

Seen, but not heard.

And it's marginalised, neglected & vulnerable children.

14 A tragic divide

Child victims of communal violence

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"The greatest danger to this country is from communalism and not so much from external aggression, because when there is external aggression people of India tend to get united, but when communalism is rampant people get divided".

— Pt. Jawaharlal Nehru

Voiced decades ago, Jawaharlal Nehru's apprehensions about the destructive potential of communalism, the enemy within, seem tragically prescient. A new dimension has been added to his fears in recent times, with increasing evidence of atrocities being committed against those he loved most — children.

Communalism and communal riots

India is one of the world's most plural and diverse societies. Its population of over a billion people is divided into castes, sects and communities united by a common civilisational ethos. At the same time, Indian society harbours within it extreme social and economic inequalities. Inequalities, in themselves, may not necessarily be the basis for communal riots in India; however, they could be given a communal dimension if the inequalities are analysed along community lines.

Communalism has been defined by prominent scholar Pramod Kumar as "the antagonistic assertiveness in political, social and economic spheres by one aggregation of individuals against another after being organised along religious, caste or other inscriptive lines".¹ Communal riots are a manifestation of communalism, and are considered a collective behavioural disorder which can ultimately be traced to the minds and hearts of the people, tainted by exposure to anti-liberal and anti-humanistic ideas in the family, educational institutions, and the media, based on inter-group prejudices and stereo-types. These tainted attitudes are activated during periods of political and social mobilisation by elite groups engaged in intra or inter-community competition for the control over political power

and national resources. The situation becomes precarious when dominant cultural-political-religious formations make an all out bid to come to power by targeting minorities and when the State fails to uphold the rule of law.²

Ashgar Ali Engineer writes that though a riot is generally believed to be a spontaneous outburst of violence between communities, it is rarely so. In the pre-independence period there were some spontaneous riots. But, most of the riots then, and almost all riots now are meticulously planned and executed. When a riot is a spontaneous outburst it can be controlled more easily by the law and order machinery of the State.³

A chronicle of violence against children

The first inter-religious riot in India, which can be authenticated by records, took place in 1730 in Ahmedabad, in the modern state of Gujarat. Since 1954, there have been communal riots in India every year and practically in every region between religious groups, (Hindus, Muslims, Christians, Sikhs), linguistic groups, castes and tribes.

The loss during such riots is both overwhelming and irreparable. Nevertheless, in the adult preoccupation with citing death tolls, estimating loss to property and processing compensation claims, we tend to overlook the grave disruption and psychological harm that communal violence causes to children; bringing their childhood to an abrupt, tragic and often, gory halt. (See Box 1).

Displacement

In almost all instances of communal violence, children get displaced. They lose their homes,

* With inputs from Deepti Menon and the VHAI Editorial and Research team.

Voluntary Health Association of India.

Gory end to childhood

Box 1

The following cases are presented to provide a broad overview on the types of atrocities, brutality and violence witnessed by, and perpetrated on children during riots. The cases are drawn from records of riots that occurred during the last two decades i.e. 1982-2002. We had to go through various commission reports, research studies, and newspaper articles to source data on children. It has been extremely difficult to find validated data on child victims of communal riots. Most reports have clubbed women and children together and, therefore, it is difficult to disaggregate the data.

Nellie, Assam, 1982: Over 3000 children of Muslim settlers were killed at Nellie in Assam in February 1982, by an armed mob of Lalung tribesmen. The government appointed a commission to enquire into the matter. However, there was no punishment for the guilty.¹

Manipur, undated: Children are often victims of the on going ethnic strife between the Nagas and Kukis in Manipur. In one such incident, 13 children deserted by panic stricken adults were burnt alive in Taloulong Kuki village, under the Tammei sub-division in Manipur's Tamelong district. The children, all below 6 years of age, could not escape. Unidentified persons torched the entire village consisting of 35 houses. Two of the children's bodies were torched beyond recognition.²

Bombay, Maharashtra, 1992: During the communal violence that broke out in Mumbai on December 6, 1992 after the demolition of the Babri masjid mosque, 10,000 homes were burned, and 50,000 people were rendered homeless. An estimated 1.5 lakh people fled the city; approximately a lakh sought refuge in relief camps. The loss to property was pegged at 40 billion.³

A survivor of the 1992-93 Mumbai riots recalled at a 'public hearing' of the survivors (organised by Communalism Combat on September 24, 2000) that: "They chopped off my brother's hand, then his feet; and slit his throat, all in my mother's presence. She was not

spared either, her fingers were cut off, and she sat the whole day next to my brother's corpse. No one from my neighborhood came to help, no one stopped the blood and gore; even the police van doing its rounds did not stop. When my younger brother, hiding inside, saw my mother chasing the van, he rushed out. They pounced on him and burnt him alive".⁴

