



**EQUAL?: Analysing Discrimination, Exclusion, and
Violence Experienced by Women Belonging to Religious
Minorities in India**

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About

The South Asia Collective (SAC) is a regional network focused on monitoring the rights and conditions of minorities in South Asia. Similarly, Minority Rights Group (MRG) operates globally, partnering with over 150 organizations in 50 countries. They focus on empowering disadvantaged minorities and indigenous peoples, addressing discrimination based on various factors like age, class, gender, and disability. This report is a result of MRG-SAC project titled "Supporting Religious Pluralism and Respect for Freedom of Religions or Belief across South Asia". The project's aim is to strengthen the capacity of a regional researchers' and activists' network to monitor incidents, trends, and patterns of FoRB violations; produce and publish authoritative reports; and carry out linked advocacy to combat religious discrimination, intolerance, and violence, and improve the protection of FoRB in South Asia. This project is funded by European Union and implemented in Afghanistan, Pakistan, Nepal, Bangladesh, Sri Lanka, and India.

Abbreviations

BJP	Bharatiya Janata Party
CAA	Citizenship Amendment Act
CSO	Civil society organisation
FGD	Focus group discussion
GoI	Government of India
ICU	Intensive care unit
NRC	National Register of Citizens
RSS	Rashtriya Swayamsevak Sangh
UAPA	Unlawful Activities (Prevention) Act

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I. Executive Summary

The exclusion and targeting of and attacks on religious minorities in India in the wake of burgeoning right-wing nationalist discourse, especially post-2014, has been shrinking avenues for minorities to access resources, safety and assert their rights as equal citizens. While several reports have dominated the public space documenting the systemic targeting of religious minorities and the changing nature of attacks, the present report establish its niche in specifically focusing on experiences of women belonging to the three religious minorities, namely Muslims, Christians, and Sikhs. In this way, it is a first such report that analyses the intersectional discriminations experienced by women and presents everyday realities grounded in their own narratives. It emphasises on the multifaceted impact of anti-minority rhetoric, exclusion, and violence on women belonging to religious minorities. The report builds on contextual analysis of incidents being reported in media along with testimonies of women experiencing discrimination. In documenting voices of women, the report foregrounds women's agency. The report, in its nature, is both descriptive and analytical that gives an overview of the issues prevailing in the country, highlights lived experiences of women, and proposes advocacy initiatives.

The scale of discriminatory attacks happening in India is alarming. Intolerance, hatred, intimidation, and dehumanisation have become the core principals of the right-wing in carrying out violent attacks against women belonging to religious minorities especially Muslims. Women belonging to religious minority communities face double discrimination, being a woman and belonging to a particular religious minority group. Further, women belonging to economically weaker sections of the society are at an even more vulnerable position. Caste and class positioning, and geographical location also, play a major role in shaping everyday experiences of discrimination among women.

In absence of laws addressing discrimination and the state failing to take strict actions against perpetrators of violent incidents in the country, an ecosystem sponsoring discrimination against women in their everyday experiences is observed. The objective of this report is to draw attention towards religious minority women as a constantly neglected section of the society, and to use its findings to raise awareness within the international human rights groups, and to strengthen advocacy for addressing women's concerns and upholding their rights.

The report finds that:

- The discrimination experienced by Muslim women is multi-pronged. It is continuous and its degree, nature, and frequency is graver still. Muslim women experience stereotyping and labelling in schools, offices and in other public places as well. The identity marker, hijab is used as a symbol to discriminate against Muslim women in education as well as employment, restricting their career prospects. The freedom to practice religion in public, educational settings, and workplaces is severely curtailed for the group.
- There are no provisions of addressing religion-based discrimination at the workplace in respect to private firms and multinational corporations where women work. In absence of any legal measures, Muslim women have to silently bear the stereotypes and labels attributed to them. While, on one hand, any display of religious identity in the corporate setting is frowned upon, on the other, Muslim women are coerced to participate in conversations around Afghanistan, Taliban, hijab, topics which have obsessed the Hindu right wing. Economic marginalisation of Muslim women is an increasing phenomenon.
- The exclusion in citizenship, declaration as foreigners and subsequent incarceration witnessed by Muslim women in the state of Assam has a profound impact on their physical and psychological well-being. They experience trauma, anxiety, and suicidal thoughts. Women are made to experience statelessness even before the actual process or final verdict is passed. They are not entitled to any public goods and are barred from accessing any welfare schemes.
- Among Christians, women belonging to families who take care of churches, pastors, and those who have converted to Christianity are the ones experiencing most discrimination. Christian women in rural areas who belong to tribal communities are more prone to exclusion and discrimination than Christian women in urban cities who are economically well off. Verbal and physical attacks against women who have converted to Christianity in the past few years have increased. These women are put under surveillance and discriminated in availing economic and civic amenities.
- Sexual violence (online and offline) is used as a weapon against Muslim and Christian women. Rape as a tool in claiming Muslim women's bodies during riots and pogrom is

common. In recent attacks on churches across the country, sexual abuse of women at a wide scale has been reported.

- The cyberspace and digital platforms are being exploited to manifest and foster sexually explicit content especially targeting Muslim women. While few arrests have been made in such cases, the anonymity and wide-scale campaign being organised online is a new tool to discriminate and harass Muslim women who are actively speaking against the power.
- Sikh women largely witness the targeting of their community and increasing case of violence which has made them fearful of aggravating the situation. There have been some specific cases of targeting of Sikh women in respect to the protests against the amendment in the farm laws. The labelling of Sikhs as ‘Khalistanis’ and discriminatory Tweets (on X, formerly Twitter) against them have been surfacing that influences societal perspective towards the community.
- The Hindutva ecosystem is not a new development as it has its historical past. However, its expression has taken different violent forms in India with several actors at its aid. As a result, the form and nature of discrimination against religious minority women is also being reworked. The normalisation of discrimination in women’s everyday lives is noted to such an extent that they are contemplating every decision and choice they make of mobility, education, or livelihood.

The report recommends for the civil society organisations (CSOs) to engage in advocacy programmes and local-level interventions with religious minorities facing persecution. It proposes micro- and macro-level strategies that the CSOs can undertake, such as conducting more research studies adopting a gender lens, preparation of database documenting incidents, training of the workers at the grassroots, forming groups that work with women on social, economic, and psychological aspects by respecting their gender and religious sensitivities.

II. Introduction

“Isn’t it discrimination? That they [majority community] get to live freely, and we [minority] are constantly evaluating our decisions: where to live, what to eat, what to speak, and how to behave in a public place. The fact that we cannot fully realise our independence because of the fear of safety and security is discrimination to me. For us, every day is marked by anxiety. We are sometimes consciously and at times unintentionally deciding things which means compromising on our freedom and that makes our rights as equal citizens invisible.” (Saera, Personal Interview)

Saera’s articulation contextualises discrimination as synchronised with the very existence of the minority communities in India. It tells us that the discrimination that women from religious minority groups experience is an everyday reality—perpetual, undeterred, and incessant. Saera is a young Muslim woman living in Mumbai, an urban city that has played an important role in shaping her aspirations towards higher education. However, Saera’s experience in the changing landscape of the country has not been free from rapidly increasing Islamophobic incidents. She has witnessed stereotypical notions about Muslim women in her day-to-day conversations with students and teachers, largely from Hindu community, who pass comments and slurs often used for Muslim community. Saera’s narrative and that of several other women from Muslim, Christian, and Sikh communities are the foundation on which this report builds.

In past few years, as majoritarian articulation of nationalism has garnered an increasing adherence, there have been rising cases of hate crimes and violence against Muslims, Christians, and Sikhs in the country. India has witnessed an unprecedented increase in anti-minority sentiments, creating an environment of hatred and intolerance towards religious minorities, in particular Muslim and Christian communities, as well as impunity for those who act against them. As a result, the country is becoming unsafe for Muslims and Christians where they are being “persecuted physically, psychologically and economically” (Apoorvanand, 2022).

The construction of narrative and labelling minorities as outsiders, foreigners, and threat to the nation fuels acts of violence, social ostracism, property destruction, and discrimination against them. Targeting of religious minorities has taken different forms. While hate speeches, physical attacks, lynching, and riots have spiked post-2014, discrimination is also noted to be increasingly operationalised through the state and the market nexus. The institutions and system-enforced discrimination as observed in the enactment of Citizenship Amendment Act

(CAA) and implementation of the laws banning religious conversion in several states targets Muslims and Christians in India. The swelling anti-minority stance and constraining of religious freedom in India threatens its democratic structure and refutes the constitutional provision in the form of Article 15(1) that prohibits discrimination on grounds of religion, race, caste, sex, or place of birth.

The incidents unfolding in the country have pointed at the normalisation of ‘everyday’ and ‘institutional’ exclusion and discrimination that Muslims as the largest minority community are witnessing (Hasan, 2018). This everyday-ness of discrimination and exclusion is witnessed in the form of incidents in schools and universities, especially against girls wearing hijab, discriminatory access to economic opportunities, increased surveillance, and the threat to practicing one’s religion freely.

