorities have become a prime concern for the people of South Asia (B, 2019). Four issues are remarkable for the proper practice of democracy: multi party competition, the rule of law, democratic participation, and different representation systems (Saiya, 2015) that are almost absent in some countries in South Asia. The problem of democracy in South Asia is the absence of institutionalization and internalization of democratic values and principles. There have been severe obstacles to democratization, e.g., civil disorder, violation of human rights and civil liberties, criminalization of politics, and destruction of parliamentary procedures and norms. The worst aspects of democracy in the region are responsible for misgovernance (Upreti, 2011). There is a direct link between democracy, state, and terrorism. When democracy is weak, authoritarian behavior is noticed in the government. In a state where freedom of expression is threatened, the power of democracy is weakened. The

study examines that the weak democracy of South Asian countries aggravates political as well as religious turmoil and thus fosters terrorism.

4.7 Defective Education System

Education is a vital issue in the question of human rights. Education itself is a human right, and it again makes one person aware of the rights of others. A large part of the citizens of South Asia is uneducated. Illiteracy impedes ensuring religious harmony because illiterate people are misguided by terrorist and extremist groups. Religious education contributes to the protection of human rights and religious freedom. Unfortunately, most current researchers in South Asia, including the Western World, consider religion and violence complementary. They usually present religion as the main obstacle to securing religious freedom. Religious norms and values truly make people non-violent and teach them to respect the religious freedom of others.

The education system in South Asia is responsible for rising intolerance. Interfaith education is not provided to the students at any primary, secondary, or higher secondary level in this region. In educational institutions, students only study their own religion. Therefore, boys and girls do not have proper respect for other religions and followers belonging to other faiths. In the case of Bangladesh at present, no Government Education Board regulates Qawmi madrasas and their curriculum. Some students of Qawmi madrasa still consider studying other religions and studying English and Bengali as anti-Islamic. Over the years, Qawmi madrasas in Bangladesh and some madrasas following the Deoband ideology of India have been blamed for propagating highly conservative ideologies (D, 2019).

4.8 Poverty and Unemployment

The state of poverty is closely related to education. Besides, education is the main driving force of the socio-economic prosperity of a country. It helps citizens to stay away from poverty.

Poverty is a leading problem in South Asia that contributes to the rise of violence, corruption and terrorism. South Asia is the region of about one-fourth of the world's population. Most of the world's poorest people live in South Asia. One-fourth of the world's poor live in Africa, and more than half live in South Asia. The poorest people living in eight states of India are more than among the 26 poorest countries in Africa (Multidimensional Poverty Index, 2010). Overpopulation has made the job market very competitive. As a result, most of the youth in the region are suffering from the frustration of unemployment. Finding no other way to earn a living, they are getting involved in violent and terrorist activities or politics that destabilize the situation (I, 2019).

4.9 Fanaticism and the Lack of Interfaith Knowledge

Fanaticism is an attitude that involves a person with excessive and irrational emotions. It is one of the biggest problems in today's world. It is not a new problem, and it exists in every sector, including politics, religion, and individual ideals. A fanatic is a person who considers a particular ideology as the only truth, especially for religious or political causes. Fanatics perceive that they have to act or infer anything in their own way. Most of them seek to resist their own views and the absolute rightness of their cause at all costs. When they fail to perceive alternatives to such obdurate intolerance of religious or political beliefs, they can resort to violence regardless of the consequences (Whittaker, 2002).

Fanaticism is the motivation for terrorism. It includes ideological dogmas about a compulsion to stir up the political system to a practice raised by religious values through violence (Arena & Arrigo, 2005). The fanatics think their ideas and point of view are unquestionable and beyond any doubt. Religious fanatics recognize only the beliefs and values of their own religion and cannot accept and tolerate the differences. They are against any kind of liberal thought. Religious fanaticism is the extreme view regarding personal religious

dogmas and the dogmas of others. Sometimes, it refers to the unilateral attitude of religion, which generally means there is only one true religion in the world, whereas other faiths are null and void. In this perspective, individuals are often reluctant to learn about the religious faith of others. It, in turn, gives rise to misconceptions in individuals about the religion of others. To prevent religious intolerance, one should understand the meaning of pluralism and the co-existence of different faith-based religions. Individuals or groups cannot impose any restriction on any particular faith, which is the monolithic view that causes the rise of intolerance and extremism.