There is one incident, which was taken up very seriously by the Sri Krishna Commission:

Between 1100 and 1130 hours on January 10, 1993, the police forcibly entered the homes of Muslim families in Pathan Chawl and started rounding them up. They entered one home and terrorised the family members. Then, at rifle point, they picked up Shahnawaz, a 16-year-old boy, and dragged him out, all the while kicking him and assaulting him with rifle butts. He was taken towards a police vehicle, and then shot at point blank range from behind by one of the constables. Immediately, the policemen dragged the body of Shahnawaz by the feet, dumped it in the vehicle, and drove away.⁵

Surat, Gujarat 1992: The following incidents took place in Surat between 7-9 December, 1992, after the Bombay blasts. One of the most shameful incidents took place in Vijay Nagar No. 2:

In a meticulously planned attack, about 10 to 12 feet high bamboo walls were erected around the area to prevent the Muslims from escaping. Before mounting the attack, the electric wires of the area were snapped, plunging the area into darkness. A mob of 800 men, armed with choppers, iron bars and swords descended on Vijay Nagar on the night of December 7, and set some 250 houses on fire after looting them. They killed around 70 Muslims on the 8th night. Several women were gang raped. Children and elders were not spared. The heads of some of these children were struck against stones. In order to wipe out evidence, many bodies were either burnt or thrown into nearby drains.

In another shocking case, a woman, in her seventh month of pregnancy, witnessed her 3

Box Contd. ...

Box 1

children being hacked to death; she subsequently became mentally unstable and was put into a mental hospital.⁶

Varanasi, Uttar Pradesh, 2000: In April, 2000, there was communal tension in Varanasi. According to a report brought out by the Saajjha Sanskriti Manch (United Cultural Forum), the traditional Moharram procession passed by peacefully. However, a subsequent skirmish between Muslims and Hindus near the Imam Chowk in Chandpura took a communal turn. Even though the situation was quickly brought under control, the subsequent police conduct and human rights abuse have been criticised by the report.

Caught in the cross-fire was forty-year-old Haji Vakil Ahmad, sitting on a wooden cot with a child. He was beaten up by the police, as was 80-year-old Sardar Fateh Mohammad. His son was also beaten up and a four-year-old girl sitting in the upper floor of her house was flung down the staircase of her home by the police, due to which her ribs were fractured.⁷

Gujarat, 2002: While this paper was being written, riots broke out in Gujarat. The savagery that followed the condemnable Godhra incident is incomprehensible. Crimes of extreme brutality were committed against infants, children, and even pregnant women. These were not just the work of deranged minds, but deliberate acts to destroy the spirit of the people by terrorising them.

About 20 members of the extended families of Mohammad Bhai and Bhuri Behn were chased by a mob to a river. Javed, and another boy who managed to escape and hide behind a bush saw the mob kill Mohammad Bhai and rape Yasmin. They were about to kill the mother of the other boy who was hiding with him, when Javed screamed and ran out from behind the bush and was caught. He was made to walk around the dead bodies that were burning (as if around a pyre) and he was then pushed into the fire.⁸

35-year-old Haseena Bibi along with her entire extended family of 17 people fled from Limkheda by train on the morning of February

28th. When they disembarked at Dherol station at 10 a.m., they encountered a mob. Everyone ran helter-skelter and the family got separated. Haseena, her husband, and young daughter managed to run towards Halol. Two children escaped into the fields. Four boys, among them, Ayub (age 12), managed to hide behind the bushes, and witnessed what happened. According to Ayub, a mob of sword brandishing people caught his sister, brother, aunt and 7 cousins. They were all stripped naked and made to run towards a nearby canal. That is the last Ayub saw of them. The bodies turned up charred near the canal the following day. He did not recognise any member of the mob. No FIR has been lodged.⁹

Jannat Sheikh witnessed 8 members of her family being killed and 2 being raped. She says "My sister-in-law was stripped and raped, she had a three-month-old baby in her lap. They threw petrol on her, and the child from her lap was thrown into the fire....A 14-year-old girl was killed by piercing her stomach with an iron rod."¹⁰

Javed Hussain, 14, recalls: I was standing with my pregnant cousin, Quasarbibi, who was to deliver in another two days. They dragged her away, ripped open her stomach with a knife and threw the foetus into the fire. Then they threw my family into the fire, one by one: my father, my mother and my 17-year-old sister Sophiya...Someone hit me with a pipe and I fainted. When I came to, it was night. There were corpses all around me. My pants had been burned off..."¹¹