In December 2021, right-wing leaders of Hindutva organisations disrupted Christmas events across India, burning Santa Claus’s effigies, disturbing prayers and celebrations (Barton, 2021). In fact, in the past year, as per a report released by human rights groups, more than 300 attacks on Christians took place in the country (Madhav & Jafri, 2021). Christians are accused of leading religious conversions of poor Hindus and tribals. Churches are being attacked, pastors beaten and killed, and women are threatened and sexually abused. While Muslims and Christians have preoccupied the Hindutva taskforce, in few recent events, Sikhs are also being targeted and abused as ‘Khalistanis’, referring to the separatist’s movement in the 1990s, and subsequent attacks against them have been reported.

Several cases, reported and unreported, against religious minorities suggests targeting in the form of a planned attack at silencing the voices raised against the atrocities being committed by the right-wing Hindutva vigilantes. These escalating human rights violations in India have gained attention in the international community as well. The annual report of the United States Commission on International Religious Freedom (USCIRF, 2021) highlighted India as a country of particular concern as the conditions of religious minorities and the freedom to practice religion has shown a negative trajectory.

In another report by the organisation Open Doors (2019), it was brought forward that with the ostracisation of religious minorities in India, it is women who are at an even more vulnerable position of experiencing discrimination and violence because their agency on different socio-economic and political fronts is low. Thus, this report seeks to analyse normalisation of discrimination in everyday lives of women belonging to religious minorities and present their

narratives of exclusion, violence, surveillance, and resistance. The research is framed using intersectionality theory that centres on bringing forth the voices and perspectives of marginalised groups that experience overlapping and inter-dependent systems of oppression (Choo & Ferree, 2010). Crenshaw (1991), who advocated intersectionality's usage for the first time, contended that to understand discrimination that marginalised women experience, it is necessary to adopt a multiple axes framework which focuses on inter-connections between multiple categories that women identify with.

Muslim, Christian, and Sikh women do not constitute a monolith; however, in this report, it is used as a single category. This is not to lay emphasis on the homogeneity, rather to map the collective stigmatisation that women belonging to these sociological identities experience. While this report does not intend to make any comparison between the nature of discrimination experienced by Muslim, Christian, and Sikh women; however, it comes forth that the situation is far grave for Muslims as they experience multi-pronged attacks, and the frequency and intensity of discriminatory incidents is higher against this community. For the same reason, the report majorly contains Muslim women's accounts. However, it is in no way limiting or disregarding the growing discrimination and hostility that women from Sikh and Christian communities are experiencing. This can be taken as a limitation of the research but also as an opportunity pointing to a further in-depth exploration of women from Sikh and Christian communities facing discrimination.

The incidents of discrimination need to be comprehended with reference to assertions that Muslim, Christian, and Sikh women make of their experiencing othering, stigmatisation, hostility, and violence. The report attempts to document these experiences and assertions in order to draw attention of the human rights advocacy groups to act as allies of women belonging to religious minority communities in India.

2.1 Research Questions

The report attempts to answer the following research questions:

- What are the social, political, and economic discriminations experienced by women belonging to religious minorities in India?
- How has the discriminatory incidents affected women's psychological, economical, and physical well-being?
- What are some incidents of gender-based violence targeted at women belonging to religious minorities?

- How has the violence impacted the lives of women belonging to religious minorities?

2.2 Methodology

The present study is qualitative research which uses narrative method of enquiry. To assess context-specific experiences, more at the local level, a few geographical locations were decided based for the purpose of the research. The research began by understanding religious minorities that are experiencing discrimination in the country and particular locations that have witnessed anti-minority violence. Narrowing the themes that emerged, conversations with women belonging to Muslim, Christian, and Sikh communities regarding their experiences of discrimination at an intersection of gender and religious identities were framed. As women shared specific discriminatory experiences, they were later engaged in an in-depth interview. Women who had not experienced any direct discrimination were asked to connect the researcher with women (if they knew any) who have experienced direct or indirect discrimination. Using snowballing and convenience sampling techniques, women were identified for the interviews.

Since violence against Muslims and Christian communities has taken place more in certain regions, these field sites were taken into consideration to explore marginalisation in respect to post-violence displacements and vulnerabilities. Field visits were made to Jaula village in Uttar Pradesh and Mustafabad in New Delhi where the survivors of Muzaffarnagar riots in 2013 and Delhi pogrom in 2020 are living. A total of seven in-depth interviews were conducted at both the sites. Since women who have witnessed anti-Christian violence do not live in one place but belong to different places like villages in Uttarakhand, Jharkhand, Uttar Pradesh, and Chhattisgarh, six interviews were conducted over the phone with them. Assam where women, particularly Muslims, are experiencing discrimination and exclusion from the right to citizenship was considered as an important site for the study. Thus, field visits to Baksa and Barpeta in Assam were undertaken. Several in-depth interviews with Muslim women across these two sites were conducted along with one focus group discussion (FGD).

Several other Muslim women were interviewed who are living in urban centres like Delhi, Mumbai, and Patna. A few informal discussions with women belonging to Christian community were also made. As it was fairly difficult to identify women from Sikh community who have experienced direct discrimination in urban centres, four interviews with Sikh women who work on women's issues were conducted to gather an overview of the issues and challenges of the group. All interviews were conducted using an interview guide which was

moderated according to the background and context of the participants. Two FGDs with Muslim girls and women were also conducted using an FGD guide. Later, observing the absence of voices of Muslim women from Kashmir, living in a conflict zone, a few informal conversations were held to include a brief overview of the present situation of women in the valley.

Media articles highlighting any major incidents of discrimination and gender-based violence in the past decade were reviewed to aid the analysis.

2.3 Ethical Considerations and Researcher's Positionality

The ethical concerns such that the questions posed to women regarding experiences of discrimination might trigger strong emotions about the multiple layers of vulnerability and inherent identity were taken into consideration and effort was made to engage participants in conversations by being an active listener. The voices and narratives of women have been incorporated such that they do not undermine their agency, rather present the experiences including their resistance as narrated. Interviews were conducted with informed consent of the participants and confidentiality is maintained as pseudonyms have been used in the report so that no threat is posed to the women's identity.

The positionality and privileged position of the researcher which might influence or aid the research process and its outcome has been reflected upon throughout the research period and even during the writing of the report. As a woman belonging to a religious minority community in India, I could resonate with women I was interviewing to a certain extent. However, I was aware that I held different class, caste, and privileged positions that makes one's everyday experiences unique and different from the experiences of the women interviewed. It was easier to build rapport with women and engage in longer conversations owing to the same gender identity and sharing common concerns towards threats posed to freedom and rights of religious minorities in the country. At times, it became difficult to maintain clear boundaries between my religious identity as a Muslim and researcher identity. However, a conscious effort was made on the choice of words used during the interviews. It was made sure that no opinionated arguments or sweeping statements were passed that might influence women's perspective and reflection on the questions asked. Based on a critical reflection on my subjectivity and positionality, I have acknowledged that the report has made a conscious effort at privileging women's narratives and wrapping the researcher's reflections in discussions drawn therewith.

III. Writing on Muslim Women

Scholarly discussions on discrimination against Muslims began after the Sachar Committee Report (GoI 2006) was published. Not many reports or large-scale studies specifically focusing on discrimination experienced by minorities has surfaced since then. The stark statistical figures from the GoI (2006) report presented the reality of discrimination experienced by Muslims across socio-economic spheres. Another important study by Hasan and Menon (2004) on Muslim women presented statistical numbers and much-needed data on several aspects, work, health, family, among others. The study reported that more than 50 percent of Muslim women are illiterate and the higher education levels among the group are miniscule (p. 71). On engagement in work, they report that Muslim women's work participation is very low (14 percent), and they are more likely to be self-employed (p. 124). They are often encouraged to pursue home-based but low-paying work like tailoring or working at piece-rate basis putting together electronic parts or toys, or sorting recyclable parts for an industry (Khan, 2007). Muslim women are largely concentrated in sewing, embroidery, *zari* and *chikan-kari* work, *agarbatti* rolling, *beedhi* rolling, with poor work conditions, absence of basic facilities such as toilets, creches, and lack of social security benefits. Muslim women's engagement in self-employment is attributed to the discrimination in the labour market, poverty, lack of education and skills combined (GoI, 2006). Muslim women experience disadvantage and deprivation at an intersection of class, gender, and community, which simultaneously leads to their subordination (Hasan & Menon, 2004, p. 242).

The perception of people belonging to different religious communities towards Muslims shows their judgmental attitude. Muslim women are viewed as "victims" of their own men and community (Khan, 2007). Even after several reports highlighting the adverse socio-economic conditions among Muslim women, including low level of education and low work force participation rate, there are only a few academic studies that present qualitative research exploring alternate narratives of Muslim women.

While earlier studies were dominated with subjects such as triple talaq, Muslim women's rights in Islam, their socio-economic status, a turn in scholarship in recent times is noted as scholars in Indian context have begun to understand the subjective experiences of Muslim women (Khan, 2007; Thapan et al., 2014) and explore questions of Muslim women's voice and agency (Jamil, 2018), practice of faith (Patel-Banerjee & Robinson, 2017), Muslim women's work as artisans (Chambers, 2020), and their entrepreneurial engagements (Choudhary, 2021).