4.10 Rohingya Crisis, Assam NRC and the role of International

Organization

Another dimension of the internal and regional security problems of South Asian countries is illegal immigration. In addition, drug trafficking and the proliferation of small arms are fueling regional violence. These problems perplex the situation of the relevant countries and rapidly jeopardize inter-state relations.

The United Nations and SAARC both have systematic failures to control the rise of religious intolerance in South Asia, including the Rohingya crisis. The Rohingya crisis, exploited by international and regional extremist groups, is a vital challenge facing Bangladesh and India. The Rohingya community in Myanmar has been enduring persecution for a long time, but international organizations and communities have not done much to alleviate the sufferings of the Rohingya community. In this regard, the representatives and organizations assigned in Myanmar have failed to provide early warning. Besides, the controversial role of SAARC and some Asian countries in Rohingya repatriation has further threatened Bangladesh. Besides this, the NRC (National Register of Citizens) issue in Assam has become a controversial issue in South Asia. About 4 million people, including the Muslim minority, are

at risk of losing their Indian citizenship (Parveen, 2018). Citizenship is a common problem in both the Rohingya crisis and the Assam NRC, behind which millions of people have been displaced from their homes and become stateless.

The security situation in South Asian countries is closely related to each other. Top terrorist groups are involved in at least some common issues with other countries, such as drug trafficking, arms business, and sheltering each other in times of crisis. It is impossible to control violence and religious-based intolerance in South Asia without proper political commitment and wholehearted initiatives of SAARC. In this perspective, SAARC does not effectively promote meaningful dialogue among South Asian political leaders. It also often plays a silent role in creating institutional and informal communication at the state level (C, 2019).

Chapter Five

Results and Concluding Analysis

Most people in South Asia are sensitive to religious sentiment, which is why religious intolerance is prevalent. This research explores that violations of human rights and religious freedom lead to the rise of extremism and religious intolerance.

5.1 Rise of Extremism and religious intolerance

Religious intolerance is now a national problem in South Asian countries. Intolerance does not mean a particular type of discrimination or religious freedom violations, and it prescribes human attitudes that prompt such type violations. “Intolerance refers to conduct manifesting hatred or prejudice based on religion or belief as well as to a state of mind, underlies descriptions of various human rights violations” (Sullivan, 1988, p. 505). Consequently, the tendency of intolerance breeds extremism. The idea of extremism is as old as the history of human civilization. It is not limited to any particular ideology or belief, but individuals, groups, and states can resort to extremism when their cherished desires are not implemented. During the last few years, terrorist activities have increased violently, which is not the case in South Asia. However, terrorism and religious extremism have become global problems, and millions of innocent people have lost their lives due to these heinous practices.

From the Taliban in Afghanistan to the Buddhist extremists in Sri Lanka and on the other hand to ISIS, the entire South Asian region is facing one of the most diverse and dangerous scenarios of extremist ideologies and terrorist groups. The Taliban and Islamist insurgent groups in Afghanistan are trying to become active in Russia, China, Iran and Central Asian countries. In the wake of political violence in South Asia, ISIS mobilizes its operatives to destabilize the region. Violent activities of Pakistan's military and Indian security forces over

the Kashmir issue have further threatened the security system in this region. In the meantime, the increase of Hindu nationalism and the Hindutva notion in politics has further fueled the ethnic divisions in India. In contrast, Buddhists and other radical troupes continue to strengthen the violent situation in Sri Lanka (U.S. Institute of Peace, 2017).

