

**NGO INTERVENTION IN  
POST RIOT GUJARAT – 2002**

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**MASTER OF PHILOSOPHY**

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## CERTIFICATE

Certified that dissertation entitled "NGO INTERVENTION IN POST RIOT GUJARAT – 2002" submitted by me in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** has not been previously submitted for any other degree of this or any other University and is my own work.

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We recommend that this dissertation may be placed before the examiners for evaluation.

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*In solidarity with  
the riot victims of Gujarat;  
for the endurance of their spirit  
and their untiring quest for justice.*

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(Anamika Singh)

## **LIST OF ABBREVIATIONS**

AVARD	:	Association of Voluntary Agencies for Rural Development
BJP	:	Bhartiya Janata Party
CBO	:	Community Based Organization
CI	:	Citizen's Initiative
COVA	:	Confederation of Voluntary Association
CSWB	:	Central Social Welfare Board
FICCI	:	Federation of Indian Chambers of Commerce and Industry
ICSW	:	Indian Council for Social Welfare
KVIC	:	Khadi and Village Industries Commission
MCC	:	Maoist Communist Centre
NCM	:	National Commission for Minorities
NGO	:	Non Government Orgnaization
NHRC	:	National Human Rights Commission
PUCL	:	People's Union for Civil Liberties
PUDR	:	People's Union for Democratic Rights
PWG	:	People's War Group
QUANGO	:	Quasi Non Government Organization
RSS	:	Rashtriya Swyamsevek Sangh
SEWA	:	Self Employed Women's Association
UNICEF	:	United Nations Children's Fund
VHP	:	Vishwa Hindu Parishad
VO	:	Voluntary Organization

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## **CHAPTER I**

### **INTRODUCTION**

Globalization of the economy after the political and economic experience of colonization and decolonization has led to a situation in which virtually no country can opt out of the international trading system. This is a system which due to the continued military and cultural hegemony of a few powerful western countries, is obviously far more than a system of fair trade or free markets. It enforces very definite models of economic development, cultural expression, consumption pattern and conflict mediation.

It is in this context that much hope has been aroused by the 'Global Civil Society' represented at least in outline by the growing number of Non and Quasi-Non Governmental Organisations (NGOs and QUANGOs).<sup>1</sup> There is also a growing interest in the intermediate dimensions of the peace, gay rights, indigenous peoples, feminist, environmental and other movements. The disenchantment with the state and its bureaucratic apparatus during the 1960s and '70s, growing civic and political turmoil in different parts of the world were the main reasons for growing interest of articulate public opinion in the strengths and potentialities of the voluntary sector. Seibel and Anheier assert for instance that the third sector or the non profit

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<sup>1</sup> Schecter Darrow, (2000), Sovereign States or Political Communities? Civil Society and Contemporary Politics, Manchester University Press, London, p. 8.

sector was discovered and became a topic of discussion in the west at a time when the states role in society was being sealed down.<sup>2</sup>

Since then, the Voluntary / NGO sector has expanded manifold both in terms of its nature and scope. They have proliferated numerically and have made their presence felt in many parts of the world. The roots of their inception can be traced back of the Western countries where voluntary groups of socially active citizens had come up during the mid-nineteenth century. They were by and large philanthropic or charity driven in their orientation and had emerged as a response to do something for the urban poor; both a manifestation as well as victims of the large scale industrialization process which had unleashed a process of urban migration, uprooting, poverty and squalor in its wake.

However, civil society groups and NGOs have come a long way since then. Their role, orientation, strategies adopted, client group/ stakeholders have all undergone a tremendous change as well as expansion. They have been working in both developed and developing countries. In many developing countries, the role of non-governmental organisations (NGOs) can no longer be ignored. They are engaged in an extensive array of activities. Despite the fact that they emerged due to the existence of similar social needs, NGO sectors in different developing countries have taken a considerably different features.

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<sup>2</sup> Seibel and Anheier cited in Shigetomi Shinichi (2002), The State and NGOs: Perspectives from Asia, Sasakawa Peace Foundation, Singapore, p. 3.



In some countries, they have virtually become distribution agencies of state resources, while in others they compete harshly with bureaucrats and politicians, attempting to get a larger say in the decision-making, about resource allocation.<sup>3</sup> In some countries, the state has coopted NGOs into the process of administration, while in others NGOs are outspoken critics of government policies.

NGOs have achieved importance in development assistance for various reasons; their scale; their ability to reach the poor; capacity for innovation and experimentation; representativeness and skills of participation.<sup>4</sup> Over the last 15 years and particularly since the end of the cold war, development policy and aid transfers have come to be dominated by what Robinson calls a “New Policy Agenda”. This New Policy Agenda is driven by belief organized around the twin poles of neo liberal economics and liberal democratic theory. In this context, NGOs with the strengths as cited above, are being seen as the preferred channel for service provision in deliberate substitution for the state. Under the New Policy Agenda, NGOs and Grass Root Organizations (GROs) are seen as vehicles of democratization and essential components of a thriving civil society. What is unclear is whether this development has been successful in strengthening the role of communities as citizens to influence state actions; as is viewed by those who view NGOs as based exclusively in civil society or

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<sup>3</sup> *ibid*, p. 9.

<sup>4</sup> Clarke John, “The State, Popular Participation and the Voluntary Sector” in Hulme David and Michael Edwards (ed.) (1997), NGOs, States and Donors, McMillan Press Ltd., London, p. 45.

whether it has contributed more to the identification of the private sector as the main provider of essential goods and services. This question opens up interesting avenues for exploration. However, NGOs are an important facet of our social reality now is a fact established with certitude.

In India too, NGOs and the social sector has found a new thrust since the mid 80's. Historically also, in the Indian context, one see that there has been a long tradition of voluntarism. The 'Dharamshalas' (places of free stay for travellers) and 'Langarkhanas' (places where free food was delivered) are examples of how a certain section of society was engaged in philanthropic work.<sup>5</sup> Rohini Patel (2002) describes four waves of voluntarism in India. In the Hindu tradition; Gandhi's influence during the Indian National Movement; Ideology of the Left and Perception of System failure.<sup>6</sup>

The Gandhian phase was followed by social activities and people who followed the Gandhian ideology like Vinoba Bhave (herald of the Bhoodan movement), Jaya Prakash Narayan (gave a call for 'Total Revolution' during the Emergency days), A.V. Thakkar and Baba Amte. Organisations like the Harijan Sevak Sangh, Gramudyog Sangh, Adivasi Seva Mandal, Kasturba Gandhi National Memorial Trust were all Gandhi's creations. Gandhi's associations (including the ashrams) were a slight deviation from the strictly Habermasian

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<sup>5</sup> Sato Hiroshi, "Indian NGOs: Intermediary Agents or Institutional Reformers?" in *ibid.*

<sup>6</sup> Kulkarni PD, "Forward" in Choudhary DP (1992), Profiles of Voluntary Actions in Social Welfare and Development, p. 39.

understanding of 'Public Sphere'. Though they are voluntary in nature, they assume an identity which brings a confluence between the public and the private. Secondly for Gandhi, public opinion was not dependent on literacy. Through the means of these associations and organisations, Gandhi wanted to move beyond the English speaking, urban intelligentsia and help the masses by and large to create their own spaces for negotiating the realities of the world around them and use these organisations as platforms to undergo a process of 'satyagraha' within ones own self and also to reform society in the process.<sup>7</sup>

Organizations that work within the Left ideology framework also differ from each other in terms of strategies used, esp. with regard to violence. While some groups use violence to counter the state, some groups abstain from doing so. Important groups that can be mentioned here are MCC (operating in Jharkhand), PWG (in Andhra Pradesh) and Dalit Panthers (Maharashtra).

After Independence, Indian State and its institutions manifested organized voluntary work with a number of projects and planning processes. Setting up of bodies like ICSW (1947), CSWB (1953) and AVARD (1958) fall under this understanding. The relationship between the state and NGOs has followed a certain trajectory which in turn has been much dependent on the social system, cultural milieu,

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<sup>7</sup> Rudolph and Rudolph, Lecture on "French Coffee houses and Gandhi's Ashrams: Understanding Different Conceptions of Civil Society", (2003), J.N.U., New Delhi.

political leadership and international scenario. However, one fact that remains is the growing importance of these groups and associations in articulating public demands to the authorities and also in assisting the state in service delivery. The growing importance of NGOs and CBOs can be gauged by the fact that CBO/NGO activities are being developed on the basis of strong relationship to Government schemes in the social and other sectors. Secondly, even in terms of financial assistance received by Indian NGOs from foreign donors, the figure has risen exponentially. It stood at Rs. 350 crore in 1985-86. It had risen to Rs. 4535.63 crores in 2000-01.<sup>8</sup> It is believed that a favourable climate for voluntary action exists in India where democracy is practiced as a way of life.<sup>9</sup>

However, though it is widely recognised that NGOs/VOs are constantly shaping our socio-political milieu in a variety of ways, there are certain dilemmas which these groups have to grapple with. These dilemmas are with regard to their approach in resolving people's problems and their relationship with the state and the society in which they are located.

There is consensus on the fact that there has been an erosion of governance which has resulted in the abandonment of the poorest and the most marginal precisely at the moment when global events have

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<sup>8</sup> Faring J and D.J Lavis (ed.) (1993), Non-Government Organisation and the State in Asia, Routledge, London, p. 34.

<sup>9</sup> *ibid*, p. 33.

made them most vulnerable to dislocation and catastrophe.<sup>10</sup> Assistance to 'economically – politically disenfranchised' groups should not be dispensed as charity, rather as entitlement of citizenship.

There is a growing concern voiced by a section of socially active intelligentsia that social workers / development workers and NGOs tend to operate within the limited framework of 'NEEDS' rather than 'RIGHTS'.<sup>11</sup> It is felt that questions of Human Rights, Entitlement of Citizens both of which also raise difficult questions of 'Social Justice' are being conveniently evaded by these groups. If one has to address the key issues of development, removal of poverty and so on we have to build on a holistic conception of these terms. Poverty has to be seen ultimately as a matter of 'capability deprivation' and role of VOs / NGOs in tackling it has to be seen in this context.<sup>12</sup>

To quote Chambers, "Income poverty though important is only one aspect of deprivation; disadvantage and ill being, as people experience them, include social inferiority, physical weakness, vulnerability, seasonal deprivation, powerlessness, humiliation and deprivation."<sup>13</sup> In this context, it becomes imperative to critically analyze and understand the nature of work undertaken by NGOs/

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<sup>10</sup> Brian K. Murphy, "International NGOs and the Challenge of Modernity" in: Eade Deborah and E. Ligtesingen (2001), Oxfam G. B. Publication, U.K., p. 62-63.

<sup>11</sup> Gore M. S (2003), Social Development: Challenges faced in an Unequal and Plural Society, Rawat Publications, New Delhi, pp. 33-34.

<sup>12</sup> V. Ramachandran, "Voluntary Organisations: Professional Agency or Sub Contractor?" in Dantwala ML, H. Sethi and P. Visaria (ed) (1998), Social Change Through Voluntary Action, Sage Publications, New Delhi, p. 163.

<sup>13</sup> Chambers, cited in Gore M. S, op. cit., p. 35.

VOs to enhance the developmental aspects of marginal and socially excluded groups whenever they encounter situations of exclusion, victimisation, poverty or squalour.

**OBJECTIVE OF STUDY:**

The following can be summed up as some of the crucial issues and areas to be looked into through this research work:

- (1) To understand state – NGO relationship in the present context.
- (2) To locate NGOs as a part of civil society and understand the relationship between the two.
- (3) To understand and analyze NGO and civil society intervention in relief and rehabilitation work in post riot Gujarat in 2002.
- (4) To understand the difficulties in building a synergetic relationship between State and NGOs / CBOs in the context of post riot Gujarat.
- (5) To look into the possibilities and challenges of partnership between State – NGO – Civil Society Groups in forging a more conducive environment for communal harmony and also to ensure a peaceful and secure environment for religious minority groups in the country to live in.

## **METHODOLOGY:**

The method adopted for the purpose of my research is descriptive and exploratory. To look at the problems and opportunities vis-à-vis state NGO relationship, the case study of some NGOs involved in Gujarat (after the riots) with the state and its machinery and the citizens on the other has been taken up.

The sources relied upon are both secondary as well as primary data from various citizens reports, Fact Finding Reports, Commission Enquiries and so on. Inputs from personal interviews with social workers, activists who have worked closely in the field have also been used.

The brief outline of the chapter scheme is sketched herein:

Chapter 2 titled “Understanding State-NGO relationship: Building a conceptual Framework” deals with a variety of issues. Firstly, it looks at building some level of clarity on the notion of ‘civil society’ as conceived by many social scientists. This becomes important as well as valuable since NGOs/VOs are located within this larger realm of civil society. This chapter also looks at understanding the concepts of voluntarism and social welfare as they have evolved over the years and where they are located in the present spatio-temporal context. Lastly the chapter analyze the relationship between NGOs/VOs and State, the way both actors perceive each other and covers a wide range of issues confronting this complex relationship.

Chapter 3 titled “Understanding Communal Violence in Gujarat 2002” dwells at length over the major socio-political, economic reasons and other precipitating factors due to which the violence occurred. It looks at the changes that have taken place in Gujarat’s socio-cultural milieu which have tuned a large number of people to ‘silent assenters’ to the kind of gruesome violence perpetrated against the minority community. The political shifts in Gujarat and the gradual rise of the Hindu Right wing is also explained. This chapter is important as it provides the backdrop as well as a detailed account of the events that unfolded during February to May 2002.

Chapter 4 titled “Analysis of NGO involvement in post riot Gujarat: A Case Study”, seeks to understand the nature of work undertaken by different organisations and citizens groups during and after the riots. It attempts to analyze the nature of their work, their involvement with the affected citizens, their interaction with the government at different levels and at different points of time. Thus this chapter gives a detailed account of some of the important groups and organisations that were and / or are active in the field after the riots. The different levels at which NGOs came to the aid of the victims were those of Relief, Rehabilitation, Livelihood Restoration and Seeking Justice. The ways and means in which NGOs came together and worked with the affected community is analyzed with the help of relevant primary data.



Chapter 5 is the conclusion which sums up the study and tries to locate the lacunae where state – NGO involvement could make a positive difference to the lives of its citizens. It also looks at the spaces available for a healthier, vibrant dialogue to take place between the two.

Thus, the research attempts to study the myriad ways in which state and society interact with each other.

The ‘Weberian’ modern state, characterized by a “symbol of administrative and legal order claiming binding authority, not only over the members of the state, the citizens... but also to a very large extent, over all action taking place in the area of its jurisdiction”, also has a set of responsibilities to follow especially when it is established in ethnically diverse and plural societies. Questions of protection of ‘minority groups’ and securing their citizenship claims against arbitrary attacks by other members of the society are responsibilities the state cannot shy away from.

As Sunil Khilnani opines, “India’s past independence leaders succeeded in establishing the modern state – in total contrast with the pre colonial state of affairs – ‘at the core of India’s society’ so that it etched itself into the imagination of Indians in a way that no previous political agency had ever done.”<sup>14</sup> The conception of the state enshrined in the constitution of India is that of an entity which is

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<sup>14</sup> S. Khilnani in Fuller C. J and V. Beni (ed) (2000), The Everyday State and Society in Modern India, Social Science Press, New Delhi, p. 6.

subject to the sovereignty of the people. However, the State's capacity to realize the democratic principles and aspirations of the constitution is, chronically impaired by the power of dominant classes. This also means, at least by implication, that the boundary between state and society is permeable or indistinct, or that the state is 'porous' because it can be permeated by the dominant classes and their interests, even at the expense of placing some of the sacrosanct ideals and principles of the constitution (like secularism, protection of minorities) in jeopardy. Thus, in the case of India we can easily concur that with the conclusion that the state system in India is profoundly penetrated or influenced by social forces. Empirically, therefore, the boundary between the state and society is in reality unclear, blurred, porous or mobile and ordinary people widely recognise that this is so.<sup>15</sup>

It simply follows from all this that the idea of a 'distinct' and 'separate' 'civil society' – as a sphere of freely associating individual citizens – which is presupposed by the logic of the modern democratic state, is highly problematic in the Indian context (though it is scarcely simple anywhere) and certainly cannot be adequately analyzed by dwelling, out of disenchantment with the state, on merely the significance of Non Governmental Organisations or 'traditional' community groups. Even Beteille contends that the debate on civil society in Contemporary India, the arguments so often are either inconsistent or vacuous.<sup>16</sup> This however, does not imply that the state

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<sup>15</sup> *ibid*, p. 10.

<sup>16</sup> *ibid*, p. 27.

and Non Government actors are not affecting each other or one can exist in isolation with the other. Infact, quite on the contrary, social realities are complex and both the sectors seem to impinge on each other, operationally and attitudinally.

This study seeks to find out how these two institutions interact vis-à-vis each other and also how they grapple and resolve dilemmas of protection of marginalized groups and enhancement of their citizenships rights during times of structural and ideological crisis that our democratic polity faces from time to time. It also attempts to bring forth the spaces for negotiation between state and NGOs so that a stronger relationship can be forged between the two. This will go a long way in restoring faith in the constitutions of governance in the minds of its citizens and will also build on and nurture a more proactive, vigilant civil society which will guard its members against any arbitrary action of the state and its various agencies.

Through other experiences and with special reference to Gujarat, a picture can be drawn of how strong civil society pressure, exerted through these NGOs/VOs can actually go a long way in strengthening as well as enhancing the 'agency' of the weaker sections and marginalized groups. Some of the findings may be disheartening in terms of explicit gains and headway made forward but some of the work being done is surely positive and reposes faith in the fact that an active civil society (through its members and groups) can and does affect the way state structures operate and this fact itself gives us

hope. The knowledge that socially excluded, marginalized groups can have a voice and platform to vent their grievances and also take upon the challenge and opportunity of their development through direct engagement with the state, without fear or hesitation does place some optimism in the state of affairs, with of course the element of caution also co-existing side by side to ensure that atrocities and heinous crimes are not perpetrated against innocent citizens in the name of religion or revenge.

## CHAPTER II

### UNDERSTANDING STATE-NGO RELATIONSHIP: BUILDING A CONCEPTUAL FRAMEWORK

It is true as many observers have noted that the disenchantment with the state is a major reason for the contemporary interest in civil society (Keane 1988; Seligman 1992; Blarey and Pasha 1993; Chandoke 1995; Hann 1996)<sup>1</sup>. This disenchantment with the state has taken different manifestations. In some cases, there has been a charmed, almost utopian wish to recall institutions, sentiments and traditions of the past.

On the other hand, there has been a growing demand by a huge section of articulate opinion globally and also in India that calls for string thinning of organizations, bodies, referred to as 'intermediate institutions' by Andre Beteille that would realize the promise of institutional democracies.

A 1994 UN Document describes an NGO as a Non Profit entity whose members are citizens or association of citizens of one or more countries and whose activities are determined by the collective will of its members in response to the needs of the members of one or more communities with which the NGO cooperates.<sup>2</sup>

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<sup>1</sup> D. Gupta (1999), "Civil Society or State: What happened to citizenship?" in Institutions and Inequalities: Essays in honour of Andre Beteille, Oxford University Press, New Delhi, p. 236.

<sup>2</sup> Simmons P.J. (1998), "Learning to Live with NGOs", Foreign Policy, Fall, p. 84.

In general terms, NGOs affect national governments, multilateral institutions and national and international corporations in four ways; setting agendas, negotiating outcomes conferring legitimacy and implementing solutions. Internationally, the trajectory of growth of NGOs is very interesting.