Writing on discriminated groups in the society is a political act. An act that this report undertakes to challenge the dominant narratives and present the actual lived reality of women belonging to different religious minorities. This report thus finds an immense scope to advance theoretical knowledge on everyday realities of women and advocate for an ecosystem that ensures their equal rights in the country.

IV. Understanding Discrimination and Situating Women's Experiences: The Context

The discrimination, targeting, and persecution that Muslims, Christians, and Sikhs face in the country needs to be conceptualised in the historical context, particularly by taking cues from the colonial and post-colonial past. This is because the development of Hindu nationalism, its boundaries and sentiments that lie behind the anti-minority agenda has been largely framed during the early 1990s. In fact, the Hindutva ideology, and the aim of making India a 'Hindu Rashtra' is not something that emerged in recent times. Rather, it has been the part of the majoritarian society with its seeds rooted as early as 1920s by Savarkar, a role model of the RSS-BJP dispensation. In the Hindutva framework, Islam and Christianity are religions imported from outside India and, thus, construed as a threat to the holy Hindu motherland. The discriminatory, resentful, and unsolicited approach towards the people belonging to these two religions have existed since M.S. Gowalkar, a Hindutva ideologue, called for Muslims and Christians to stay in India only on the condition that they either accept Hinduism or they would claim nothing and be entitled to no citizens' rights (Tharoor, 2018).

The preparation and training of the foot soldiers affiliated to the militant youth group Bajrang Dal and right-wing organisation Rashtriya Swayamsevak Sangh (RSS), who were involved in demolishing the Babri Masjid¹, carried out the Gujrat carnage and subsequent violence across the country has been taking place in the country for decades (Friedrich, 2020). However, with the Bhartiya Janata Party (BJP) coming to power twice, these groups appear to have legitimacy and have resumed their operations with greater confidence (Mani, 2017).

While discrimination and disgust towards Muslims and Christians have existed since the past, it has now taken more extreme forms of display. Thus, any analysis of the lived experiences,

¹ Babri Masjid, a Mughal era mosque, was demolished on December 6, 1992 by a crowd of Hindu nationalists after 2 years of inter-religious tensions owing to a construction of a temple at the site of the mosque. What followed after the demolition was communal violence across the country, resulting in the loss of lives of more than 2000 people, mostly Muslims. Babri Masjid demolition is considered as one of the major turning points in the history of violence against Muslim in India.

narratives, and stories of discrimination of women belonging to religious minorities must take into consideration the long history of systematic targeting that has fostered the current setting. The fixation and implied fear of outsiders regulates the Hindutva attacks against Muslims, which continues to take violent forms such as lynching (Griswold, 2019) and communal violence. Mob violence in the name of cow protection and love-jihad continues to dominate the public places. Muslim women have not only faced “overt discrimination” in getting their children admitted in schools, discrimination in accessing credit from banks, in matters of housing and other socio-economic opportunities (GoI, 2006) but are now also being asked to “secularize their religion, to restrict it to the private sphere and ritual acts of worship” (Hasan, 2019).

The historical context indicates that perceived threat of conversion to Christianity has also dominated a significant part of the Hindu nationalist discourse. As Christian missionaries continued to work for welfare of poor and tribals in the late nineteenth century, they were suspected for convincing the vulnerable Hindus to convert to Christianity. This was construed as a threat to the Hindu nation. The implicit association of Christian missionaries with colonial forces and the threat of conversion of Dalits and Tribals together led to the animosity towards the Christian community. In a legislative development, around 12 states have passed the anti-conversion laws that prohibits illegal conversion of people from one faith to another (Wilson, 2023). The purpose of this law has largely been to protect Hindus from being converted to Christianity.

The Sikh community was mainly exposed to the tremors of post-partition violence. The trajectory of discrimination experienced by women in this community has been in witnessing mass disappearances, 1984 riots, and now threatened livelihood in the form of proposed amendment in the farm laws which for now has been halted due to the large-scale protests by farmers across the country.

The biasness, prejudices, and manifestation of discrimination against religious minorities in the contemporary times has no hidden cover and draws no boundary. With the state emerging complicit in its action against the escalating violence, the Hindutva project has gained momentum. The violent actions and attacks towards Muslims speaking against the government in power or advocating for human rights has the support of BJP leaders who lace it with anti-Muslim statements (Banaji et al., 2019). The existence of discrimination has revolved around the axis of religious identity which remains the single most vulnerable category to

discriminatory policies, legislations, and violence. The assertion of power of the Hindu right wing and alienating and classifying Muslims and Christians as second-class citizens is in the making. This is achieved by targeting these groups in multiple ways, socially, economically, and politically.

In the context of the north-eastern state of Assam as well, the Hindutva project dates to 1940s with its discourse on immigration and threat to the nation. While the Assamese nationalism saw illegal migrants as a threat to Assam ethnicity, the fact that one particular identity was being threatened pointed to the exclusion of Muslims from the purview of citizenship rights. Hindus migrating from Bangladesh were seen as refugees who were forced to take shelter in Assam while Muslims were seen as a threat who were trying to infiltrate to make it a Muslim-dominated state. The RSS altered the focus of the Assamese protests against illegal migration from “Indian outsiders” to “illegal Bangladeshis” (Ashraf, 2018). In recent times, thus, Assam has become “Hindutva’s new laboratory” (Ashraf, 2016). With the BJP coming to power and invoking the NRC to be implemented nation-wide and passing the discriminatory anti-CAA bill, it created a havoc among Muslim community where several people have even lost their lives protesting against it (Singaravelu, 2020).

Since 2014, the religious majoritarianism nurturing the global Islamophobia has dominated the political discourse in India. The discrimination is used as tool to gather electoral support from the Hindu masses and to continue exercising power to control the majority versus minority rhetoric. The Hindu nationalist discourse and Hindutva ideology dictating the political situation in the country aided by cyberspace are resulting in far dangerous consequences for religious minority women. It is against this backdrop that this report seeks to locate the intersectionalities of discriminations experienced by women belonging to religious minorities in India.

V. Analysis and Findings

5.1 Educational Institutions as Sites of Perpetual Discrimination

Over the years, educational institutions have become spaces where women and girls from religious minority groups, especially Muslims, face increasing discrimination. In January 2022, in Udupi, Karnataka, a southern state in India, girls wearing hijab were not allowed to enter the class in a government college for three weeks (The Wire, 2022). They were marked ‘absent’ as they continued to sit outside the class. The school authorities threatened and harassed them which the girls described the experience as ‘humiliating’ and ‘uncomfortable’.

Hijab Ban

In January 2022, Muslim girls wearing hijab were not allowed to attend the classes in a government-run pre-university college in the southern state of Karnataka in India. Six Muslim women protested against this discriminatory policy of the administration who were then suspended from the college. They went on to file a petition in the Karnataka High Court to challenge the ban (Karpuram, 2022). On February 5, 2022, the Karnataka HC issued an order to ban students from wearing hijab in the state-run educational institutions stating the hijab is not an “essential religious practice”. The matter was challenged by the All India Muslim Personal Law Board in the Supreme Court of India. After 5 months, the Supreme Court delivered a split verdict in the case and asked the Chief Justice of India to constitute a larger bench which is yet to see any progress.

All this while, Muslim girls continue to face discrimination and exclusion in the educational institutions across the state. Girls wearing hijab were not allowed to sit for exams. Hijab ban can have severe for Muslim women’s education in the country. In a report by People’s Union for Civil Liberties, it was observed that close to about 1000 Muslim girls dropped out of schools most likely because of hijab ban and other reasons (PUCL-K, 2023). Uncertain educational future leads to mental health concerns, and many young women have reported feeling anxious (Mohammed, 2022).

In several other instances, Muslim women have been restricted from appearing for and writing national-level exams such as National Eligibility Test (NET) and National Eligibility cum Entrance Test (NEET) as they refused to take off their hijab. Even when women try to negotiate and offer full cooperation in the security checks, they are often told that “examination room me hijab nikaalna hi hai” (hijab must be taken off in the exam room). Even a Supreme Court judge issuing strict guidelines on the complaint registered by a Muslim woman in one of the cases said that “not wearing the hijab during examination would not affect their faith and it won’t disappear if it isn’t worn on a specific single day” (IndiaToday, 2019). Thus, hijab continues to remain a widely contested Muslim identity marker with people questioning and contemplating it, often disregarding women’s own agency in adorning it.

Fareha lives in a Muslim colony in South Delhi which is considered a safe haven for the community. Studying in a Muslim majority school, Fareha did not face any restrictions on wearing a headscarf. However, when she moved to another private school to study psychology which was not offered as a subject in her previous school, she was not allowed to sit in the class wearing it. She did not want to take off the headscarf but considering it was a female-only school and the Islamic ruling on wearing a headscarf, she would take it off on entering the classroom. However, she requested the school's principal to not ask her to not wear it when she is traveling in school bus or to any other public place which is outside the school premises. Fareha's request was agreed upon.