5.2 Role of Interfaith Dialogue in Ensuring Religious freedom

In one of his books, Christmas Humphreys writes, as cited in Chakma (2004), “No one religion can be properly understood without studying all or at least two” (p. 53). In this aspect, realizing the proper lessons of various religious faiths can stimulate an individual to embrace a non-violent policy, and thus the establishment of a peaceful society is possible. Many oppressions and dictatorships occur in the name of religion. At present, religion is being misused to seize power in some countries. However, the question is, is religion the only tool of dictatorship in the world? Hitler, Mao Tse-tung, Franco, Malan, and many other rulers did not rule in the name of religion. In the twenty-first century, human society has escaped from the domination of religion. Nevertheless, authoritarian regimes have been established in many countries in this era. Misconceptions about different religions and lack of proper execution of religious injunctions make society more unstable.

Interfaith dialogue in South Asia is essential today. There are several ways to realize religious freedom, and Inter-religious dialogue is an important one among them. In the western world, the concept of interfaith dialogue has come to the limelight, especially in recent years, after the 11 September 2001 attacks. Peaceful co-existence is a fundamental element of global peace. It is now high time to take the necessary measures to ensure peaceful co-existence among the followers of diverse faiths. Interfaith dialogue and collaboration among different faith-based communities can successfully stimulate a culture of peace and harmony in South Asia and the whole world. This goal cannot be achieved by declarations and recommendations

only. In order to get the benefits of interfaith dialogue, it must be included and reached out to politicians, community leaders, decision-makers, and most importantly, citizens at the grassroots level.

Interfaith dialogue aims to establish cooperation, peace and harmony, and mutual understanding despite sharp differences in religious beliefs and practices (Islam, 2011). Analyzing the views and opinions of the respondents, the researcher observes that interfaith dialogue contributes a lot to ensuring inter-religious harmony. Freedom of religion and expression primarily depend on the liberal space for different thoughts. Mass media can propagate the essence of interfaith dialogue to enable tolerance and acceptance of other views. This dialogue can minimize hatred and pre-existing misinterpretations regarding religious dogmas and philosophies.

According to respondent 'A,' interfaith dialogue has a noble impact on religious freedom because one can know the different faiths in a friendly atmosphere, and it helps to gain trust and mutual understanding among the citizens. Respondent 'A' believes that establishing mutual respect does not denote agreeing with others and accepting others' faiths but is a constructive willingness to welcome comments and criticisms. Interfaith dialogue is one of the basic tenets of establishing freedom of religion through which preexistent stereotypes can be reduced significantly, respondent 'A' added.

Respondent 'B' explores that interfaith dialogue is necessary for understanding the position and historical circumstances of other religious beliefs and philosophies. When the religious groups meet for interfaith dialogue, they can explore the ideological roots and diversity of different religions constructively and liberally. Inter-religious dialogue can develop a culture of tolerance and freedom of religious expressions, liberty of observing religious rituals and festivals through which peaceful co-existence is possible within the societies and different religious faiths, respondent 'B' added.

Respondent 'C' identified that, though various religious faiths and philosophical dogmas exist in this world, there exists a common ground among these faiths. Respondent 'C' firmly believes that every religion holds the notion of peace and justice for a better society. Every religion stands for guiding human beings. So, through fruitful interfaith dialogue, all the religious groups will be able to identify the common ground and come to the point that creating hindrances in the way of others' religious freedom is the rejection of their own faith-based teachings and beliefs.

Respondent 'E' gives importance to the fruitful interfaith dialogue. He suggests that inter-community dialogue should be nurtured at school, college and university levels, and the government should patronize it with all its efforts. Interfaith dialogue is a continuous process, and freedom of religion can be glorified through the acceptance and participation of different faiths and philosophical ideas in an equal manner in every sector of society. The respondent added that interfaith dialogue is so significant that it needs to be added to the textbooks of primary and secondary levels and disciplines like world religions and culture, where different religious traditions are taught with genuine respect and importance. Respondent 'E' also suggests introducing the Department of Comparative Religion in various universities to establish interfaith harmony fruitfully.

