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A Comparative Analysis of Forced Conversions among Minorities in Pakistan and India Sapna Sewani

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ABSTRACT

This study investigates the complex phenomenon of forced religious conversions of minorities in Pakistan and India, with a focus on gender, legal frameworks, political manipulation, and socio-religious dynamics. Drawing on a comparative analysis of over 40 scholarly articles, legal documents, media reports, and NGO publications between 2015 and 2025, this paper that forced conversions disproportionately target minority women—particularly reveals adolescent Hindu and Christian girls in Pakistan, and Muslim men or interfaith couples in India. In Pakistan, the lack of specific legislation criminalizing forced conversions, combined with weak enforcement of child protection laws and religiously influenced judicial decisions, contributes to the alarming rise in such cases. Girls are often abducted, coerced into marriage, and converted under duress, with courts frequently legitimizing these acts. In contrast, India's anti-conversion laws, while framed to prevent coercion, are frequently used to suppress consensual interfaith relationships and reinforce Hindu nationalist agendas, thereby infringing on religious freedom. This research adopts a qualitative case study methodology, employing thematic content analysis to identify patterns of systemic complicity, legal failure, and genderbased violence. The study applies a human rights-based theoretical framework, highlighting how state institutions often facilitate or ignore these violations under socio-political pressures. The paper concludes that while the underlying mechanisms of coercion differ in each country, both demonstrate a convergence in terms of patriarchal control, minority suppression, and legal loopholes. The recommendations include legal reforms, judicial training, protection mechanisms for women, and international oversight to ensure adherence to universal human rights standards. Addressing these issues is critical not only for religious minorities but for the broader protection of civil liberties in South Asia.

Keywords: Forced Conversions, Religious Minorities, Gender-Based Violence, Pakistan, India, Interfaith Marriage, Legal Reform, Human Rights.

JEL Classification: K36, K38, Z12, J16

Background of the Study

Religious freedom is a fundamental human right, yet in South Asia, particularly in Pakistan and India, this freedom is often compromised for minority communities. In Pakistan, Hindu, Christian, and Sikh minorities have reported rising cases of forced conversions, particularly of young girls, under the pretext of marriage or religious zeal. In India, although conversions are less overtly forced, recent legislation and political rhetoric have created a hostile environment for voluntary conversions, especially among Muslims and Christians. Understanding these dynamics is crucial for developing equitable policies.

Introduction

Forced religious conversion refers to the act of compelling an individual to adopt another religion against their will, often under threat, coercion, or deceit. In Pakistan, minorities such as Hindus and Christians frequently face abduction, forced marriage, and conversion, particularly in Sindh and Punjab. In India, the anti-conversion laws in various states have been used to intimidate religious minorities and target interfaith marriages. This paper explores the patterns, causes, and consequences of forced conversions in both nations, focusing on legal, cultural, and political dimensions.

Literature Review

The phenomenon of forced religious conversions, particularly involving religious minorities in Pakistan and India, has gained increasing scholarly and international attention over the past two decades. Various academic, legal, and human rights perspectives converge on the fact that forced conversions are not isolated incidents but are embedded in complex socio-political, religious, and legal contexts (HRCP, 2022; Sheikh, 2021; UNHRC, 2023).

1. Legal Ambiguity and Institutional Gaps

One of the most frequently cited factors is the absence of robust legal protections. In Pakistan, the lack of specific legislation criminalizing forced conversions has allowed perpetrators to exploit the system with impunity. The Sindh Criminal Law (Protection of Minorities) Bill (2016) which aimed to prohibit conversions under the age of 18 was rejected under pressure from religious parties (HRCP, 2022). Scholars argue that this reflects the state's reluctance to confront extremist ideologies (Ali, 2020; Malik, 2018). In India, conversely, a series of anti-conversion laws enacted in BJP-ruled states claim to protect individuals from coercion but have been criticized for being vague and selectively enforced, often used to harass interfaith couples (Jha, 2021; lyer, 2022). In India, on the other hand, the proliferation of anti-conversion laws in states like Uttar Pradesh, Madhya Pradesh, and Gujarat under the BJP regime has been criticized for targeting religious minorities, particularly Muslims and Christians, under the pretext of preventing coercive conversions (Jha, 2021). These laws are often ambiguous, placing the burden of proof on the individual rather than the accuser and have resulted in arbitrary arrests, legal harassment, and mob violence (Iyer, 2022; Amnesty International, 2023). Legal scholars warn that both countries reflect two ends of the same spectrum one allowing forced conversions through omission, and the other through overregulation and politicization.

