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Religious Radicalism and State Policies of Democratic Governance and Human Rights

The domain of security in South Asia, more conventionally if not somewhat proudly referred to as “national security,” has come under pressure from several directions in recent times. A current significant influence comes from the vigorous practice of political and religious majoritarianism, one that has contributed to the growth of conflict and instability in almost all of the South Asian states.

Since decolonization of the Indian subcontinent in 1947, South Asia has witnessed numerous internal armed conflicts across the region. Even Nepal and Bhutan, which escaped British colonialism, have witnessed armed conflict in the recent past. Most of the conflicts arise from the states’ inability to ensure the necessary democratic institutional mechanisms to resolve key political problems. The inherent flaws in the state- and nation-building process have been accentuated by authoritarian governments that often function beyond the limits of even the unlawful national security laws they enact.

The large number of low-intensity, internal armed conflicts across South Asia is testimony to the failure of South Asian states to fulfill the aspirations of their citizens. The origins of these conflicts range

from the demand for right of self-determination to radical changes in the state apparatus. Movements such as the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, Samjukta Jana Morcha (United Peoples Front) popularly known as the Maoists in Nepal, the Muttahida Quami Movement (MQM; formerly known as the Mohajir Quami Movement) in Karachi and many of the armed opposition groups in the Indian states of Jammu and Kashmir, Assam, Tripura, Manipur, Nagaland, Bihar and Andhra Pradesh are illustrative of the ongoing problem. In Sri Lanka the conflict in the north and east of the country has resulted in the loss of more than fifty thousand lives¹ and the displacement of more than a million people both internally and externally. Another concern is the continuing arrest and detention of political activists in southern and eastern Bhutan and the Chittagong Hill Tracts of Bangladesh.

The response of governments in South Asia, irrespective of their geographical boundaries, political stripes or forms of governance to the radical groups and the civilians who live in these internal conflict situations, has been similar. The reaction took the form of brutal suppression of political dissent and the violation of various national and international human rights laws and international humanitarian laws by security forces. Impunity provided to law enforcement officials has only encouraged further human rights abuses.

Since September 11, 2001, the ruling dispensations all over South Asia seem to have identified their own "axis of evil." In Sri Lanka, Sinhalese dominant right-wing "nationalism" is seen as a threat to the newly signed peace document. In Nepal, democracy and freedom of expression have been throttled in the name of curbing Maoist attacks. The influx of Bangladeshi Hindu minorities into India due to repression by the Muslim majority in Bangladesh and the migration of Bangladeshis in search for lebensraum have been devastating for the indigenous peoples in northeast India. In Bhutan, people of Nepali origin are facing the danger of forcible expulsion. The hundreds of thousands of refugees living in conditions of great neglect and suffering in Nepal seem to be nobody's concern. Similarly, the international community has watched in silence the growth of political and religious fundamentalism in Pakistan.

1. UNICEF, "Children and Women Affected by Armed Conflict in Sri Lanka, 2000-2001" (Colombo: UNICEF, September 1999).

Pakistan

THE RISE OF ISLAMIC FUNDAMENTALISM in Pakistan can be traced back to 1974 when a constitutional amendment declared the Ahmadis² a non-Muslim minority. The Ahmadis have suffered discrimination and persecution ever since. In 1977, devoid of a democratic constituency, General Zia ul-Haq turned to right-wing Islamic elements for support. This move subsequently coalesced with the goal of building linkages with the Afghan *mujahideen* after the Soviet intervention in Afghanistan in 1979.³ The role of Pakistan as a frontline state, serving American interests in the war against the Communist Soviet Union, had major consequences for Pakistan and its society. The combination of easy availability of arms and a growing, motivated cadre resulted in the rapid spread of violence that continues till the present.

Religious and ethnic organizations representing their respective communities are increasingly using violent methods, including terrorism, to achieve the ends that they have set for themselves, leading to a spurt in incidents of violence and terrorism in the last decade. The authoritarian character of the state has led to the control of state institutions in the hands of a select elite. The failure of successive regimes in fulfilling their stated development agendas has fueled ethnic tensions and made the state more dependent on Islam as a binding force for society and polity.

In the past ten years, an important factor in the internal strife in Pakistan has been the impact of the Afghan war. Its ramifications include the growth of various Islamic groups accused in running feuds between the Sunni and Shia organizations, and the drug mafia operating in Pakistan. These pose a threat to state security in the long run.

In the last few decades the MQM in Pakistan has made considerable strides in consolidating its cause and has since grown into a strong party aiming to further the rights of those who migrated from India in 1947. Over the years, it “has demonstrated a willingness to use violence to further its objectives.”⁴ Since its inception, it has

2. The Ahmadis are members of a religious group founded in the fourteenth century by Mirza Ghulam Ahmad of Qadian. They consider themselves to be Muslims but maintain a different view on the finality of the word of the Prophet Muhammed.

3. Ajay Behera, “Pakistan’s Strategic Vision: With or without the Taliban,” *Asia Times*, 22 March 2002.

4. U.S. Department of State, “Pakistan” in *Country Reports on Human Rights Practices for 1999* (U.S. Department of State, April 2000).

“generated income through extortion and other forms of racketeering.”⁵ Although the modern MQM has legitimized its means and worked within the political system, it has been unable to shed its violent and unlawful reputation. As a result, members of the MQM are continuously at odds with law enforcement agencies and are often arrested without cause and tortured.