In a turn of events, when the school organised its annual sports day in a stadium outside school, Fareha was singled out, humiliated, and expelled from the students' march as she wore a headscarf in the rehearsals. After that incident, Fareha was mocked and bullied by other students in the school. Subsequently, she often missed school. It is not a one-time discrimination that girls experience in educational institutions but it is recurring and students do not leave a chance to humiliate them because of their religious. Many other Muslim girls shared similar experiences in schools where they are questioned about their faith, asked for opinions on any political development in the country, their identity as Indians and love for the country is often ridiculed.

Sameena is a 19-year-old woman living in Dwarka, Delhi. Sameena comes from Meo-Muslim² community largely based in Nuh, Mewat, which is one of the most backward districts in the country. Sameena is among the few women who have moved out for education from her village. She had similar incidents in school as the only Muslim girl, where students questioned if her father is a Pakistani despite the fact that he served in the Central Reserve Police Force (CRPF). Sameena dropped her surname 'Khan' to avoid unnecessary labelling and attention from the peers. While she was shy and did not feel confident about her religious identity, looking at the collective stigmatisation of the community, she has educated herself on the issues of Muslims and has now become more vocal about the same. Sameena recalls that even when she takes a stand against bullying or targeting of any other student, she is cast out and called "Pakistani" who should stay out of the matter. This othering that girls experience in schools is like a tool used against them to silence their voice. As a consequence, Muslim girls internalise the labels and negative comments from their teachers and peers. They look for friendships with

² Meo-Muslim is an ethnic group from the backward Mewat region in the north-western region in India.

other Muslim students to be able to empathise and engage in a peer support system. It has also affected their preference of higher educational institutions and future career prospects.

5.2 Economic Marginalisation

The economic marginalisation that Muslim women experience has pushed them to the margins of socio-economic life. They are the most deprived community in Indian job market as they have a higher likelihood of facing discrimination because of the intersectionality of multiple identities. Muslim women have been denied jobs for wearing headscarves in different instances (see Qazi, 2017; Parcham, 2020). In fact, the chance of Muslim women being employed is lower than that of Hindu women (Das, 2012). Against this backdrop, women's experiences in corporate workplaces, private institutions, and entrepreneurship are mapped. Nasheed, a 24-year-old Muslim woman, is pursuing a course in medical electrophysiology at a public university in Delhi. For internship, along with other female friends, she visited a private hospital in West Delhi. At the hospital, according to Nasheed, the staff was not welcoming towards them, and the doctors would often question them about their religious beliefs, particularly why they wear hijab, which is a common question with the perception that women are forced to wear it. He would ask them for their opinions on Taliban's takeover of Afghanistan, and other such topics that are not related to their work. This is often a case reported by Muslim women at workplaces where they are forced to take part in discussions which they do not feel comfortable in while other women belonging to Hindu community do not face such a situation.

Nasheed shared that while the human resources person at the hospital would encourage other women internees (non-Muslims) from other colleges, he would often behave rudely with them, even at times delaying their administrative work. Nasheed and her friends who wore a headscarf were asked to remove it while at work. When they refused, they were asked to leave the internship. After talking to higher authorities, they were told that it is not allowed in the intensive care unit (ICU) because of sterility issues. While Nasheed was not convinced with their argument but she agreed to taking off the hijab when in ICU and wearing a medical cap. However, she continued to wear it outside the ICU. In another instance, she recalled that when they asked to take five minutes break to pray, the administration strictly refused saying that it was not allowed, suggesting a disapproval of any display of religious practices.

These instances at compartmentalising one's religious practices to a private sphere and where its display in any form is discouraged has resulted in withdrawal of Muslim women from

certain economic spaces and has influenced their perspective, aspirations, and opportunities to work. Using the Muslim identity to question women undermines their skills, potential, and labour which is overpowered by their religious identity. Even when women experience discrimination at the workplaces, they are only able to report these with the human resources person who convinces them to ignore it. There are no legal laws which addresses the discrimination experienced on the basis of religious identity in private companies.

On the other hand, women belonging to poor Muslim and Christian communities where poverty and illiteracy remain a major issue are unable to find a well-paying employment opportunity. The FGD in Jaula village, Uttar Pradesh, revealed that even when women have learnt stitching and tailoring skills, they find it difficult to get any paid work. Christian women interviewed from states such as Jharkhand who have converted from Hinduism shared that employers do not give them work or hire them at their agricultural farms as the villagers adopt strategies of collective exclusion against them. This suggests that women belonging to religious minorities experience challenge in securing fair and decent work across different geographies – urban and rural.

Economically poor Muslim women who are working as domestic helps and caretakers in different regions are forced to change their appearance and adopt a Hindu get-up to acquire work (Rahman, 2013). They often have to change their names and even companies assisting them in getting work recommend them to do so. These Muslim women posing as Hindus are usually in menial and contractual jobs where the identity proofs are not strictly sought. However, there have been few recent cases where Muslim women who had changed their names to get work were targeted and attacked.

As calls for economic boycott of Muslims are increasingly happening in the country and their businesses are being attacked, the fear and threat to livelihood is a growing concern among Muslim women. Several women have started their entrepreneurial ventures, online and offline, as an alternate livelihood strategy which gives them a better scope to practice their faith and security from any direct threats. However, the means and resources needed to venture into entrepreneurship does not make it a viable option for many.

5.3 Memories of Violence

5.3.1 Muslim Women Recall Delhi Pogrom 2020 and Muzaffarnagar Riots 2013

In February 2020, the North East Delhi witnessed a pogrom that targeted Muslims and their livelihoods. Women who witnessed it shared that their neighbours joined the attackers who

carried saffron flags and chanted ‘Jai Sri Ram’³ while approaching their houses. In several instances, women shared the discriminatory and complicit attitude of the police who acted as mute spectators. The trauma of violence has remained with women who struggle to seek justice.

Sakeena, a 38-year-old woman, is living in Loni, Ghaziabad, after being displaced from Shiv Vihar in North East Delhi. Sakeena recalls that she had gone for work at the cement factory when the violence erupted on February 24, 2020. When she saw large mob raising calls to kill Muslims, she immediately left for her home. Sakeena along with her husband and three children locked themselves in the two rooms of her house, hiding in the almirah or under the bed. As the mob came closer to her house, the chants of Jai Sri Ram grew louder. Sakeena called her Hindu landlord, describing him the desperate situation and begged for help. However, he refused to help them in the situation. Meanwhile, the mob, despite trying, could not enter from the front door as Sakeena’s husband had locked, wrapped chain, and pushed an iron trunk against it. After an hour of pelting stones, the mob used the house of the policeman who lived behind Sakeena’s house to break through her apartment using the terrace. They entered her house screaming abuses and pulled her husband from under the bed. Sakeena saw two of her neighbours and a son of the policeman in the crowd from the window of the adjacent room. She pleaded them to spare him. The mob did not. They threatened that if she tried to come out of the room, they would rape her daughter. She watched her husband get brutally beaten by men who carried saffron flags, rods, and iron chains in their hands and *tilaks* on their foreheads, crying and praying that God save him. After some time, the mob dragged him downstairs, further thrashed and killed him. They then threw him in the fire and finally tossed his body in the open drain on the roadside. Fearful for herself and her children’s life, Sakeena dressed like a Hindu, centre-parted her hair to put *sindoor*, placed *bindi* on her daughter’s forehead, and tilak on her son’s, and left her house in search of a safe place in the evening. She remembers the horror of the night as they knocked doors of strangers to ask for shelter.

In the past two years, Sakeena has endured economic hardships as sometimes employers have refused to give her work. It has been difficult to leave her son to go to work who is six years old and has been affected deeply by what he saw in the riots. While she has filed a police complaint, she does not have money to fight the legal battle and has left her case on the goodwill of a non-governmental organisation that offered to help her. After her husband’s

³ Jai Sri Ram has come to be known as a Hindu war cry. It is raised by the right-wing crowds calling Hindus to unite and fight against the Muslims. In cases of lynching, hate crimes, and other political rallies, it is often raised to incite the crowd and show strength of the Hindu right wing.

death, in-laws forced Sakeena to observe *iddat*⁴ and took the money that was granted to her in compensation. Later, with the money she received in the form of individual donations, she got her elder daughter married when she was sixteen years old. She was scared for her safety. The savings and jewellery that she had bought in past few years to give in dowry to her daughter were looted in the violence which made her fearful of her marriage prospects. She also plans to marry off her younger daughter soon, who is just twelve years old. Sakeena's decision to marry her daughter from the money received in donations is a consequence often witnessed in the aftermath of communal riots. Even after the Muzaffarnagar riots in 2013, mass weddings of young and underage girls were seen (Siddiqui, 2013).

Sakeena's story echoes the plight of several other Muslim women whose safety, security, and dignity were compromised as they became witness and survivors of the anti-Muslim violence. Their intimate lives laid open; private matters became public. Women survivors of violence linger in a vulnerable position as they have to look for livelihood, take care of physical and psychological needs of their families, and fight legal battles. Often, they do not find time to grieve the loss of their loved ones. Most of the women affected in the Delhi pogrom were economically poor, either worked as daily wage labourers, did piece rate work in home, or survived on the earnings of their husbands. Their livelihoods have been affected and a few women did not even receive compensation due to several reasons such as involvement of in-laws, incorrect bank account numbers, or migration. Other women also shared similar stories of terror, loss, and misery that Delhi pogrom has left them with. The complicity of the police during the violence and even in conducting investigations later has angered women who await justice.