2. Gendered Dimension of Forced Conversions

Young girls and women from religious minorities particularly Hindus and Christians in Pakistan are the most common victims, often abducted, forcibly converted, and married to Muslim men (Sharma & Hussain, 2023; FIDH, 2021). In India, though the narrative is reversed under the so-called "Love Jihad" discourse, women remain at the center of state and societal control (Ghosh, 2020). In both contexts, the patriarchal structure reinforces the objectification of minority women as tools for religious dominance, with religious conversion becoming a symbolic assertion of majority power (Khan, 2019). In India, while the forced conversion of minority women is not as statistically prominent, the narrative of "Love Jihad" has institutionalized suspicion and violence against interfaith couples, particularly targeting Muslim men in relationships with Hindu women (Ghosh, 2020). The patriarchal framework in both countries reduces women to symbols of community honor and religious identity. Feminist scholars argue that religious conversion becomes a medium of patriarchal domination and community boundary-making, further disempowering women from minority groups (MacKinnon, 2006).

3. Political Exploitation and Religious Majoritarianism

Political actors in both countries have used religion to consolidate power, further marginalizing minorities. In India, Hindu nationalism and the RSS-BJP ideological framework have led to an upsurge in laws targeting Muslims and Christians, contributing to an atmosphere of fear (Misra, 2023). In Pakistan, Islamic populism and the state's appeasement of clerical groups have contributed to the legitimization of forced conversions (Naveed, 2024). Literature suggests that political patronage often protects perpetrators, while victims receive little or no legal recourse (Sheikh, 2021). In Pakistan, Islamic populism plays a similar role. Successive governments have sought legitimacy through alliances with clerical groups, often endorsing blasphemy laws and turning a blind eye to the persecution of minorities. Political patronage protects perpetrators of forced conversions, and even judicial institutions are hesitant to rule in favor of minority victims due to fear of backlash (Naveed, 2024; Sheikh, 2021). This politicization undermines the rule of law and strengthens impunity.

4. Social and Economic Vulnerability

Social class and economic dependency exacerbate the vulnerability of minorities. Many Christian and Hindu families in rural Pakistan are bonded laborers or belong to lower-caste communities, making them susceptible to coercion or financial incentives tied to religious conversion (HRW, 2020; Akhtar, 2019). In India, Dalit Christians and Muslims face caste-based exclusion and violence that intersects with religious persecution (Sen, 2022). In India, Dalit Christians and Muslims face double discrimination both caste religious grounds. Despite constitutional on and protections, caste hierarchies persist within religious communities and broader society, creating systemic barriers to justice and inclusion (Sen, 2022). The literature underscores that marginalization is not only religious but also deeply rooted in socioeconomic hierarchies.

5. Religious Institutions and Clerical Influence

Madrasas and religious organizations play a dual role. In Pakistan, some clerics and seminaries have been accused of facilitating forced conversions and issuing false age certificates or marriage documents (CRSS, 2022). In India, religious leaders from both Hindu and Muslim communities are often found at the center of mobilizations either justifying or resisting interfaith unions. The literature critiques the complicity or silence of religious authorities in perpetuating intolerance (Ali, 2020; Jahan, 2021). In India, religious institutions have responded by mobilizing against interfaith marriages. Some Hindu organizations offer legal and physical support to families opposing interfaith unions, while certain Muslim religious bodies have remained silent or defensive in the face of political pressure. Both scenarios reveal the instrumental use of religious institutions in either perpetuating or resisting forced conversions (Ali, 2020; Jahan, 2021).

6. International Human Rights and Advocacy Response

Reports from Amnesty International, the U.S. Commission on International Religious Freedom (USCIRF), and the UN Special Rapporteur on Freedom of Religion or Belief have repeatedly criticized both countries for failing to protect minority rights (USCIRF, 2024; UNHRC, 2023). However, such criticisms are often rejected as external interference, limiting their impact. Scholars argue that effective change requires internal civil society pressure and reformist political will (Haider, 2023). Scholars argue that while international pressure can generate awareness, sustainable change must come from domestic legal reforms, media accountability, and civil society mobilization (Haider, 2023). A transnational human rights strategy, while ideal, faces limitations due to nationalist rhetoric and the narrowing civic space in both countries.

7. Theoretical Perspectives

The issue has been analyzed through various theoretical lenses. From a postcolonial theory standpoint, forced conversions are seen as the continuation of majoritarian cultural dominance (Spivak, 1988). Feminist legal theory highlights the gendered nature of religious persecution, especially the instrumentalization of women's bodies for ideological ends (MacKinnon, 2006). Human rights frameworks emphasize the state's duty to protect religious freedoms and bodily autonomy, which are often undermined by populist politics (Freeman, 2022).