India

IN INDIA, the activities of some armed opposition groups in north-east India, the state of Jammu and Kashmir, and parts of Andhra Pradesh have become virtually indistinguishable from those of criminals. These groups sometimes commit armed robbery, drug trafficking and extortion, while giving these acts a political cloak. As a consequence of these activities, endemic crime and a generalized breakdown of law and order has occurred in states such as Bihar,⁶ causing severe human rights violations.

Flawed state practices throughout the region contribute to fundamentalist activities. India is a case in point. First, by turning a blind eye to the perfidious activities of upper-caste Hindu fundamentalist and communal (i.e., sectarian) organizations such as the Bajrang Dal and the Vishwa Hindu Parishad—collectively, the sangh परिवार—and regional chauvinist political parties such as the Shiv Sena, and by ignoring the acts committed by private armies of feudal landlords in Bihar and Andhra Pradesh, the government has indirectly endorsed the aims and methods of these organizations.⁷ Second, the state has a direct role in funding and arming its own auxiliary militant groups in areas such as Jammu and Kashmir in

5. Ibid.

6. “The Fleshless Face of Bihar,” *The Hindu*, 29 March 1998 (noting that no matter what party is in power, gangsters in Bihar are better armed than police, far better protected, and have been made multi-millionaires through their extortion rackets and arms deals); “Lawlessness in Lalooland,” *The Hindu*, 1 March 1998 (noting that the violence in Bihar leads political parties, without exception, to brazenly play the caste card, court and field criminals, and resort to malpractices and violence); “Peaceful End to Repolling in India’s Most Lawless State,” *Agence France-Presse*, 30 March 1998 (documenting election-related violence in Bihar and calling Bihar India’s most lawless state).

7. Amnesty International, *AI Report 1997: India*, <http://www.amnesty.org/ailib/aireport/ar97/ASA20.htm> (accessed 16 April 1998) (concluding that in some parts of India armed militants carry out killings, abductions, and rapes with the apparent connivance of government security forces).

India.⁸ In the Indian state of Kashmir, the work of the security forces has been augmented through an insidious strategy of the government—the use of “reformed” or “renegade” militants as part of the counter-insurgency effort. These pro-government counter-militants are former separatists who have surrendered to the government but retain their arms and are usually involved in killings and abductions of suspected militants. Their exact number is undetermined but the official figure ranges between 2,500 and 3,000. They are funded by the government, which also exchanges intelligence with them and directs their operations, but at the same time they operate totally outside the purview of the law. Put differently, “their existence traverses law, crime and legitimate politics but crime is [their] idiom from start to finish.”⁹ These irregulars have been responsible for many of the abuses perpetrated on innocent civilians, and yet with the patronage of the security forces, they remain free and operational, a sort of Frankenstein created by the government, which it is unwilling or unable to control. Indeed, during the last election campaign Farooq Abdullah, current chief minister of Jammu and Kashmir, was fairly vocal in speaking out against the atrocities committed by these groups. However, since he has been in power he has implemented a policy directly contradicting his stated position.

New insecurities have been experienced by minorities in the region in general and in the Muslim minority in India in particular. India has one of the largest Muslim populations in the world, second only to Indonesia. Of the many perceptions of nationalism, the one that has risen to political rhetorical prominence in India bears the unmistakable stamp of a municipal parochialism, which is not very different from the cosmopolitan parochialism of the post-September 2001 Western world. The convergence of views on the “war” against “Islamic terrorism” has now been made a part of the official business of the rest of the world. As a result, executive functionaries in the world’s largest democracy have felt themselves a lot freer to use administrative machinery they command to renew their attacks on Muslim life, property and freedom.

8. U.S. Department of State, “India Country Report on Human Rights Practices for 1996” (1997) (affirming credible reports that government agencies fund, exchange intelligence with, sponsor, and direct operations of counter militants in areas such as Jammu and Kashmir).

9. Institute of Kashmir Studies, “Counter-insurgency in Kashmir,” April 1998.

The continuing violence in the Indian state of Gujarat and the enactment of new “anti-terrorism” legislation (Prevention of Terrorist Act, 2002, which even before its ratification by parliament had been invoked with sectarian selectivity against Muslims) do not just coincide with the new global offensive against Islam. These measures follow on the heels of the mindset that views all Muslims as “anti-national,” “the enemy within, potential subversives, and infiltrators” and as “owing their allegiance to the ubiquitous elsewhere of a militant Islam.”¹⁰ The global onslaught has merely provided an indulgent climate in which exceptional violations of fundamental democratic rights can take place. Domestic electoral compulsions are seen to supply the immediate and sufficient impulse for both the riots and stereotyping, which raises ominous questions about the trajectory of Indian democracy.

Scratch a Muslim and a fanatic is revealed, goes the argument laid down with supreme self-assurance by the nationalistic Hindu, laboring under imagined victimhood. Proof of this was on display in Gujarat recently, where good, middle-class Hindus, having done their armchair posturing, finally got a chance to go out and throw rocks at their Muslim neighbors because it was time “they” were “taught a lesson.”

