

# Communalism of 2000's

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**Source:** *The Hindu*

**Manifest pedagogy:** Communalism is an important topic for UPSC cutting across disciplines. It's history, it's social manifestations, it's political outcomes and it's ethical consequences can be asked as questions. In this context, an understanding of the anatomy of a communal riot is very essential. The current article covers the theoretical aspects of communalism along with a detailed analysis of Godhra riots and various inquiry committees associated with it.

**In news:** PM Modi given clean chit in Godhra riots case

**Placing it in syllabus:** Communalism in Modern India

**Static dimensions:**

- Communalised atmosphere
- Godhra train burning and communal violence triggered by the incident
- Allegations of state complicity

**Current dimensions:** Inquiries into the Gujarat riots & A brief on communal riots

**Content:** The Nanavati-Mehta Commission recently gave clean chit to Prime Minister Narendra Modi on 2002 Gujarat riots.

**Communalised atmosphere:**

**Communal riot is a diabolical and extreme outcome of a communalised atmosphere.** A communalised atmosphere is the one where there exists a **deep seated animosity and suspicion among communities.** This animosity is calculatedly bred among the public by vested political interests with regular propaganda machinery.

The communities have a feeling that the **secular interests of each community are diametrically opposite** and in conflict with the secular interests of the other community. The atmosphere is so vitiated that the communal identities and feelings also start entering the public institutions.

The public officials like police and civil administration also start showing **communal partisanship** to a particular community. This partisanship by the **public authorities breeds a sense of impunity** in the community in favour and a sense of fear among the community in disfavour.

Both impunity and fear leads to **ideas of self protection leading to aggregation of weapons** and further consolidation of communal identities. The overall scenario is a vitiated societal situation which just needs a spark like the Godhra train burning to spiral out of control and become a communal riot.

Once the spark is lit, the situation comes under mob rule. **Each individual loses his self identity and becomes part of a faceless mob.** This faceless mob has the potential to **commit atrocities and reek violence** far beyond the capacity of the individuals constituting it. Added to this mob mentality **if the state is complicit in the violence it leads to pogroms or genocides.**

**Godhra train burning and communal riots that followed:**

- The Godhra train burning incident occurred on **27 February 2002.**
- As many as **59 “kar sevaks”** who were returning in the **Sabarmati Express from the disputed religious site in Ayodhya,** were charred to death when a mob torched the train near Godhra railway station.
- Following the tragedy, **riots broke out across Gujarat the next day.**
- Attackers arrived in Muslim communities across the

region in trucks, wearing saffron robes and khaki shorts and bearing a variety of weapons.

- In many cases, **attackers damaged or burned Muslim-owned or occupied buildings** while leaving adjacent Hindu buildings untouched.
- Many calls made to the police from victims went in vain.
- In some cases, the **police fired on Muslims who attempted to defend themselves.**
- The **rioters used mobile phones to coordinate their attacks.**
- By the end of the day on 28 February a curfew had been declared in 27 towns and cities across the state.
- As for the **number of deaths in post-Godhra riots**, the government told the Rajya Sabha in 2005 that **1044 people – 790 Muslims and 254 Hindus**, lost their lives in Gujarat.
- Another **223 people were reported missing.**
- Twenty-four Muslims and 13 Hindus were killed in police firings.
- Civil rights activists and NGOs, however, put the figure of those killed in the 2002 communal riots in Gujarat at over 2,000.
- It is estimated that **up to 150,000 people were displaced** during the violence.

### **Allegations of state complicity:**

- Efforts to investigate and prosecute cases inside Gujarat were stalled and activists and lawyers involved in the cases were harassed and intimidated.
- **Supreme Court took repeated interventions** following appeals by activists and victims' families to order **re-investigations, oversee independent inquiries in some cases**, or shift trials out of Gujarat to ensure progress towards justice.
- In 2002, the NGO Human Rights Watch, in its report on the riots, had quoted a **police officer who had said that**

**there were no orders to save Muslims.**

- It was criticised that **officials of the Gujarat state government**, led by the then Chief Minister Narendra Modi **failed to conduct serious investigations and obstructed justice.**
- **State courts dismissed many cases** for lack of evidence after prosecutors effectively acted as defense counsel or witnesses turned hostile after receiving threats.
- **State police failed to investigate senior BJP leaders despite telephone records** proving their presence at the scene of the riots in Naroda Patia and Naroda Gaam, and witness testimony that these senior leaders provided the mob with lethal weapons and instigated attacks on Muslims.
- Rioters had detailed lists of Muslim residents and businesses and **violence occurred within view of police stations.**
- In August 2011 the Gujarat state government filed **charges against a police officer, Rahul Sharma**, for passing on legislator Maya Kodnani and Jaideep Patel's telephone records to the judicial commission inquiring into the violence.
- In 2005, a **police officer, R. B. Sreekumar, was denied a promotion** because he criticized the Modi government for its failure to order prompt action that could have prevented the riots.
- **In 2004, the Supreme Court called for a review of 2,000 cases that had been dismissed due to lack of evidence.**
- Only a small number of these cases have been brought to court and only a few of these resulted in convictions.
- In March 2008, the Supreme Court strongly **criticized the Gujarat administration's attempted cover-up of its role in the massacres** and ordered a Special Investigation Team(SIT) to investigate nine crucial cases under its supervision.
- In 2012, the Gujarat High Court issued a contempt notice to the then Modi government for failing to compensate 56

people whose shops were destroyed during the riots.

