

India: Five years after 2002 Gujarat pogrom

While the victims languish, the perpetrators go unpunished

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Despite the passage of more than five years since the February-March 2002 anti-Muslim pogrom in the Indian state of Gujarat, not a single one of the principal perpetrators of this horrific crime has been punished. Meanwhile, tens of thousands of Muslims who were driven from their towns and villages by roving bands of Hindu supremacist thugs still languish in relief camps without electricity or running water.

There is much evidence to show that leading figures in the Hindu-supremacist Bharatiya Janata Party (BJP) (which headed India's Union and Gujarat governments in 2002) and its Hindu-chauvinist allies—the Rashtriya Swayamsevak Sangh (RSS, literally National Volunteer's Association), Bajrang Dal (Hindu youth organization) and the Vishwa Hindu Parishad (World Hindu Council)—fomented and organized the carnage in Gujarat, which resulted in the slaughter of more than two thousand Muslims and left tens of thousands of others homeless and jobless. (see "India: further evidence Hindu-supremacist BJP culpable in Gujarat pogrom")

One of the chief abettors of the massacre was Narendra Modi, then as now Gujarat's chief minister. Notwithstanding his role in inciting the violence and ensuring that security forces took no effective action to protect Gujarat's Muslims, Modi not only continues to head Gujarat's government and to serve as one of the principal leaders of the BJP at the national-level. In 2005 he was honoured for leading the "best-governed" state in India by the Congress Party-connected Rajiv Gandhi Foundation. A think-tank created to honour former Congress Prime Minister Rajiv Gandhi, the Rajiv Gandhi Foundation's trustees include the current Congress Party president, Sonia Gandhi, Indian Prime Minister Manmohan Singh and Finance Minister Chidambaram.

The Congress Party portrays itself as a bulwark of secularism and an implacable opponent of Hindu chauvinism. Yet despite heading India's United Progressive Alliance (UPA) coalition government for the past three years, it has not seen fit to use the resources of the state to mount a serious investigation into the Gujarat pogrom so as to lay bare the role played by the Hindu supremacist right and various security forces and punish the guilty.

The Gujarat pogrom occurred in an atmosphere of anti-Pakistan (and by implication anti-Muslim) hysteria whipped-up the BJP-led Union government following a reputed terrorist attack on India's parliament in December 2001. Accusing Pakistan of complicity in the terrorist attack, the BJP-dominated National Democratic Alliance government placed the country on a war footing and deployed hundreds of thousands of troops to Gujarat and the other Indian states that border Pakistan.

While the perpetrators of the Gujarat program remain at liberty, 209 people—Muslims, Dalits (i.e., ex-untouchables), and tribals—who were first arrested in 2002 under the Prevention of Terrorism Act (POTA—a BJP law formally repealed by the UPA in 2004) remain in detention. (see "Repeal of India's draconian anti-terrorism law: Largely a cosmetic change")

The 209 are among hundreds of people from various religious and ethnic minorities whom the Gujarat authorities seized under the draconian,

dragnet provisions of POTA for their alleged complicity in the February 27, 2002 train fire at Godhra, the incident that served as the pretext for the unleashing of mass anti-Muslim violence.

Some 60 Hindu chauvinist activists perished in the Godhra train fire. Gujarat's BJP government and the police claimed that the Hindu activists had come under attack because of their Hindu supremacist views. Subsequent investigation has punctured numerous holes in the government's and police's version of events; the train fire was likely an accident.

But the BJP government then as now is not the least interested in uncovering the truth of what happened at Godhra. With Chief Minister Modi in the lead, the Gujarat authorities fomented anti-Muslim hysteria, proclaiming that Gujarat's "Muslims" were collectively responsible for the deaths of "Hindus" at Godhra.

And India's then prime minister, Atal Vajpayee, whom the corporate media has extolled as a BJP elder statesman and voice of moderation, rushed to excuse the subsequent bloodletting in Gujarat with the quip, "What happened after the Godhra incident is deplorable, but the issue is, who started it?"

The continuing persecution of Gujarat's Muslim minority

Five years on, Gujarat's Muslims continue to live in fear and misery.

The state government has made a show of refusing to accept relief money from the central government, even as tens of thousands of Muslims have been condemned to live in squalor in relief camps.

Those Muslims who have returned to their hometowns and villages in the years since the pogrom have frequently been forced to make "concessions" to their Hindu chauvinist tormentors and must live under the constant threat of renewed Hindu supremacist violence.

Many Muslims were only able to return to their home villages after "agreeing" to drop criminal cases filed against "Hindus," i.e., against those who had killed their family members and/or set fire to their dwellings and shops.

In many Gujarat villages, the local mosque has had to cease making calls to prayer and Muslims now must celebrate their religious festivals behind closed doors.

In some villages, Muslims, under the threat of violence, have also been compelled to stop openly selling meat.

Gagan Sethi, a member of a monitoring committee of the National Human Rights Commission (NHRC), told the *Hindustan Times*, "There is a grudging acceptance that Muslims have to keep their heads down and keep a low profile."

The BJP state government has provided only a pittance in aid to the victims of the 2002 pogrom and has refused on the flimsiest of pretexts to provide money to restore damaged or razed mosques and Muslim-owned businesses.

According to Preeta Jha, of the volunteer group Nyayagraha, "There are severe lifestyle changes and (Gujarat Muslims') livelihood has been affected. Their economic spine has been broken."

To commemorate the fifth anniversary of the anti-Muslim violence and demand that the guilty be punished, more than 6,000 angry survivors demonstrated last month in Ahmedabad, the capital of Gujarat.

The Best Bakery Case

The “Best Bakery Case” has come to symbolize how Gujarat’s Muslims have been denied justice and often further victimized by India’s legal system.