The state is partly responsible for the reinforcing of stereotypes, as demonstrated some months ago by the Indian Prime Minister Atal Behari Vajpayee. At a public rally in the state of Goa, Mr. Vajpayee was reported as saying that wherever there are Muslims in the world, there is strife. “Once Islam meant tolerance, truth and compassion—from what I see now, it has come to mean forcing their opinion through terror and fear. Islam is run on *jihad*.”

As the statement made its way through the media, drawing criticism and making Indian diplomats squirm at international forums, the Indian government sought to put a spin on it, claiming the prime minister had been quoted out of context. But the message was clear. “We were secular even in the early days when Muslims and Christians were not here,” Mr. Vajpayee had said in the latter part of his speech. “We have allowed them to do their prayers and follow their religion.”

State-endorsed bigotry raised its ugly head in the corridors of power yet again when in April 2002, Gujarat Civil Supplies Minister Bharat Barot sent a letter to Gujarat Minister of State for Home

10. *The Week* (New Delhi), 7 April 2002.

Gordhan Zadaphia seeking to dismantle three relief camps in his constituency, Dariapur-Kazipur, in the city of Ahmedabad. The camps shelter more than six thousand survivors of the murderous violence in the city. Hindu residents said they felt insecure because of the large numbers of Muslims in the camps.”¹¹ Barot’s plea, however, was turned down, thanks to vehement criticism of the state government’s obvious disinclination to suppress the rioting.

For many in the ruling establishment, including the prime minister, Muslims are most definitely “the other.” Furthermore, “they” must live according to the diktat of “us,” the majority. Several others think no differently. In a press interview, Dr. Pravin Togadia, general secretary of the Vishwa Hindu Parishad (VHP) or the World Hindu Council, proclaimed: “The Indian polity has become a slave to jihadi vote bank [sic].” This sentiment was reiterated in the latter part of the interview, in which Dr. Togadia said that Muslims would “have to prove their credentials if they want to live in peace.”¹²

Add to this the paranoia that has been needlessly evoked by state authorities at the highest level and which has predictably, and menacingly, percolated down to the lower levels of the state hierarchy. The state theory—scratch a Muslim and you’ll find a terrorist—got a boost after the September 11, 2001 terrorist attack on the World Trade Center in the United States and the December 13, 2001 terrorist attack on the Indian parliament. These incidents led to focused as well as random targeting of individuals suspected of having committed, or about to commit acts of terrorism. Well-meaning individuals have been dubbed “pseudo-secularists” and criticized for helping the ninety thousand refugees across the state of Gujarat, most of whom are Muslim.

However, political manipulation and state apathy are not the only factors responsible for the rise of religious radicalism. The complicity of the state apparatus, as was evident during the recent rioting in Gujarat in India, has ensured that those who targeted Muslim citizens will have no qualms about taking up arms again at the first opportunity. In the case of Gujarat, the state did not even pretend to be neutral.

Attempts to deal with the perceived “enhanced security threat” have resulted in bizarre, and often tragic, incidents. In January 2002,

11. Ibid.

12. “The New Untouchables” (interview) in *The Week* (New Delhi) April 2002, 36.

three young Muslim men were detained at New Delhi's Indira Gandhi International (IGI) airport after they were "reported" by a person sitting next to them. The three men, who had come from Rampur in Uttar Pradesh to pick up their teacher, were speaking Urdu. Their conversation was about the general problems faced at airports, the Urdu word for "problem" being *masa'il*. Struck by the thought that the three bearded men were talking about missiles, a man sitting next to them reported the matter to the police, who promptly took the three men into custody.¹³ It took the policemen and the Intelligence Bureau officials twelve hours of interrogation to realize their mistake and set the men free.

In the same month, police in the northern Indian city of Lucknow arrested two Jordanians and a Palestinian for possessing false documents and overstaying, both valid grounds for arrest. However, the police went a step further. The men were declared as Hamas activists. Officials in the Ministry of External Affairs later clarified that not only did the three men have no links to the Palestinian organization, but Hamas was also not on India's list of watched terrorist organizations. The paranoia, as it turns out, is not confined to the lower levels of the administration. As a newspaper reported recently, a paper prepared by the Ministry of Home Affairs to justify the ban on the Students' Islamic Movement of India (SIMI) claims, "SIMI has maintained links with international organizations like [the] Muslim Students Union, a pro-Hamas Union of Palestinian Students in India and Pakistan." The ministry does not explain why the alleged association is a crime in the first place. There is no ban on the groups SIMI mentions in its paper; the so-called link therefore is not a justification.¹⁴

Another instance was the arrest of left-wing university students distributing pamphlets denouncing the American campaign in Afghanistan. Six members of the Democratic Student's Union and the All-India People's Resistance Forum in New Delhi were arrested on 8 October 2001 for distributing pamphlets against the U.S. bombing on Afghanistan. The police justified its actions saying that it wanted to pre-empt any communal tension that may have arisen on account of the contents of the pamphlets. The students were arrested and remanded to ten days' judicial custody. Conscientious protest is a

13. *Times of India* (New Delhi), 16 January 2002.

14. *Times of India* (New Delhi), 1 February 2002.

cornerstone of democracy, which is further protected in India under Article 19(1) (a) of the constitution (freedom of speech and expression). The obsession with “national security,” however, is being carried to absurd lengths, stifling democratic dissent and jeopardizing the right to life and liberty.