In 1945, NGOs were responsible for inserting Human Rights language in the UN Charter and have since then put almost every major human rights issue in the international agenda. In the 50's and 60's NGOs become motivated by development as a 'political project'. This was a refreshing break from the earlier years when voluntary organizations and NGOs were working within the confined framework of 'Welfare' and 'Charity' and most of the actions undertaken by them were out of compassion for the suffering populace. Since then their outreach and nature of work undertaken has grown exponentially. The conferring of the 1997 Noble Prize to the campaign led by NGOs to conclude a treaty banning landmines over the objection of the UN is a shining example of how much concerted NGO effort is capable of achieving.

NGOs express civic identity in terms of roots, a value based approach and propagating role and agenda and the participatory methods they apply. In short, this type of NGO 'belongs in' and is anchored to civil society, but is not solely of civil society because its purpose fully inhabits and works in the space and interaction between

civil society, state and market.<sup>3</sup> Similar views are expressed by Alan Fowler who says that whether activists or pragmatists, the roots of NGO initiatives came from within civil groups and their concerns.<sup>4</sup>

Thus, there is an understanding among scholars that NGOs and its other variants, alternatively termed as CBOs (Community Based Organizations) and VOs (Voluntary Organizations) derive their membership, strategies for bringing change, methods to be adopted and so on from within the civil society in which they are rooted. Many a times, they emerge as a response to calamities and problems faced by the community where they are located. Such organizations would either wane away once the challenge as a response to which they had emerged has been resolved or they might become agents for fostering change by looking into other areas of their society's concerns and needs. In such a scenario it becomes imperative that one dwells at some length at understanding the concept of 'civil society', its emergence, how it is different from the state and also what kind of a relationship exists between the two. Since NGOs are a quintessential part of civil society, operating within it, and also on the other hand, articulating its demands and putting them across to the state, the idea of civil society needs some explaining. While bonded to civil society, NGOs use their value base as a spring board to interact with

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<sup>3</sup> Alan Fowler, (2000), "NGO Futures'. Beyond Aid: NGL-The Fourth Position", Third World Quarterly, Vol (21) No. 4, p. 593.

<sup>4</sup> Alan Fowler, (2000), "NGOs as a moment in History: Beyond Aid to Social Entrepreneurship or Civic Innovation?", *ibid.* p. 649.

state, market and civil society itself, which is far from homogeneous and is not inherently civil' or 'conflict free'.<sup>5</sup>

Interest in the explanatory and the possible transformatory potential of civil society grew in the western world after the imposition of the martial law in Poland in December 1981 and the subsequent rise to international fame of the 'solidarity movement' in the same country.<sup>6</sup> The writings of scholars like Jurgen Habermas, Gellner, Alex de Tocquville throw light on the concept of civil society as being constructed and used in modern times. This conception however differs to some extent from the way in which classical writers like Hegel and Locke conceived it. Habermas in the German edition of his "Structural Transformation of the Public Sphere" maintained that the focus of his thesis would be referred to as the rediscovery of civil society. The definition of civil society is one of the more important problems in moral, social and political thought.<sup>7</sup>

Steven Scalet and David Schmidtz stipulate that "civil society is that community that delegates authority to Government and is the body within which ultimate authority resides. Civil Society refers to anything but Government business; schools; clubs; Churches; Charities; libraries and any other non-governmental forms of

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<sup>5</sup> Alan Fowler, (Art. No. 7) (2000), "NGO Futures: Beyond Aid: NGL – The Fourth Position", op. cit., p. 599.

<sup>6</sup> Darrow Sechter (Book 3) (2000), Sovereign States or Political Communities? Civil Society and Contemporary Politics, Manchester University Press, London, pp. 10-12.

<sup>7</sup> Tom G. Palmer (2002), "Classical Liberalism and Civic Society, Definition, History and Relation" in Rosen Blum and R. Post (eds.), Civil Society and Government, Princeton University Press, New Jersey, p. 28.



organizations through which communities relate to each other". Benjamin Barber opines that civil society is like a 'third sector' (apart from State) that mediates between the specific individuality as economic producers and consumers and our abstract collectivity as members of a sovereign people.

Will Kymlicka stipulates that by civil society he intends 'Associational life' which he distinguishes from 'the State' and 'the Economy'. Thus, there is an increasingly common trend of defining civil society as a third sector of society. Civil society may be understood as a form or rather, forms of social organisation that contrast with Government imposed organisation.<sup>8</sup> Loren Lomasky defines civil society as "the realm of voluntary associations that stand between the individual (and perhaps their families) and the state. Ernest Gellner, another expert on the debate on civil society contends that civil society is that set of diverse non-government institutions which is strong enough to counterbalance the state and while not preventing the state from fulfilling its role of keeper of peace and arbitrator between major interests, can nevertheless prevent it from dominating and atomising the rest of society. He lauds the institutions of constitutional democracies of the advanced western world, but leaves behind the impression that such arrangements cannot be very successful in other places.

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<sup>8</sup> Ibid, p. 29

Scholars like Gellner, Neumann, Cohen, Arato and Habermas place fundamental importance on the necessity of an active role for the sphere of institution mediating between individual and the state for democratic politics which has, since 1989 been characterized as the rebirth of civil society. When the term civil society was first referred to by Locke, Rousseau and then by Hegel it was to inaugurate a break from a hierarchical and medieval past and a movement into a more public spirited era.

In his work, *Philosophy of Right* (1821), Hegel gives a detailed theoretical interpretation of civil society. For him, the public sphere refers to a specifically political and communicative network within civil society. Thus, there must be a public sphere where individuals in the political sense of non-identical equals can both agree and differ as citizens, in a forum where they are entirely exceptional and yet unqualified equals. For Hegel, civil society marks a realm beyond the individual and the family and is characterized by its open, political nature.<sup>9</sup> Hegel stated most forthrightly that he saw intermediate institutions as substantiation of the ethical impediments of the modern state. He characterizes civil society (*bürgerliche Gesellschaft*) as the “battle of ground where everyone’s individual private interest meets everyone else’s. John Locke uses civil society interchangeably with the political society to refer to the relationship among those who form one body politic, which has the power to choose one government.

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<sup>9</sup> Darrow Sehecter (2000), *op. cit.*, pp. 92-95.

Thus civil society refers first and foremost to a kind of legal relationship among persons. It rests on a foundation of fundamental equality and liberty, a legal foundation. For the classical exponents of civil society, Locke, Rousseau and Hegel, intermediate institutions of democracy (located within civil society), were not just coeval with the modern democratic state; indeed their express intent was to link the individual to the state as free citizen.

Another political analyst, Jurgen Habermas feels that communication should be anchored in the civil society for a network of autonomous public sphere to function well. He further states that liberal freedoms such as those of expression; assembly and political participation can really work towards making political power both truly recognized as the work of a collective citizenry and accountable to that assembly.<sup>10</sup> For an active public sphere to exist, he places importance on a certain level of education, literacy and awareness of civic affairs as virtues which citizens should possess. Such civic virtues have to be sustained by individuals for taking their place as active, involved and concerned citizens of a thriving civil society. James Harrington uses the term civil society to refer to the people governed by a common set of laws, or government, rather than by the arbitrary will of rulers. Gellner, in his book "conditions of liberty: civil society and its Rivals" contends that in civil society one can form attachments of one's choosing, one can recombine them in new ways,

<sup>10</sup> Ibid., p. 102.



one can withdraw from them without thereby withdrawing from the civil society as an order of relation.

Alex De Tocqueville, an American political analyst feared the excessive power that the American state had the potential of acquiring. To that extent he argued that democratic associations, intermediate institutions of civil society be kept fit and in readiness so that the state could be curbed if and when the occasion arose. Existence of voluntary organizations and a democratic set up are necessary to exercise countervailing pressure on the arbitrariness of the state. For Tocqueville, the intermediate institutions possessed a rationale quite independent of modern state.

Thus, the conceptualization of 'civil society' in the classical works is as an arena where people move beyond the confines of their private lives and participate in public debates and issues of concern as responsible citizens. However, civil society in this case is not juxtaposed in extreme opposition to the state; neither are its aims and larger visions in contrast to those of the state. Hence the relationship between the two is complementary and not antithetical as has been conceived by many modern day writers and political analysts. Broadly defining civil society, Anderson says that in a civil society, the individual is a member of a family, part of a corporation but most importantly, a free citizen in a constitutional republic.<sup>11</sup>

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<sup>11</sup> D. Gupta (1999), *op. cit.*, p. 235.

In the Indian context, exponents of civil society understand it in two different ways. One school of thought eulogize the traditional, pre modern organizations of society and rest their hope in them their while the other school favours the growth of new, rational – legal intermediate institutions that can challenge the arbitrary actions of the state. Scholars belonging to the first school of thought are Rajni Kothari, A. Nandy and DL Sheth. For Kothari, state is an alien concept. This prompts him to repose confidence in NGOs and CSOs (Civil Society Organizations) as they are closer to the marginal and subjugated people. Sheth delves into the merits of NGOs for he feels that they are free from the power seeking, homogenizing logic of the state. Thus, civil society as understood by these academicians is a realm which is inimical to modernity and its creation.

Andre Beteille, with respect to civil society organizations contends that these are rational – legal structures formed out of a modern societal set up. But these structures also are to be freed from state interference and have to function autonomously. Thus, though both schools of understanding diverge in placing their trust in different kinds of organisations – former in traditional voluntary groups while the latter in new modern formations, they are united in their mistrust and skepticism in the state apparatus.

As the debate and interest in civil society thrives on, it becomes relevant to understand what are the merits of an active civil society. Firstly, an active civil society directly supports democracy by widening

participation. This, it does in several ways like educating and mobilizing citizens, encouraging previously marginalized groups to enter and participate in the political arena and lastly, building a complex net of groups having members with overlapping multiple affiliations in many organizations.<sup>12</sup> Secondly, an active civil society helps in deepening policy accountability to its citizens. This is a distinctive hallmark of democracy along two dimensions; first that State must be kept from abuse and venality and secondly that State must be responsive to the needs and wants of its people. Civil society promotes accountability through representing citizen's interests to the State and negotiating on behalf of those interests.<sup>13</sup>

Before embarking on understanding State – NGO relationship as it has been evolving and where it stands presently, it would be interesting to look at what State and civil society demand from each other as we are working from the premise that NGOs are important agents of civil society, working within it and also working to change it. From civil society, NGOs gain legitimacy, accountability and resources. What they offer are innovations within civil society, articulation of interests to other players, mediation and negotiation expertise and when mandated, representation of a civic voice.<sup>14</sup>

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<sup>12</sup> Harry Blair (1997) "Donors, Democratization and Civil Society: Relating Theory to Practice", in David Hulme and Michael Edwards (eds.), NGOs, States and Donors, McMillan Press Ltd., London, p. 28.

<sup>13</sup> Ibid., p. 29.

<sup>14</sup> Ibid., p. 17.

If we are to confront the question as to what does the State need from civil society, we have to understand what are the virtues individuals have to acquire to become responsible citizens. Firstly, they have to develop a capacity of citizenship and secondly, the motivation to act in a firm and civil manner. It is in the associations of civil society that human character, competence and capacity for citizenship are formed, for it is here that we internalize the idea of personal responsibility and mutual obligation and learn the voluntary self-restraint that is essential to truly responsible citizenship. One of the first obligations of citizenship is to participate in civil society. As Walzer states, Join the association of your choice is not a slogan to rally political militants and yet that is what civil society requires.”<sup>15</sup>

The State, on the other hand must provide a legal framework that enables people to associate. It has to make sure that no one is de facto excluded from associational life as a result of poverty, ignorance, discrimination and harassment. In short first as the State needs civil society to help form responsible citizens, so too the civil society needs state to provide a stable legal framework of association and a fair distribution of the resources citizens need to participate in associational life. In an ideal situation we can hope for a mutually reinforcing interaction between civil society and State, but many a times the relationship is conflictual.<sup>16</sup> States are the background for

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<sup>15</sup> Will Kymlicka (2002), “Civil Society and Government: A Liberal egalitarian perspective” in Rosen Blum and R. Post (eds.), *op. cit.*, pp. 107-108.

<sup>16</sup> *Ibid.*, pp. 110-111.

flourishing individuals, civic associations are the foreground. Civil society and the state at some places do confront and contain each other. For better or for worse, civil society curbs the power of the state to dictate how people will live. Civil society and State also interpenetrate each other. Many institutions and associations (for example educational institutes) though being intermediate institutions can be organs of both state and civil society. This blurring of boundaries is particularly true in the Indian context.

In India, one witnesses that in the decades of 70s and 80s, the bureaucracy and political leadership were seen with increased scepticism by a large spectrum of articulate opinion. In this kind of a scenario, there was a discernable excitement about voluntary groups and civil society organizations; not first as agents of service delivery; but as key players to resuscitate civil society by empowering the poor and marginalized and imposing new standards of accountability.<sup>17</sup>

However, voluntarism, has over the centuries, been the hallmark of Indian society. Present discourse around voluntarism, social welfare and growing importance of civil society groups (NGOs, VOs and so on) veers around two opposite views. On a positive side, the emergence of these groups is perceived as a result of direct interest in issues of human rights and social justice. Proponents of this view place their faith in the capacity of these organization to fight

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<sup>17</sup> Harsh Sethi (1998), "Evolving Accountability of Voluntary Organizations" in M L Dantwala, M. Sethi, P. Visaria (eds.), Social Change through Voluntary Action, Sage, New Delhi, p. 175.



for these issues and carry on these struggle of the socially excluded groups. On the other hand, there is a certain section that views these organizations as 'foreign agents' indulging in swindling money with scant interest or drive to work for development or empowerment issues. There might be some amount of truth in both the arguments but over zealous enthusiasm or extreme cynicism about the growth of the NGO sector need be avoided.

Etymologically, voluntary organizations are the groups of volunteers organized for common will(s) or impulses for themselves. This common will or goal is often fulfilled through various forms of voluntarism such as trusts, non profit organizations and so on. They are forms of social organization and exist across time and space. In order to ensure social semblance, it works as a mediating institution between individual and society. Laski defines the concept of voluntarism as "freedom of association and a recognized legal rights on the part of all persons to combine for the promotion of purpose in which they are interesting."<sup>18</sup>

If we look at the theories of voluntarism, we find the expressions of human will have been the subject of study of mainly three disciplines; Sociology; Social Psychology and Public Administration. Sociology studies associations as a part of social system. Social psychology is concerned with voluntary organizations in an

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<sup>18</sup> Harold Laski (1931), "Freedom of Association", cited in Encyclopedia of Social Sciences, Vol. 6., MacMillan Press, New York, p. 447.

environment of their individuals members and the students of Public Administration with their organizational processes. Talcott Parsons developed a 'voluntaristic theory of action' (1937) in 'The Structure of Social Action' in which he viewed voluntaristic nature of social world. Voluntary Organizations of NGOs are the constituents of this social world and part of his theoretical construction indirectly. Durkheim also viewed 'intermediary groups' as necessary aspects of societies (especially the ones which were socialistic in orientation) and functioned to connect individual to the State. These intermediate groups / voluntary organizations provided moral regulation in societies. Voluntary Associations or CSOs (Civil Society Organizations) as we understand them today, occupy the space between individual and society, citizen and state, consumer and producer. These voluntary groups have often been termed as 'mediating institutions' by theorists like Andre Beteille and John Clarke.<sup>19</sup> From a classical liberal perspective also the genius of civil society resides prominently in its tendency towards voluntarism. This commitment towards voluntarism implies limits on both the prerogatives and the duties that go with citizenship.<sup>20</sup> Even in Habermarian rationalism, voluntarism along with free entry and free access are important aspects of his much popularized concept of 'public sphere'.

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<sup>19</sup> Andre Beteille (2001), *Autonomies of Society – Essays on Ideology and Institution*, p. 184; and John Clark (2002), "Influencing Institutions" *Seminar* (June, 2002), No. 514, p. 22.

<sup>20</sup> Steven Scalet and Daird Schmitz (2002), "State, Civil Society and Classical Liberalism" in Rosen Blum and R. Post (eds.), *op. cit.*, p. 29.

T.K. Oommen classified contemporary voluntary associations in India into two broad categories on the basis of their origin and functions. Firstly, the extension of traditional structures such as religious and caste associations and secondly, ones that are newly inducted into the system such as youth clubs, cooperatives and NGOs. He says that the first tend to modernize or secularize traditional structures, while the latter get traditionalized by performing modern functions.<sup>21</sup> The functioning of these voluntary organizations is very much dependent on the social system, cultural milieu and the nature of the state all of which provide boundaries within which they have to operate. P.D Kulkarni refers to these organizations as 'oxygen and ozone of democracy'.<sup>22</sup> Role of voluntary formations are cooperative as well as combative. The rise of voluntary organizations in India has been influenced by Hindu tradition, ideology of the left, failure of the state system and other facilitating factors.<sup>23</sup> In its core manifestation, voluntary effort is initiated by individuals and groups, its distinctive features lie in its being autonomous, relatively independent and self propelled.<sup>24</sup> A critical though small segment of intelligentsia and a slowly expanding community of social activists played an important role, leading to the proliferation of voluntary organizations in large parts of the country;

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<sup>21</sup> T K Oommen (1975), "Theory of Sociological Associations in a Cross Cultural Perspective", *Sociological Bulletin*, Vol. 24, No. 2, p. 172.

<sup>22</sup> See 'Forward' of P D Kulkarni, in D. P Choudhary (1992), Profiles of voluntary Actions in Social Welfare and Development.

<sup>23</sup> M. L. Dantwala (1998), "Promise to keep" in M L Dantwala, H. Sethi, P. Visaria (eds.), op. cit., p. 32.

<sup>24</sup> R. Kothari, (1998), "The Future of Voluntarism" *ibid*, pp. 184-186.

both at micro and macro level. Together the voluntary sector consists of diverse groups engaged in a variety of activities and forms of assertion and espousing various causes and yet somehow together presenting a challenge to the political and economic model that continues to inform the Indian state and its key institutions.

Sudarshan Iyengar classifies modern voluntary organizations into four categories– Gandhian, Delivery organizations, Professional organizations and Mobilizational organizations.<sup>25</sup> Ghanshyam Shah and H. R. Chaturvedi in their study divided secular NGOs into three categories – techno managerial, reformist and radical. No matter what their orientation, all these NGOs are engaged in bringing about the overall development of the community or stakeholder group they work with. This development could be understood as being about people, expanding their range of choices and enhancing their ability to negotiate the world from a position of strength.<sup>26</sup>

Most NGOs work within the three larger paradigms or models given by Richard Titmus. In the first one ‘Residual Welfare Model’ the community takes no direct responsibility for the well being of individual citizens (it corresponds to the laissez faire concept of State and welfare is seen as charity or philanthropy)<sup>27</sup>. In the second model, the ‘Achievement Performance’ model, the society has some

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<sup>25</sup> Sudarshan Iyengar, “Role of NGOs in Development of Gujarat” in Economic and Political Weekly, Mumbai, April 26 – Sept 2, pp. 3229-30.

<sup>26</sup> Vimala Ramachandran, “Voluntary Organizations: Professional Agency or Sub Contractor” in M. L. Dantwale, H. Sethi, P. Visara (1998), op. cit., p. 164.