The discrimination experienced by Muslim women after the Delhi pogrom can also be noted in the arrests and cases forged in conspiring the riots against Safoora Zargar and Gulfisha Fareha, two young Muslim activists, who were at the forefront of anti-CAA protests in North East Delhi before the violence was unleashed by the right-wing goons. After three days, when Safoora was granted bail by the court, the police put UAPA charges on her same day which ultimately led her to spending almost two months in jail even when she was in the second trimester of pregnancy. Gulfisha on the other hand has not got bail till date. With UAPA charges, it becomes difficult to get bail. By putting UAPA charges on these young women, the

⁴ Iddat is a waiting period of four months and ten days for a Muslim woman whose husband has died and three months for the woman who has been divorced, before she can remarry. In this case, it implied the death of the husband.

police want to keep them incarcerated as long as possible, crushing the potential of a progressive leadership among Muslim women and silence their voice.

The false accusations, criminal cases and subsequent arrests of activists have implications for their family members. For instance, Nargis Saifi, wife of Khalid Saifi who has been charged by UAPA in relation to Delhi pogrom, has expressed her plight in several online and offline events. She has reiterated the social boycott, economic vulnerabilities, and psychological trauma that she has experienced since her husband has been arrested. She asserts that even though the charges against him are false, people have questioned his innocence and it has become difficult for her to attend any social gathering now. The media trial, societal labelling, and seeking legal justice have been an everyday reality of Nargis's life after the Delhi violence.

The labels often attributed to women survivors of communal violence have reduced their identity to a victim. People refer to them as '*danga peedhit*' (riot victim) which not only undermines their self-worth but also makes them recall the horror of violence. In Muzaffarnagar, after 2013 riots, people who were displaced, largely settled in Jaula village. Women living here shared that while earlier they had private lives, they would go out only occasionally, after witnessing the riots and experiencing displacement, they had to make a new life for themselves and their families. For this, they had to move out and leave aside their shyness and compromise on their modesty at times to protect their families. Women are now conscious about what is happening in the country. They have become more aware about their rights and have taken the responsibility to secure a safe and better life for their children.

The sexual violence perpetuated against Muslim women during Muzaffarnagar riots is a memory fresh even after almost a decade. Mass rapes were reported in the Muzaffarnagar riots; however, only few women came forward to register official complaints. The psychological trauma that women experienced has not been addressed as mostly they were asked to forget the crimes and move on with their lives. Talking about sexual violence was seen as a dishonour to the community. Women shared that they were not allowed to grieve the loss of their livelihood, homes, and loved ones. A woman shared that the fact that people who were behind the conspiracy and carrying out the riots have not been arrested has made them hopeless of any justice.

Another woman recalled that as the army stood outside, she packed gold that she had got as a gift from her brother, cash she had saved in past several years, and some clothes in a bag. When the army came to evacuate them, police personnel threw her bag saying that nobody was

allowed to take any belongings. She recalled they were being treated as thieves, as if they were the ones who had committed some grave crime. She said that she did not have any option to look back but to save her life. After a few months, she saw her Hindu neighbour adorned in her jewels but did not say anything to her because of the fear that it might trigger conflict. The fear of confronting the perpetrators or the neighbours who participated in rioting against them was reflected in women's narrations.

Several women in the village shared that when they hear about any conflict, they are scared and have difficulty in sleeping at nights. They are more fearful for the safety and security of their daughters and send them to schools which are in the vicinity. Many of them want to send their children outside, to Delhi and other urban centres, so that they can leave the scars of the violence behind and craft a new life for themselves.

5.3.2 Anti-Christian Violence, Humiliation, and Women

Esther, a woman in her mid-twenties has been living with her family in Uttarakhand since her childhood. After her father, a pastor, passed away, Esther and her family witnessed an unprecedented situation. As they took over to maintain the church and organise Sunday prayers, some members of the Hindu right-wing organisations such as Bajrang Dal, Vishva Hindu Parishad, and the RSS kept visiting and threatening them to close down the church and blamed them for alleged forced religious conversion. This continued to happen for several days. A few men would pass comments when they would go to markets, others would routinely call them to stop preaching Christianity. Esther registered a complaint at the nearby police station of the grim situation as it was only her, and two other females, her mother and elder sister staying in the house. However, the next Sunday after she registered the complaint, a huge mob of Hindu right wing gathered outside the church chanting Jai Sri Ram. Soon, they barged into the church and vandalised the property. The mob engaged in violence and sexual abuse with women. Esther and her sister's clothes were pulled, they were dragged and verbally abused. Esther recalled that it was no less than two hundred people in the mob.

This did not happen overnight. The ground was being set and people were being prepared to carry out the attack for weeks. Esther shared that there were some professional thugs also in the mob who were called to threaten people visiting the church. When Esther registered a police complaint against the incident, there were first information reports (FIRs) against her and her family alleging forced religious conversions. Several lawyers refused to accept her case saying it involved religious matters which is a sensitive issue to pursue.

After the incident, times have been difficult for her and her family. People have stopped visiting her house, neighbours have turned hostile, and they are often asked if they plan to move out of the housing colony, indirectly suggesting them to do so. Esther gave out media statements about the incident after which she has been easily recognised in the area. This has made her fearful for her family's security. Over the years, she has witnessed harassment from the police and right-wing media who have portrayed her as the culprit. As a consequence of the violent attacks, Esther has curtailed her mobility and has decided to pursue a professional degree in law at the university to be able understand the constitutional provisions and Indian as well as international laws and be able to get justice for her community.

The increasing incidents of anti-Christian violence witnessed by women not only impacts their physical and psychological well-being but also results in moderated choices, of lifestyle and career. Several incidents of physical assaults where women are beaten, their clothes are pulled, they are labelled for engaging in forcefully converting people to Christianity have surfaced. Further, the institutional targeting in the form of state governments of Odisha, Madhya Pradesh, Jharkhand, Gujarat, Himachal Pradesh, Uttarakhand, Arunachal Pradesh, Karnataka, and Chhattisgarh enacting the highly controversial anti-conversion law, curbing the right to freedom of religion is manifested. These laws are being misused to target Christians, especially in villages and tribal areas. Women who have converted to Christianity are another vulnerable group who have been targeted by the Hindutva goons.

Reena, a 25-year-old woman, lives in Khutti, a village with dominant Hindu and tribal population in Jharkhand. Four years back when she accepted Christianity, the villagers threatened and asked her to visit mandir (Hindu temple) in the village and pray there. Reena was subjected to hostility, abuse, and physical attacks. One day she was called by the villagers to a place nearby the main mandir where more than hundred men had gathered. They gave her a last warning to stop converting other girls to Christianity. When Reena said that she is just practicing her religion and not forcing anybody to follow it, two men attacked her and thrashed her head. Reena fell unconscious on the ground and was later taken to the hospital. Villagers show discriminatory attitude towards her family. Their monthly ration was blocked, and they could not avail any other government facilities. Since the incident, Reena has witnessed social ostracisation and people look down upon her as an evil doer.

In a similar instance, Charu, a 54-year-old woman, converted to Christianity after experiencing several years of hardship and ill health. As she started visiting the church, which was outside

her village, the villagers used to keep a check on her and her family, often questioning them about where they were going. When they came to know that Charu and her family had embraced Christianity, they threatened them to leave the village. Most of the men used abusive language and cursed her for leaving the true religion of the nation which according to them is Hinduism. The villagers physically assaulted Charu for not agreeing to leave practicing Christianity. She recalled that four times village panchayat was held where all sort of abusive behaviour was shown towards her. When Charu did not acquiesce to the villagers' demands, her ration and other welfare provisions were stopped. She was not able to get the pension card made because in villages these things are controlled by some men in power, and since she converted to Christianity, her application was not processed deliberately. The neighbours stopped visiting her house, and the family was boycotted from being invited to any social gathering. Charu's narrative tells us that villagers are in the power to push government officials to act in a discriminatory manner towards women who have converted to Christianity.

Like Reena and Charu, women who have converted to Christianity get attacked and their freedom to practice religion is severely curtailed. Their movements, actions, and behaviours are more closely policed. Further, an environment of social ostracisation is created for these women who are discriminated in accessing the state's welfare provisions. The blame of forcefully converting other women from Hinduism to Christianity has dominated among the Hindutva activists and its followers in rural areas where such incidents are being increasingly reported. The police authorities also appear complicit in such cases inclining towards the masculine power of the Hindu right wing.