It is clear that the enforcing of stricter guidelines has been restricted to Muslims, presumably because of the widespread misconception that all Muslims are terrorists or anti-nationals. The hostile mood of the times has been exacerbated by the Indian government’s aggressive posture on the matter.

For example, a typical reaction to a terrorist strike, or the threat of a strike, involves police raids on areas where minority communities are concentrated. Following the attack on the Indian parliament, an “extensive exercise” was launched to “verify the antecedents” of the three thousand-odd Kashmiri woolen garment traders staying in the city.¹⁵ The traders arrive in the city every winter and return to Kashmir after the snow in the Kashmir Valley melts. Many of them claimed they had been asked to leave the capital immediately, a charge denied by the police. Any freeze on their businesses, the traders said, would deprive them of an entire year’s earnings since there were few employment opportunities available in the valley.

While any attack on the seat of government would call for enhanced security measures, the near-reflexive targeting of certain sections of the population has become routine. Being overcautious or paranoid about finding a terrorist in every Muslim or in every peaceful protestor is no different from the Salem witch-hunts or the McCarthy-era targeting of communists. Such targeting not only casts unfair aspersions on the targeted group, but also amounts to a tacit rejection of the rights of protest and free speech of other groups and communities.

A recent attempt to bring *madrassas* (Islamic seminaries) under scrutiny has been driven by the assumption that these institutions are partly responsible for fomenting “anti-national” activities using funds received from Islamic countries, most notably Saudi Arabia. However, somewhat predictably, governments have shown little interest in promoting economic development projects where madrasa graduates can find gainful employment.

15. *The Tribune*, 16 December 2001.

There is no denying that a sharp dualism characterizes Muslim education in South Asia today. On one hand are the madrassas, still relatively impervious to change, barring minor, local-level experiments. On the other hand there are modern, Western-style secular schools. The Islam the former teach leaves little room for creative interpretation, and it is from this tradition that many political tendencies in the subcontinent, including the Taliban, have emerged. An overwhelming majority of the madrassas in South Asia carry on by merely teaching the compendium of medieval commentaries. Few, if any, have dared to depart from the traditional focus on jurisprudence or have even attempted to come up with new ways of understanding Islam in the light of modern conditions. Nor is there any indication of a widespread desire to break the shackles of “blind conformity” (*taqlid*) to medieval Islamic jurisprudence, itself a product of the medieval Arab world. If other religions are taught, it is merely for polemical purposes and to prove them “false.”

Given the worthlessness of madrassa education as far as jobs are concerned, it is not surprising that few middle class Muslim families send their children to madrassas for higher education. Most are content with the basic religious education the *makatib* (part-time primary mosque-school) provides to young children if at all they choose to send their children there. Madrassas were once the preserve of the Muslim elite, providing them an education that trained them to take up posts in the courts of the erstwhile princely rulers. Today most madrassa students come from families that can ill afford the cost of modern education for their children. To make matters worse, few madrassas, if any, have any facility for vocational training for their students. A visitor to the grand Dar-ul-Ulum, Deoband, would be appalled to discover that the only vocational training provided in the largest madrassa in South Asia involves book-binding, calligraphy and watch-repairing classes—all three declining trades with little or no scope for large-scale employment. Not surprisingly, many unemployed madrassa graduates have gone on to become ready fodder for fundamentalist Islamist groups. Given the sort of education they receive, madrassa graduates may be equipped to work as *imams* (preachers) in mosques and teachers in madrassas, but little else, and even these positions are limited. The bulk of the students are probably led to join the ever-growing mass of the unemployable unemployed.

Leading South Asian Muslim scholars who do not identify themselves with any particular school of thought or system of jurisprudence, such as Maulana Wahiduddin Khan, Nejatullah Siddiqui and Asghar Ali Engineer, have argued for a more thorough revamping of the madrassa curriculum to make it consonant with modern demands. However, their voices are barely heard. In his recent book, *Dini Madaris: Masa'il Aur Taqazey* (Religious Schools: Problems and Demands), the well-known Islamist scholar and leading Jamaat-i-Islami ideologue, Nejatullah Siddiqui, writes that the madrassa system desperately needs to be revamped if it is to have any relevance in the modern context.

Today, all over South Asia, perhaps barring Afghanistan, Muslims are increasingly advocating reforms in the madrassa system to make it more relevant to modern times. Some see reform as the only way to prevent the madrassas from emerging as breeding grounds of Taliban-style militants. Several madrassas are now experimenting with new methods of teaching, including using computers in instruction and encouraging access to the Internet. Some madrassas have now begun teaching “modern” disciplines, including English, mathematics, science and history. Several have introduced texts and tracts by modern Muslim thinkers. Efforts are underway to develop a standardized syllabus and evaluation procedures for the madrassas, but given the sharp sectarian divisions, this seems to be an uphill task. Rumblings of change are now being heard even within the seemingly impregnable walls of the Deoband Madrassa. The madrassa now has a computer section and a website of its own, modern technology being pressed into the service of a time-tested theology.

Despite these changes and absence of any clinching proof of the connection between madrassas and Islamic militancy, the suspicion and paranoia persist. In a recent interview, Rajnath Singh, the former chief minister of Uttar Pradesh—a state where anti-madrassa tirades have been at their shrillest—admitted that there was no evidence yet of madrassas being hotbeds of Islamic militancy. “We are not looking at every madrassa with suspicion,” Singh claimed, “though it is true that we are getting some complaints from the border.” However, he added, “we don’t have clinching proof as yet.”¹⁶

16. *Times of India* (New Delhi), 21 February 2002.