<sup>27</sup> M.S. Gore (2003), Social Development: Challenges Faced in an unequal and Plural Society, Rawat Publication, New Delhi, pp. 32-36.

responsibility but dominant philosophy is that individuals should pay for them (this corresponds to the liberal democratic State). The third model, called the 'Institutional Redistributive' model accepts the cost of social as well as welfare and also services for every citizen, it accepts the right of all individuals to basic and welfare services as a part of its concept of social justice and also because these services help prevent the disruptive effect of rapid change. (This approach to social and welfare services which seeks to ensure distributive justice through state supported institutions and programmes correspond to the stage of a welfare of socialist state. The inspiration and motivational foundation for a twenty first century NGO is provided by what Edwards and Sen refer to as 'axiomatic values or ethics'. That is a humane understanding of and personal commitment towards a particular type of social order and human relationships. They are an ethics that recognize that personal power relations create and are able to reform inhumane conditions in the world order.

About NGOs, Maxine Weisgrau, in her study of Indian NGOs in Rajasthan notes that it is a term used rather loosely to refer to any organization that is not a direct division of a national government.<sup>28</sup> Weisgrau also talks about the development of NGOs as a 'rapidly expanding industry'. Indira Hirway has classified the voluntary organizations of Gujarat on the basis of changing approach of action which is of three types; welfare oriented NGOs, developmental NGOs

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<sup>28</sup> Joan Mencher (1999), "Are They a Force for Change?" Economic and Political Weekly, Mumbai, July 24, p. 2082.

and lastly empowerment issues concerning NGOs. NGOs seek to represent the voice of the weak and help them organize in their communities to achieve a more powerful voice in the making of decisions and the allocating of resources.<sup>29</sup> There is growing concern and need felt for a move beyond the 'supply side approach' to (concentrating on delivery of services) to a 'demand side' emphasis.

Many argue (OECD, 1998; Elliott, 1987; Garulaw, 1987; Bhatnagar and Williams, 1992) that NGOs may be best placed for the tasks of fostering popular participation which include articulating the needs of the weak, working in remote areas, changing attitudes and practices of local officials. In some countries there may be a rigid divide between the voluntary, public and private sectors elsewhere there is an increased interaction between the three. It appears that where the interaction is high, the climate is most favourable for poverty reduction and other social priorities.<sup>30</sup> Voluntary sector can influence mainstream development in the following ways; firstly, encouraging officials agencies and Government ministries to adopt successful approaches developed within the voluntary sector. Secondly, by educating and sensitizing the public as to their rights and entitlements from the State under various state programmes. Thus one sees that NGOs are becoming important agents of civil society. They may vary with each other in terms of their composition,

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<sup>29</sup> John Clarke, (1997), "The State, Popular Participation and the Voluntary Sector" in David Hulme and Michael Edwards (eds.) op. cit., pp. 45-47.

<sup>30</sup> Ibid., pp. 48-49.

size, mission or purpose, source of funding, area of focus and style of functioning. However another way of looking at NGOs is their relationship with various other social movements, including women's movements and so on. Besides, there are NGOs bringing out information suppressed by the Government (for example Amnesty International). Other kinds of organizations would include Advocacy NGOs who respond on behalf of the poor and marginalized. They may also lobby with the Government at the policy making level.

Studies of the State-NGO relationship have tended to be undertaken from normative standpoints. With the main question being, how should the State and NGOs relate to each other in order to improve the environment for NGO activities: (Trivedy and Acharya, 1996; Simillie, 1999; Fischer 1998).<sup>31</sup> Ricker (1995) neatly categorizes State - NGO relationship into four types; Neglect; Support; Cooperation; Co-optation at each of the three dimensions of finance, organization and policy making. NGO-State relationship depends upon characteristics of NGOs, economic space for the NGOs and political space within which they operate. NGO efforts to change their environment depends upon three factors - firstly, the intensity of expectations placed on the state, secondly, the extent of political pluralism and thirdly, the extent of fulfilment of people's economic needs, which in the framework of our analysis means the extent to

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<sup>31</sup> Shinichi Shigetomi (2002), "The State and NGOs: Issues and Analytical Framework" in Shinichi Shigetomi (ed.) The State and NGO's: Perspectives From Asia, Sasakawa Peace Foundation, Singapore, p. 14.

which people's demand for resources is being met by the market, state, communities and NGOs.

Farrington et al make an important point about the relationship between NGOs and the State, namely that, "NGOs in different countries have had constraints placed upon their activities by the political climate created by Government regimes..."<sup>32</sup> Farrington listed four conditions which have to be met if NGO – Government interaction is to have any success. Overall relationship between NGOs and the State would have to be at least neutral or favourable. Secondly, there has to be a felt need to share similar vision for the future of the marginalized and socially excluded groups. Thirdly, the relationship between the two also depends upon the degree to which the two have different views or models of development. Lastly, it is also dependent upon the wider diversity of philosophies, objectives and modes of operation of NGOs in contrast to Governmental Organizations. Where the Government has a positive social agenda and where NGOs are effective there is a potential for a strong, collaborative relationship. Genuine partnership between NGOs and the Government to work on a problem facing the country or a region based on mutual respect, acceptance of autonomy, independence and pluralism of NGO, opinions and positions. Government's stand can be non interventionist; of active encouragement, participation, cooperation or control. In the Indian context, the role of State and its relationship

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<sup>32</sup> Joan Mencher (1999), op. cit., p. 2084.



with voluntary sector can be visualized in four ways; as regulator, funder, development actor and as a moderator of power.<sup>33</sup>

In 1994, a number of leading VOs/NGOs including VANI in collaboration with various Government agencies and Planning Commission as mediator met and laid a plan for efficient functioning and better, coordination between NGOs and Government. The main points that emerged out of the exercise are as follows:- Relationship between the two sides is open, transparent and visible; entails accountability and is vision oriented. The Government is also entrusted with the responsibility of making public all relevant information. Secondly, relationship as partners must extend from the centre to the level of the local community. Another important issue that came up was that the Government will not force standardization on NGOs. NGOs will also have to fulfill the two roles of mobilization and organization and delivery of services. The VOs / NGOs will have to take greater responsibility for their actions and will have to improve their action ethics. Stress was also laid on review of existing rules and legislations for further implication. In the overall framework, there was emphasis on developing and working towards a 'collaborative politics' a term coined by Amartya Sen which envisions a good healthy working relationship between State and NGO sector.

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<sup>33</sup> See Introduction in J. Faring and D. J. Lewis (eds.) (1993), Non-Governmental Organisation and State in Asia, Routledge, London, p. 33.

Closer association with Government brought dilemmas of autonomy, accountability, detachment from civic roots and constituencies and creeping self-censorship.<sup>34</sup> In the case of India, where there is considerable power in the hands of each state, the state government policies also have to be taken into account while formulating a long term plan of action. In this regard State NGO relationship can be classified as following – Firstly, working closely with local governments. In this set up also, NGOs are constantly confronted with the dilemma of whether they are working through a process of collaboration or one of co-optation. An illustration of this situation would be the case of MYRADA (an NGO based in Bangalore) and Karnataka State Watershed management project. Effective functioning was difficult to achieve as both were constantly at loggerheads between NGO's advocacy of community ownership and the conventional operating procedures of a Government bureaucracy. A second situation could be one of NGOs working in spaces left open by Governments; either not wanting to or not able to carry out programmes, (for instance working with poor communities in remote areas). Examples of organizations engaged in this kind of work would be PRADAN and AUROVILLE. These NGOs work with local communities on issues of livelihood and so on. They are also engaged in developing people friendly and people centric technology which is cheap and easy to access by these communities.

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<sup>34</sup> Alan Fowler (2000), "NGOs as a Moment in History" op. cit., p. 651.

Thirdly, NGOs could also help to utilize the benefits already available through Government Programmes. Another approach could be one of confronting the Government to provide or allocate some of the help available through the Government programmes. Lastly, NGOs could also engage with the Government to bring about much needed changes in its own programmes and policies.<sup>35</sup> Emphasis is also laid on good NGO networking which can exert influence on the Government and these kind of networks also have a potential of evolving into political parties or other mass movements. Thus one sees that each of the NGO linkages, to state, market and civil society per se is bi-directional. In terms of the State, NGOs seek policy influence and reforms, act as a watchdog and push for compliance in satisfying people's entitlements and demonstrating with examples of how the state can better fulfil its obligations. In return, governments demand legitimacy and accountability of NGOs themselves.<sup>36</sup>

Development organizations and professionals have more power to change the world for better; to grasp and use that power requires questioning conventional concepts and realities, exploring and embracing new paradigms, empowering the poor to analyze and express their reality and then to put this reality first.<sup>37</sup> Grounded in a clear set of values and ethics, NGOs employ universal principles and language of human rights to define the goals and tasks required to

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<sup>35</sup> Joan Mencher (1999), *op. cit.*, p. 2085.

<sup>36</sup> Alan Fowler (2000), "NGO Futures: Beyond Aid", *op. cit.*, p. 597.

<sup>37</sup> V. Ramchandran (1998), "Voluntary Organisations: Professional Agency or Sub contractor" in M L Dantwale, H. Sethi, P. Visceria, *op. cit.*, pp. 162-165.

reform the inhumane conditions of our world order. The crucial tasks and goals for NGOs would be ensuring human rights entitlements to the citizens at large which can be achieved by exacting compliance from duty bearers and secondly, undertaking activities that reduce overall risk in society or redistribute risk to those more capable of bearing it.<sup>38</sup>

The State in its turn has to provide opportune spaces for NGOs and CSOs to thrive and move beyond the status of a mere 'contractor' of services to a situation of genuine partnership. The state has to ensure an arena of free critical thought process in the society which can churn out relevant action for the mutual benefit of its citizens and NGOs can be important agents who feed these demands into the state system at one level and also help to refine and sharpen it at another. There is an urgent need for NGOs to operate within the paradigm of 'rights' than one of 'needs' which relegates citizenship to a secondary position. NGOs have to take the onus of raising difficult questions of justice and social equity in a particular social arrangement. The State and its machinery has to be on its toes to answer such discomfiting questions. This kind of a dynamic synergy only can finally result in a set up where citizens desire strength and have confidence in the institutions of the State and their society. The relationship between the two stands on a clear ground of overlapping interests, vision and motivations for change. Situations of conflict could arise but support as such from both sides can go a long way in enhancing citizenship

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<sup>38</sup> Alan Fowler, (2000), "NGO Futures: Beyond Aid", op. cit., p. 590.

rights of the people and mitigating problems faced by them in the course of their daily lives.

The later chapters will look at and critically analyze the NGO involvement in post riot Gujarat in 2002. Their engagement among themselves, the citizenry and the State apparatus makes for an interesting case in point in understanding where the State, and came NGOs together, what were the issues that arose at their interaction and what are the dilemmas that have been left unresolved. That the fate of thousands of victimized citizens takes on new shapes and they face new ordeals everyday amidst all this, is a fact that needs no reminding.

### **CHAPTER – III**

#### **UNDERSTANDING COMMUNAL VIOLENCE IN GUJARAT-2002**

In the middle of the 18<sup>th</sup> century, Voltaire, the French philosopher could give thanks that religious wars- the “abominable monuments to fanaticism” were over. When he said this, he was looking back at the preceding century to 1648 when the Peace of Westphalia seemed to have brought to an end the era known in history known as the “Age of the Wars of Religion”.

Yet, one of the inescapable facts of the 20<sup>th</sup> and 21<sup>st</sup> century has been the reemergence of religion as a form of conflict that characterizes national and international affairs.

In the Indian context, we see that the earlier euphoria of having firmly rooted into our political ethos the cherished value of secularism as stringently adhered to by our first Prime Minister seems to be waning away. Since the sixties, every passing decade has been witness to more bitter, intensified and violent communal conflicts. One witnesses that by and large issues of political and economic gains seem to ride on religious sentiments of the large mass of people. Since the past decade the political realm has come to be dominated by a very right of the centre ideology, whose proponents look upto the Hindu religion as the one binding force for not only the majority at large but all citizens. The religious minority groups are being pushed into vulnerable positions as the political, economic and social spaces

available to them within our liberal democratic set up are not only shrinking but also under constant threat by the Hindu nationalist forces. These forms of discrimination and alienation could be both subtle or directly manifest.

Communal flare ups time and again mar the Indian landscape. Their creation and perpetration becomes a powerful tool to build on the fear psychosis of both the majority as well as the minority communities. The Ahmedabad riots of 1969, Bhagalpur riots of 1989, the post Babri masjid demolition riots that engulfed many parts of the country, particularly Mumbai in 1992-93 are stark reminders of the large scale ruin a skewed politically motivated religious indoctrination can cause.

By world standards, an ethnic riot in which hundred people are killed is a very serious disorder. Communal violence reverberates throughout the political system long after the debris has cleared. The violent outburst may change the course of the system altogether or simply accelerate earlier trends. There are times when the violence leads to public introspection, to a determination to see what went wrong and set it right. On the part of the Government, the incentive to rewrite the performance of its agencies for promoting law and order is temptingly great. Thus, it is seen that more often than not, the official figures of death tend to be at the low end of the scale. The violence itself may further give enduring organizational expression to the polarization of sentiment. In many of the riot situations, it has been

noted that numerical majorities can, and have been behaving as if they were minorities. This they do by magnifying threats from minorities and underestimating their own capacity to deal with those threats. The recent riot in Gujarat in 2002 and the early riots in 1992 Mumbai are a case in point here.

This Chapter tries to understand and analyse the reasons behind the violence that was witnessed in Gujarat in the wake of the burning of Kar Sewaks travelling back from Ayodhya in Sabarmati Express at Godhra on 26<sup>th</sup> of Feb 2002. The paper tries to look into detail the socio-political and economic changes that have been confronting the state since the past decade or more which have slowly but steadily strengthened feelings of communal animosity in the society against minority groups-christians and more intensely towards the muslims. It has been the complex interplay between these shifts that not only led to violence of such massive scale against the muslims; with the implicit and at places explicit support and connivance of political leadership and administrative machinery and also gained social approval by large sections of society who were not directly involved in the violence but lent a silent sanction to the events as some form of morally righteous and long due vendetta against the muslims.

In the collective memory of Gujarat, the opening years of the 20<sup>th</sup> century are synonymous with the Great Famine followed by wide spread Plague. Similarly, the opening years of this century will become



synonymous with the Great Earthquake followed by the communal carnage.<sup>1</sup> If we look at the pattern of communal violence in Gujarat, we find that it is not very long drawn; neither is it consistently high; long periods of peace alternate with periods of extremely high violence. In fact, it may come as a surprise, but the two prosperous western states (in terms of high economic progress and high levels of literacy rates)- Gujarat and Maharashtra not only have a greater per capita rate of deaths and incidents but also a larger number of total deaths in riots than do U.P and Bihar Gujarat has a higher per capita rate of deaths in communal violence at around 117 per million of urban population.<sup>2</sup>

Before 2002, Gujarat was witness to major communal violence in 1969, 1985-86, 1992-93 and 1999. Interestingly, the first even riot recorded also occurred in the city of Ahmedabad in 1730. The fact that Gujarat has been witness to communal violence before is known to us. However, the riots of last year were different from the earlier ones in some respects. First, the violence- its nature and intensity was unsurpassed in its gruesomeness and cruelty. The mode of violence (in this case, burning of people alive) derives its logic and legitimacy from the overall frame work within which violence is conceived and justified. When violence is not interpersonal but intercommunal and part of one community's collective hostility against another, burning

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<sup>1</sup> Achut Yagnik, "The Pathology of Gujarat" in *SEMINAR*, May 2002, New Delhi, p. 56.

<sup>2</sup> Ashutosh Varshney (2002) *Ethnic Conflict and Civic Life: Hindus and Muslims in India*, Yale University Press, London, pp. 97-98.

people alive has sinister advantages and a macabre logic not available to usual forms of killing. It can easily be executed by organized groups with the tacit support or acquiescence of their community, used to wipe out large numbers indiscriminately, poses little danger to the perpetrators and created the intended climate of terror.<sup>3</sup>

Secondly, the “Sangh Parivar” in earlier riots was not as publicly and openly active as in these riots. The government and its machinery did not remain at being the non partisan institution they are supposed be at such times. On the contrary, at many places the police did not contain the mobs but incited them on by looking the other way, thus becoming abettors in the crime. Such biases were evident even on issues of filing of FIRs against the guilty, making arrests and so on. Thirdly, the violence did not remain restricted to Ahmedabad or Baroda but extended to dozens of other cities, villages and towns which earlier had remained undisturbed. Fourthly, there was involvement of tribal groups in the violence in the north-eastern belt of Gujarat. Ganesh Dery elaborates on how economic exploitation of tribals and negligence on the part of the state have rendered tribals powerless. They thus fall an easy prey to Hindu fundamentalism.<sup>4</sup> Though their involvement was largely restricted to looting of shops and commercial establishments and not killings, yet this is a very significant development. It will be dealt with in detail later in the chapter.

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<sup>3</sup> Bikhu Parekh, “Making sense of Gujarat” in *SEMINAR*, May 2002, New Delhi, pp. 27-28.

<sup>4</sup> Ganesh Dery, “Tribal Voice and Violence”, in *ibid*, p. 64.

Fifthly, systematic attacks (looting and arson) were carried out on minority institutions of political commercial and religious importance. Muslim Waqf Board and Minority Development Board, which were within the premises of the secretariat in Gandhinagar were burnt. Shops directly opposite the Police Commissioner's office were burnt. The dargaah of Shah Wali Gujarati, one of the exponents of urdu language and literature was razed to the ground and a 'hanuman' temple hastily installed. These kinds of direct affronts were indicative of the near paralysis in the law and order situation of the state. However at a deeper level, they can also be perceived as threats to the minority groups whose presence itself in the public arena can be made an issue of violent contestation.

How do we account for these events? A complex matrix of shifts in the political economic and socio-cultural life of people have propelled and pushed the political discourse on the terrain of ever growing communalisation and near complete fragmentation of society. The riots in 2002 were a manifestation of this deeper pathology afflicting the state. Let us look at these shifts one by one.

### **Political Shifts in Gujarat**

The politics of Gujarat has been shaped by 5 movements. (4:4831-4835). The MAHA GUJARAT MOVEMENT in 1956 was over the issue of formation of the separate state of Gujarat. All the major opposition groups (Praja Socialist, Communists, Jan Sangh etc) joined

together through this movement and though its foundations were shaky, yet it managed to give a big jolt to the well entrenched Congress Party.

The split in the congress in 1969 was accompanied by severe Hindu-Muslim riots in Ahemdabad and were projected as a strong reaction of the conservative Cong (S) and Hindu middle class against what was termed as the 'appeasement policy' of the Congress. The 2<sup>nd</sup> movement, called The NAVNIRMAN ABHIYAN was launched against the Cong government headed by Chimanbhai Patel who had allegedly come to power in the elections of 72 by using immoral and corrupt methods. This was parallel to the call of Total Revolution given by J.P in Bihar. A sit gained momentum, Indira Gandhi was left with no choice but to dissolve the assembly. Through this movement parties like the ABVP (student wing of BJP) and RSS came centre stage and emerged as strong groups with the potential to challenge the ruling regimes and garner mass support for themselves. It is true that this movement as such was not guided by communal moorings put civil society and state system in the state had started disintegrating. The 3<sup>rd</sup> movement was the ANTI EMERGENCY movement which was again highly conservative and middle class.