Christian Women Face Violence in Manipur

The northeastern state of Manipur in India has been witnessing ethno-religious violence since May 2023. While the violence has been largely between the ethnic communities, Meitei and Kuki-zo tribals, it has its own religious and communal angle, mainly targeting Meitei Christians (Sitlhou & Kuthar, 2023). During the conflict, Meitei Christians have witnessed attacks on their churches and houses from the right-wing extremist groups. Many Christian families have been displaced due to the ongoing conflict in the region. Several reports of Christian women facing violence in the region have come up in the media in the past one year. Kuki Christians have "witnessed the destruction of hundreds of their churches and the brutal rape of their women" (D'Souza, 2023). A video showing assault of two Christian women being paraded naked went viral on social media platforms (The

Guardian, 2023). Sexual and gender-based violence against Kuki Christian women has been reported by women belonging to different age groups. Kuki Christian women recall horrors of violence, physical attacks, abduction, and sexual abuse that they have faced (Agarwala, 2023).

5.3.3 Sikh Women, Erasure of History, and a Fearful Future

Even after four decades of anti-Sikh violence of 1984 in Delhi, several women await for justice⁵. They recall the horrors of violence⁶ that changed their lives forever. Tilak Vihar where the government rehabilitated women and their children is popularly known as ‘Widow colony’ where survivors of the violence are still languishing in the hope of getting justice. While these women continue to recall and share the memories of violence, their grandchildren feel that there are deliberate attempts at erasure of the history of violence against Sikhs. Simran, a young Sikh woman studying outside India, said that they have been “denied the right to truth”. She said, “with no action being taken, no one being punished it appears as if nobody was responsible, and nothing happened”.

Sikh community has been targeted in the present times by the enactment of farm laws which have now been repealed. The farmers protest for two years witnessed a large participation of Sikh women. These women protested not just the farm laws but also against the killing of farmers during the protests. However, the labelling of Sikhs as ‘Khalistani’ has remained a common trope even during the protests questioning its credibility. Young women activists from Sikh community witnessed abuse over social media and in person when they went out in support of the farmers’ protest.

Nodeep Kaur, 23-year-old Sikh women, who was protesting against the discriminatory farm laws was arrested and put into custody. Nodeep shared that she was brutally beaten and sexually assaulted in the jail. Her sister shared that even the media did not give much importance to torture and harassment that Nodeep suffered as she belongs to Dalit Sikh community.

Time and again, there are ‘repeat of 1984’⁷ (anti-Sikh violence) calls on social media. This way Sikhs are made to realise that they are a minority community which has witnessed violence in the

⁵ <https://thewire.in/communalism/1984-thirty-four-years-later-survivors-await-justice>.

⁶ <https://www.thehindu.com/news/cities/Delhi/I-have-been-living-the-horror-everyday-for-the-past-28-years/article12493254.ece>.

⁷ <https://thewire.in/government/punjab-after-pm-modis-security-breach-threats-to-repeat-1984-surface-on-social-media>.

past and should not forget the massacre. Also, as episodes of violence against Sikhs are getting reported from across the country and the history of violence against the community, there is an increasing fear among Sikh women as they predict that the present government which has targeted Muslims and Christians can anytime target them as well.

5.4 Women's Experiences of Statelessness: Narratives from Assam

On our field visit to Baksa, Assam, we first met Unnati Begum, a woman in her early fifties. Unnati Begum welcomes us to her house, a dwelling built with tin sheets and bamboo hatches. A window on the left wall is left open for the sunlight to brighten the dark room. Three wooden beds are placed in each corner, a table with a pile of medicines next to one and few clothes remain hanging on the wooden stand near it. At one side, the kitchen has been set up with a few empty utensils, a gas stove and few containers storing ration lye scattered on the floor. Unnati quickly finishes cleaning, turns off the old stereo set that played a religious song calling Allah to bring peace and ease the trials, and comes to sit with us for conversation. This is not the first time Unnati is speaking to someone about her experience of undergoing trials and spending three years and six months in a detention camp. Yet she begins from the start and does not miss a single detail. For her, the narrative is etched in the memory and sharing it brings sadness but also relief that people are willing to listen.

Unnati describes that while she worked as a labourer, loading stones at construction sites earlier, she does not work anymore and stays at home looking after her grandchildren. After coming back from the detention camp, she does not have the physical strength for labour and has been suffering from certain ailments. She alleges that in the detention camp, some medicine was mixed in the food that was given to them, which has affected her physical power and sexual desires. However, no such claims have been verified.

Unnati's family settled in Baksa after being displaced because of erosion in 2004. In 1997, when she applied for the voter identification, she was registered as a voter with D⁸, which is the starting point of doubting the citizenship of a person. On the advice of a few people, after contacting a lawyer, she was informed to file a case in response to the notice given to her. She recalled spending twenty thousand rupees in paying to the lawyer which was a huge amount for her family. As her husband was not keeping well and she did not have that much money to invest in fighting the legal battle, she dropped the case and continued with her life of daily

⁸ People registered as D-voter or Dubious/Doubtful Voter is a group in the state of Assam who are disenfranchised by the government because of lack of proper citizenship credentials as per the state.

struggles, trying to make ends meet. Meanwhile, she was convinced by a villager to report the case with the border police who said that they would help her in resolving the case without taking any money. Unnati was not educated, she went to the border police department taking cooked food and other eatables for the police officials in the hope that they would take care of her case.

One day, a police official called her saying that a senior official wants to meet her to end the case. When she went to the police station the next morning, she was made to sit in the police van. Unnati was afraid and told the police official that she had left some documents at home which she would go back and bring, but he refused. She was then taken to the Mushalpur police station where several media person were already present. They started calling her “Bangladeshi”, clicked her pictures and asked why she had come illegally to the country and how. She was then forced to give fingerprints on a document which she could not read. When she refused, her hand was beaten with a stick. After that, she was sent to the detention centre. Police were abusive and there was no woman official with them. They kept asking her about the route she took to enter the country and when.

Unnati faced several health issues while she was in the detention camp. Even after her return, she is unable to sleep peacefully at night and is dealing with the trauma. Her family is in huge debt because of the expenditures incurred on the legal battle. Her ration has been stopped and she is not entitled to any welfare provisions. This is the case with most women who have been marked as D-voters. Their ration cards are cancelled, and they do not receive any provisions in the state’s welfare schemes. As Amin (2018) writes, “to enjoy the rights and other safeguards granted to other citizens of a sovereign nation-state, being human is not enough”. Thus, women are denied access to public goods as they lose the “the right to have rights” (Arendt, 1951).

Women are more likely than men to lack access to documentation and, as a result, are disproportionately affected in the citizenship process, especially those from poor and marginalised communities. Since the patriarchal problems prevalent with women in other parts of country as well are very much in the society in Assam where girls do not complete education or school years and drop out, they do not have high school certificate. Many women do not have birth certificates and have never attended school. Women getting married at a young age is common in Assam. The interviews with most women revealed that they got married at the age of 12-16 years. When they voted for the first time at the age of 18 years, they were married. A woman’s name is usually recorded with her husband’s name in the voter list. This means that their voter identification cards do not carry father’s name which makes it difficult for them

to prove linkage to their fathers. The major issue that arises is that women are able to produce the documents but are not able to prove their lineage with their fathers and ancestors. Also, when women get married, they are not given the share of property in inheritance. Thus, they do not have any proof in the form of *jamabandi* certificates⁹ that can be used.

The process does not take any cognizance of the prevalence of gender discrimination and inequality in the Indian society, rather it further marginalises women. Several women reported exclusion because of reasons such as no land inheritance, change in the name after marriage, early marriage, widowhood, and so on.

Jaimana, a woman in her early fifties, works as a daily wage labourer. She is not educated and does not know how to write her name. When the notice that she has been registered as a dubious voter (D-Voter) was delivered, her name was mentioned as Jamirannessa instead of Jaimana Khatun. When she went to the Foreign Tribunals¹⁰, she was interrogated and asked questions repeatedly. As she was anxious, she could not recall the exact date of her father passing away and the name of her grandmother at that moment. Jaimana remembers that it was like an oral test for which she had not prepared. Thus, her case was dismissed. She feels that it is mostly with Muslims that such discrimination is happening; else what is her fault if not that she has a Muslim name. She has all valid documents required to prove her citizenship. Jaimana shares that sometimes she feels like committing suicide. While days are spent in labour, anxiety and tension keep her awake at nights. She recalls that one night while she went to sleep, she saw that some policemen had come and were forcefully taking her with them in her dream. She shared that she has only heard about a detention camp from other people which scares her. These suicidal thoughts articulated by women cannot be ignored as several people have in the past committed suicide because of the fear of losing citizenship and in the face of pressures of getting documents and incurring expenditures on the legal battles.

Kulsumnessa, a 50-year-old woman living in Barpeta, has a story of struggle and loss while proving her citizenship. Kulsumnessa shared that during the initial case she did not attend two hearings at the Foreign Tribunals because her lawyer did not inform about it. She shared that because of financial constraints, they were not able to pay the lawyer and subsequently her case got ignored. As a result, she was declared a foreigner by the tribunal. Her son then filed the

⁹ A *jamabandi* certificate is a document that describes the land ownership, rights of people on the land and other details about its owners and cultivators.