In addition to the role of interfaith dialogue, the researcher has suggested that the following principles should be inculcated in human behavior, without which a desired peaceful society is not possible:

Mutual respect and tolerance toward the people of other faiths can create a non-discriminatory society. All religions are universally associated with peace and mutual understanding, and they are also keenly concerned with the interests and welfare of humans (Alam, 2018); Chatterji, 1971). The religio-spiritual values should be promoted, and through the ideals of non-violence, empathy, and compassion, harmony can be prevailed among the

citizens and in the state. On the other hand, provocation and rumor in the name of religion are obstacles to establishing religious harmony in any country. The history of Bangladesh has already witnessed several conflicts spreading rumors and provocations that go against the proper teachings of religion. Political parties identify one another as atheists or fundamentalists or in many other silly titles that are directly related to the religious sentiment of individuals (Islam & Islam, 2016; Huda, 2017). In addition, the principle of unity in diversity is the best way to realize socio-religious harmony. Diversity is natural from the Islamic point of view. This argument explores that Islam commands Muslims to embrace diversity because it is a part of the law of nature that God Himself created (Hassan, 2009). To support this position, Islam highlights several references from the Qur'an regarding the diversity of the human race. For example, God created the different sexes and made variations in language colors (The Holy Qur'an 30:22) so that they might know and understand each other (The Holy Qur'an 49:13).

5.3 Essence of Religious Freedom in Major South Asian Religious

Traditions

Religion is committed to ensuring peace, security and tolerance. It protects all rights irrespective of class, race, and caste. However, people have fears and doubts about implementing religious injunctions in society. This uncertainty results from the degradation of human character and ignorance about different religions. Hinduism, Islam, Sikhism, Buddhism and Christianity are the major religions in South Asia. The essence of religious freedom in these religious traditions is discussed in brief, as follows:

5.3.1 Hinduism

Hinduism is well known for its generosity and tolerant approaches toward the people of other faiths. According to Hinduism, different paths or religions lead us to the same Reality. Sacred

scriptures of Hinduism preach all-embracing messages of tolerance, equality, justice, freedom, and equality. These components are the basis of all humankind's social, political, economic, religious, and cultural rights.

Freedom of religion is essential for establishing harmony in a society. Hinduism represents an integrated form of universal principles. According to Hinduism, the Ultimate Truth is universal and ubiquitous. Individuals can reach the Ultimate Truth through diverse paths and experiences. Sri Ramakrishna, the great seer of Bengal, used to say that each school of thought on the spiritual plane leads to God: "as many views, so many are the paths" (Basu, 1990, p. 1). Hinduism emphasizes freedom of religion, tolerance, religious pluralism, and equal respect for all religions, which are vital components for ensuring human rights and dignity. The idea of secularism and religious pluralism occupies a remarkable place in Hinduism. Hinduism introduces more liberal and meaningful secularism than the western world. It considers different religions as merely diverse paths leading to the same God. Hinduism condemns no religion as false or misguided. The Rig Veda conveys the message that "Truth is One, the wise call It by different names; God is One, but we can reach Him in many ways" (The Rig Veda, Mandala-1, Sukta-164, Mantra-46). The Bhagavad Gita also gives the same message: "I reward him whoever worships me in whatever manner. O Parth! People follow my path in all ways, that is, no matter which path people follow, they will find me in all paths" (The Gita, 4:11). Hinduism has set a shining example to the world through its teachings of universality, elasticity, catholicity, and unlimited tolerance. Due to this immense tolerance, some reformers like Buddha and Mahabir were able to revolt from the roots of Hinduism. It is surprising, in Hinduism, that they have never been considered heretics because they were also the seekers of truth (Basu, 1990).