A very significant development in the 1980s (post emergency period) was the emergence of Madhav Singh Solanki of Congress as the new C.M. of Gujarat. He evolved the famous KHAM theory- alliance of Kshatriyas, Harijans, Adivasis and Muslims (constituting

around 2/3rds of the state population.) This kind of an alliances was certainly perceived. As a threat to the till now unchallenged hegemony of the dominant upper classes. For the first time, they found themselves politically excluded. This group (comprising of Patels, Brahmins, Patidars and Banias) fought back through the anti reservation stirs of the 80's (against reservations provided to OBCs of the recommendations of the Baxi Committee. This was the 4<sup>th</sup> movement as a result of which Solanki was dislodged by Rajiv Gandhi With him the KHAM coalition also crumbled- based as it was on opportunistic electoral politics bereft of any strong foothold in any radical change programme. As the Congress lost its moorings in the state- the BJP emerged as the direct beneficiary. It started as an upper caste party but with efficient organization, mobilization and single minded pursuit of bringing people under a common fold of loosely defined notions 'hinduism' it has succeeded in attracting the hitherto excluded communities like OBCs and tribals also. The political vacuum created by the dwindling popularity of Congress and absence of any significant left or alternate organization proved to be a boon for the BJP as it emerged to fill that space.

Thus since the 1980s BJP has continued to gain legitimacy in Gujarat. Its cultural wing- the RSS and the VHP through their anti-Pakistan (read anti- Muslim) rhetoric have gained popularity with a large chunk of people. In the 1995 elections, the BJP raised the slogan to build a 'bhaya' (fear), 'bhookh' (hunger) and 'bhrashtachar'

(corruption) 'mukta' (free) state. This slogan coupled with Hindutva sentiments, clicked with the people. It won 121 out of 182 seats with 42% votes in the state assembly. However internal rivalries over the coveted seat of CM between KB Patel and SS Vaghela continues and finally the assembly was dissolved in 1998. Again the BJP was returned with 117 seats. KB Patel was at the helm of affairs. The over indulgence of VHP, Bajrang Dal and other such outfits escalated in the public domain. A series of anti Christian riots were engineered with the tacit involvement of these groups. Anti Muslim riots were engineered in Ahemdabad and South Gujarat-Bardoli and Navsari.

The BJP however experienced a debacle in the September-October 2000 local elections. It lost power in all the district panchayats and 80% of taluka panchayats. A series of allegations and counter allegations were levelled within the rank and file of BJP. Major contention was between the hardliners and the moderate hindutva believers. Leaders like Laxman were blamed for towing a pro Muslim line which had upset the conservative Hindu voters. These turn of events were followed by the Madhavpura Cooperative Scam which hit the lower middle classes severely. The Gujarat earthquake of Jan 2001 further aggravated problems for the ruling party. K B Patel was unceremoniously removed and N. Modi was placed at the helm of affairs. This in brief is tracing the ascent of N. Modi to the chief ministership of Gujarat. The theory that communal violence instills insecurity and fear both in the minds of the minority as well as the

majority has gone well with the communalist (of Modi is a representative). In the absence of any concrete development agenda or welfare programmes for the public, this seems to be sure way to encash passions in electoral politics. Militant Hindu organizations like the RSS (formed in 1925), VHP and Bajrang Dal have been following a decidedly anti-Muslim agenda. Their explicit and implicit involvement in riots earlier on has also been commented and corroborated upon. Few stark examples that can be named are the Meerut riot of 1968, The Gujarat Riots of 1969 and Bhiwandi riots in 1970. Riots organized by extremist and paramilitary organizations affiliated with political parties (BJP in this case) have clear purposes.<sup>5</sup> If the party is ethnically exclusive, the violence is conducted to polarize the electoral environment, to the disadvantage of other multi ethnic parties and to detach ethnically differentiated support.<sup>6</sup>

The involvement of tribals in the violence in the North-East border of the state (Sabarkantha, Panchmahals, Dahod and Chotaudepur) can also be explained by these developments. The VHP has made inroads into the tribals towards a faster pace of sanskritization but have also created anti Christian and Anti Muslim sentiments through systematic propoganda. A class colour could also be given to these conflicts as in most cases Muslims have been

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<sup>5</sup> Donald L. Horowitz (2001), The Deadly Ethnic Riot, Oxford University Press, New Delhi. pp. 244-245.

<sup>6</sup> Ibid., p. 245.

economically stronger than the tribals in these areas.<sup>7</sup> For instance Muslims are landowning farmers while tribals are labourers and share croppers as in Dahod or Muslims are traders/transporters while adivasis are borrowers or seller of their produce as in Sabarkantha. However, it is difficult to believe that the tribals as a group would have on their own taken part in the looting without the actual support and incentivization (in the form of money or liquor) to them by militant Hindu groups. This in brief is the political background in which the riots took place.

During the time just preceding the violence, the role of the ruling government both at the centre and state was highly dubious and reflected lack insight into the volatility of the situation once the VHP had declared its deadline for *Puja* and *Shilanyas* on 15<sup>th</sup> of March. Even after the state government's failure to control the violence, the center in the name of upholding federalism showed complicity and failed to intervene (argued by U. Baxi in an article titled "federalism as a virtue?"). One can give examples of other state governments (viz W. Bengal, Karnataka, A.P., M.P.) where though the situation was tense yet untoward incidents did not occur as the civil and police administration was ready to counter any eventuality.

Thus, it can be said that politics in Gujarat has come to be dominated by a communal discourse where majoritarian politics is

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<sup>7</sup> K Balagopal (2002) "Reflections on Gujarat Pradesh of Hindu Rashtra" in Economic and Political Weekly, Mumbai, pp. 2117-2119.



being legitimised as democracy while the minority groups are constantly being disenfranchised.

### **Economic Shifts in Gujarat**

The state is considered the powerhouse of industrial growth. Though its population is only 5% of India's population, it accounts for 1/7<sup>th</sup> of the industrial output and 1/5<sup>th</sup> of industrial investment. It is the 2<sup>nd</sup> most industrialized, 3<sup>rd</sup> most urbanized and 5<sup>th</sup> richest state of the country. In the 6 year period from 93-94 to 99-2000 manufacturing output has grown by 94% while trade, hotels, restaurants and communication income by 84%. However, even the nature of this economic progress stands at a paradoxical conjecture. The growth in employment has been negligible in the last couple of years. Economists call this phenomenon 'jobless growth'.

Jan Bremen in his book 'Wage Hunters and Gatherers' has studied the employment situation and survival mechanisms of daily wage labourers in South Gujarat. He contends that the displacement of industrial labour (more than a lakh in no.) due to the closure of more than 50 out of the existing 72 textile mills in the 80s has been one reason why lumpenism and proclivity towards violence has increased studies of the retrenched textile workers show that they got absorbed in informal sector jobs with lower wages and exploitative work conditions than the mills. This is a sign of increasing vulnerability of the households in the labour markets in Ahmedabad

city. Even during the Trade Union days, the Trade Labour Association or the 'Majoor Mahajan' that was set up in 1981 to protect the interests of the workers based its activities in the Gandhian philosophy which merged militant but non-violent labour relations with constructive work for its cultural and economic improvement of its members. Charitable altruism was the more relied upon slogan than a very confrontationalist attitude.

John Freidmann argues that in cities that hosted global economic activities, economic space ascends over the life space and people's survival activities are marginalized by the rising global business class. Regional imbalances in Gujarat are glaring. On the one hand are the Golden corridor (Mehsana-Ahmedabad-Vapi rail line area) and the Silver corridor (Saurashtra and Kutch coastline) and on the other are the 22 North Eastern talukas called the 'poorvi patti' which are still sites of deprivation and marginalization.

The labour in Gujarat (like in many parts of the country) is more and more characterized by greater casualization of labour, increase in contract labour, retrenchment, closure increased feminization of labour and increased child labour. This scenario has created insecurity in the minds of the working class with regards to their livelihood issues. Increased competition has created suspicion and animosity towards large number of Muslims who are engaged in semi skilled and unskilled labour.

In the absence of any radical movements to infuse new dimension to poverty amelioration and improving the quality of life of the poor sections an ideological vacuum has been created. The poor in present times of economic crisis have been left to fend for themselves. In such a scenario, it is easy for fundamentalist forces to build on the fear of the 'other'-in this case the 'Pakistan supporting' 'ISI agents' the muslims. The attacks on the peace loving Muslim entrepreneurial class-the Bohras have been explained away as an outcome of Bohras competing with the Banias.

On the other hand city administrative bodies, to take the example of AMC (Ahmedabad Municipal Corporation) are following policies as propounded by International Funding Agencies. AMC has been influenced by the policies of the USAID. AMC has borrowed from commercial market (from institutions like HUDCO etc) for completing its various projects. However, these kind of borrowings have critical implications for a cities ability to cater to the poor. The financing agencies do not fund a public body after their debt servicing reaches 25% of revenue collected. After that if the AMC wants to incur capital expenditure it would have to cut revenue expenditure or increase revenue income through introducing cost recovery from even its mandatory functions or gradually suspending its discretionary functions. This in fact is what that has started happening. A 15% bus fare hike, cutting down on number of buses, handing over of parks and gardens to private sector, are policy decision that flow from these

changes and have a direct bearing on the lives of poor sections of society. On the other hand there are proposals for building 5 more flyovers and a bridge over Sabarmati. In the name of infrastructure development around 8000 families will be displaced from the important locations of the city to the periphery. With the onset of globalization, the local government tolerance towards the demands raised by low income groups has been constantly shrinking. In other words the nature of the development process have become exclusive, in this case the worst affected will be the Muslims who by and large are forced to live a socially excluded ghettoised life.

Constant shrinking of peoples life spaces becomes a fertile ground for animosity to develop and for people to take recourse to 'obscure particularities' of life rather than fighting for issues of real concern.

### **Socio Cultural Changes**

With time, Gujarati society has become more conservative and inward looking Girish Patel contends that "Gujarat is really an advanced state belonging to backwards" (4:4829). In the context of Ahmedabad Ganesh and Mody contend that the youth in Ahemdabadi society have low ethical moorings which create a kind of 'moral amnesia'. This moral amnesia has attuned them to the violence around them. Their proclivity to harm others is nurtured, sustained and tapped by fanatics by propagating falsehoods and half truths,

which they term as 'The Lie'.<sup>8</sup> The COMPOUNDED LIE (as explained by Ganesh and Mody) which has gained legitimacy with large sections of upper class Hindu youth. It rests on: Pseudo scientific explanation of spontaneous react to Godhra, decrying secularists as pseudo secularists, projecting a unified, monolithic Gujarati identity as opposed to rest of India. instilling fear of foreign terrorists outfits operating with the aid of local Muslims within the state.

To quote Gunnar Myrdal "a set of inner conflicts operating on people's minds between their high pitched aspirations and the bitter experience of harsh reality; between the desire for change and improvement, mental reservations and inhibitions about accepting the consequences and paying the price".<sup>9</sup>

In the sphere of education, Gujarat has some educational institutions of repute-IIM, IRMA, NID, MICA to name a few. However most of them are professional institutes catering to the elites who come to study there from different places. In terms of developing any intellectual ferment or creating any innovative ideas for change in the society, their contribution is negligible.

Another important development in the recent years has been the increased social mobility of middle classes. Gujaratis have a large diasporic presence all around the world. They seek refuge for their

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<sup>8</sup> Ganesh and Mody (2002), "Ahmedabadi Youth: What Causes Moral Amnesia", Economic and Political Weekly, Mumbai, pp. 2114-2116.

<sup>9</sup> A.A. Engineer (2002), "Gujarat Riots in the History of Communal Violence", Economic and Political Weekly, p. 64.

loss of identity by getting involved with Hindu revivalist groups and organisations. A major source of funding for the VHP comes from this section of NRIs who look upto it as an upholder of their Hindu 'values' and 'way of life' in their motherland.<sup>10</sup>

The composite Gujarati culture of the past is giving way to more staunch forms of understanding of religion culture and nationalism. A culture of silence has descended on the middle classes who are motivated by self interest. In such a social set up, the voices of the underprivileged or the weak get lost in the wilderness. Their sense of alienation increases which is detrimental to societal solidarity as a whole.

In this kind of a larger background, even a minor event had the potential of precipitating a tragedy of catastrophic magnitude. The massive deployment of forces at the border following the post 13<sup>th</sup> dec attack on parliament coupled with the war hysteria and anti Pakistan jingoism and secondly the deadline given by VHP for temple agitation as March 15<sup>th</sup> already mounted tensions in many parts of the country. The fateful mishap at Godhra only acted as the keg to gunpowder. The fractured landscape of Gujarat had to pay a heavy price in terms of loss of life and property in the riots that followed.

To conclude, a delegitimized political system, sans ideology, crumbling societal networks and ruthless competitive free market

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<sup>10</sup> Rajni Kothari (2002), "Culture of communalism in Gujarat", Economic and Political Weekly, Mumbai, p. 5052.

insensitive to needs of the marginalized and socially excluded have all played upon each other to create situation where violence of this intensity could be perpetrated.

Thus we see that the logic of religious violence continues to work itself out- a reminder of Gandhi's statement that those who said religion had nothing to do with politics knew nothing of religion or politics.<sup>11</sup> His assessment, now that Indian nationalism is being articulated in a Hindu vocabulary holds much relevance today than ever before.

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<sup>11</sup> Ghanshyam Shah (2002), "Contestation and Negotiation: Hindutva Sentiments and Temporal Interest in Gujarat Elections", Economic and Political Weekly, Mumbai, p. 72.

## CHAPTER – IV

### ANALYZING NGO AND CSO INTERVENTION IN POST-RIOT GUJARAT-2002: A CASE STUDY

Gujarat is one of the most prosperous states of India, with a population of about fifty million spread over 196,000 kilometers. Although the state has only five percent of the national production, and more than twelve percent of the national industrial output. Gujarat has highly diversified sources of income alongwith a relatively diversified workforce. However, though the state has experienced relatively rapid economic growth, the growth is lopsided and appears to be non sustainable.<sup>1</sup> The process of economic growth seems to have left around as many as 24% of its populance under poverty. Coupled with this, there has been an increase in the political authoritarianism in the State, constantly manifested in a spectacular form in acts of violence against Muslim and Christian communities.<sup>2</sup> The violence perpetrated against muslims in the post Godhra scenario in 2002 being the latest illustration of the dangerous limits such unchecked authoritarianism can go to. A closer look at the state complicity at some places, state's implicit and covert involvement in the violence at others alongwith the 'silenced' approval of a large section of Gujarati society goes on to prove that mere economic development without any

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<sup>1</sup> Indira Hirway and Piet Teshal (2002), "The contradictions of Growth", in G. Shah, M. Rutten and H. Streakesh (eds.), Development and Deprivation in Gujrat: In honour of Jan Breman, Sage Publications, New Delhi, pp. 53-54.

<sup>2</sup> Parita Mukta (2002), "On the Political Culture of Authoritarianism" in G. Shah, M. Rutten and H. Streakesh (eds.) op. cit., p. 48.



kind of socio-cultural and attitudinal change in the mind set of the people and in the absence of a political milieu that lets pluralism thrive can at best provide economic gains, totally divorced from any holistic conception of development.

The previous chapter has delved into some of the important socio-cultural, political and economic issues that have facilitated the entrenching of a strong communal ideology in the Gujarati society. This eventually got precipitated in the form of implicit approval and also explicit involvement in the heinous rioting against Muslims after the burning of Sarbarmati Expresses' Coach No. 6 at Godhra. This chapter seeks to understand the different ways in which secular civil society groups got involved in the relief and rehabilitation work of the victims, the problems encountered vis-à-vis the state, how they sought to resolve them and lacunae left due to poor coordination and/or collaboration with the agencies of the state.

Those entering the borders of Gujarat in the 1970s and 1980s were greeted by billboards which proclaimed that this was the land where labour was cheap, plentiful and pliant. Today, the land of Gujarat is known for housing some of the most dedicated communal arsonists, and there are signs in the form of painted graffiti and billboards which announce that this is Hindu Rashtra (state). This phenomenon is referred to by Parita Mukta as 'worshipping inequalities' which captures the specificity of political culture which has stripped itself bare of Gandhian humanism, liberal welfare

programmes and democratic social engineering.<sup>3</sup> However, the present communalization of Gujarati polity and society should in no way undermine keen interest and concern with issues of social development that society of Gujarat has been engaged in. Historically, Gujarat has had long tradition of voluntarism which has been constantly galvanized into action and for welfare activities. The paradigm may have shifted from a 'philanthropic' charitable voluntary organization to one of 'development' oriented NGO but the overarching philosophy remains the same and so do the issues of empowerment, equity and development.

Infact, one of the quintessential socio-cultural characteristic of the region is the humanitarian concern for the poor and the weak and also concern for all living beings, which is expressed in 'Jeeva Daya'.<sup>4</sup> The Mahatma added another dimension to these already existing 'Jeev Daya' and philanthropic traditions. That was his idea of creative and constructive voluntarism for human development. Gandhi's influence began from the 1920s and in the last 80 years the voluntary movement in the state continues to be under his influence. However, there have been significant changes in the ethos and role of NGOs in Gujarat.<sup>5</sup> Indira Hirway classified the voluntary organizations of Gujarat on the basis of changing approach of action. The three types

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<sup>3</sup> Indira Hirway and Piet Teshal (2002) op. cit., p 58.

<sup>4</sup> S. Iyengar (2002), "The Role of Non-Governmental Organizations in the Development of Gujrat – A Review on the Eve of New Millennium" in Indira Hireway, S P Kashyap, Amrita Shah (eds.), Dynamics of Development in Gujrat, Concept Publications, CFDA, Allahabad, p. 368.

<sup>5</sup> S. Iyengar (2002), op. cit., p 387.

of categorizations, as given by her are: the Welfare oriented NGOs; Developmental NGOs and lastly NGOs concerned with issues of empowerment. Gujarat has had a tradition and hence a glorious past in voluntary work. The hardy people of Gujarat who prospered in their life became philanthropists. Their first welfare acts resulted in the construction of water tanks, parks and benches for resting in public places. These philanthropic acts elevated the social status of the donors, satisfied their spiritual urges and were consistent with the religious dogmas of promoting well being in the society.<sup>6</sup> Then came the Society Registration Act of 1860 which was an indication of the growing need for legalizing social organizations. Even today, NGOs are governed by the clauses and provisions of the very same Act. Main issues being addressed by the VOs at that time were health and education. The next major thrust to the voluntary sector was given with the advent of Gandhi. Gandhi's call for constructive work for development changed the tenor of voluntary activity in the country completely. Pandey, recognizing his vital contribution says, "voluntary social action in India has been grounded partly in a Gandhian response to development and partly in a struggle against the hegemony of macro organizations which often discourage people's participation".<sup>7</sup>

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<sup>6</sup> Ibid., p. 389.

<sup>7</sup> S. R. Pandey (1991), Community Action for Social Justice: Grass Root Organizations in India, Sage Publications, New Delhi, p. 36.

Even today, there are a substantial number of active NGOs in Gujarat that had begun their activities under the influence of Gandhian thought. Till independence, most of these organizations worked with sincere vision and idealism. Iyengar terms this period as the 'golden period of voluntary work in rural reconstruction'.<sup>8</sup> Once India gained Independence, the two main tasks ahead for the Government were those of economic development and social reconstruction. The state laid emphasis on building a socialistic pattern of society through centralized planning and promotion of a mixed economy. Though the Gandhian tenets of economic development were the casualty, they still found place in rural development programmes. The KVIC (Khadi and Village Commission), Community Development programme and National Extension Services echoed many of Gandhi's ideals for rural reconstruction.

Another fundamental difference that occurred in the 1947-70 phase of NGO participation in development was related to sponsorship. Since funding from private sources was difficult to come by, the Government became the main funder for many Gandhian NGOs. The natural course of events to follow this was that the bureaucratic stronghold on these institutions tightened. In this phase (1947-1970), the NGOs did not succeed in influencing the Government's development policy significantly. Most of them lapsed into routine activity without questioning the relevance or suitability of

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<sup>8</sup> S. Iyengar (2002), *op. cit.*, p. 390.