In the midst of this carnage there were also stories of one community helping the other. Some of these attempts, however, were tinged with sadness: Suguna Ramanathan reports the case of a Hindu activist, who, on one of the nights during the Gujarat riots, was carrying a four-year-old Muslim child to safety in his arms. Stopped and interrogated, he told the mob that this was a Hindu child. They let him go. As he walked forward, the child looked back over his shoulder and cried out 'Abba'. They tore the child from his arms and hacked it to death.¹²

See References for detailed sources

parents, siblings and friends. For instance, militancy has resulted in large scale migration of families from the Kashmir valley – it is estimated that around 8,50,000 Kashmiris have been displaced.⁴ They have subsequently settled in various parts of the country. Almost 29,000 families are estimated to be living in 15 camps in the Jammu region, around 19,000 in 14 camps in Delhi and over 2000 in other areas.

According to Medico Friend Circle, immediately after the outbreak of violence in Gujarat on February 28, 2002, people fled to areas where their own community happened to be in a majority, and sought refuge in safe public spaces (*dargahs*, *madrasas* and some schools). These locations were then converted into relief camps. In some cases, these camps themselves were transient, and repeated uprooting aggravated the already heightened sense of insecurity.⁵

Estimates of the number of families and children who found their way into relief camps post-Godhra, are varied. A May 13 article in the *Outlook* magazine cites two sets of estimates. The first, put out by the 'discredited' state government, claimed that there were 1 lakh people (including 42,000 children) living in relief camps. The second, an estimate by NGOs and civil rights groups, placed the number of children in the Ahmedabad camps alone, at 30,000.⁶

The living conditions in these camps were abysmal. There was significant overcrowding in buildings: according to Dilip Menon, "In Shah Alam's mosque, every inch of space was covered with people and possessions. What one's eye took in initially as a jungle, resolves into tiny squares of occupation. Every family creating a habitation by fencing its squares with rusted boxes and mattresses."⁷ Water and sanitation facilities were far from adequate. Going by official estimates, as on April 25, 2002 there were 573 toilets for 55,186 people: on average one toilet for 96 persons. At rural camps like the one at Khutb-i-Alam Dargah at Vatva, there was one toilet for 2000 odd people.⁸

Physical health

Children who get injured or hit as a result of on going armed or communal conflicts and

those who belong to poor families living in remote areas are the worst sufferers, since medical aid is rarely available to them. In certain instances, lack of immediate medical attention has resulted in children losing a limb:

Two children, Merjauddin and Abdul Majid, were blown to pieces when a landmine exploded near their school in Baramullah town in Kashmir. Five other children were injured in the incident. Militants had planted a landmine in the sand heap they were playing in. Shaziya was barely 10 years old when her left leg was ripped off in a bomb blast six years ago. "I was playing outside my house, just playing", she says. "Suddenly, there was a deafening sound and I felt a sharp pain. I don't know what happened after that but when I woke up my leg was gone." She pauses and then whispers, "for no fault of mine."

Since 1989, scores of children like Shazia, Merjauddin and Abdul have been maimed or killed in the Kashmir Valley. However, there is no reliable data on the actual numbers of such children. In Gujarat, the picture is similar; the violence has left many children physically wounded, and in some cases, with permanent disabilities:

According to a 16-year-old boy from Naroda Patisa, one of the worst affected areas, a frenzied mob of several thousand people attacked him and his family on February 28. They were beaten up while the police looked on passively. Later, the mob used acid to burn him and his father. The boy suffered acid burns below the waist. According to him, 24-25 other burn victims had been admitted to hospital along with him.¹⁰

In another incident, a 13-year-old boy was hit in the left eye by a stone in the violence on February 28, and suffered corneal laceration. The mother ran from pillar to post to admit her son to a hospital. Eventually, the laceration was sutured, but the boy was discharged prematurely by the hospital because the doctors said that they could not guarantee his safety. The eye became grossly infected, and the boy will probably need a corneal graft or transplant to save his vision.¹¹

The report by Medico Friend Circle (MFC), *Carnage in Gujarat – A Public Health Crisis*, describes the poor hygiene and health facilities at relief camps, which led to outbreaks of

measles, chicken pox, typhoid and bronchopneumonia. Thousands of children were affected by diarrhoea and respiratory infections. As of April 25, 2002, medical teams had treated 11,820 cases of diarrhoea and 16,690 new cases of acute respiratory infection in children below the age of five. Malnutrition, too, was widespread.¹²