Justice is essential for ensuring human rights and religious freedom in any society. Rationality and equality are the leading principles of justice. Hinduism suggests individuals

working for the overall betterment of all human beings. It is declared in the Vedas that ‘None of us is higher or lower in status, we all are brothers and sisters, and we should work together for the good of all mankind’ (The Rig Veda, Mandala-5, Sukta-60, Mantra-5). The true *dharma* (religion) of an individual is to be righteous or equitable in his actions. *Dharma* and justice are identical in Hinduism. Therefore, whatever is unjust and oppressive is *adharma*.

Happiness is a natural human right, and human life becomes bitter and meaningless without happiness. Hinduism always seeks both material and spiritual welfare for all human beings around the earth. The Upanishad states: “May my tongue say the sweetest things. May my ears hear the wealth of sacred lore” (Taittiriya Upanishad 1.4.2). Upanishads provide us the sacred messages of harmony and mutual respect in this way, may He protect us all, may He feed us all, may we all work together more vigorously, and may our study be more effective and vigorous. May we not abhor one another, and may there be peace all over the world (Cohen, 2018). Such kind unbiased saying of Upanishads is related to worldly welfare that serves as a guide for defending the rights and freedom of all humankind.

5.3.2 Islam

Islam has laid down numerous injunctions and prohibitions for securing human rights and dignity as part of an eternal and prosperous way of life. The Qur’an is the essence of tolerance, interfaith communion and religious freedom ingrained in the spirit of Islam. There should be no compulsion in religion. (The Holy Qur’an: 2:256) Compulsion is not compatible with religion. Religion depends upon faith and will, and these should not be convinced by force. The Qur’an also says: “We know of best what they say; say and you (O Muhammad SAW) are not a tyrant over them (to force them to Belief)” (The Holy Qur'an: 50:47). The issue of religious tolerance is inextricably associated with the spirit of Islam. Islam prescribes the residing subjects and the temporary visitors have a guarantee regarding the safety and liberty

of their conscience (Hamidullah, 1992). It has shown a liberal attitude towards establishing friendly relations among the followers of different faiths.

Islam asserts the principle of the unity of humankind. Since the Almighty Creator is one and since the whole of humankind is one, the divine messages that have been revealed from time to time to guide people on the right path must also be universal and the same (Sayem, 2008). The Qur'an says, "Mankind was one community, and Allah sent Prophets with glad tidings and warnings, and with them, He sent the scriptures..." Allah has sent messengers to every nation. "...and there never was a nation, but a warner had passed among them" (The Holy Qur'an 35:24). Islam also guarantees the adherents of diverse faiths the free exercise of their rites and rituals. "For every nation, We have ordained religious ceremonies...which they must follow" (The Holy Qur'an: 22:67).

All-embracing teaching of Islam is the commandment that a Muslim should collaborate even with the enemy in a state of war! The Qur'an states, "...and let not the hatred of a people who have stopped your going to the inviolable mosque (The Holy *Kaaba*) incite you to transgress; but help ye one another unto charity and piety" (The Holy Qur'an 5:2). Mutual help and respect should not be limited to Muslims only but should apply equally to entire humanity regardless of religion or caste. Another saying of the Prophet reported by Abu Dawud is, as cited in Hamidullah (1992), "Whoever oppresses the non-Muslim subjects, shall find me to be their advocate on the day of the resurrection against the oppressing Muslims" (p. 206).

Anti-racist messages of Islam from the 7th century C.E. still resonate today. The Charter of Medina is called the first written constitution in the world. Muhammad (PBUH) mentioned the stand of Islam centering on religious freedom and minority rights in the Charter: "The Jews, Christians, pagans and Muslims of Medina are all citizens of one country, and all have equal civil rights. Everyone will practice their religion, and no one can interfere in the practice of the religion of others" (Islam, 2005). After the conquest of Mecca, the Prophet (peace be upon

him) worked with people from all tribes. During this time, Muslims developed friendly relations with Christians and Jews. Muhammad (PBUH) himself made agreements with several Christian tribes to guarantee their security and free exercise of religion and traditional rituals (Arnold, 1913). Hazrat Muhammad (PBUH) criticized the prevailing communalism in claiming the superiority of different castes, tribes, or religions. It is stated both in *Saheeh Bukhari* and *Saheeh Muslim*, as cited in (Rahman, 2016) that on the last Sermon on the Mount, the Prophet (PBUH) says:

All human beings are descended from Adam and Eve. There is no superiority of an Arab over a non-Arab, or of a non-Arab over an Arab, and no superiority of a white person over a black person or of a black person over a white person, except based on personal piety and righteousness (p. 146).

The idea of harmony is a universal and undisputed principle of Islam based on which social welfare is dependent. The motto of Islam is to uphold peace and harmony between religion and human life. According to the *Sahih Al-Bukhari*, as cited in Haider (2013), “the meaning of peace with human beings is- leading one’s life in such a manner so that it does not become the cause of ruin to peace of any other human being” (p. 164). Islam advocates peaceful co-existence, regardless of caste, creed, gender, color, and language. In this way, it emphasizes both the spiritual and the material well-being of human beings.

5.3.3 Sikhism

Sikhism preaches love, brotherhood and fraternity applicable to all races across the globe. Sikhism has a universal appeal, and its philosophy is for the welfare of the whole of humankind. That is why one unique aspect of the daily prayer of a Sikh is to seek *Sarbat Da Bhala* (Goodness or betterment for all (Dhillon, 2005)). It is reported again in the Sikh Holy Scripture,

“God is no body’s father’s property, He enjoys Himself in all hearts” (Guru Granth Sahib: P. 658). So, it should not be discriminated against in God's creations. To remove discrimination and disunity among the adherents of different castes and nations, Guru Nanak founded two effective institutions - Sangat and Pangat. *Sangat* is the congregation of people from different castes and faiths, and *Pangat* means sitting together in the same row. In Sangat, people from all communities sit together as equals to sing the praise of the Lord, their Common Father addressing Him by all names with equal love. In Pangat, to share their feelings of brotherhood, they take food together in Guru-Ka-Langar (common kitchen) without any kinds of discrimination (Dhillon, 2005). These two institutions represent the true essence of Sikh universalism, and still now, they are playing a vital role in uniting people of different religious communities.

Sikhism, a relatively new religious movement, ensures utmost rights for all humankind, preaching the gospel of egalitarian and universal unity. Religious freedom is a vital right for every living being. Sikhism promulgates religious freedom, and it never emphasizes conversion to Sikhism. It prescribes individuals to be better human beings by following their own religious ideology. Sikhism emphasizes most on the equality of humankind. Guru Nanak rejected the caste system, slavery, and economic and political exploitation and firmly stood for equality of the human race (Sidhu, 2006).

Sikhism always respects the religious sentiment of the followers belonging to other faiths. The Sikh Holy Scripture Guru Granth Sahib Ji is one of the best examples of liberalism. It was written by 36 distinguished individuals from different castes and faiths. When the Sikhs bow down their head before Guru Granth Sahib, they bow before the wisdom of not only Sikh Gurus but also before the wisdom of other thirty Hindu and Muslim *Bhagtas* (devotees) whose writings are also included therein. Guru Nanak suggests the Muslim to be a good Muslim, the Hindu to be a good Hindu, and then if a Muslim is a good Muslim, his Namaz (prayer) and

Roza (Fasting) is pure or who is a good Hindu his Puja (prayer) and sacrifice is pure, his quest for God is genuine, then he is a good Sikh too, and his compositions can be included in the scripture of the Sikhs (Dhillon, 2005). Such a revolutionary idea has put the position of Sikhism on a firm foundation in ensuring religious freedom.