The atmosphere of distrust was not helped by an earlier pronouncement by Prime Minister Vajpayee that extraordinary measures were necessary because of the “undeclared state of emergency” the country found itself in. With this statement, made in the context of the ongoing confrontation with Pakistan, the prime minister unwittingly echoed the point that an undeclared state of emergency prevails in the country. A necessary step following such an assertion is to formally acknowledge—and give notice of—a state of emergency through the relevant domestic and international mechanisms. Barring that, extraordinary measures cannot be justified. None of this, however, has been forthcoming.

In the absence of a formal process of declaring a state of emergency and abiding by the requirements of such a declaration, bald assertions such as the one made by the prime minister serve only to reinforce the general feeling of insecurity. The injudicious, off-hand use of such terms such as “emergency measures” gives a trivial slant to a matter that may have crucial implications for the protection of fundamental liberties.

It should be recalled that there has been no evidence that Islamic fundamentalist groups operating in Afghanistan had any Muslims from India in their ranks. Nor have Indian Muslims been involved in Kashmir militancy in any significant manner. Instead, they have become a victim of both Muslim and Hindu fundamentalism. Demonization of a group makes it easy for—and gives reason to—security forces to act against that group with impunity. State officials at the lower levels must be made aware of the need to adopt an approach based on research and intelligence information in the countering of terrorist activities. The unthinking targeting and harassment of “suspects” will serve only to alienate the targeted groups, leading to resentment and raising the prospect of a violent response to state atrocities.

While Islamic madrassas are being targeted, the state has maintained a disturbing silence on the role and functioning of the institutions run by Hindu fundamentalists such as the VHP and the Rashtriya Swayamsevak Sangh (RSS). Though there are inherent differences, the aims of the RSS-run *shakhas* (training cells) and Saraswati *shishu mandirs* (kindergartens) are strikingly similar to, and no less dangerous than, the madrassas all over Pakistan and Afghanistan, which spawned the Taliban.¹⁷

17. Arundhati Roy, “Democracy: Who Is She When She’s at Home?” *Outlook India*, 28 April 2002.

The VHP is a key element of India's right-wing Hindu fundamentalist movement. It runs camps that purport to teach Hindu philosophy, polemics, yoga, physical fitness and other Indian systems for physical well-being,¹⁸ but evidence points to a more radical use of these camps. In 2000, "The VHP ... completed a week-long training camp on target practice, held at its headquarters in Ayodhya ... The site was closed off to all outsiders and the daily schedule has been kept secret, though some Bajrang Dal sources submit that it was modeled along the lines of Israel's Mossad."¹⁹ Members said the training was intended to counter the growing influence of both Pakistani intelligence and anti-social elements within the society.²⁰ Before the demolition of the Babri Masjid in December 1992, the VHP and Bajrang Dal had trained their volunteers on pulling down old but strong structures. According to some Bajrang Dal insiders, at least half of the training programs in Ayodhya within the last two years involved "constructive programs" that taught volunteers how to tear down old buildings and build new temples.²¹

The VHP agenda is largely imparted through "moral education" and "general knowledge" texts that focus on "Hindu" consciousness and "pride in being a Hindu." In government-run schools in BJP-ruled states and in the twenty thousand-odd schools and shishu mandirs all over the country, the prescribed syllabus presents Indian culture as Hindu culture, totally denying its pluralistic character and the contribution of the minorities to the creation of the Indian identity. Everything Indian is shown to be of Hindu origin; minorities are characterized as foreigners owing their first allegiance to political forces outside this country.

In 2000, several sangh parivar members visited six thousand (official estimate; unofficial estimate fourteen thousand) schools to present books to classrooms.²² Seemingly harmless, there are hidden dangers

18. Venkitesh Ramakrishnan, "Busy at Karsevakpuram," *Frontline* 17, no. 13 (24 June - 7 July 2000).

19. See "Beyond the Church Burnings and Priest Killing: Attacks on the Christian Minorities in India," Human Rights Feature (HRF/25/00), Joint Initiative of South Asia Human Rights Documentation Center and Human Rights Documentation Center (28 August 2000).

20. *Ibid.*

21. Ramakrishnan, "Busy at Karsevakpuram."

22. Apratim Mukarji, "How to Rewrite History, RSS-style," *The Hindustan Times* (New Delhi), 5 June 2000.

in such acts. Historical facts cited in textbooks are being altered by the sangh parivar. In the state of Himachal Pradesh, along with the usual subjects taught to schoolchildren, five additional subjects dealing with Hindu or Hindutva philosophy are taught.²³ In 1998 in the state of Uttar Pradesh, the *Saraswati vandana* (a hymn to goddess Saraswati) was made compulsory at all state-funded schools in contravention of Article 28 of the constitution.²⁴ Muslim children have been forced to sing it, and have, moreover, been humiliated for not singing it right.²⁵

In 2000, the ruling coalition government dominated by the BJP introduced sweeping purges in all centrally funded research institutes, such as the Indian Council of Historical Research, the Indian Council of Social Sciences Research, the Indian Council of Philosophical Research and the Indian Institute of Advanced Studies. Breaking most institutional norms and rules, these bodies have been cleansed of subject experts and renowned scholars, and packed with men distinguished by RSS sympathies. This would not be a great cause for worry if the RSS-BJP and its sibling organizations had within their ranks men and women capable of articulating their ideology. But the problem for the RSS-BJP is that they do not have any credible ideologues. Some of their chosen mouthpieces, such as Professor M.L. Sondhi (former member of the BJP's national executive committee), are now accusing the party of pushing the country toward obscurantism.²⁶

Elsewhere too in the South Asian region, the ruling political leadership appears bent on suppressing those who dare oppose its theories of culture and civilization. The speed and ferocity with which political leaders are diminishing the civil and political rights of their constituencies indicates that South Asia is in for a prolonged period of turmoil.