On March 1, 2002 a huge mob surrounded and set fire to Best Bakery, a Muslim, family-owned, bakery. Fourteen people, 11 Muslims and 3 Hindus, perished in the fire.

Twenty-one people were subsequently arrested and charged with various crimes relating to the Best Bakery arson deaths. However, in July 2003 all the accused were released, with the court citing “lack of evidence” after the principal prosecution witness—Zaheera Sheikh, the 19-year-old daughter of the bakery’s owner—retracted her initial statement to the police.

Zaheera Sheikh later revealed that she had recanted after she and the surviving members of her family had been threatened with reprisals by a BJP state-legislator.

The case was subsequently reopened and a trial ordered out of state in Mumbai (Bombay). During this second trial Zaheera Sheikh again gave contradictory testimony.

Rather than showing any sympathy towards this confused, distraught and terrified young woman, India’s Supreme Court proclaimed itself duty bound to show zero tolerance to perjury. Zaheera Sheikh was found guilty of perjury and sentenced to a year in prison and a mammoth fine. Only recently was she released from jail after serving her full sentence.

Meanwhile, the BJP state legislator who threatened her and her family has escaped any legal sanction.

The Congress Party-led UPA declares that it is helpless to intervene in Gujarat to aid the pogrom’s victims in obtaining justice since “law and order” is a state responsibility. This argument is made despite the fact that successive Indian governments have deployed hundreds of thousands of troops in Kashmir and India’s northeast in the name of upholding “law and order.”

There are ample provisions in the Indian constitution allowing the central government to directly intervene in a state, including the power to dismiss a state government and impose central government rule, should the state government fail to uphold the constitution. Congress-led governments, including the current UPA regime, have frequently made use of the “president’s rule” provisions of the Indian constitution for brazen partisan political reasons, but the UPA government has no intention of sacking Gujarat’s blood-soaked BJP regime.

Rebutting the UPA’s “helplessness” argument, a recent commentary in the *Times of India* noted, “[Article] 355 of the Constitution authorizes, *indeed requires*” the central government “to intervene in situations of grave internal strife” (emphasis added).

Of Gujarat, the commentary further observed, “There is perhaps no instance since Independence of such open and sustained denial to a segment of citizens—of elementary rights of security, livelihood, shelter and legal justice—only on the grounds of its adherence to a minority faith.”

The Congress Party’s reluctance to act against the BJP and its allied *Hindutva* organizations is not surprising given the Congress’s own role in fomenting an anti-Sikh pogrom following the 1984 assassination of Prime Minister Indira Gandhi and Congress’s long history of conniving with the Hindu supremacist right, including in the violent upheavals that accompanied the 1947 communal partition of India.

In spite of this sordid record, the Stalinist Communist Party of India (Marxist) or CPM, continues to peddle the fiction that the Congress Party and UPA can be pressured into bringing justice to Gujarat’s Muslim victims.

In an editorial in the March 14 issue of its English-weekly *People’s*

Democracy, the CPM writes, “[It] is high time that the UPA government at the centre pulls up its socks and ensures that justice is finally delivered to the victims [of the Gujarat pogrom] and the perpetrators of the crime are punished. *This is absolutely essential to restore the confidence of the people in our justice delivery system and regain the confidence in India’s secular democracy.* This is all the more necessary at a time when the communal forces are sharpening their weapons to once again plunge the country into communal strife to advance their electoral fortunes. The UPA’s *raison d’être* [sic] is the safeguarding and strengthening of India’s secular democratic foundations. If this task is not seriously undertaken, then the UPA would be reduced to a coalition with no character” (emphasis added).

In other words, the CPM and the CPM-led Left Front will ritualistically condemn the UPA for its complicity in the continuing persecution of Gujarat’s Muslims, but will continue to provide the UPA with the parliamentary votes it needs to remain in office, all the while fobbing off on the masses the claim that the UPA is the only credible means of blocking the BJP’s return to power.

There are several reasons that the Congress Party cannot and will not act against the BJP. The sympathies of significant elements within the Congress, especially in Gujarat, lie not with the Muslim victims of the 2002 pogrom but rather with its instigators. In the December 2002 Gujarat elections the Congress mounted a campaign that even sections of the press derided as “*Hindutva*-lite.”

The Indian bourgeoisie’s second party, the BJP, has played a pivotal role in implementing the neo-liberal socioeconomic reform program pioneered by the Congress government of 1991-96 and continued by the current UPA coalition. The Congress relies on the BJP’s support in pressing forward with the bourgeoisie’s “reform” agenda in the face of widespread popular opposition, even while using it, with the help of the Stalinists, as a right-wing foil, as a means to intimidate the working class and toilers into rallying round the Congress-led UPA as the “lesser evil.”

Third, the failure to indict and convict any of the principal perpetrators of the Gujarat pogrom has underscored that wide layers of the police and judiciary are sympathetic to the noxious Hindu supremacist doctrines spouted by the BJP and the RSS. The UPA government fears that were it to mount a serious inquiry into the Gujarat pogrom and its cover-up, it would come under attack from elements within the state and, even more importantly, that such an inquiry could destabilize the state institutions that underpin bourgeois rule by shedding light on the extent to which they have been overrun by fascistic elements.

Last but not least, were the Congress leadership to dig into the BJP’s role in fomenting the Gujarat pogrom or the 1992 razing of the Babri Masjid mosque in Ayodhya, there is no doubt the BJP would retaliate by clamouring for an inquiry into the Congress Party’s own culpability in the 1984 anti-Sikh massacre. In other words, the two principal parties in the “world’s most populous democracy” have a secret understanding to bury each other’s foul communal crimes.



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