Government programmes and policies. 1970 may be considered as a turning point in the history of NGOs in India as well as Gujarat. According to Kothari, populist politics in the country manifested itself in two ways.<sup>9</sup> Firstly, some young leaders tried to break away from the congress party hierarchy and pitched their political ambitions at higher levels. Second manifestation came in the form of grass root movements. These movements were initiated to obtain local autonomy in issues related to caste, gender, environment and so on. Many of them remained non-political and non-governmental.<sup>10</sup> The political process that unfolded during that time had felt ramifications on the NGOs, both in India and Gujarat. The 1974 youth agitation in Gujarat and also in Bihar was an indication of the growing political turmoil in the country. In the post Emergency period, many NGOs and their leaders who had explicitly opposed the imposition of Emergency came close to the Janata Government which had ascended to power. However, in 1980 as soon as the congress with Indira Gandhi at the helm of affairs took charge, she appointed the Kudal Commission to look into the alleged irregularities in the working of NGOs. However, this kind of staunch animosity towards the NGO sector could not last for long. In the 80s, with the implementation of IRDP programmes which involved identification of stakeholders and beneficiary groups, it became clear that the Government could not embark on this arduous journey without help and assistance of NGOs. Setting up of CAPART

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<sup>9</sup> Rajni Kothari as cited in Anil Bhatt (1989), Development and Social Justice: Microaction by Weaker Section, Sage Publications, New Delhi. p. 28.

<sup>10</sup> Ibid, p. 29.

(Centre for Advancement of People's Action and Rural Technology) was a move towards channelizing rural development funds to NGOs all over the country.

By the mid 1970s many different types of NGOs had come into existence in Gujarat. Shah and Chaturvedi divided the secular NGOs into three categories of techno managerial, reformist and radical.<sup>11</sup> Indira Hirway has classified the NGOs in Gujarat into Welfare oriented, development organizations and empowering NGOs.<sup>12</sup> Iyengar categorizes them into Gandhian, delivery organizations, professional organizations and mobilisational organizations.<sup>13</sup>

Most of the Gandhian NGOs working in Gujarat became more or less delivery organizations without providing any kind of creative criticism of the Government policies. However since the time the Narmada Valley and Sardar Sarovar controversy came to the fore, newer, smaller and more vocal organizations came up which started questioning the development paradigm within which Governments seem to be operating. Thus small groups, covering one to five villages came up. They undertook issues of local development and questioned the programmes that came from above. Anil Bhatt calls them, 'micro actions by weaker sections'. The 'top down approach' to addressing problems of weaker sections where they were seen as mere 'passive

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<sup>11</sup> G. Shah & H C Chaturvedi (1983), Gandhian Approach to Rural Development: The Valod Experiment, Ajanta Prakashan, New Delhi, p. 92.

<sup>12</sup> Indira Hirway (1995), "Selective Development and Widening Disparities in Gujarat", Economic and Political Weekly, at 14-21, Vol. XXXVI, Mumbai. p. 1195.

<sup>13</sup> S. Iyengar (1998), "Voluntary Initiatives for Tribal Development in Gujarat", Journal of Entrepreneurship, Vol. (7), p. 40.

recipients' of aid and not active agents having the capacity and potential to change their world view came under severe criticism. Since the 1990s, NGOs themselves evolved new strategies and alternatives for change.

Another critical issue worth mentioning is related to growing foreign funding to NGOs and the growing number of such foreign funded NGOs in Gujarat. The work style and lifestyle of the workers of foreign funded NGOs gets influenced by the foreign funding inflows, even a minor success transforms these NGOs into internationally acclaimed organizations and soon the key workers lose touch with the grass root reality.<sup>14</sup> However, state and foreign funding of NGOs in Gujarat has become an inevitable reality in the state. Another phenomenon predominant in Gujarat is the strong networking among NGOs. There were some federations and associations in certain specific activities such as Khadi and village industry, education and so on but networking to lobby and create pressure over development related issues and conflicts did not appear until mid 1970s. First federation called GUJARAT RAJYA GRAM VIKAS SANGH was formed in 1978 under the national umbrella organization called AVARD (Association of Voluntary Agencies for Rural Development). In 1980, a meeting was organized in Delhi attended by people like Raj Krishna, Prof. Rajni Kothari and D.L. Sheth of the Centre for the Study of Developing Societies, Ghanshyam Shah and so on. It was agreed that

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<sup>14</sup> Indira Hirway (1995) op. cit., p. 1196.

issues of development are very intricately linked to those of social transformation and thus a keen interest and understanding had to be built around issues of socio-economic empowerment of communities. A project called LOKAYAN was launched after this. A need to combine struggle (Sangharsha), reconstruction (Rachna) and development (Vikas) was felt. In 1982, Lokayan converted itself into SETU. Thus by the 80s, two types of networking had emerged in Gujarat, one which attracted development organizations and two, which attracted NGOs engaged in mobilization and social transformation.

Some of the prominent organizations and NGO networks that have come up in Gujarat are –GUJARAT RAJYA GRAM VIKAS SANGH, SETU, JANPATH (mainly involved in documentation work in the field of development), GUJARAT VOLUNTARY HEALTH ASSOCIATION (engaged in promoting a workable concept of primary healthcare and also in the production and distribution of low cost standard drugs to be used by NGOs), SAKSHAM (working on issues of environmental concern), PRAVAH (came into existence in 1996 and works with the objective of enabling communities to become self reliant in accessing adequate and safe drinking water), JAN VIKAS (engaged in capacity building of small groups involved in development work. Another important voluntary initiative is that of SEWA (Self Employed Women's Association). It is an amalgamation of various types of organizations working to improve the status of women in society.



AWAG (Ahmedabad Women's Action Group) is another organization which has successfully worked for raising awareness among socio-economically backward women about their rights, first as women and then as workers in various sectors. Other networks like SAMVAD and VIKAS work on issues of slum development and work closely with Ahmedabad Municipal Corporation. Similarly NGOs working on issues of child labour and welfare have come together under CACL (Campaign Against Child Labour) which is a nationwide campaign. In a statewide convention of NGOs held in Mehsana in 1994, there was growing acceptance of the fact that while NGOs are engaged in constructive work for development of the afflicted sections, there will be situations when the NGOs will have to confront with the Government on critical policy issues. Within the NGO sector itself, there seems to a divide between the service delivery type of NGOs on one hand and the social activists on the other who prefer standing up against the Government rather than negotiate. Networking between NGOs is strictly affected by their ideological positioning.

There are fundamental differences between the working of a development group and an action group. While the former sets about reforming the system, the latter looks at radically transforming it. However, the need for NGOs is to shift from merely a 'top down' capacity building, skill development kind of paradigm to addressing critical issues of resource control, empowerment and social justice. NGO initiatives in the area of awareness, mass mobilization and

organization around critical issues are imperative if we have to inch closer towards the vision of more just, fair and egalitarian society.

If we are to look at kind and intensity of work NGOs (both local, national and international) got involved in immediately after the Kutch earthquake in January 2001, we find that it was of a stupendous nature. A network of more than twenty organizations called KUTCH NAV NIRMAN ABHIYAN was formed, with organizations like KMVS (Kutch Mahila Vikas Sangh) at the helm of affairs. All relief and aid flowing to the region, its collection and disbursement, alongwith coordination with the administrative machinery was being done through KNNA. Apart from this, international organizations like World Vision, Save the children, OXFAM (GB), CARE (India) had set up their own offices in different talukas of Kutch and were involved in handling down relief material from these centres. Even with regard to rehabilitation, the Government was the key agency building temporary shelters and schools before the onset of rains. Apart from the Government, wide variety of organizations, right from the ones with Rightist leanings (RSS and so on), Christian organizations and other NGOs had also actively and enthusiastically adopted villages where reconstruction work was required. Many of the community members themselves, once the initial shock and trauma of the tragedy was over and questions of compensation and so on being settled, got down to rebuilding their own lives without waiting and/or relying on help from Government or Non Governmental sector.

The response that this natural calamity evoked from the NGO sector and the civil society at large was enormous. Relief material and voluntary help in terms of human resources was both available at hand. Just a year later, in 2002, when many parts of Gujarat were badly affected by the intense rioting following the Godhra episode, the intensity and spontaneity of the response from civil society and NGOs was not the same. To quote from the Time of India, "The contrast couldn't be more stark. Flashback to the Gujarat earthquake in 2001. In a magnificent outpouring of compassion, India rose as one to rush relief supplies to the affected... Yet today, when an entirely avoidable tragedy is being played out in Gujarat, that fellow feeling of help and compassion is singularly lacking".<sup>15</sup>

The Gujarat carnage, a man made socio political disaster cost over two thousand lives, left many injured, over a lakh Muslims were rendered homeless and displaced. Over two hundred dargahs, mosques and madrassas, places of Muslim worship and education were damaged and desecrated. The total economic losses to the Muslim Community is estimated at over three thousand crore.<sup>16</sup> A tragedy of such stupendous proportions and enormity required a strong supportive response from the institutions of the state for rescue, relief and rehabilitation of the affected populace. However, the state of Gujarat, with Narendra Modi as the chief executive stood like a callous edifice, with its legitimacy totally eroded. Unable to

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<sup>15</sup> Rafiq Zakaria, (2002) Communal Rage in Secular India, Popular Prakashan, Mumbai, p. 43.

<sup>16</sup> Genocide Gujarat (2002), March – April 2002, No. 77-78, Communalism Combat, Mumbai. p. 98.

protect the basic human and civic rights of its citizens, the state machinery in many situations was found working in close complicity with the perpetrators of the violence. In this scenario, the institutions of civil society were stretched to the limit to help of the victims. This help came both from the large Muslim charitable institutions that came forward at the time of their communities' need and also the secular organizations, both working within and outside Gujarat.

A similar situation prevailed in Mumbai, a decade earlier in January 1993, when it was engulfed in communal violence that had flared up in the post Babri Masjid demolition in December 1992. During these riots and even after the violence had abated, concerned citizens' groups and active civil society organizations pushed forth the cause of the victims demanding justice from the state for the wrong they were subjected to. In this regard, Sikata Banerjee opines, "the responses of private citizens, NGOs and the press to these riots serve to demonstrate that two major tenets of civic nationalism and democracy – citizens' banding together to resist and scrutinize government action and free press can pose a check to unrestrained sectarian violence."<sup>17</sup> In many neighbourhoods of Mumbai, voluntary citizen organizations dealt with the government bureaucracy and provided relief to the victims of the riots. They also promoted dialogue about the ideas of Hindu cultural nationalism and the dangers it imposed on society at large and ways to prevent violence. Prominent

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<sup>17</sup> Sikata Banerjee (2002), "Civic and Cultural Nationalism in India", in Paul Brass and Achin Vanaik, (eds.) Competing Nationalisms in South Asia, Orient Longman, New Delhi, p. 56.

groups that came up during that time were Citizens for Peace (a temporary network to help people affected by the riots) and LOKSHAHI HAKK SANGATHANA an activist organization which published a report sharply critical of the State Government city policy and the Shiva Sena during the riots.<sup>18</sup>

Another group NIVARA HAKK SURAKSHA SAMITI was engaged in distributing anti-inflammatory pamphlets to defuse the anger flowing among people. The Indian People's Human Rights Commission under the guidance of two retired judges of Mumbai High Court began their own investigation of the riots. So, it seems that citizens groups, press and legal system in Mumbai were veiling to resist actions they perceived as violations of minority rights and conducive to sectarian violence.<sup>19</sup>

A decade later, a grimmer scenario confronted civil society groups in Gujarat. The culpability of the state was starkly evident as it stood callously distanced from the grievances of its citizens. In fact, as reports after reports by fact finding teams, NGOs and other groups have shown, the state itself, headed by a party of far Right ideology, stands convicted of having systematically denied its citizens their basic rights to life, liberty, property and justice. The community based organizations (CBOs), citizen's groups, other secular NGOs had immuneable tasks at hand. First and foremost was the work related to

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<sup>18</sup> Ibid., pp. 58-59.

<sup>19</sup> Ibid., p. 59.

relief which included providing the displaced population shelter, food, medicines and so on in a secure environment. The physical and mental health needs of the camp residents had to be taken care of. However, the issue of graver concern was the rehabilitation of the victims in either their old homes or to newer locales, whichever they found more conducive to their safety. Issues of livelihood generation for the affected families, especially many women headed households were of paramount importance. Lastly, apart from the relief and rehabilitation another issue that is of utmost concern to the activists groups and organizations is that of social justice for the victims which can only be achieved when the guilty are brought to book and convicted for their heinous crimes against humanity.

Thus, one needs to look at what were the different ways in which organizations were involved at the levels of Relief, Rehabilitation and Issues of Social Justice and Communal Harmony.

Citizens' Reports: More than forty independent citizens reports, voluntarily and spontaneously researched and written by eminent citizens of the country (including professionals like retired judges, activists, writers, teachers, civil servants and so on) have been published till now since the Gujarat violence erupted in February 2002. These reports, termed, as 'significant glimmerings of hope' by Harsh Mander, give detailed and overwhelming evidence of violence, state complicity and inefficiency and subversion of relief and

rehabilitation.<sup>20</sup> These reports elaborate exhaustively the harrowing details of the savagery. The report of People's Union for Democratic Rights (PUDR) collects evidence of brutalities from the worst affected districts in the north-east south west axis of rural Gujarat.<sup>21</sup> The Concerned Citizen's Tribunal documents extensively delve into the specific targeting of women and young girls, as well as children. The report titled 'Survivor's Speak', has recorded testimonies of mass sexual violence on women. Infact, the heinous crimes perpetrated on pregnant women and their unborn fetuses were described by the report as a 'meta-narrative', that is, a story told many times.<sup>22</sup> Many reports describe the use of children as instruments of terror. The PUCL report on Vadodara states, "in what is surely the most perverse dimension of the violence, children were used to torture and terrorize victims."<sup>23</sup> Secondly, many of the reports highlight the systematic and planned character of attack on the minorities in Gujarat.

The PUDR report says, "What happened was a systematic effort to terrorize Muslims and reduce them to the status of second class citizens by taking away their lives, livelihood and shelter."<sup>24</sup> The Editors Guild Fact Finding Mission also refers to the holocaust and meticulous targeting of Muslim homes, mohallas, shops and other

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<sup>20</sup> Harsh Mander (2003), Citizens Reports on Gujarat: Heeding Voices of Our Collective Conscience, Action Aid India, New Delhi, pp. 4-6.

<sup>21</sup> Maaro Kaapo! Baalo! : State, Society and Communalism in Gujarat (2002) People's Union for Democratic Rights (PUDR), New Delhi.

<sup>22</sup> Survivor's Speak: How has Gujarat Massacre Affected Minority Women? (2002) Fact finding by a women's panel, sponsored by citizens initiative, Ahmedabad.

<sup>23</sup> Violence in Vadodara: A Report (2002), People's Union for Civil Liberties (PUCL) and Vadodara Shanti Abhiyan, Vadodara.

<sup>24</sup> "Marro! Kaapo! Baalo! : State, Society and Communalism in Gujarat" (2002) op. cit.

commercial establishments as well as mosques, shrines and dargahs”.<sup>25</sup>

A third theme that runs through the various citizen’s groups reports is the unashamed partisan role of the state authorities, the political leadership, the police and civil authorities. The PUDR states that, “police action has ranged from active collusion with the mobs to silent inaction in the face of cognizable and serious offences; from state apathy towards formulating and executing preventive measures to the unjustified and frequently biased resort to gunfire.<sup>26</sup> The fourth aspect covered by these reports is related to the harrowing experiences of the survivors of the carnage, particularly because of the unconscionable and unprecedented refusal of state government authority to establish relief camps, which were instead run by community organizations; the forced premature closure of these camps; and the paltry and arbitrary compensation doled out. The PUDR report states the state government’s refusal to organize safe locations for the survivors and its consequences. The state government’s policy resolution regarding the provisions of relief; Resolution No. RHL 232002/513/(3)S-4, glosses over government’s responsibility to provide safe and sanitized shelters for victims.<sup>27</sup> The concerned citizen’s Tribunal notes that, “the Government is under a constitutional obligation to protect the basic rights of every citizens

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<sup>25</sup> A. Patel, Dileep Padgaonkar and BG Verghese (May 2002) Editors Guild Pact Finding Mission – A Report, New Delhi.

<sup>26</sup> Marro! Kaapo! Baalo!: State, Society and Communalism in Gujarat (2002) op. cit.

<sup>27</sup> Ibid.



and duty bound to start and run relief camps for the violence affected". However, in the case of Gujarat, only the leadership of the Muslim Community was involved in the running of the relief camps for relief and rehabilitation. Though some non-muslim NGOs did contribute substantial amounts of aid to these relief camps, the vast bulk of relief assistance came from the community itself. The PUDR report also states that, "The Government failure to provide relief has pushed the people into the fold of various religious trusts which may further communalize society." Independent estimates of the number of internal refugees housed in campus all over the state exceed one lakh fifty thousand. The official sources place the number at around ninety one thousand. A substantial number of campus in every district have not been recognized. Given the scale of displacement it is impractical to expect any private organization to deliver. For the state to then penalize them by withholding recognition without making any alternative provision is criminal.<sup>28</sup> Once the camps began to be shut down and it was time for the survivors to move on, they were confronted with another dilemma. The PUDR team's second report produced six months later in September 2002 records several instances of blackmail and intimation as a price for carnage survivors to return to their homes. It concluded that "for Gujarati Muslims who have lost family members, property, and bases of subsistence, it is

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<sup>28</sup> Ibid.

compromise, silence and the acceptance of justice which have proven to be the preconditions for any return to normalcy.”<sup>29</sup>

Thus, one sees that the Reports of various citizen’s groups on the massacre of the members of minority Muslim community have been investigated and presented to the people of India by some of country’s most sterling hearts and minds. They make harrowing reading but at another level collectively they document what is arguably one of the gravest crisis being faced by the citizens of modern India. As stated by the Concerned Citizen’s Tribunal, the carnage worked at six levels. Physical destruction of a part of the community; economic destruction; sexual violence and rape of a large number of Muslim women, cultural and religious destruction, resistance to rehabilitation and publicly declared desire to physically and morally destroy the Muslim community of Gujarat.

Each report makes extensive calls for the restoration of justice and humanity in Gujarat through elaborate recommendations. The PUDR report states, “Those who stand by the rights of the individual and a democratic social order need to reflect very carefully on what steps they must take as citizens to isolate and punish the guilty, defend the victims and ensure such pogroms never happen again.” These reports, coming from a section of the civil society, implore the rest of it to confront the truth as it is and take a pro active stand

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<sup>29</sup> Gujarat Genocide Act Two: Six Months Later, (Sep. 2002), PUDR, New Delhi.

against fundamentalist and fascist forces looming large and tearing at our secular ethos and age old plural world view.