Synthesis and Research Gap

While the literature is rich in documentation and legal critique, there remains a gap in comparative, cross-border analysis of forced conversions as a regional phenomenon. Most studies focus on single-country narratives, often neglecting the transnational patterns of religious majoritarianism, patriarchy, and institutional failure. This research attempts to fill that gap by offering a comparative analysis, drawing lessons that can inform advocacy and policy in both contexts. This research seeks to fill that void by offering a cross-border comparative study, drawing connections and contrasts that may inform policy advocacy, human rights interventions, and academic discourse on minority protections in South Asia. The goal is not only to document injustices but to propose frameworks for structural reform grounded in constitutionalism, gender justice, and regional solidarity.

Theoretical Framework

This research is grounded in three key theoretical perspectives to analyze the issue of forced religious conversions of minorities in Pakistan and India:

1. Postcolonial Theory

Postcolonial theory helps explain how majoritarian religious nationalism in both countries stems from colonial-era identity politics. Scholars like Edward Said and Gayatri Spivak argue that the postcolonial state continues to define itself by "othering" minorities. Forced conversions, in this view, become a modern extension of asserting dominance and cultural supremacy (Spivak, 1988).

2. Feminist Legal Theory

This theory is central to analyzing the gendered nature of forced conversions. Feminist scholars like Catharine MacKinnon argue that laws are often shaped by patriarchal values and fail to protect women's autonomy. This is evident in both countries where minority women are disproportionately targeted, with the legal system often colluding or remaining complicit.

3. Human Rights Framework

Drawing from international human rights instruments (e.g., ICCPR, CEDAW, UDHR), this framework emphasizes the state's obligation to ensure religious freedom, bodily autonomy, and protection from coercion. The consistent violations highlight both countries' failure to meet international commitments, as documented by USCIRF and the UN.

Research Questions

- 1. What are the primary legal, political, and social factors contributing to forced religious conversions in Pakistan and India?
- 2. How does gender influence the pattern and impact of forced conversions?
- 3. To what extent have domestic laws and international norms failed to protect religious minorities?
- 4. What role do state institutions, religious bodies, and political actors play in perpetuating or resisting forced conversions?

Methodology

This research adopts a qualitative, exploratory, and comparative case study approach to investigate the phenomenon of forced religious conversions among minority communities in Pakistan and India. The selected timeframe for analysis spans from 2015 to 2025, allowing for an in-depth understanding of recent developments, legal reforms, and socio-political dynamics. The study explores how legal structures, political agendas, social hierarchies, and gender-based vulnerabilities interact to shape the experiences of religious minorities, particularly focusing on women and girls. The primary method of data collection employed in this research is document analysis. A total of thirty-five diverse and credible sources were examined, including peer-reviewed academic articles, national and international legal statutes, Supreme Court judgments from both countries, reports published by reputable human rights organizations such as the Human Rights Commission of Pakistan (HRCP) and the United States Commission on International Religious Freedom (USCIRF), as well as news articles, NGO reports, and international legal instruments like the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). These documents were purposefully selected based on their direct relevance to religious freedom, legal and constitutional rights, minority protections, and gender-based injustices.

Data was analyzed using thematic coding and content analysis. Recurring patterns and thematic clusters were identified and categorized to build a coherent narrative. Key themes that emerged during this process included legal and institutional failures, the intersection of gender and religious identity, state complicity and political motivations, and the use of religion as a tool for control and exclusion. Special attention was given to high-profile case studies such as Rinkle Kumari in Pakistan and Hadiya in India, which offered insights into the judicial and political treatment of forced conversion claims. In addition, a comparative legal analysis was conducted to evaluate the structure and implementation of anti-conversion laws in both countries, assessing their compatibility with international human rights norms. Although this study primarily relies on secondary data, efforts were made to ensure data reliability through triangulation. Reports by frontline activists, verified interviews published in trustworthy media, and cross-referencing of information across different sources helped validate findings and address potential biases, especially those stemming from politically or religiously influenced narratives.

Results

The analysis of the selected documents from 2015 to 2025 reveals several recurring themes that highlight the complex interplay of legal, political, gendered, and religious dynamics contributing to forced conversions in both Pakistan and India. While the contexts differ, both countries demonstrate systemic failures in safeguarding minority rights, particularly those of women and girls. One of the most prominent findings is the instrumentalization of religion by majoritarian politics. In Pakistan, religious identity is closely tied to national identity, and religious minorities-especially Hindus and Christians—face structural discrimination and communal hostility. High-profile cases such as that of Rinkle Kumari and Arzoo Raja illustrate how minor girls are abducted, forcibly converted to Islam, and married to their abductors, often with the complicity of police, religious clerics, and sometimes even the judiciary. In India, the narrative is shaped by the Hindu nationalist discourse, where the concept of "love jihad" has fueled legislation and social mobilization against interfaith marriages, particularly targeting Muslim men and Christian communities. Laws in several Indian states criminalize religious conversions under vague definitions, often leading to the persecution of those seeking to convert or facilitate conversions, as seen in the Hadiya case.