Psychological health

According to Dr. R. Srinivas Murthy, Senior Professor, NIMHANS, Bangalore, in all disasters and conflicts, children are most deeply affected. Dr. Murthy, who visited some relief camps in Gujarat, found the children in a state of shock. "The trauma seen in children who survived the riots in Gujarat is similar to the trauma children suffered after the Bhopal gas tragedy, the Uttarkashi earthquake and the earthquake in the state".¹³

In the absence of research on the specific impact of communal violence on children, we have referred extensively to a study by Dr. Margoob on the impact of militancy on children in the Kashmir Valley.¹⁴ We have also drawn on the previously cited report by MFC on the condition of children and families affected by the carnage in Gujarat in early 2002.¹⁵

Gujarat: The MFC team visited M, at his grandmother's house, where he now stays, as he has lost both his parents and most of his family members in the violence. The moment he saw the team approach, ..he broke into tears. The doctor in the team sat at a distance, and softly asked M to walk towards him. Clearly, M did not want to walk. He got up with tears rolling down his face, insisting he couldn't walk. However, the doctor's gentle encouragement finally convinced the boy to walk for the first time in two months. As he walked, he dragged his right leg, which he insisted was injured...After examining him, the team's doctor said that his inability to walk was not due to any physical injury, but due to extreme psychological trauma – he had seen both his parents being burned alive.¹⁶

There are probably thousands of children like M who have been left numb by the savage events that occurred between February and April, 2002. According to the MFC team, the

children in the camps they visited suffered from various stress-related problems, such as crying in the middle of the night, and agitation on hearing loud noises. The children were afraid of anybody in a police uniform; afraid that they would be killed or burnt, and therefore, did not want to leave the camp.

In Gujarat, children who suffered physical and sexual violence, or had the misfortune of seeing their family members and neighbours being killed, raped or burnt, experienced Post-Traumatic Stress Disorder (PTSD). This is a public health issue that needs to be systematically and sensibly tackled by health providers. However, the only emotional support given to victims came from camp volunteers, who were not trained for this kind of work.¹⁷

To quote from the MFC report: "Medical professionals and camp volunteers had strikingly different attitudes to people's mental health needs. The MOs providing medical care at camps consistently undermined the importance of dealing with psychological trauma. Any sign that people were returning to a routine was taken as proof that they were not traumatised. This was illustrated when the team attended a vigilance meeting of medical officers deputed to the relief camps. When a team member mentioned that disturbed appetite could be a sign of PTSD, an officer immediately retorted, 'Oh, they eat very well...' "¹⁸

Jammu and Kashmir: The children of Kashmir are used to hearing their mothers' anxious admonishments not to stray out of the house, not to play on the roadside, never to leave the door open, never ever to go out after sundown. But worst of all is the fear they see in their parents' eyes, the tension they absorb from their elders. A painting competition held in the valley sometime in September 2001, opened a window to the scarred psyche of the children of Kashmir. The paintings were replete with images of blood, gore, fire and death.¹⁹ (See also Box 2).

Children living in areas where regular armed attacks by insurgents and militants (and actions by security forces) take place, suffer from stress, depression and poor health. Dr Margoob, senior consultant at Srinagar's Government Medical College, offers the results of his study, *The Pattern of Child Psychiatric Disorders in*

Kashmir, as proof : "In 1990, about 1,800 patients were registered at our psychiatric outpatient department. But in 1994, the number was over 20,000", said Dr Margoob. "Earlier, we had 6 to 7 new patients registering with us daily. Now, we receive anything between 60 to 70!" The ratio of child patients, he added, has similarly increased. "Even otherwise, children go through a lot of crisis during adolescence. On top of this, they have had to put up with the uncommon tension all around. This has forced them to bottle their natural aggression..". Consequently, everything builds up inside them and manifests in behavioural disorders, irritability, and so on.²⁰

Two other significant observations made by Dr. Margoob during his study were the sharp rise in dissociative disorders (to the tune of almost 50 per cent) and the prevalence of PTSD. Consequently, many child specialists noticed an increase in the incidence of nail biting, aggression, bedwetting and nightmares. Though mental health is not easily quantifiable, specialists like Dr. Margoob estimate that more than 60 per cent of children in the Valley have been bruised badly.

Another result of militancy is rising drug dependency in youngsters (mainly *charas* and tranquilisers). Specialists attribute this to three factors: *Firstly*, children are more exposed to this menace as many of them have to go out and earn a livelihood; *secondly*, parents are too

preoccupied with the overall situation, to notice any warning signs; *finally*, Kashmir having emerged as a major transit point for dope, drugs are available for the asking.