The Gujarat Government did not set up a single relief camp. On March 6<sup>th</sup>, the state government came out with its policy resolution regarding the provisions for relief (Resolution No. RHL 232002/513/(3)S-4). The resolution stated that the district administration would provide assistance upto 31 May only to those camps that satisfy a number of conditions. These stipulated that the organizations should be a registered society or trust except those already running camps, in which case they need special permission. The camps should have at least hundred inmates. The camps should be located in a clean area, have toilet facilities, medical care, drinking water, and a clean and healthy kitchen. In addition, the camp organizers are to maintain a register recording details of all inmates, the losses and injuries suffered, their time of arrival, departure and place of departure – violation of any of these conditions can lead to closure of the camp.<sup>30</sup>

The outcome of such a policy has been that a number of camps in every district had not been recognized by the administration. The official list of camps was ninety-five as in April 2002 while unofficial sources put it at one hundred and forty six camps in the entire state. The help accorded to the Government recognized camps was provision of food ration amounting to five hundred grams of cereal and fifty

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<sup>30</sup> “Maaro! Kaapo! Baalo! : State, Society and Communalism in Gujarat”, (2002) op. cit.

grams each of pulses, edible oil, sugar and milk and a dole of five rupees per person per day. Apart from this the role of the administration was restricted to providing a liaison officer and a medical officer to inspect the camp. Reports by SAHMAT and the Fraternity and Reconciliation Forum reiterate that the conditions of the camps are abysmal. In some of the recognized camps that the teams visited, even the supply of rations was irregular and far short of the slated amount.<sup>31</sup>

In effect, then, a system is in place aimed to deny relief: through non-registration of the camps, through faulty recording of the number of inmates and through the lack of a system of redress.<sup>32</sup> NGOs and CBOs (Community Based Organizations) was forced to shoulder the enormous responsibility of relief. While almost all the relief camps were being run by Muslim Trusts and charitable institutions, other secular NGOs were involved in providing them with assistance. Temporary shelters in the form of plastic and tarpaulin sheets were provided by organizations like CARE (India) and Action Aid (India). UNICEF distributed through NGOs, fifty thousand family hygiene kits and hundred play and music kits for children. A comprehensive plan was also drawn up by the Indian Red Cross Society for the distribution of relief material including personal hygiene and

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<sup>31</sup> Gujarat: Four Month's Down the Road (June 2002): A Report for the Fraternity and Reconciliation Forum, New Delhi.

<sup>32</sup> "Maaro! Kaapo! Baalo!": State, Society and Communalism in Gujarat" (2002) op. cit.

cleanliness items and clothes.<sup>33</sup> The prominent charitable trusts and NGOs within Gujarat were conspicuous by their studied silence and/or absence. In this regard, a report states, “large charitable trusts and non governmental organizations otherwise known for their charitable work, do not appear to have responded adequately to the humanitarian crisis”.<sup>34</sup> One major exception has been the Citizen’s Initiative, a network of 26 NGOs which was involved in providing medicines, food grains, bedding, household articles and so on. In the matter of health care, it played an important role in ensuring drug supply, providing transportation and establishing referral links with hospitals. It was instrumental in sustaining the efforts of local volunteers, providing transport for those who need to be shifted to hospitals, and making arrangements for treatment, both at government and private hospitals. In the rural camps of Panchmahals and Dahod, ANANDI, and NGO working with rural and tribal women, had been reaching the relief camps and made referral support to those with serious health problems. SAHRWARU, an NGO based in Amdavad, run by a lady called Sheba George was involved in intense relief work with specific urban slum communities. Logistical support for medical relief was also provided by Xavier’s Social Service Society (XSSS), a Christian Charitable organization run by Fr. Cedric Prakash. It was largely recognized that the presence of such non-

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<sup>33</sup> Violence Against Women During Riots, Ninth Report, Committee on Empowerment of Women (2002-03), Ministry of Human Resource Development and Ministry of Home Affairs, Lok Sabha Secretariat, New Delhi, pp. 3-5.

<sup>34</sup> Carnage in Gujarat: A Public Health Crisis (2002) Report of the Investigation by Medico Friend Circle, Pune, p. 32.

religious organizations and NGOs was very important in establishing links with government institutions, and also in dialoguing with state officials.<sup>35</sup> Self Employed Women's Association (SEWA), an informal labour union of women, working in Ahmedabad and other rural areas of Gujarat since 1972 was working in Panchmahal, Sabarkantha, Vadodara, Mehsana and Ahmedabad. SEWA teams had provided immediate support by way of food, child care and health services, hygiene and sanitation, mattresses, clothing and so on. Livelihood support was provided by giving three hundred serving machines as also market linkages so that women could earn Rs. thirty to Rs. forty per day in the camps.<sup>36</sup> SEWA became a link between merchants and women in the relief camps, providing them raw material for mattress making, paper bag making and bidi and agarbatti making. Apart from this about eighty to two hundred children are being taken care of at five child care centres in five different camps. SEWA health team provided daily health care services, coordinated with municipal corporation and government health services. With the support and inputs of KSA Design Planning Services (KSADPS), the housing damage assessment and needs assessment for reconstruction of more than fifteen thousand houses had been done. Lastly, about six thousand workers had filed in their insurance claims for asset losses. SEWA called its livelihood cum social security work as 'Shantipath'.<sup>37</sup> Other Organisations like DRY, Ahmedabad based NGO Centre for

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<sup>35</sup> Ibid, p. 33.

<sup>36</sup> Violence Against Women During Riots, (2002-03) op. cit., p. 7.

<sup>37</sup> SEWA Relief Team (2002) "Re-building our lives", Seminar, 513, May, New Delhi, pp 64-67.

Development were involved in trauma counselling of the children in relief camps.<sup>38</sup> Mina Mehta of the same NGO opined that a lot of small silent children were seen playing around in the camps. They did not look settled, but they were badly affected inside. Another organization, SANCHETNA, was also running a child survival project in the camps of Ahmedabad city. UNICEF had conducted a training programme for Medical officers deputed to provide medical care at the camps. There were clear indications of the prevalence of post traumatic stress disorder (PTSD), especially among women and children who had suffered or witnessed horrific physical violence and sexual abuse. Such victims needed sensitive counselling and psychological support for a sustained period of time.<sup>39</sup> It was understood that victim's psychological trauma got aggravated by the feeling that injustice had been perpetrated at a massive scale. It has been felt that assistance to survivors of violence should integrate medical care, provision of security and legal investigation towards rehabilitation. However, this does not seem to have happened in Gujarat. There have been some medical cases, but it was of limited use and there did not seem any intention to ensure long term rehabilitation of the victims and ensure justice.

Thus, one sees that most of the aspects of relief relating to shelter, food, medical care, filing of FIRs, counselling were undertaken by Muslim charitable trusts like the Jamait Ulama-i-Hind and Islami

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<sup>38</sup> Ratiq Zakaria (2002) op. cit. 48.

<sup>39</sup> Carnage in Gujarat: A Public Health Crisis (2002) op. cit. p. 16.

Relief Committee (I.R.C) along with the other secular NGOs and civil society groups, working independently in specific areas or forming networks among them for better coordination and avoidance of duplication of work. Even official reports have corroborated this. However, though community leaders, NGOs and voluntary agencies immediately responded and organized relief, it is an accepted fact that in situations of natural or man made disasters including riots, the state government is the primary agency responsible to provide relief, succour, security and rehabilitation to the victims which they were slow in doing.<sup>40</sup>

The next step that follows relief in any disaster situation – whether natural or man made, is that of rehabilitation. Rehabilitation should not only compensate for physical losses, it should also address the other key issue of social and economic rehabilitation at the broader societal level and psychological rehabilitation at the personal or individual level. Social rehabilitation requires the post violence scenario cannot be treated as a mere law and order problem. Questions of betrayal of trust and extreme insecurity are bound to resurface again and again if the society by and large remains polarized. The attitudinal biases, stereotypes about a single community, inbuilt prejudices by lop sided socialization are tricky issues to grapple with. Once the society at large has unlearned these

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<sup>40</sup> “Violence Against Women During Riots” (2002-03) op. cit. p. 13.



lessons, would complete social rehabilitation of the minority community members be possible.

Though these are issues related to one's latent psyche yet they have strong explicit manifestations. The process of tackling a communalized mind set is a tight rope walk. It is long drawn requiring concerted efforts with very little gains made after long period of time. Yet, there are organizations which have taken up cudgels against the communal forces and have gotten involved in countering 'hate propaganda' by their own innovative ways. Through the use of print and electronic media, folk art and street theatre these groups have been engaged in dispelling myths about Muslims and fostering and spreading the message of peace.<sup>41</sup>

Thus, social rehabilitation would involve an acceptance by the society of the victims back into its fold with assurance of security for their life and livelihood in the future. In the present context, this seems like an utopian ideal in the state of Gujarat. Another aspect of rehabilitation is economic rehabilitation. This entails that the survivors of the violence be given adequate means of security their livelihood so that they can take care of themselves and their families. Economic rehabilitation should not be equated with interim relief alone. Though interim relief is crucial in the short term, the state has

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<sup>41</sup> See Appendix No. 3 "Exploding the Myths: Some Facts on Muslims" (2004) published by PUCL and Movement for People's Unity (MPU), New Delhi, for detailed illustration.

to address concerns about long-term employment opportunities about the violence affected population.

Even demographic rehabilitation, that is relocating the victims after the closure of camps was fraught with problems. Firstly, people were not willing to go back to their homes unless they were assured of security. Secondly, a completely pauperized community which had not been able to earn a living for the first two to four months since the violence erupted, was not in a position to return to living outside the camps. Lastly, many people were not willing to go back to their homes. They were eager to stay separately in different areas after all the violence and hatred they had been subjected to.<sup>42</sup>

Thus, one sees that rehabilitation per se is a multi dimensional issue and has to be tackled from the social, economic and demographic fronts for it to have any real meaning. Even on the issue of rehabilitation, the state government proved slack, inefficient and unconcerned. Principle 28 of the Guiding Principles on Internal Displacement states that it is the responsibility of the authorities to establish the condition and provide the means to allow internally displaced persons to return voluntarily and in safety and dignity to their homes, and to permit the full participation of the internally displaced to manage and plan their return and resettlement. Principle 29 of the Guiding Principles of Internal Displacement also states that it is the responsibility of the authorities to assist returned or resettled

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<sup>42</sup> "Carnage in Gujarat: A Public Health Crisis" (2002) op. cit. pp. 16-17.

internally displaced persons to recover, or obtain compensation or reparations for their property and possessions that they lost or dispossessed of during displacement.<sup>43</sup> With regards to compensations, problems about accurate damage assessments cropped up. Secondly, the destruction or loss of personal documents added another complication in the process of rehabilitation. Compensation disbursement is the first step towards rehabilitation. Prominent organizations that have been involved in the systematic rehabilitation of the victims are JANVIKAS through its project called YUVASHAKTI launched after the communal violence; COVA (Confederation of Voluntary Association) which is a Hyderabad based NGO dedicated to communal harmony through participative community Empowerment. SEWA, at the request of the Department of Women and Child Development is implementing the SHANTA project for rehabilitation of widows, Orphans and single parent children. The project covers livelihood support and rehabilitation, help in housing construction, trauma counseling, insurance cover for house, assets, life and health. Even international organizations like Action Aid (India) headed by Harsh Mander (at that time) and Care (India) had formulated a strategy of planned intervention to use rehabilitation as an entry point and work towards the larger goal of fostering communal harmony in the state. Another prominent Muslim organization Jamait-Ulama-i-Hind, headed by Asad Madani has

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<sup>43</sup> We Have No Orders To Save You: State Participation and Complicity in Communal Violence in Gujarat (April 2002), Vol. 14, No. 3, Human Rights Watch, New York, pp. 58-59. (Also see Appendix No. IV for further details).

helped in rehabilitating more than three thousand families in over two hundred villages. They have constructed fourteen new colonies in this process.<sup>44</sup> Local NGOs like ANANDI in Panchmahal district in collaboration with JANVIKAS have been involved in the relocation of around thirty six families in fourteen villages of Halol Taluka.<sup>45</sup> Many other local organizations, like HIMMAT and VIVIDHA have been working with riot affected women by providing them with learning skills (like sewing, embroidery and so on) for livelihood generation and also helping them to market their produce.

Efforts made by JANVIKAS for ensuring rehabilitation, employment generation and justice to the riot victims have been quite concerted. Their multidimensional approach to attaining all these objectives is briefly mentioned here. Janvikas involvement after the communal violence progressed through three phases. First phase was to provide relief for the immediate needs of displaced or injured people. The second phase of rehabilitation saw Janvikas partnering with other organizations to build homes, provide training to women and men for income generating activities and do other activities to bring life back to normal. The third phase, now underway, are long term efforts towards peace building, through its project YUVASHAKTI. This includes an education programme, working with youth and assisting the building of Community Based Organization (CBOs),

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<sup>44</sup> Gujarat Relief and Rehabilitation Programme (2003), Jamait-Ulama-i-Hind, New Delhi.

<sup>45</sup> Dispossessed Lives: A Report on the Situation of Muslims in Panchmahals District of Gujarat Five Months After the Carnage (2002) Anandi, Panchmahals.

towards development and justice, both being prerequisites for peace.<sup>46</sup> The five areas of intervention that strive at various levels to achieve the overall goal of peace building are – legal services through JAN ADHIKAR (legal advice centre), supporting the monitoring group of NHRC to ensure justice. Secondly, provision of sustainable livelihood through formation of new CBOs and assisting programmes for women through SEWA. Thirdly, looking at youth as change agents for peace. Fourthly, investing in children through Village Education Committees and primary education classes in partnership with Gyanshala. Lastly, making efforts towards building of a strong Muslim community and facilitate emergence of a visionary Muslim leadership through formation of community based organizations from relief committees.<sup>47</sup> The YUVASHAKTI project is being run in the villages of three blocks of Panchmahal district – Malol, Kalol and Ghoghamba. Relief committees headed by Mehboobhai and Mukhtarbai were being run in Kalol and Halol respectively. The communal violence had propelled many members of the Muslim Community into prominent positions of leadership. Suddenly, they found themselves in new roles of responsibility; running relief camps and providing aid to members of their community. They found themselves taking a keen interest in the issues of development and progress of their community in prospect. This would strengthen their community's position and go a long way in ensuring peace in their area. The birth of JAGRUTI TRUST and

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<sup>46</sup> Peace by Piece: A Document on Jan Vikas's Effort for Peace (2004), Drishti Media Collective, New Delhi, p. 12.

<sup>47</sup> Ibid, p. 14.

Kasimabad Education and Development Society (KEDS) are steps into this direction. The former is the institutional name for the Halol Relief Committee and the latter for the Kalol Relief Committee. These newly established CBOs have constructed colonies for displaced families. They also provide tutoring classes for school children, run computer classes, organize annual cricket tournament for peace and so on. The growth and nurturance of such CBOs needs to be encouraged. They can be important entry points for the Muslim Community to gain some leverage in the local politics of their area and find themselves in a stronger and more organized position to assert their rights.

Another report also talks about the emergence of women leaders in coping with the aftermath of the violence.<sup>48</sup> Most of these women had never been involved in community work before but after the riots, they found that the victims needed their help in so many ways. They began assisting the volunteers and saw a new world of information and possibilities opening up before them. Some got involved in running children's activities while other began running the sewing class. A woman's organization, called AL-FAZAL has been registered in Godhra which proposes to respond to needs of women and work on education – ANANDI coordinated their earlier meetings and even organized an exposure tour for the emerging women leaders from Boru, Halol and Godhra in Panchmahal district. The emergence of these groups from within the community is a very positive sign.

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<sup>48</sup> Dispossessed Lives: A Report on the Situation of Muslims in Panchmahal District of Gujarat Five Months after the Carnage (2002), op. cit., p. 21.

Organizations like JANVIKAS and ANANDI who have been working in the field since a long time have an instrumental role to play in facilitating these groups to come up to the forefront, decide on their long term objectives and work on strategies to achieve those objectives. Activists like Farah Naqvi, Harsh Mander and Gagan Sethi have all lauded the emergence of these groups as they can serve as strong institutional support mechanisms through which the minority community can work for its own development.<sup>49</sup>

Thus one finds that one of the crucial achievements of JANVIKAS in its efforts after the riots has been the formation of groups like JAGRUTI and KEDS. On the legal front, JANVIKAS was involved with filing of compensation claims, monitoring cases in Panchmahal, working with the monitoring groups of NHRC and so on. YUVASHAKTI is also working with rural women on livelihood generation issues. They have trained women and girls in embroidery work and Entrepreneurship Development Programme for young men to form a strong foundation from which to begin their own businesses. In the field of education, YUVASHAKTI plans to introduce diversity education to teach the children to value and accept differences. Gyanshalas have been set up which will focus on primary education and encouraging more students to attend classes. With the youth, the project plans to work on how peace can be fostered between two communities. Thus we see that JANVIKAS has evolved a multi

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<sup>49</sup> In conversation with Farah Naqvi, Delhi-based writer and activist, founder of NIRANTAR (currently working on the Bilkis Bano Rape Case).

pronged strategy to counter communalism on one hand through education and to mobilize the minority community over issues of development and protection of their rights on the other.

The work of Action Aid, another NGO may be mentioned briefly which evolved its AMAN SAMUDAYA initiative after the violence with a long term focus on making communal harmony a part of its strategy. In the past riots, Action Aid had provided only short-term relief work but this time it decided to link issues of peace, justice and harmony and realized that for similar disasters to not repeat themselves, a long term vision and sustained work for promoting communal harmony is quintessential.<sup>50</sup> The AMAN SAMUDAYA initiative makes an effort to reach out to the most vulnerable sections affected in the violence. The long term objectives of AMAN SAMUDAYA are primarily strengthening bonds of communal harmony; working for legal and social justice; providing psycho-social support to the victims to deal with loss, betrayal and anger; taking care of widowed women and orphans and enabling access to basic entitlement of the affected people. The backbone of the Aman Samudaya is 'Aman Pathiks' who are working intensely with the affected families. Intensively trained in psycho-social counselling know how and legal, they have been active in relief and raising issues of compensation and justice. They have also engaged effectively with state authorities. For their outstanding efforts in building bridges between communities and helping riot victims

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<sup>50</sup> Rebuilding Lives in Gujarat: Intervention and Strategy (2003), Action Aid India, New Delhi, pp. 4-7.



rebuild their lives, 'Aman Pathiks' alongwith three other groups were awarded the Indira Gandhi National Integration Award for 2002. It has been proposed that about five thousand families will be covered in a comprehensive rehabilitation plan through the AMAN PARIVAR initiative. Action Aid was also involved in conducting peace festivals (December, 2002), street plays, songs, marches and so on were used to send across the message of communal harmony to members of both the communities.<sup>51</sup>

A Gujarat Harmony Project, was also formulated by CARE (India), another international organization the goal of the project was to provide critical relief, facilitate social reconciliation and restore livelihood in conflict-stricken areas of Gujarat CARE (India) was involved in disbursing relief material leveraged from FICCI and USAID during the relief stage.<sup>52</sup> As a part of its reconciliation efforts, a 'Community Activity Centre' has been set up in Naroda Patiya by KSSM, facilitated by CARE. It was able to form an inter community group successfully which will play a critical role in channelizing various reconciliation initiatives. CARE, with its key partners NGOs like UNNATI, SAATH, SAMERTH, XSSS was engaged in preparing project proposals on livelihood activities, rehabilitation and reconciliation process. The progress report of the Project underway also claimed that CARE had been successful in establishing rapport with the Government. Some illustration were that Government officials

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<sup>51</sup> <[www.actionaidindia.org](http://www.actionaidindia.org)>

<sup>52</sup> Gujarat Harmony Project, CARE (India), Ahmedabad, (2002)

were mobilized to participate in the relief distribution process in Anand; in another instance the Administration released required food grains to the returning families at Naroda Patia and lastly the District Collector sanctioned the opening of two Balwaadi centres at Naroda Patiya for the children who were unable to go to school. CARE claimed to have established a network of eleven partners to work towards the project's objectives.