¹⁰ Foreign Tribunals are quasi-judicial bodies that exist in the state of Assam, to determine if a person staying in the state is a foreigner.

case in the High Court. As the case was coming to an end, Kulsumnessa was asked to report in the police station before the last hearing. She was relieved that finally her case was coming to an end. But when she reached the police station along with her son, they were not allowed to return. She was forcefully dragged to the police van and asked to get inside. The officials in-charge misbehaved with her and denied her the right to any information about the case. What followed Kulsumnessa were five years in the detention camp. Even when the Supreme Court had passed the order to release people who had completed three years in detention camps, she was not granted bail. The police refused to comply with the order and delayed her release. While she was in detention camp, her husband died but she was not informed about it by her family. When she came back home, her life had changed.

These stories of women from Assam highlight the different ways in which they have been excluded from the citizenship process and status and made to feel the burden of the torturous bureaucratic processes. It is observed that women who were taken to detention camps were called to the police stations on false pretexts or were arrested from their homes in an unanticipated manner. These women reported abusive language used by officials and threats to use violence if they did not obey them. In detention camps, the situation as described by women is pathetic. The food had a foul smell, sometimes had pebbles or sometimes even mouse's excreta, the floor was unclean, the sheets and blankets given had rough textures which would often result in bruises on their bodies.

The narrative that Bengali-origin Muslims are outsiders who have settled in Assam has been constructed over the years by reinforcing the stereotypes that these are aggressive encroachers who have occupied that land which they have no association with and are a threat to Assam's ethnic identity. Thus, the discrimination on the basis of their ethnic identities results in stripping off their citizenship. Despite having documents and proofs of their residence in the country, they are often doubted and declared D-voters. They are called "Bangladeshis" to suggest they have illegally entered from the neighbouring country.

On the other hand, several discrepancies in the declaration of citizenship are noted: women who were earlier declared Indian were excluded in the second list¹¹. In some cases, a woman's name is not there when her husband has made it to the list, the whole family is included but only she is excluded, and so on. The discrepancies in declaring the legal citizenship of a person while her brother or sister is excluded are often noted. During the field visits, we met several

¹¹ <https://indianexpress.com/article/cities/guwahati/gauhati-high-court-release-woman-declared-indian-foreigner-7675218/>.

people who shared similar stories of exclusion from the citizenship while the other family members were given citizenship.

Khairannessa is a woman in her late forties. She lives in Char near Barpeta. While Khairannessa's sister was able to prove her citizenship and get the dubious D removed from her citizenship status, this is not the case for her. Khairannessa is still fighting the legal battle to prove her citizenship which has taken a toll on her. Khairannessa shared that she was not educated, she did not know how to respond to the questions asked by the judge in the court. She was afraid. She said that when her sister's documents have been accepted why are not hers. She also has the same documents and same lineage establishing documents of her father which prove that he was a citizen here, but she does not understand why her case is not getting resolved.

Lack of proper information, apathetic attitude of the officials, and unfair and deliberate harsh verifications create barriers for women to prove their citizenship. Thus, the complexities of proving their citizenship laced with the structural barriers and technicalities of name, for the uneducated women present a deeply discriminatory setting. While policy-level discrimination has been elaborately noted in several reports which highlight that the procedures, process, and implementation of NRC is discriminatory towards Muslims, this report has documented lived experiences and incubation of discrimination in everyday lives where women are running between proving their citizenship and making their ends meet.

In Assam when the river submerges the surrounding land, people experience erosion and move out of the place. They then settle in other areas wherever they are able to find a livelihood. This migration from one place to another results in people registering themselves as voters in the new village. In such instances, the clerical or typographical mistakes in registering the right name often cost them to prove their citizenship in the tribunals. Many women have moved places because of Beki or Brahmaputra River changing its course. When they build their houses in the new place, there is a suspicion from border police that from where these people have come.

Bahatunnessa got married in another village where she voted for the first time in the year 1995. However, later she was not able to exercise her voting power as she was labelled a D-voter, putting her citizenship in doubtful category. After river erosion of their land, her family was displaced to another village. In this change of village from one to another, Bahatunnessa struggled to get her name registered in the voter list. But everywhere she was marked with a

D. As her case is ongoing, her sons have distanced themselves because of the financial costs involved in the legal matter. Bahatunnessa cried and shared that in old age she has witnessed her family leaving her to die alone when the state has already doubted her citizenship. Her vulnerability is multi-fold without any support from the family.

Many women reported discriminatory and apathetic attitude and hostility from the officials involved in the process. Several women shared that the border police never visited their house or carried on any investigation but declared them foreigners. What appears then is a systemic plan that ensures that after a certain interval a record is maintained of the arrests of illegal migrants as the numbers need to be projected which can manifest fear among the community. To feed the narrative that Assam government is giving strict treatment to the illegal migrants, Muslims are being arbitrarily arrested. The NRC and CAA have become political tools that the state and people in power shape their political campaigns with by often giving controversial speeches.

While earlier in the 1970s and 1980s, women were less aware of why they were being targeted, there is an increasing articulation and consciousness of being targeted because of their religious identity. When Hasina Bhanu, a 55-year-old woman, was released from the detention camp, she said in an interview¹² that she was put in a detention camp because she is a Muslim.

Muslim women in Assam are made to experience statelessness “even before it is realised and before its consequences start taking shape” (Saha, 2021). It is observed that establishing the citizenship is not a part-time thing, instead it is like a full-time work, an everyday involvement that demands women to compromise on their paid labour, incur financial costs, and invest time that takes a toll on their physical as well as psychological health. Women who are poor and work in the fields have been now running every day to prove their citizenship. Women spend their lifesavings and end up in huge debts for fighting their cases.

5.5 Digital Platforms as Tools for Propagating Hate and Sexual Abuse against Women

Over the past decade as social media platforms have become important instruments in the political sphere in the country, online hate speech and targeting of women from minority communities, especially Muslims, has proliferated. These have profound impact on the mental health of the activists and women who are raising their voice against the injustices meted out on the Muslim community. The Hindutva ideological stance and fetishisation of Muslim

¹² <https://www.ndtv.com/india-news/hasina-bhanu-assam-woman-declared-foreigner-assam-woman-released-home-after-tribunals-flip-flop-over-citizenship-2656355>.

women have led to a series of planned and systematic attacks. These have been in forms of verbal abuses on digital spaces, mass reporting of the social media handles, and creating apps such as Sulli Deals and Bulli Bai¹³ to auction them. These app-based platforms created using GitHub have been used to harass and sexually abuse Muslim women. In 2020, when Muslim women who were targeted through the app Sulli Deals registered official complaints, the police appeared complacent and did not act swiftly. Subsequently in January 2022, Muslim women's pictures were uploaded on a new site "Bulli Bai App" created for the purpose of dehumanising them. Hundreds of Muslim women including activists, journalists, social workers, and others found their pictures uploaded on the site along with derogatory content. In this way, the nexus of sexual violence against Muslim women is perpetuated every day in an organised manner.

The systematic attacks on Muslim women whose bodies become a site for contestation, be it rape cases during violence, or auctioning of Muslim women online threatens women's safety, security, and dignity. The marginalisation of women on these online platforms have taken an obnoxious form where *trads*¹⁴ as noted in a recent article¹⁵ take part in the digital ecosystem that aims to further the agenda of threatening and marginalising Muslims. Muslim women are portrayed as sex objects for Hindu men. The prejudices and stereotypes against Muslim women are laced with Hindutva sentiments of hate, resentment, and disgust which are reflected in the discriminatory comments, Tweets, and content circulated on social media platforms. The content is not only obscene but also a form of violent misogyny underlying Hindutva ideology that aims to avenge and control Muslim women. The kind of effort, resources, and expertise that are put into organising such campaigns highlights that they are meant to "terrorise" Muslim women (Jamil, 2022). Women navigating the cybersphere then become targets of these false narratives of the Hindutva right wing and are subjected to hostility, resulting in their disengagement or limited engagement on online platforms. Other outcomes include self-censorship, policing by families, fear, and distress.

The fact that Twitter and other digital platforms have failed to address these threats is concerning and points to their complicity. These discriminatory and complicit policies of the digital platforms which fail to act swiftly need to be called out. Globally, Facebook has played a major role in unleashing hate and propagating violence and calls for genocide of Rohingya

¹³ <https://www.thehindu.com/news/national/sulli-deals-bulli-bai-and-the-young-and-educated-hatemongers/article38305009.ece>.

¹⁴ *Trads*, short form of traditionalists, is a group of Hindutva fundamentalists who wants to establish a Hindu Rashtra.

¹⁵ <https://thewire.in/communalism/genocide-as-pop-culture-inside-the-hindutva-world-of-trads-and-raitas>.

Muslims (Arkin, 2018). In India, the hate speeches and videos of violence circulated online seem like a first step gleaming towards similar plans for genocide.

5.6 Women, Conflict and Everyday life in Kashmir

This section presents a brief overview of the complex everyday reality of women in Kashmir that has been derived from a limited engagement with literature and informal conversations with few social workers working with Kashmiri women in Srinagar.