23. C. Shamsheer, "Left to Counter Saffron Teaching in HP Schools," *The Indian Express* (New Delhi), 17 June 2000.

24. Freedom as to attendance at religious instruction or religious worship in certain educational institutions. (1) No religious instruction shall be provided in any educational institution wholly maintained out of state funds.

25. Tanika Sarkar, "Hindu Rashtra or Secular State," *The Hindu*, 24 November 1998, www.mnet.fr/aiindex/tsarkar.html.

26. HRD Ministry—His Master's Voice; *The Hindu*, 29 April 2001.

Bangladesh

DESPITE ITS COMMITMENT to secularism, the Bangladesh government has tended to protect the interests of the Muslim majority. Several discriminatory and racist aspects of the law, development approaches and programs, and the education system remain in effect. The state appears to be powerless, or at least weak, in its effort to combat religious extremism, to the detriment of Hindus and other minorities. Since the elections of October 2001, and the installation of a new right-wing regime headed by Begum Khalida Zia, and backed by the fundamentalist Jamaat-i-Islami (JI), communal tensions and Islamist extremist mobilisation have risen dramatically. The militant and pro-Pakistan Jamaat-i-Islami has sixteen members elected to the Bangladesh parliament. The Jamaat has two ministers in the new government. During the election campaign, the Islamist organizations had declared that if voted to power, they would make sure Bangladesh was made an Islamic state. There has also been a sudden escalation in atrocities against minorities in Bangladesh since the BNP came to power, leading to increased distress migration into the Indian state of Tripura. The Hindu-dominated areas in Barisal, Bhola, Pirojpur Gazipur and Chittagong in Bangladesh have been the worst hit.

The new government has adopted a lame duck approach to the violence. The government's insensitivity to any scrutiny of its treatment of minorities is indicated by the detention of Shariyar Kabir, an independent documentary filmmaker. Mr. Kabir, who was returning from Kolkata after investigating the condition of Bangladeshi refugees in India, was detained for being "in possession of documents which can endanger the stability of the country."²⁷

Mr. Kabir told the BBC that his group, the South Asian Coalition against Fundamentalism, had collected evidence from the victims who had fled the country, and would publish its findings soon. Mr. Kabir was charged under Special Powers Act, 1974, a national security legislation.²⁸

27. "Vested Interest: Dhaka Legalizes Dispossession," Human Rights Features (April 2002); Asia Pacific Human Rights Network, special weekly edition for the duration of the 58th Session of the Commission on Human Rights (Geneva: April 2002).

28. Ibid.

Prime Minister Khaleda Zia is now not only sanctioning attacks on Hindu minorities in her new regime, but has made these attacks a part of the backlash on the minorities for having supported the Awami League in the elections. School texts are being rewritten to serve sectarian ends. Women's rights are being seriously compromised in view of the ruling party's alliance with fundamentalists in the new political regime. The current plight of minorities is at its worst since Bangladesh's formation as an independent nation. Though, in theory, the Constitution of Bangladesh is secular and provides for religious plurality, in practice this is not so. The government is sensitive to the consciousness of the Muslim majority; it is Islam that exerts a powerful influence on the politics.

Attacks on Hindus in Bangladesh are not a new phenomenon. The community has suffered discrimination and harassment since the 1947 Partition of India. In 1965, following the Indo-Pakistan war, the then Pakistan government introduced the Enemy Property (Custody and Registration) Order II of 1965. The Defense of Pakistan Rules identified the minority Hindus in then East Pakistan as enemies and dispossessed them of their properties.

On 9 April 2001, the parliament of Bangladesh passed the Vested Properties Return Act 2001 (VPA), intended to return the vested properties to their original owners. However, in all probability, it will merely serve to legalize the omissions and commissions committed under a patently discriminatory law.

The consequences of the continuation of the VPA have been devastating. The Association for Land Reform and Development (ALRD), a Dhaka-based non-governmental organization (NGO), estimates that a total of 1,048,390 Hindu households have been affected by the VPA, and estimates that 1.05 million acres of land have been dispossessed. About 30 percent of the Hindu households (including those that are categorized as missing households), or ten out of every thirty-four Hindu households, are victims. These estimates, although based on various plausible assumptions, should be considered as sufficiently indicative of the gravity of the situation.

With Dhaka's consistent refusal to acknowledge the fact of discrimination against its minorities, and in view of its record on ameliorating their condition, it is also highly improbable that a regulation—and a flawed one at that—such as the VPA will be implemented in the near future.