5.3.4 Buddhism

Buddhism conveys the eternal messages of non-violence, love, and tolerance as a religion and philosophy. It inculcates selfless love toward all creatures and not merely to human beings. This notion of love can be found in several words and concepts, for example, “tolerance, sympathy (*anukampa*), compassion (*karuna*), non-violence (*ahimsa*), art of living away (*dana*), loving kindness (*metta*), appreciative joy (*mudita*), etc” (Chakma, 2004, pp. 54-55). Buddhism is a humanistic and scientific religion that ensures all individuals the right to freedom of religion and rights to freedom of conscience. The key idea of Buddhism is ‘My Journey is everybody’s journey’ (Rana, 2020, p. 35). Since we live in a multi-religious and multi-cultural society, we have to respect and tolerate others’ faiths which are essential for securing peaceful co-existence among the believers of different religious traditions.

The principle of ahimsa (non-violence) is the basis of Buddhist philosophy. It is the manifestation of divine love and compassion, and it is also the expression of humanity. Buddhism stimulates this great virtue in all three forms- speech, thought and action. In the history of Buddhism, no religious-based war did not occur, and it strongly opposes hatred and bloodshed in the name of religion. In his book *Mind Unshaken*, John Walters says, as cited in Chakma (2004): "Buddhists have never waged wars over their religion. There have no Buddhist inquisitions or persecutions, or conversion by force, or bloody assaults on devotees of non-Buddhist sects” (p. 56).

5.3.5 Christianity

Christianity introduces an outstanding linkage of human beings across the world. The main goal of Christianity is to make an egalitarian and hatred-free society where every citizen will get equal rights and dignity. Christianity believes that all men and women are created in the image of God with equal rights and dignity. God says,

“Let us make man in our image, after our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the earth, and over every creeping thing that creeps upon the earth” (Genesis 1:26-28).

Jesus had a profound respect for the prophets of others' faiths. He always respectfully mentions the examples of Abraham. Universal love and brotherhood was the principal teaching of Jesus Christ. He loved everyone equally regardless of religion or race and established a shining example of universal brotherhood. He says to his disciples:

You have heard that it was said that you shall love your neighbor and hate your enemy. But I say to you, Love your enemies and pray for those who persecute you, so that you may be sons of your Father who is in heaven; for he makes his sun rise on the evil and on the good, and sends rain on the just and on the unjust (Matthew 5:43-45) as cited in (Taliaferro, 2014, p. 13).

The fundamental injunction of Christianity regarding religious tolerance arises from the dying Jesus. He said to Almighty Creator about those who had crucified him: “Father, forgive them, for they know not what they do” (Luke 23:34). Violence is wrong and always prohibited in all religions. Christian views of non-violence can be seen in the words of Jesus to Peter at the time of his detention in the Gethsemane: “Put your sword back into its sheath, for all who take the sword will perish by the sword” (Mathew 26:52). Therefore, a group of Christian followers considers that it is incompatible with the principles of Christianity to kill human beings or even to carry armaments or involve in the army.

5.4 Concluding Analysis

The issue of human rights and religious freedom in South Asia is involved with complex social, political, and educational issues. This research work has tried to present, in brief, the current position of human rights and religious freedom in South Asia. It also identifies the reasons behind the rising trend of human rights and religious freedom violations in the region. Though political instability and the political use of religion are the major causes behind the rise of this problem, several social, economic, and administrative issues also contribute to the rise of this problem. It is regrettable that due to the lack of proper enforcement of the law, extrajudicial arrests, arbitrary killings, disappearances, and violations of human rights and religious freedom have pushed the citizens of this region into extreme insecurity. The study has also analyzed the scope, in brief, to which the rights and dignity of religious minorities are well-preserved in different constitutions and religious faiths of South Asian countries. The study propounds salient aspects that dispel misconceptions about the major religions in South Asia centered on the concepts of religious freedom, minority rights, liberalism, pluralism and unity of humankind. The education system in recent times is responsible for the increase of intolerance and religious extremism. Being ignorant about others' religions, people are often intolerant of individuals or groups with different views and religious dogmas. As a result, Fanaticism, prejudices, misconceptions about different religions, and the lack of proper execution of religious injunctions make society more unstable.