- The High Court also ordered the government to fund the repair of nearly 500 religious buildings that were targeted during the riots, which the court described as **“negligence of the state.”**

### **Inquiries into the Gujarat riots:**

- The state government led by the then Chief Minister Narendra Modi set up the **commission on March 3, 2002, under the Commission of Inquiry Act, comprising Justice KG Shah.**
- Initially, its terms of reference were to **inquire into only the burning of the S-6 coach** of Sabarmati Express.
- In **May 2002**, the state government constituted a **commission of enquiry headed by Justice GT Nanavati with Justice KG Shah as member.**
- In June 2002, the panel was **asked to probe the incidents of violence** that took place after the Godhra incident too.
- The commission submitted its report saying that most of those killed were karsevaks and pilgrims returning from Ayodhya.
- Meanwhile, another **report by the Forensic Studies Laboratory (FSL)** at Gandhinagar, Gujarat prepared by Mohinder Singh Dahiya, the then assistant director at the FSL, concluded that **coach-6 was set on fire from within** due to liquid fuel.
- In **2004**, another **commission** of enquiry was set up under **Justice UC Banerjee.**
- The commission termed the Godhra train **burning “an accident”** in its report and submitted it in 2006.
- But the **Supreme Court found the commission as unconstitutional and report invalid.**
- The Supreme Court set up a **SIT** to probe the cases of Godhra train burning and Gujarat riots.
- Justice Shah died in March **2008** and was replaced in the

Nanavati Commission by **Justice Akshay Mehta**.

- The **report was submitted** to the then Chief Minister Anandiben Patel **in 2014** after a public interest petition (PIL) was filed by retired Gujarat Director-General of Police R B Sreekumar in the Gujarat High Court.
- The **trial at the special SIT court began in June 2009** with the framing of charges against 94 accused, of whom 63 were acquitted.
- The court had on 1 **March 2011 convicted 31 people of murder and conspiracy** and awarded death sentence to 11 of them and life imprisonment to the others.
- However, Gujarat high court, in October 2017, **commuted the death sentence of 11 to life imprisonment**.
- The Gujarat government recently tabled in the Legislative Assembly the final report of the Nanavati Commission.

#### **Findings of the Commission of Inquiry:**

- The **commission has given clean chit to PM Narendra Modi**, who was chief minister of Gujarat in 2002.
- It has observed that there is **no involvement of any political leaders or police officers of the state** in post-Godhra riots.
- It has observed that the post-Godhra riots **were not pre-planned conspiracy or orchestrated violence**.
- There is no substance in allegations against state authorities turning a blind eye to the post-Godhra rioting.
- It has **questioned the credibility of three IPS officers** Sanjiv Bhatt, Rahul Sharma and R B Sreekumar.
- It has said the **police at some places were ineffective in controlling the mob** because of their inadequate numbers or because they were not properly armed.
- It has **recommended inquiry or action against the erring police officers**.

**A brief on communal riots:**

Communal violence involves people belonging to two different religious communities mobilised against each other and carrying the feelings of hostility, emotional fury, exploitation, social discrimination and social neglect.

Communal violence in India has increased quantitatively and qualitatively ever since **politics came to be communalised**. Communal riots are more politically motivated than fuelled by religion.

Even the **Madan Commission** which looked into communal disturbances in Maharashtra in May 1970 had emphasised that **“the architects and builders of communal tensions are the communalists and a certain class of politicians”**.

**Local leaders to strengthen their political positions and enrich their public image give a communal colour to every incident** and thereby projecting themselves in the public eye as the champions of their religion and the rights of their community.

**Economic interests** also, at times, play a vigorous part in fomenting communal clashes. Communal riots seem to be more common in North India than in South and East India.

The possibility of recurrence of communal riots in a town where communal riots have already taken place once or twice is stronger than in a town in which riots have never occurred. The use of deadly weapons in the riots are on the ascendancy in recent years.

**Different communal organisations** are found in India which have created hatred among the people of various religious communities by propagating and hence become the root cause of communalism.

When the government does not take proper action at the proper time, communalism spreads among the subjects. Sometimes the **government favours on the religion and leave others which**

**create differences.**