The scholarship on women in Kashmir has been critiqued to over-emphasise on presenting Kashmiri women as victims of the conflict and State violence. Malik (2018) in her book pointed at this by stating that these representations have given rise to “stereotypical and monolithic discourses on women which singularly label them as victims of war”. She further points at the active involvement of women in the fight against patriarchal structures of the society and injustices of the state. Malik writes that it is important to view Kashmiri women as active agents in the resistance against the armed conflict.

The representations of Kashmiri women in media and Bollywood films on the other hand have paved way for exoticisation of their bodies. In the aftermath of the abrogation of Article 370¹⁶, a Kashmiri woman’s body was fetishised. The claims that one could easily marry a “fair skinned” Kashmiri woman were made across online spaces, including TikTok videos (Dasgupta, 2019). This sentiment was reflected in speeches¹⁷ given by leaders of the BJP. Once again, the practice of laying control over Kashmir was seen as “synonymous with militarised control of Kashmiri women’s bodies” (Mushtaq, 2019). Kashmiri women’s bodies over the years of the nationalist movement have become sites of war (Manchanda, 2001).

The abrogation of Article 370 created further problems for people in Kashmir. As the state was put under lockdown for a year, people suffered economic losses as their businesses were shut. Ameera, a lawyer from Kashmir, shared that economically marginalising Kashmiris is a new tool of the Indian government to break their resistance and further exclude them from the economy. Women who have fewer economic opportunities in the state have found it even more difficult to earn a livelihood in the present times. The livelihood opportunities that have been limited by societal attitude, threat to fear and safety have been further reduced in the episodes of lockdowns and internet shutdowns in the valley.

¹⁶ In December 2023, the Supreme Court of India unanimously upheld the Indian government's decision to abrogate Article 370 that granted special status to Jammu & Kashmir.

¹⁷ <https://www.news18.com/news/india/bjp-bachelors-can-now-marry-white-skinned-kashmiri-women-mlas-shocker-on-article-370-2262103.html>.

Bazila and Maryam, two social workers working in an NGO in Srinagar, narrated the plight of young girls in accessing primary education. They shared that the discrimination women experience in Kashmir starts at the elementary level as they witness long breaks of formal education because of schools being shut often due to conflict. This has an adverse impact on their psychological well-being. They described instances from everyday lives in conflict as laced with fear and anxiety. Bazila shared that while women in other places get an opportunity to stay after university hours to engage in dialogues and co-curricular activities, she had to rush back home as it was far from the university. She shared that women often do not get such an opportunity in Kashmir as it is considered safe to return home well before it gets dark because of the presence of armed forces across the city that curbs their mobility. The heavy deployment of armed forces in the valley and the reported incidents of sexual violence by the armed personnel has created a fear psyche among women. Mass rapes and sexual violence by armed forces have resulted in a lifelong stigma among survivors which also results in a change in their social positioning within the family and society (Malik, 2010).

According to the Kashmir Mental Health Survey in 2015, 50 percent of women were found to be suffering from probable depression, 36 percent reported anxiety disorder and 22 percent of women suffered from post-traumatic stress disorder (PTSD). The widespread mental health issues that Kashmiri women are facing along with other health related problems are difficult to deal with because of lack of proper facilities (Rehbar & Zahra, 2019). Amina shared that when Article 370 was abrogated, she was staying at her college's hostel. As the news broke, many girls from neighbouring rooms came to ask her opinion on the matter. While she was not able to gather information of her family's well-being because of the complete shutdown of internet and cellular services, which made her anxious, she had to experience the celebratory conversations of her peers. In many instances, Kashmiri women in workplace settings shared being harassed for their political views.

Surveillance, data profiling, and identification of Kashmiri women in states across India has further created discriminatory barriers in access to equal opportunities in socio-economic spheres. Munazza, a Kashmiri Muslim woman in her late twenties shared that she consciously evaluates workplace environment before applying for a job. She has been working as a social worker with a Delhi-based organisation which is headed by a Muslim. She feels that being in a Muslim organisation she has crafted a comfort zone for herself and now experiences difficulty in applying to other places which might have better career prospects for her. The intersectionality of multiple identities, Kashmiri, women, and Muslim have layered

experiences of discrimination and vulnerability. Kashmir continues to face violence and exclusion, conflict that pose multi layered challenges for women in the area that for now is beyond the scope of this report to comprehend.

V. Conclusions

The articulation of nationalism in India has taken violent forms, marginalising and discriminating against Muslims, Christians, and Sikhs. Women from these religious minorities are experiencing a threat to personal liberty, sexual violence, and freedom of the right to practice their religion. Through economic, social, and political channels, women face discrimination at the crossroads of their gender and religious identities. In some cases, women have been the witness and survivors of violence, rape, exclusion, and in other cases, stereotypical notions have marked their everyday lives. The increasing incidents of discrimination against religious minorities in India not only paralyses women but also restricts their potential to equally participate in the development of the country.

Women have been tortured, incarcerated, forced to hide; they have self-imposed curbs on mobility, technology usage and are dealing with psychological trauma. Though several international activists and member of civil society organisations have described the situation in India as impending a genocide, yet the international community has not been able to do much about the prevalent human rights violations in India.

The growing animosity and intolerance towards women belonging to religious minorities pose serious threat to the social fabric of the country and should not be acceptable in any manner. The narratives of women documented in the report highlight that they are facing discriminations in almost every aspect of their lives, social, economic, and political. The discrimination is sometimes direct in the form of legislative laws and policies, rejection from economic opportunities, and exclusion from citizenship, many times it is wrapped within the expressions of disgust, resentment, and hate. While this report mainly focuses on the discriminations that women experience from the state and the society, in interviews and FGDs, the discriminations that women experience within the community were also referred to by some women. This can be further taken up in future research studies.

Human rights activists, civil society organisations, and the international community must work to protect the rights and freedom of women belonging to religious minorities. The responsibilities of a state towards its vulnerable minority, women, must be realised and breeding of violence needs to be terminated to retreat the authoritarian transition of India.

VI. Recommendations for CSOs

Civil society organisations continue to work as allies with women belonging to religious minorities in India. However, borrowing from the analysis in this study, the following micro- and macro-level recommendations are proposed:

- At the local level, in rural and urban areas, organisations need to initiate conversations and dialogues on issues of discrimination and exclusion with women creating an awareness on their rights as an equal citizen in the country. Organisations can facilitate creation of groups among women who can forge alliances with those in power to negotiate the context-specific challenges and issues that women from religious minorities face in their neighbourhoods. Organisational efforts in terms of empowering women with the awareness and education and, on the other hand, at times handholding to address specific challenges needs to be undertaken.
- The ethical issues of working with women from religious minorities need to be integrated and reflected upon in the methodological approach that the CSOs adopt. This is important as any intervention which does not take into account the religious and gender sensitivities is bound to fail in the long run. Thus, ethical considerations with respect to confidentiality of women's legal case, recognising women's agency, and informed consent before involving women in any research or other programmes must be the primary outline with which further programmes should be designed.
- Poverty and economic hardships remain a major challenge for women belonging to religious minorities, thus, economic programmes promoting safer livelihoods for women in rural and urban areas should be designed and implemented. The discrimination at the workplaces needs to be checked by encouraging formulation of internal committees and unionising.
- In the context of Assam, where citizenship remains the major exclusionary parameter for Muslim women, efforts at legal aid needs to be strengthened. While there are millions of cases of illegal migration, there needs to be more organisational efforts at providing pro-bono services to the marginalised women. The advocacy groups need to pressurise the government to halt its arbitrary and discriminatory targeting. In other case of violence and hate crimes, legal battle remains a challenge for women survivors. These cases need to be dealt with carefully and made sure that women receive justice.

- Mental health remains a widely neglected area of intervention. It has been observed that women who face exclusion from citizenship, incarceration, sexual abuse, and violence are prone to suicidal thoughts, anxiety, and depression. The trauma and memories of violence triggers women to take extreme steps. In this regard, the psycho-social aspects of women's well-being need to be taken into consideration to design an all-encompassing programme for women's development.
- CSOs in India need to forge collaborations with the international community to bring attention of the world towards the worsening situation and human rights violations in the country. Inter-community collaborations and a platform for organisations working with different marginalised groups should be encouraged.
- Digital platforms are becoming tools for hate-mongering and inciting violence against women from religious minorities. Research needs to be done on how these platforms are acting as catalysts in anti-minority narratives. These platforms need to be held accountable and pushed to protect the rights of women. CSOs can ensure the regulatory mechanisms and legal measures are taken against any targeting of women across these platforms.
- While several documents and reports have been produced mapping and documenting the atrocities being committed against religious minorities in India, reports like this that adopt gender lens needs to be more routinely produced. This will result in a comprehensive analysis on the changing landscape of gender-based discrimination and further aid to the advocacy programmes.
- The intensity, scale, and frequency of incidents targeting minority women in India is on a rise. It is difficult to keep a track of the incidents. As a result, several incidents, especially those reported from rural areas, are often not covered in the media. Thus, they go unreported. In this context, CSOs can work towards data collection, fact sheets, and developing a database that records the instances of intolerance, violence, and discrimination. The CSOs staff at the grassroots need to be trained in this regard.

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