Even outside Gujarat, the impact of the violence and the response from civil society and NGOs was varied. However, it was widely accepted that secularism had to be made an agenda for all NGOs. Whether an organization works on child labour or slum development, they had to be aware of communal politics.<sup>53</sup> The urgency to fight communalism comes in part because it has become clear that other development goals depend upon peace. Organizations like SAATH (based in Ahmedabad and working on issues of slum development) now analyze the Hindu and Muslim composition and power structures of the slums within which it works to determine how the organizations can prevent marginalization and conflict. Sheba George, of the NGO Sahr Waru emphatically states, "If 100 women were raped and killed in Gujarat and there was not a single body in Gujarat that could bring the perpetrators to justice... what do you want me to do for the next 20 years? Run savings and credit programs? Immunize kids?" Sahr Waru through its work with Muslim

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<sup>53</sup> Rebuilding Lives in Gujarat Interventions and Strategy (2003), op. cit., p. 9.

and Dalit women over the years has seen that human rights of the Muslim Community are constantly eroded and threatened and this issue does require special attention.

Mumbai based advocacy / activist organization COMMUNALISM COMBAT headed by activist journalist Teesta Setalvad and other groups like 'NIRBHAY BANO ANDOLAN, LOKSHAHI HAKK SANGATHAN and LAWYER'S COLLECTIVE have been keenly pursuing important cases like the Best Bakery case and Bilkis Bano Rape Case in the hope of providing the victims justice by getting the guilty convicted. The activist groups have not only moved beyond the relief and rehabilitation phase of work with the victims, they have decided to prioritize and relentlessly follow up the crucial cases to ensure that victims are not denied justice for all the wrong that they were forced to suffer for no fault of their own. For these groups, peace is not a virtue located in a socio-political vacuum which can be called upon by espousing faith in tolerance and mutual understanding. Peace, to be real, genuine peace of the long standing, enduring kind can never be divorced from issues of social justice, social exclusion and violation of human rights of the minorities. Infact, justice and right to life with dignity are prerequisites for peace to flourish.

To conclude, we see that different NGOs and Community Based Organizations were intensely involved in various ways after the Gujarat violence. The nature of their work and the level of involvement were dependent on the orientation of the organizations themselves. At

the outset (i.e. Relief stage) many local, national and international organizations came to the forefront. Once the immediate needs had been met, the issue of Rehabilitation confronted them. Here once again, one sees that development oriented NGOs with resources, skill and determination stuck on and worked relentlessly with the victims – for relocation, employment generation and overall rehabilitation. These groups were concerned with the empowerment of the minority groups so that they become self reliant to face future life challenges. At another level one saw the active involvement of various independent concerned citizen's groups who painstakingly documented the events of the carnage and provided with detailed and comprehensive recommendations for the state government to act upon. In the present scenario, activist organization and advocacy groups are relentlessly and fearlessly working for the logical culmination that such a disaster should reach; that is, dispensation of justice to the victims of the violence. They are involved in pressurizing the institutions of the state, particularly the Judiciary to bring the guilty to book. They want to ensure that those who infringe on the basic human and civic rights of citizens are punished under the due process of law of the land. The journey is arduous, but little victories are being won, the Supreme Court judgement of April 2004 in the Best Bakery Case being a case in point which not only shifted the trial to Maharashtra but also was very critical of the Gujarat government and its role in abetting and shielding perpetrators and the state High Court for being lax in dispensing justice.<sup>54</sup>

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<sup>54</sup> Supreme Court Judgement on Best Bakery Case (2004), Combat Law, New Delhi, pp. 16-18.

## **CHAPTER V**

### **CONCLUSION**

The preceding chapters have dealt with the themes of conceptually understanding state-NGO relationships in the present context and then tried to understand and analyze how NGOs and other civil society groups tried to work within the confined spaces provided to them in the aftermath of the Gujarat riots.

This case study has been presented as it helps us understand how State and NGOs interact vis-a-vis each other in a crisis situation of this magnitude and what are the possible outcomes of the same. As has been very evident in the earlier pages, there seems to have been little synergy built between the two in this particular situation. The relationship rough shod on conflictual terrain. The vigilant and active NGOs were critical not only of the response of the state after the riots, but many of them also openly indicted the State Government of grave complicity and abetment in perpetration of crimes against its own citizens on the grounds of their religious identity. Even during the critical phases of relief and rehabilitation and on issues of handling compensation, lodging of FIRs and so on, the state government shirked off from its legal and moral responsibility. Even international tenets like the UN Guiding Principles on Internal Displacement (see Appendix IV) state clearly that the responsibility of safe shelter, relief provision and adequate rehabilitation lies with the state authorities.

These tenets, apart from the others relating to UN convention on genocide and UN Declaration of Human Rights (1945) were openly flouted.

Civil Society Organizations (CSOs) and NGOs came forward when the state refused to discharge its responsibility. Many of the NGOs candidly admit in their reports that the state with the immense resources at its disposal and its wide outreach, is the most vital agency for providing any kind of aid to the victims. However, since the state was not forthcoming with adequate relief and rehabilitation measures, the NGOs had to step in. No matter how localized, short term and wanting their efforts were, they were very critical in providing the victims with some kind of succor and support at their most vulnerable time of need. At the relief stage, one witnessed very little planned or coordinated effort between the state and NGOs. In most of the cases NGOs and leaders of CBOs had to keep pushing and cajoling the state to take prompt action wherever required.

In terms of coordination, NGOs were available for referral services between camps and public hospitals. Another instance was the help NGO volunteer extended in filing FIRs and accompanying victims to nearby police stations. One instance of a coordinated effort for the rehabilitation of the victims is the 'Shanta project' being implemented by the Department of Women and Child Development in collaboration with SEWA. Apart from that, CARE (India) has

documented some instances where it was able to successfully involve the Government officials in some of its activities.

But by and large, such efforts have been few and far between. The role of the state vis-a-vis NGOs which could vary from being one of Regulator, Funder, Partner and so on has not followed any of these trends in this case. While the NGOs have, from their own side demanded, relief, rehabilitation and justice for the victims, the State's response has been one of apathy and a very superficial attempt to provide some monetary aid in the form of compensatory doles etc. which has been brushed aside by many as mere 'tokenism'.

The work of many of the organizations actively involved in the field has been commendable. Their workers and volunteers have had to work in adverse circumstances, many a times facing explicit threats from Hindu fascists. At other times faced latent disapproval, ridicule and animosity from those around them. One of the major critiques of the NGO sector has come from activists and developmental workers from the same field. Gujarat has had a long history and tradition of voluntarism. The social sector has always been actively involved in issues of development of the society. This was clearly manifest in the Kutch Earthquake of 2001, when in exemplary show of solidarity, the entire Gujarati civil society and the rest of the country came together to help the victims and survivors of the quake. However, it was lamentable that many group and organizations chose to maintain a stoic silence while the state burnt round them during the communal

violence just one year later. The socio-political scenario was charged with the BJP Government headed by Narendra Modi, an RSS hardliner at the helm of affairs, society stood communalized through long years of false hate propaganda spread against Muslims. There was a communalized society on one hand, a callous state on the other. Many NGOs were not willing to come forward and help the victims as any such attempt also required explicit condemnation of the partisan role of the state. This tacit silence on the part of some organizations have come under sharp criticism by other NGOs which did get involved and took a clear stand vis-a-vis the violence.

The State on its part did not even ask the international UN agencies for any assistance under the guise of the whole issue being its 'internal affair' which it was capable of handling on its own. Such assistance would have been of tremendous help to the affected populace.

An interesting development that has been witnessed during the rehabilitation phase is the emergence of new CBOs (Community based organizations) which have been formed with a vision of working for the empowerment of the Muslim Community through Education and taking on other development issues so that they have a strong collective voice in their local political domain. This is a very promising sign. Old NGOs and their networks with their resources, knowledge and skill base have the responsibility to facilitate the development of those groups. Once these groups gain legitimacy in the community,



they can work for issues of their own concern. These CBOs, with their leadership and membership both drawn from the community will be in a better position of strength to understand their demands and needs better. They can channelize the energies of these groups members into positive pursuits. The new groups can also become strong forms for articulation of the demands of the minority community from the state. Thus, the groups can operate within the Welfare Development and Empowerment models as the need maybe. Another remarkable development has been the fact that many Muslim women have entered the public arena for the first time in their lives. The enormity of this situation confronting them of both personal and political loss was an opportune moment for them to take up responsibility for themselves and other affected people around them. Many of those women have realized the need of education, vocational training and exposure to public life as these are imperative for understanding the complex issues concerning them and evolving strategies of self help for the same. It is essential that such initiatives are encouraged by the community members and other secular NGOs so that they are strengthened. They can go a long way in fighting for gender justice of one level and also for the rights of the minority community as a whole.

There is always a criticism leveled against development workers and NGOs working with urban and rural poor that most of them are 'outsiders' to their context and life situation. This is a way, hampers their perception of the community's needs and so on as they work

with their own understanding on issues. This dilemma to a large extent can be resolved if the workers and groups merge from within the community. They are rooted in their own context. Their actions will have a strong bearing on the society at large and their own locale. Thus, this development should be supported by the civil society. Here also, one has to be cautious that the state, through its coercive tactics does not quell such voices.

Development organizations and professionals in the field have tremendous potential to influence government policy on one hand (through advocacy, networking and lobbying) and change societal attitudes and mindsets on the other (through awareness generation, sensitization, campaigning and so on). However, as has been reiterated many a times, development issues do not operate in a vacuum. Unless and until larger issues of socio-economic progress of vulnerable groups, ensuring a safe environment for them to work in, equitable distribution of resources and systematic patterns of social exclusion are not addressed and critical issues of social justice are not abandoned, the fight against communal forces will be a very superficial one. The main argument here entails that though the importance of welfare and charity orientation in social work (and being followed by many NGOs) cannot be undermined, one has to be cautious in equating the poor and socially excluded as one's client group, passive recipients of aid and charity. The main thrust for NGOs should be to constantly move away from the 'NEEDS' perspective to the 'RIGHTS' perspective. The rights based approach revolved around

the understanding that citizens have a well defined, clearly laid down set of human rights (political, economic, social and legal) and their infringement by any other individual, group or institution is a violation of the legal rules laid down by the democratic state. Hence any such violation is liable to be challenged and punished in the courts of law of that land. Thus, here 'citizenship' and strengthening citizenship rights become core areas of concern. It is the duty and responsibility of civil society organizations (CSOs) and NGOs that these and exercised citizenship rights are extended by all citizens irrespective of their ascriptive identities of caste, religion, race and so on. When NGOs work within the 'rights' framework, then the question of 'Agency' becomes critical. Agency involves an understanding that the stakeholders concerned are themselves 'capable agents' of positively affecting and changing their environment and life situation. Intellectual opinion in the country has to understand that the state does remain a critical mobilizing agency, especially in developing countries. Since rights can be realized from the state, civil society has to constantly grapple with newer, stronger ways to pressurize the state into granting, enhancing and protecting these citizenship rights of its citizens.

International organizations like Human Rights Watch (New York) and Amnesty International (London) have documented the systematic denial of basic human rights of Indian citizens by fanatic groups and formations. Sometimes unfortunately the political leadership of the state subverted the state into conniving with such

extremist groups to perpetrate heinous crimes against humanity. At other instances, the State apparatus, (that is the police and civic administration) was found lacking in commitment to counter and stop the lawlessness, arson looting and killing. Both these trends are very dangerous and erode the secular credentials of our democratic polity. Even national activist organizations, like Lok Shahi Hakk Sngathana (Mumbai), Citizens Initiative (Gujarat) and Communalism Combat (Mumbai) have produced well documented reports which pin point to state connivance, laxity and overall failure to protect the rights of its citizens. A natural fall out of this contention is the issue related to that of provision of justice to the victims. This can be achieved only by meting out harsh punishment to the guilty. This will go a long way in reposing the faith of the minority community in the institutions of the state which at present lies in tatters. Activists from within and outside Gujarat, are engaged in long drawn, tedious legal battles in some of the important cases that are going on in the Gujarat High Court and Supreme Court of India. A major victory of sorts was won when recently in April 2003, the Supreme Court of India directed that the Best Bakery Trial be conducted outside Gujarat (in the neighbouring state of Maharashtra) as the atmosphere in Gujarat was not conducive for a fair trial to take place. The various organizations and individuals involved in the process deserve accolades for constantly supporting the case by thorough follow up, ensuring safety of the victims and full involvement with the case. Conviction of the guilty in these cases will strengthen civil society's faith in the institutions of governance in the

country, the judiciary, a vigilant media (that has kept the debate over these cases alive) and in its own secular credentials.

Apart from the criminal cases underway, there are other urgent needs that have to be looked into. Report after report has pointed a finger of suspicion to the partisan and criminal role of the police and civic administration. Non statutory bodies like the NHRC, NCM, human rights groups like Amnesty International and other citizens reports have provided with a detailed set of recommendation to be studied and followed as far as possible. If the guilty police officials and so on are also brought to book, if investigating teams find them guilty, then this will send very strong positive messages to the minority community in particular and the larger civil society as a whole. Only when justice has been secured by the affected people, will any discourse on relevance and importance of maintaining peace and communal harmony have any meaning. Fostering communal harmony is a long term vision which requires a fertile ground for it to grow and flourish. Secular NGOs and citizen's groups with a firm commitment to peace have to provide for those set of situations. For achieving this, they have to provide for those set of situations. For achieving this, they have to constantly engage with the state in a variety of ways. The locale specific needs and demands of groups may vary, but the overarching issues of socio-economic integration, social inclusion remain universal desires. Many new and old organizations have come up to work specifically on this issue as there is a felt need that communalism as a problem has gained in great proportions and is becoming a menace to peaceful coexistence. Some of the prominent

NGOs have done good work in this field. They have evolved models which can be emulated partially by other like minded groups in their own work context. The MCMT (Mohalla Committee Movement Trust) is based in Mumbai. It was set up in 1993 by two retired IPS officers Mr. Satish Sahney and Mr. Julio Reberio. They have been instrumental in setting up peace committees comprising of secular, non-political community leaders from all communities. They work in close coordination with the police. In times of peace, they are involved in day to day development issues of their area. However, if tensions conflagrate, they hold frequent meetings, talk to their communities and try to defuse the tension before the situation gets out of hand. The MCMT also organizes peace cricket matches, celebration of festivals, painting contests in schools etc. as a means of getting people of both communities together. Ashghar Ali Engineer's organization called CSSS (Centre for the Study of Society and Secularism) is involved in publishing journals and conducting sensitization workshops for police personnel and breaking down their inherent communal biases. Other groups like SAHMAT (Delhi based) use cultural forms of music, dance and street theatre to spread the message of peace. Activist organizations are sharper and more vociferous in their condemnation of state inaction which conflagrats conflicts. Though the approaches and strategic followed may differ, yet they are bound by their commitment to fight communalism.

These NGOs can form strong networks and engage the state's attention to its concern. They can send the message across to the state that a majority to people in the country do not sanction violence

in the name of religion and political groups should stop indulging in the same tactic over and over again. They have to reiterate their demand of disbanding/banning/deligitmising of such groups by the state to ensure a less polarized society. The state, on the other hand can use these NGOs to work closely with the vulnerable and socially excluded sections of society. The state, through its institutions like NFCH (National Foundation for Communal Harmony) and NFRBM (National Financial Reconstruction Board for Minorities) can assist the NGOs engaged in working with the minorities and/or working on issues of communal harmony. Once again, it boils down to having a firm political will. In the present times, when the democratic political landscape of the country is being redefined by a form of cultural nationalism (represented largely by growth of the Hindu Right with the slogan of 'One Religion, One Nation, One State') it is imperative that the civil society wakes up to the enormous harm this kind of understanding has the potential of unleashing in a diverse and plural society like ours. Civic Nationalism has to be valued over cultural nationalism. A free press, vigilant and aware civil society through its various organizations and groups and non partisan institutions of the state (viz. the judiciary) can prove effective checks on the growth of these forces.

If NGOs move beyond the paradigm of just doing short term relief work during a riot situation and instead incorporate tackling communalism as a part of their larger goal and objectives, many a victories can be won.

To conclude, one may say that the relationship between the state as an actor on one end and the NGOs on the other may vary from one of conciliation, cooperation, assimilation to confrontation. However, in a representative democracy, these groups as conscientious agents of civil society have the power and the responsibility to check the arbitrary actions of the state. The most effecting way of doing this, is by enhancing the citizenship rights of the communities they work with. A closely coordinated relationship between the two can create tremendous potentialities for a fuller, and more just social order to be established.



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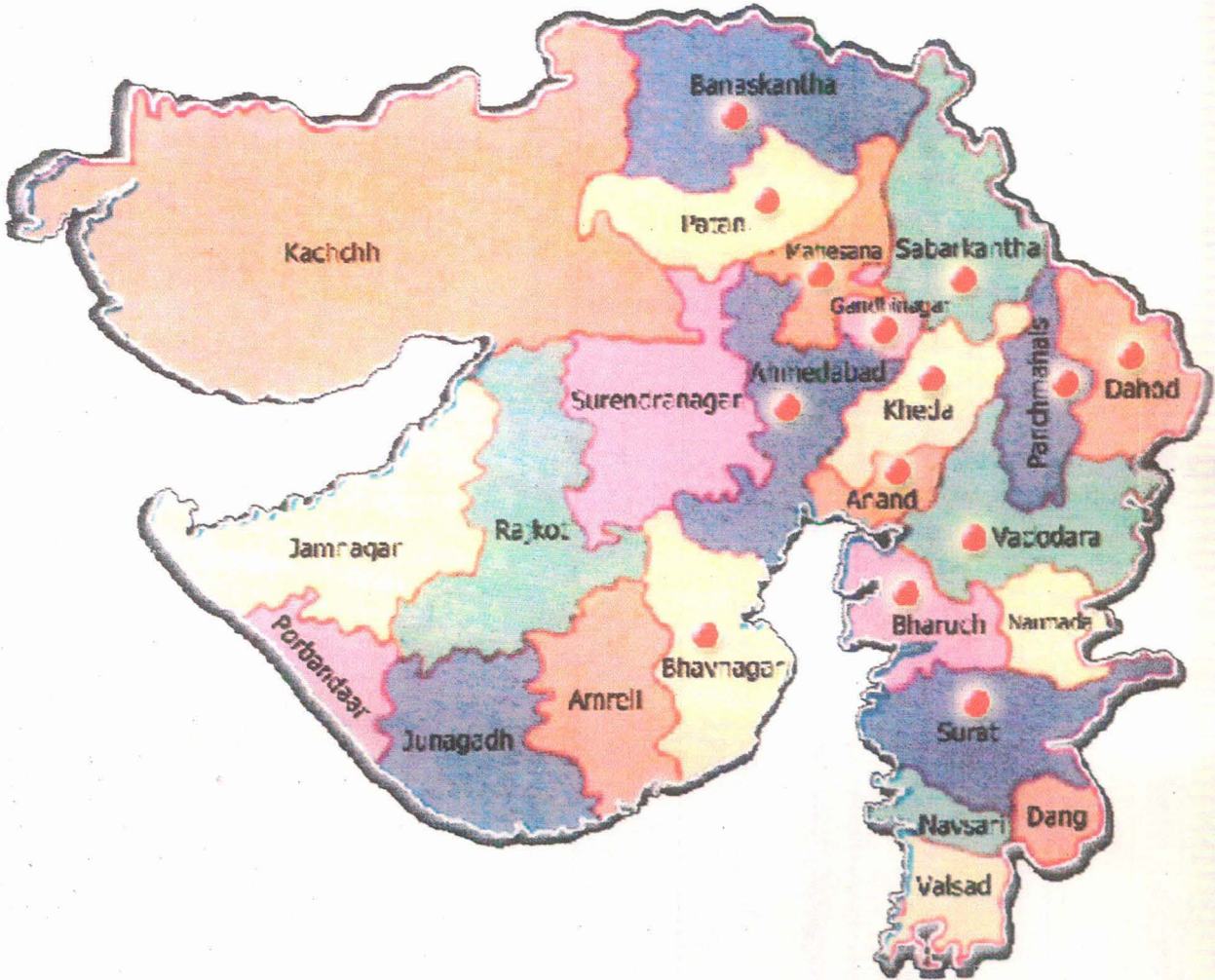
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# MAP OF GUJARAT



Source: Report from International Initiative For Justice In Gujarat, 2003, Bombay.