Sri Lanka

THE SITUATION IN SRI LANKA is no different. The over-centralized state of Sri Lanka seems to be far removed from the day-to-day existence of its citizens. Being overwhelmed by two contrary forces—Sinhala Buddhist majoritarianism and Tamil separatism—the state has used most of its resources in augmenting its military machine. The social structure and moral fabric at all levels of society have suffered considerable damage. Fear and insecurity pervade all segments of the population, as torture, rape and murder have become customary weapons of war in bouts of violence and retaliation.²⁹

The civil war has placed the nation's minorities in dire situations. While the Sri Lankan government generally respects the rights of religious minorities—namely the Hindus (15 percent),³⁰ Muslims (8 percent)³¹ and Christians (8 percent)³²—the continued discrimination against the Ceylon and Indian Tamils has trickled down to the minority religious groups. Religious and ethnic minority groups such as the Tamils, Muslims, Christians, Burghers and Veddhas are all feeling the trickle effect of the war; arbitrary arrest, detention, extrajudicial killings, rape and torture continue.

While the brutal tactics used by the LTTE have undoubtedly caused a great deal of resentment and tension between the Tamil people and the Sinhalese majority, the social response has only abetted discrimination and intolerance toward the Tamil people. The government's severe anti-terrorism legislation effectively enabled a nationwide pogrom of Tamils in Sri Lanka. The systematic absence of investigation, either civil or military, into violations of the right to life has left security officers unaccountable for their actions. Investigations are rarely conducted, and when they are, they do not lead to the appropriate convictions or penalties.³³ While civilians who peacefully exercise

29. National Peace Council (NPC) of Sri Lanka, "The Economic, Socio-political and Human Cost of the War in Sri Lanka" (Colombo: National Peace Council Press, January 2001).

30. See the Religion Around the World website at http://atheism.miningco.com/religion/atheism/library/irf99/bl_irf_srilanka99.htm.

31. Ibid.

32. Ibid.

33. United Nations Economic and Social Council: "Extrajudicial, Summary of Arbitrary Executions: Report of the Special Rapporteur, Mr. Bacre Waly Ndiaye, submitted pursuant to Commission on Human Rights resolution 1997/61—Visit to Sri Lanka, para. 120.

their fundamental civil and political rights are charged and sentenced to years of imprisonment, soldiers and policemen who flagrantly violate the rights of innocent civilians suffer minimal consequences.³⁴

While it is understandable that the Sri Lankan government is focusing its attention on finding a solution to end the ethnic strife, it is using the conflict as an excuse to place the minorities at the margins. In the 1972 Sri Lankan Constitution, Buddhism was given a primary place as the country's religion, further antagonizing the Hindu, Muslim and Christian minority groups; most of these minorities are not ethnically Sinhalese.³⁵ The importance of Buddhism was again emphasised in Sri Lanka's 1978 Constitution and Article 9 of the current 1993 Constitution, which accords Buddhism the "foremost place" and mandates the state to protect and foster the *Buddha Sasana* (rule of Buddha).³⁶

Sri Lanka's post-independence electoral system offers few mechanisms through which the country's minorities can protect their rights against the Sinhalese majority, thereby ensuring that Sinhalese-dominated governments remain in power. Some nine hundred thousand upcountry Tamils were disenfranchised in 1948. The system of territorial representation gives Sinhalese political parties two-thirds of the government seats.³⁷

Governments portray an international image of equal treatment to both communities, such as the Sinhalese and Tamils in Sri Lanka, but it is clear that there are strong biases. Rather than keeping their image in the international community clean and untarnished, cosmetic policies and behavior have had the opposite effect. Under the guise of national security, armed forces are misusing the powers they have obtained from the Emergency Regulations and Prevention of Terrorism Act, thereby annulling all other national and international legislation that protects the rights of minorities. These laws enable political and security officials at all levels to participate in a visceral and illogical counter-campaign of terror, oftentimes more brutal and inhumane than the war waged by their counterparts.

34. *Ibid.*, para. 145

35. "Timeline: Sri Lanka," BBC News, 1 March 2001, http://news.bbc.co.uk/hi/english/world/south_asia/newsid_1166000/1166237.stm.

36. Law and Society Trust, *Sri Lanka: State of Human Rights* (London, 1993), 310.

37. S. D. Muni, *Pangs of Proximity: India and Sri Lanka's Ethnic Crisis* (New Delhi, 1993).

The government has been contradictory in its approach to dealing with the conflict. Despite stressing its willingness for a peaceful solution and compromise, the government issued a statement in July 2001 warning of an imminent “full-scale war,” leading many to wonder whether the Sri Lankan government believes the only way to end the country’s long-running Tamil insurgency is through violence.³⁸ The large body of ruthless anti-terrorism and emergency legislation in force suggests that the government is willing to go to all lengths—and even carry out further suppression of fundamental human rights—to defeat the Tamils by force. The most recent set of emergency regulations issued in May 2000 grants more unbridled and unchecked powers to security officers and adds to those already in place. This trend does not bode well for hopes for a peaceful solution to Sri Lanka’s woes.

In the name of national security and the war, the Sri Lankan government has misused its powers, annulling all other rights protected by national and international legislation. Concerted efforts are needed by the Sri Lankan government, the LTTE and the international community to curb the further degradation of human rights. Until substantial changes take place, discrimination and consequent violence, insecurity and human rights violations will remain a fact of life for minorities in Sri Lanka.