The problem of human rights and religious freedom violations in South Asia should be observed from the angle of religion and politics. The rise of conservative right-wing nationalism should be handled strictly, as it could fuel religious tension and create fertile ground for violent groups to flourish and strengthen their position. Religious-based intolerance has been destabilizing the entire South Asian region for decades. Establishing a harmonious

relationship among the citizens of diverse communities in social and national life has become a challenge in today's society. Religion is considered a part of human conscience, and the liberty of conscience is an inherent right of every human being. Restrictions on religious freedom, especially freedom of expression in public forms, result in the rise of violent religious extremism and aggressive ultra-modern secularism.

South Asian people are fighting for the uniform dream; of establishing a peaceful society. Human rights and religious freedom in South Asia is a large area of research, and it is impossible to cover all the aspects of this problem in this single research work. This study recommends several issues to be implemented to prevent human rights and religious freedom violations. The governments of almost all South Asian countries should explore and utilize communal resilience to mitigate terrorism and minority crisis. Upholding the democratic political system and ensuring credible and fair national elections could mitigate political instability and, in turn, help to counter human rights violations in this region. It is impossible to reduce religious freedom violations without the concentrated efforts of all the countries of South Asia. The execution of the rule of law and the constitutional provisions regarding freedom of religion can resist religious-based conflicts. Inter-religious education and the development of the education system are needed to make individuals religiously tolerant. In this regard, interfaith education at the primary and secondary levels should be made compulsory in the education system of the South Asian region so that children learn from the very beginning of their student life to be tolerant of other religions and adherent belong to other faiths. Mutual understanding among South Asian citizens is comparatively less than that of the people of other parts of the world. That is why it is the great responsibility of the states and governments to increase dialogue and open discussion among the people to enhance interfaith and inter-cultural understanding. This study suggests that effective inter-faith dialogue and inter-religious knowledge can ensure peaceful co-existence among the followers of different

faith-based communities living in this region. Provocations and rumors in the name of religions also are resisted strictly. The government and mass media can play a significant role in this regard. Along with governments and mass media, people of these countries should be aware of the misuse of religions and the spreading of rumors in the name of religions. The print media and religious studies in different institutions should highlight religious tenets of love, compassion, moderation, and restraint.

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Appendix

List of the Interviews

Respondents	Place of Interviewing	Date and Time	Occupation
A	University of Dhaka Bangladesh	6 October 2019 (7.00-7.45 pm)	Professor
B	University of Dhaka Bangladesh	13 October 2019 (1.00-1.40 pm)	Associate Professor
C	University of Dhaka Bangladesh	13 October 2019 (4.00-4.40 pm)	Associate Professor
D	University of Dhaka Bangladesh	7 October 2019 (10.30-11.15 am)	Professor
E	University of Dhaka Bangladesh	14 October 2019 (8.00-8.45 pm)	Professor
F	University of Dhaka Bangladesh	15 October 2019 (7.00-8.00 pm)	Professor
G	University of Dhaka Bangladesh	27 October 2019 (1.15-2.00 pm)	Professor
H	Over Phone (Australia)	27 October 2019 (7.30-8.15 am, Bangladesh Time)	Assistant Professor
I	University of Dhaka Bangladesh	2 October 2019 (12.00-1.00 pm)	Professor
J	University of Dhaka Bangladesh	7 October 2019 (4.00-4.45 pm)	Associate Professor

Sample Questionnaires

1. How do you evaluate the state of human rights and religious freedom in South Asia?
2. Do you think that human rights and religious freedom are under threat in South Asian countries?

If yes, how?

If no, why?
3. What are the causes of religious intolerance in Bangladesh?
4. Do you think that our education system contributes to the rise of religious intolerance?

If yes, how?

If no, why?
5. Does the insertion of state religion hamper in the way of securing religious freedom?

If yes, how?

If no, why?