## APPENDIX – I

### RELIEF AND RETAILS PROVISIONS

#### AID FOR SHELTER

G.R. No. RHL232002:513 – [5] – S.4 dated 20.3.2002,

**Loss of house : Ex. Gratia amount from Rs. 5,000/- to Rs. 50,000/- would be granted.**

➤ If loss is more Rs. 50,000/- then the following documents will have to be obtained.

[a] Consent of Collector in urban areas or consent of DDO in rural areas.

[b] Collector / DDO / Revenue Officer will constitute teams that will survey the damage caused

➤ Survey team will include:

1. Dy. Mamalatdar/ Circle Officer / Distribution officer/ Representative of the Panchayat department
2. Addl. Engineer / Joint Addl. Engineer/ Section officer / Overseer – Roads & Building department
3. Local area Talati / Talati cum mantri

➤ The survey report so made shall be signed by both the Collector/ DDO as well as the Dy. Executive Engineer

## CAMP ASSISTANCE

**G.R. No. RHL 232002 : 513 – [3] – s.4 dated 6.3.2002**

- Every camp would be given the following at the rate of per person per day.
  - 400 g. wheatflour,
  - 100g rice,
  - 50g. oil,
  - 50g. pulses,
  - 50g. sugar, and
  - 50g. milk powder.
- Also Rs.5/- per person for miscellaneous expenses for vegetables, vessels, spices etc.
- Special permission of Collector required to run such camps.
- Atleast 100 persons should be inmates of a camp so that it can be recognised by the government.
- Adequate water, health and sanitation facilities to be provided.
- Camps would have Health Officer, Sanitation Inspector and a Liaison Officer.
- Proper register and books of accounts will be maintained.

## CASH DOLES AND HOUSEHOLDS KIT ASSISTANCE

G.R. No. RHL 232002 : 513 – S.4 dated 5.3.2002

- Cash Doles : Rs. 15/- per person per day for 15 days for a family of 5.

In order that the family get cash doles the destruction to house should be more than 50%.

- Household kit assistance : Rs. 1250/- provided that destruction caused to household items is equal or more than sanctioned amount.

**PROCEDURE TO BE FOLLOWED FOR CLAIMING ENTITLEMENT OF  
COMPENSATION WHERE DEAD BODIES ARE NOT IDENTIFIABLE**

**G.R. No. RHL-102002-681-S.4 dated 6.4.2002**

- A Committee is appointed to look into these matters under the Chairmanship of the Collector.
- Representation of such incidents or cases to be made to the Committee.
- Committee to investigate within 2 weeks and decide whether legal heir is eligible for compensation or not.
- Legal heirs have to produce adequate evidence, an affidavit which shall be checked. Then an indemnity bond and a surety bond shall be executed which shall be checked by the Committee. Solvency of person giving such surety shall be investigated.
- If dead body of the person is not identifiable and the legal heir is a minor, then Collector shall take responsibility of ensuring money is reaching the right hands.
- In such cases the committee may meet once every 2 months to review such cases and decide further course of action.
- The Committee is competent to taken any decision in such cases. It can investigate into the veracity of the claim and the identity of the claimant and then take appropriate decision.
- Though the title of the government resolution does not mention, the introductory paragraph mentions that the same procedure can be adopted in cases where the persons are lost or missing.

**AID TO SMALL SCALE UNITS AND OTHER SELF EMPLOYED LARI  
GALLAWALAS, ETC.**

**G.R. No. RHL 232002 : 513 – [4] – S.4 dated 11.3.2002**

- For loss of earning assets like hand carts, Larri Gallas, Cabins, vehicles, boats and also for small shop owners:
  - These persons will not be eligible for compensation under the Schemes of Industries & Mines Department. These persons have to choose between aid under this resolution or that under the schemes of the Mines and Industries department.
  - Only those persons against whom no offence has been registered or those persons who have not been actively involved in the riots are eligible for aid under this scheme.
  - Team consisting of
    - [a] Dy. Mamalatdar/Circle Officer/ Distribution officer/ Representative of the Panchayat department
    - [b] Addl. Engineer/ Joint Addl. Engineer/ Section officer/ Overseer – Roads & Buildings department
    - [c] Local area Talati/ Talati cum mantri
- shall be constituted for assessment of destruction to such establishments.

## INJURY COMPENSATION/DISABILITY COMPENSATION

**G.R. No. RHL 232002 : 513 – [2] – S.4 dated 4.3.2002**

® Immediate relief to persons who have become disabled as a result of these riots.

- Upto 10% of disability : Rs. 2,000/-
- 10% - 30% disability : Rs. 3,000/-
- 30% - 40% disability : Rs. 5,000/-
- More than 40% disability : Rs. 10,000/-

® If disability is permanent, then an addl. amount of Rs. 40,000/- (along with Rs. 10,000/- the entitlement for disability more than 40%) will be given.

### Necessary documents:

- Certificate of disability issued by Medical Officer, duly countersigned by Civil Surgeon.
- Addl. money for permanent disability will be issued only on production of certificate issued by Civil Surgeon based on the opinion of a competent Specialist doctor.
- If treatment is taken in a private hospital, certificates as mentioned above issued by the Civil Surgeon have to be submitted.

## DEATH COMPENSATION

**G.R. No. RHL 232002 : 513 – S.4 dated 9.3.2002**

- Amount of compensation as per GR : Rs. 1,00,000/-  
Rs. 40,000/- to be paid in cash & Rs. 60,000/- to be paid in Srinidhi Bonds.
- Amt. Given from Central Government : Rs. 50,000/-  
[From P.M. Relief Fund; as announced by the Prime Minister after his visit]
- **Total amount as death compensation : Rs. 1,50,000/-**
- Amount in Srinidhi will accrue after a period of 3 years and will be the responsibility of the Collector to ensure regular payment.
- Rates of interest as it changes from time to time will be applicable for the bonds.
- Payment of interest will be made on a monthly basis by post-dated cheques/interest warrants so that family of the deceased receives a regular income.
- Certificate as to legal heir will be given every year in April by Collector to ensure that legal heir is alive.
- Collector is the first depositor and legal heir the second depositor.



## APPENDIX – II

### DISPARITY BETWEEN PACKAGES ANNOUNCED AFTER EARTHQUAKE AND THOSE ANNOUNCED AFTER COMMUNAL VIOLENCE

Aid to be given in respect of	As per the GR after Earthquake for the earthquake victims	As per the GR after the Communal Riots for victims of the present communal riots
Death	Adults: Rs. 1.5 lakh Children: Rs. 60,000	Rs. 1.00 lakh per victim Rs. 50,000 ex gratia payment from the PM relief fund as per declaration of the PM
Injury	Major surgery: Rs. 10,000/- Minor surgery: Rs. 5,000/- Minor injury: Rs. 2,000/-	Injury and disability is the same announcement has been made with respect to percentage of disability
Disability	Extent of injury more than 40% [permanent disability]: Rs. 50,000/- Extent of injury less than 40% [temporary disability]: Rs. 25,000/-	Only for victims of Godhra carnage; Less than 10% disability: Rs. 2000/- 10%-30% disability: Rs. 3,000/- 30%-40% disability: Rs. 5,000/- More than 40% disability: Rs. 10,000/- Permanent disability in the more than 40% category; an additional amount of Rs. 40,000/-
Food distribution		400 gm. Wheat flour, 100 g. rice, 50g. oil, 50g. sugar, 50g. milk powder Rs. 5.00 for vegetables, vessels and spices will be given
Cash doles	It was initially Rs. 900 for a family of three persons [break up of which is at the rate of Rs. 10 for 30 days per persons per day]. It was later changed to Rs. 10 per day per person for 15 days for a family of 3 and then for another period of 15 days Rs. 15 per person per day for a family of 5. All persons are entitled to cash doles	Rs. 1125 [at the rate of Rs. 15 for 15 days per person per day] for a family of 5 persons where destruction caused to the house is more than 50%. Also if a person is residing in a relief camp he/she is not entitled to cash doles.
Household kit allowance	Rs. 1,250 per household	Rs. 1,250/- per household in houses where the loss has been more than the mount declared as allowance to be given.
Aid for shelter	Various packages have been announced keeping in mind the destruction, seismic zone and geographical area.	Ex, gratia amount from Rs. 5,000/- to Rs. 50,000/- would be granted. This is as per the GR which follows the old GR. Nothing is mentioned to specifically talk about urban and rural areas.

## APPENDIX – III

### **EXPLODING the Myths *Some Facts on Muslims***

**The population is increasing faster than the Hindu population. They will become the majority soon.**

The 2001 Census figures tell us that nearly 85 per cent of the Indians are Hindus and 12 per cent Muslims. The growth rate for Hindus is 2.19 per cent per year and that of the Muslims 2.71 per cent per year. If we assume that India's population continues to grow at today's rate, it will take 400 years for the Muslims to reach even 50 per cent of the Hindu population.

**Muslims and Islam have no tolerance for other religions.**

Out of the total 57 countries that are members of the Organisation of Islamic Countries, only 10 follow an Islamic Constitution. The largest Muslim majority country in the world is Indonesia. It is a secular country and allows the practice of all religions. Hindus and Christians form about 10 per cent of the population, and Hindu temples and Christian churches are freely functioning. There has never been an attack on Hindus in Indonesia.

**Muslims are prospering because they have been pampered by the government.**

Current data show that more than 50 per cent of Indian Muslims are living below the poverty line. In rural areas, more than 90 per cent of Muslims have landholdings of less than 2 acres. Muslims form less than 3 per cent of the IAS officers. A recent survey shows that there are only 8 Muslim police chiefs in India's 591 districts. Muslims are thus one of the country's poorest communities. Can we say Muslims are being pampered?

**The Muslim kings demolished temples all over India in order to destroy Hinduism.**

Traditionally temples and other holy shrines had gold, jewels and other forms of wealth in them. Therefore the primary motive for demolishing temples, in the olden days was not religion but wealth. Not just in India but also across the world, kings and rulers, irrespective of their religion, have plundered religious places for their own aggrandisement.

**Muslims got their country when Pakistan was created, now they should leave our country.**

The first person to talk of a separate country for Muslims and Hindus in public was Hedgewar, the first leader of the RSS. He spoke of it in 1920. At that time, the Muslim League and Mohammad Ali Jinnah said that there was no need for a separate country. It was only in 1940 that the Muslim League started demanding the Partition of India. Millions of Indian Muslims opposed the Muslim League's idea of Partition and opted to stay back in India. Therefore, legally and morally they have as much right to live in India as they are as much Indian as anybody could be.

**The religion of Islam is focused entirely on violence and built around *jihad*.**

The word 'Islam' means peace and submission. Peace means to be at peace with yourself and your surrounding and submission means submission to God and obey his commandments. A broader meaning of the word 'Islam' is to achieve peace by submitting to the will of God.

The word *jihad* means, 'to struggle'. The Koran uses it to mean, 'to struggle within oneself, to work towards being a better person'. Certain anti-social groups using Muslim sounding names, misuse this word. They say *jihad* means holy war. They are very much like the fundamentalist elements in any religion. For example, VHP and RSS blame Muslims for India's problems and say that demolishing mosques is justified by the Hindu *dharma shastras*. Most Muslims oppose the misuse of the word *Jihad*. In Pakistan the parties that talk about *jihad* and holy war have never received more than 5 per cent of the votes. Ordinary Muslims, like ordinary people everywhere, are mostly interested in peace, harmony and a dignified life.

**Muslims get rid of their wives by saying 'talaq' three times in succession.**

This is not true. In most Muslim countries *talaq* has to be declared in front of a Maulve (priest) or some responsible person of the community, and there has to be a reasonable period for reflection (at least a month) between each declaration of 'talaq'. Mohammed said, "The most detestable among the permissible things in the sight of Allah is divorce." In India, while it has become the practice in some parts to declare *talaq* three times in succession, the move for reform has already been launched by Muslims themselves.

**The Koran asks Muslims to destroy idols and places of worship of other religions.**

It is true the Koran prohibits idol worship. However, it also enjoins upon Muslims *not to insult those, whom they (non-Muslims) worship besides Allah, for in doing so one may insult Allah wrongfully, without knowledge (Koran 6.208)*. Fundamentalists of all religions have destroyed places of worship of other faith. But this is not sanctioned by any religion, including Islam. Far from it, destroying palaces of worship is in complete violation of the tenets of all religions.

**Muslim and Christian cultures are foreign to India.**

We all know that both Islam and Christianity were born in the Middle East and their teachings have spread to different parts of the world. This does not mean that Muslims and Christians across the world are the same. The Indian Muslims are culturally very different from the Arab Muslims and so are the Indian Christians different from European Christian. Over the centuries they have become an integral part of the pluralist tradition of India and hence very much Indian. A large part of the composite culture of India derives from elements drawn from people of various faiths, and all these elements are equally part of a rich culture that is uniquely Indian. This culture has enriched all our lives.

### **Most of the world's terrorists are Muslims.**

The largest and most powerful group in India's list of terrorist organisations is the Liberation Tamil Tiger Eelam (LTTE), an organisation which has a membership almost entirely from the Hindu community. In the world, one of the worst slaughters in the last ten years was killing of nearly 10 lakh people in Rwanda (Central Africa); the killers were the Tutse community, who are mostly born to the Christian faith. The worst killers were the Nazis in Germany, who slaughtered 1.2 crore people. They didn't even have a religion; they said they worshipped the German Fatherland. In fact terrorists and killers born to any faith have no religion. They act contrary to the teachings of all major world religions.

### **The Indian Muslims are not patriotic.**

Many of the greatest leaders, army persons, scientists, intellectuals and artists who have done India proud have been Muslims. Muslims in India have fought the nation's enemies, as have other Indians. They have contributed to nation building and development. As are to be found in all religions and not just Muslims. Do we all not know that most of the people indicted for spying or for major acts of corruption and bribery are not from the Muslim community. Maulana Abdul Kalam Azad was leader who stood shoulder to shoulder with Mahatma Gandhi and Jawaharlal Nehru. Three Presidents of India, Zekir Hussain, Fakhruddin Ali Ahmed and APJ Abdul Kalam are Muslims. Most of our music maestros, namely Ustad Allarakha Khan, Ustad Amjad Ali Khan, Ustad Bismillah Khan and popular musicians and singer, Naushad, Mohammed Rafi and AR Rahman are Muslim; so are some of our most famous film personalities: Madhubala, Nargis, Dilip Kumar, Shah Rukh Khan and Mumtaz; and our poets Ghalib, Kaifi Azmi and Javed Akhtar. Some of our best cricket players: Pataudi, Syed Kirmani and Mohammed Azharuddin are Muslims.

### **It is Muslims who start a communal riot.**

There have been 249 riots in India according to government statistics. It is a well-known fact that in all communal violence that have taken place in India since Independence, more than 75 per cent of the casualty – in terms of lives and property destroyed – involves Muslim. Commission of Inquiry Reports and independent Fact Finding Studies after every communal riot have established that no one exactly knows who or which community can be blamed for sparking off riots. Rumours and mis-information play their part in fanning emotions on each side. So it is the truth that is the first casualty. Ordinary people of both faiths, Muslim and Hindu, are victims of all riots, whereas fundamentalist leaders who cynically fan communal sentiments are known to rarely suffer in any riot.

### **Islam oppresses women.**

No, on the contrary, Islam elevated the status of women 1,400 years ago by giving them property rights and financial independence. While in the rest of the world, including Europe,

women had no such rights. According to the Holy Koran *women are equal to men in all acts of piety* (Koran 33:32). Islam allows women to keep their maiden name after marriage, keep their earned money and spend it as they wish. It is true that greater gender justice is needed in some aspects of Islamic personal law. But equally there is need for reform in the personal laws of other religions, including Hinduism, for instance property rights and the condition of widows.

#### **Urdu and Arabic are the languages of Indian Muslims.**

Muslims across the country use their respective regional languages. While Bengali Muslims converse in Bengali, Tamil Muslims use Tamil, Punjabi Muslims use Punjabi; hence it is not true that Muslims only talk in Urdu. Some of them do use Urdu because they rightly believe it is very much an Indian language and has emerged in the medieval ages in the army barracks. Urdu is a synthesis of several languages borrowing its words from Sanskrit, Persian, Hindi, English and Arabic languages and is used not just by Muslim people. Its poetry and literature are a proud part of the legacy of all Indian people. As for the use of Arabic, since Islam was born in Arabia the *Koran* is in Arabic. None of the Indian Muslim families use Arabic in their daily conversations.

#### **The RSS, the VHP, and similar organisations are pro-Hindu and fight for the welfare of the Hindus.**

Mahatma Gandhi, the father of the nation was a devout Hindu and was deeply opposed to the ideologies of the RSS and other fundamentalist organisations. Many Hindus in Gujarat were killed or beaten up because they tried to save their Muslim neighbours. Geeta Behen, a Hindu woman married to a Muslim was killed by a VHP mob. Several Gandhians and human rights activists were told that they would be killed if they criticised the VHP anymore. Today most Hindu religious leaders oppose the VHP. Five of the seven *akhadas* (groups) in Ayodhya as well as the four main Shankaracharyas (Dwarka, Puri, Joshimath and Sringeri), have condemned the VHP. A few months ago, the Shankaracharya of Goverdhanpuri said the VHP is a terrorist organisation and should be banned.

Even the priest of the Ram idols in the Babri Masjid alleged that the VHP was just exploiting the religious issue and said he opposed the plan to demolish the mosque. Unknown assailants killed him two years later. Trustees of the Ram Janmabhoomi Nyas say the VHP has stolen a lot of the money meant for the temple. It is clear that these groups are not protectors of Hindus or Hinduism. Their core agenda is to keep provoking the Hindus and Muslims to continue killing each other. Both Hindus and Muslims can only be safe in a genuinely free, secular and peaceful India, where all religions are allowed to live in harmony and all people are treated with dignity.

## APPENDIX – IV

The U.N. Guiding Principles on Internal Displacement were presented to the U.N. Commission on Human Rights (the Commission) in 1998 by the Special Representative of the U.N. secretary-general on internally displaced persons, Francis Deng and unanimously adopted by the commission. Although non-binding, the Guiding Principles are based upon and reflect international humanitarian and human rights law, which are binding. The Guiding Principles address all phases of displacement—providing protection against arbitrary displacement, ensuring protection and assistance during displacement, and establishing guarantees for safe return, resettlement, and reintegration. The Guiding Principles have gained widespread international recognition and authority. Resolutions of the United Nations Commission on Human Rights and the General Assembly have described the Principles as a comprehensive framework for the protection of internally displaced persons, and have welcomed their use and encouraged U.N. agencies, regional organizations, and NGOs to disseminate and apply them. U.N. agencies and NGO umbrella groups in the U.N. Inter-Agency Standing Committee have endorsed them. Regional bodies in the Americas, Africa, and Europe have endorsed or acknowledged them with appreciation. Individual governments have begun to incorporate them in national policies and laws and some national courts have begun to refer to them as a relevant restatement of existing international law. See [http://www.reliefweb.int/ocha\\_ol/pub/idp\\_gp/idp.html](http://www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html) (accessed April 23, 2002).