A closer examination of the dynamics of the modern nation-state in the South Asian region provides the key to understanding how the politics of the region together with state mechanisms have produced insecurity for its people. The arbitrary functioning of the states has created an economic and social crisis, which is not an aberration but a malady.

Most South Asian countries are at the very bottom of the world league in social and human development. Economic deprivation, illiteracy, and unemployment have spawned intolerance and extremism. Cuts in subsidies on health and education and other welfare expenditures have eroded subsistence levels, which have contributed in no small measure to the creation of fertile ground for sectarian propaganda and the manufacture of storm troopers for sectarian killings.

Nepal is a case in point.

38. In an official statement to the LTTE, the government stressed, “It is the duty of the government to defend the territorial integrity of Sri Lanka. It will do so by every means at its command.” See CNN News, “Sri Lanka Wars Tigers of Full-scale War,” <http://asia.cnn.com/2001/WORLD/asiapcf/south/07/02/srilanka.tigers/index.html>.

Nepal

NEPAL IS CURRENTLY STRUGGLING with a strong undercurrent of social and political instability, with no clear end in sight. The advent of democracy in 1990 brought about a new constitution full of assurances of freedom and equality, but brought few changes for the common villager. Poverty, a lack of social services, and weaknesses in basic sanitation and water resource infrastructures remain pressing problems for rural and indigenous peoples, though economic development and poverty alleviation have been the primary objectives of the Nepali budget in recent years. In the past fifty years, millions of dollars in aid have been dispensed to Nepal, yet very little of this money has led to direct improvement in the lives of Nepali citizens. While there is almost no limit to the reasons why aid has had such a limited impact in Nepal, topping the list is the overemphasis of aid efforts on the Kathmandu Valley, corruption, patronage, and a lack of accountability. Moreover, there has been a rise of a violent Maoist movement in which more than 1,700 people, including civilians, police and rebels, have died. The insurgency, proclaimed a “people’s war” by the rebels, appears far from over.³⁹

The Maoist war has contributed to tensions between the minority ethnic groups and low-caste peoples in rural areas and the upper-caste Hindus who maintain a weakening control of the country. The movement has continued to grow, aggravated by the response of the government to the problem mainly involving authoritarian policies, arbitrary arrests and torture of innocent people. The “encircle and kill” policy of the police often targets innocent people.⁴⁰ Sixty-eight of the seventy-five districts in the country come under this policy.⁴¹ This has led to heightened scepticism of the government and its policies.

Although the government frequently speaks of its development agenda, “[d]evelopment work has come to a near complete halt in the hills of Nepal, and even basic delivery programs have been affected in large parts of the country.”⁴² While many of the people who most need development help are in Maoist-affected districts (specifically

39. Kulchandra Neupane, “Maoists Escalate Violence, Kill 5 Policemen in Tanahun.” *The Kathmandu Post*, 1 July 2001.

40. Chitra K. Tiwari, “Maoist Insurgency in Nepal: Internal Dimensions,” South Asia Analysis Group, paper no. 187 (20 January 2001).

41. *Ibid.*

42. “Day of the Maoist,” *Himal* (May 2001), 19.

the western hills and mountains), the government programs have tended to avoid these areas.

The warfare mentality and the apparent sanction of the state to murderers and extortionists to act as they wish, as part of a central government counter-insurgency strategy in Nepal, are not helping the image of the state machinery in the eyes of the civilian population. Dissatisfied with the government, the people frequently look to the Maoists for justice and change.⁴³ The Maoists appeal to them by criticizing the government, making broad demands for reform, and cultivating a Robin Hood-type image by distributing spoils taken from raids.⁴⁴ It comes as no surprise then that the Maoist movement gains its strength from the discontent of the common people, particularly members of the lowest castes and sub-castes (Kami, Sarki, Damai and others), as well as ethnic *janajati* people (Rai, Limbu, Gurung, Magar, Tamang, etc.).⁴⁵

Conclusion

SOUTH ASIA is currently struggling with social and political instability, with no end in sight. There is a growing realization that separatist tendencies arise when people feel disconnected from the structures of power.

It is important to remember that there are no quick-fix solutions to the complex peace and security problems facing South Asia today. Overemphasis on the extent of these security problems provides little guidance with regard to the proper course for future policy. The causes of these problems must be understood more fully, including the degree to which the government itself contributes to disorder and decline.

It is essential that the vision of good governance go beyond rhetoric. For such a vision to really connect with people, it must be embedded in the essential “Ds” of stable governance: democracy, dialogue, development, devolution, and disarmament. A new phase of development and reconstruction that addresses the multitude of educated unemployed would ensure greater participation and accountability and a greater stake in political normalcy and economic stability.

43. See *Human Rights Yearbook 2001* (Kathmandu: INSEC, April 2001), 13; “Mao in the Mountains,” BBC News, 5 April 2001.

44. See “Nepal: Maoist Insurgency,” *South Asia Monitor*, 1 March 2001, www.csis.org/saprog/sam31.htm; “Day of the Maoist,” 11; Pamela Constable, “Maoist Insurgency Gaining Strength in Nepal,” *Washington Post*, 1 May 2001, www.washingtonpost.com (noting the gratitude of some rural Nepalis who see the Maoist campaign as one against immorality and injustice).

45. Tiwari, “Maoist Insurgency”; “Day of the Maoist.”