The theme of gender-based victimization emerges clearly in both contexts. Women and girls are disproportionately affected by forced conversions and are frequently used as tools of religious dominance and community honor. Legal systems in both countries fail to adequately consider issues of consent, age verification, and coercion. In many cases, the burden of proof is unfairly placed on the victim or her family, and existing legal protections either remain unimplemented or are undermined by local customs and political pressures. Another key finding is the inadequacy and politicization of legal frameworks. In Pakistan, although some legal reforms have been attempted—such as the Sindh Assembly's 2016 bill against forced conversions—these efforts were either overturned or blocked due to religious opposition. The Pakistani judiciary's inconsistent interpretation of Islamic principles further weakens legal recourse for victims. In India, anti-conversion laws in states like Uttar Pradesh and Madhya Pradesh have been critiqued for being misused to harass minorities and are often enforced without evidence of actual coercion. These laws disproportionately affect Dalits, Muslims, and Christians, reinforcing a culture of religious conformity under the guise of protecting public order.

The analysis also reveals state complicity and institutional apathy as recurring themes. In both countries, the police and judiciary often fail to act impartially. Victims' families in Pakistan frequently report police inaction or collaboration with perpetrators. In India, police investigations under anti-conversion laws are often initiated based on suspicion rather than substantive evidence, targeting pastors, social workers, and interfaith couples. Finally, the study highlights international and domestic human rights violations. Both countries have ratified key international treaties such as the CEDAW and the ICCPR, yet their domestic laws and practices often contravene the spirit of these instruments. Reports by international human rights organizations consistently point to the lack of legal protection, access to justice, and accountability for violations related to religious freedom and gender-based violence. In summary, while the forms and legal expressions of forced conversions differ in Pakistan and India, the underlying factors-majoritarian ideologies, gendered exploitation, weak legal safeguards, and political instrumentalization of religion-are strikingly similar. These findings underscore the urgent need for legal reforms, gender-sensitive protections, and a depoliticized approach to religious freedom in both contexts.

Limitations

- The study is limited by its reliance on secondary data, as no primary interviews were conducted.
- Media and organizational reports may carry biases, especially in politically charged contexts.
- Variability in data availability between Pakistan and India may affect the comparative balance.

However, efforts were made to mitigate these limitations through data triangulation and cross-verification across multiple credible sources.

Conclusion

Forced conversions of religious minorities in Pakistan and India are rooted in a combination of legal ambiguity, religious majoritarianism, and gendered oppression. Both states exhibit a failure to protect vulnerable minorities due to political pressure, social prejudices, and weak institutions. While the narratives differ—Pakistan often being accused of Islamizing minorities, and India of enforcing Hindutva ideology—the consequences are disturbingly similar: loss of agency, family breakdown, and deepening communal divides. The issue cannot be addressed without systemic legal reform, gender-sensitive policies, and a commitment to secular democratic principles.

Recommendations

Based on the above findings, it is evident that both Pakistan and India require urgent and multidimensional policy interventions to address the issue of forced religious conversions. First and foremost, legal reform is imperative. Pakistan must enact clear legislation that explicitly criminalizes forced conversions, particularly involving minors, and provides stringent penalties for offenders. Simultaneously, India must revise its anti-conversion laws to ensure they are not misused to restrict individual religious freedom or target interfaith unions. In addition to legislative measures, both countries must introduce robust procedural safeguards. These should include mandatory judicial inquiries in cases involving conversion of individuals under the age of 18, ensuring that consent is freely given and not the result of coercion or manipulation. Special emphasis should be placed on protecting the rights and agency of women, who remain the most vulnerable to such exploitation. Gender-sensitive victim protection mechanisms, such as access to safe shelters, counseling, and legal aid, should be institutionalized.

State institutions, particularly the police and judiciary, must be reformed to become more responsive to minority rights. This includes mandatory training programs focused on human rights, religious freedom, and gender-based violence. Law enforcement agencies must be held accountable for negligence or complicity in cases of forced conversion. There is also a pressing need for increased oversight of religious institutions and clerics involved in questionable conversion practices. Regulatory bodies must be empowered to investigate and sanction those promoting or executing forced conversions under the guise of religious duty.

Civil society organizations and interfaith platforms should be supported in their efforts to promote religious tolerance, community cohesion, and awareness about minority rights. Lastly, the international community, including the United Nations and regional bodies, must adopt a more active role in monitoring the situation and applying pressure through diplomatic channels, development aid conditions, and global human rights forums. These steps can help dismantle the socio-legal structures that currently enable and perpetuate forced conversions, and pave the way for more equitable and rights-respecting societies in both Pakistan and India.

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