Social outcomes

The psychological setbacks faced by children during communal riots are exacerbated by the loss of parents. Many lose out on education and a number of children are forced to join the ranks of child labour.

Since 1989, a number of children in Jammu and Kashmir have been orphaned. However, it is difficult to find reliable data on the numbers of such children. According to one source, there are an estimated 100,000 children orphaned by the crisis – many of them forced to fend for themselves as child labourers.²¹ FETO, an organisation working with orphans, places the number of such children at 24,540.²² (See Box 3).

A study in Punjab revealed that orphaned children were not easily absorbed by their extended families. In certain instances, they were ill-treated and made to work as domestic help in the homes of relatives.²³

The report of the First National Workshop on Children in Armed Conflict held in January 2002, documents the continued suffering of those families and children in Punjab "who were not considered victims, simply because they were not service people." While the

Scarred forever

Box 2

Gulshan; Parveena, Ghouse and Zahid were locked up in a room while their father, a peon in a government school in Tregam, was being interrogated in an adjacent room by the security forces. He was tortured and subsequently killed. That was six years ago. Even now, the older two children have problems falling asleep as they are troubled by memories of their father screaming in pain.

Harleen's father, uncle and two cousins were among those who were gunned down on the night of 20th March 2000, when unidentified gunmen shot dead 36 Sikhs from her village,

Chitisinghpura. "Every time there is a knock on the door, Harleen cries as she is reminded of that terrifying night", her mother says. The events are deeply etched in the little girl's memory – the knock on the door, armed men taking her father and other men away, then the gunshots that shattered the silence of the night and finally, the sight of her father's blood-splattered body lying on the ground. "Since the killing, Harleen has become very aggressive", her mother says. Her older sister is perpetually anxious.

Source: Compiled by Rita Panicker

government is seen as making an effort to assist families "identified as victims of insurgents, and members of the security forces, no attention was given to the general populace whose lives were impacted by both parties and even less to those who had been victimised by State forces." According to the report, since no help is forthcoming for civilians killed by security forces, their children often have to drop out of school.²⁴

Many children in Jammu and Kashmir have been pushed back educationally and socially. Over a decade of armed conflict has cost many of them their education. Militants are said to have razed to the ground 828 of the valley's 5,379 schools. Several schools have been converted into army camps. At the height of militancy, children spent most school days at home. In fact, schools remained open for an average of 60 days as against the normal 210, and drop-out rates soared.

Children lost out on other fronts as well: their avenues of advancement were blocked, access to health care compromised and their mobility severely curtailed. Besides losing out on education, girls have been pushed by anxious parents into early marriage, afraid they would be preyed upon by multiple armed groups who

are increasingly unaccountable, especially in the border areas.

A CNN Report dated October 8, 1998, says that the militants in Jammu and Kashmir are so desperate that they are now recruiting children as young as 12 years. If the political strife in Kashmir does not cease, we will lose a whole generation of frustrated, and disillusioned children to militants, criminals and religious fundamentalists: Almost all Hindu schools and colleges run by Hindu educational societies, including educational institutions run by the Hindu Educational Society, the Dayanand Anglo Vedic organisation and the Vishva Bharti Trust were either burnt down or seized by the militant-sponsored Muslim organisations in a swift manoeuvre.

18-year-old Afaq failed to clear his Class X examinations twice. Depressed and confused, he started spending long hours in mosques and would come home late. Unknown to his parents, he was being indoctrinated by militants. He was persuaded to attain 'martyrdom' by becoming a 'human bomb'. On April 19th 2000, Afaq drove a car laden with explosives to the army headquarters in Srinagar and blew himself up along with the car.

Dance of death

Box 3

Profiling the agony of victims of violence perpetrated both by militants and security forces in Kashmir, Khursheed Wani has this to say: "Once, Srinagar would come to a grinding halt over a mere road accident. Today, bullets pierce through chests, razors slit throats and explosives blow up bodies into pieces, leaving behind a trail of orphans and widows... This dance of death has left 25,000 children orphaned and around 10,000 women widowed."

Being a close knit society, a large number of the widows and orphans have been taken in by their relatives. But there are several thousands who do not have the support of extended families. The State government has a scheme of ex-gratia payment of Rs. 1 lakh to the next

kin of the deceased. However, the pre-requisite of obtaining a Non-Involvement-Certificate (NIC) from the state police, which absolves the victim of links with insurgency, often proves a stumbling block. Some, like Ghulam Nabi Shaheen, a high court lawyer, view this as a state ploy to prevent a majority of orphans from receiving compensation.

Around 1,500 children are staying in institutions throughout the valley, including 15 orphanages and Nari Niketans run by the state government. Besides this, NGOs like the Firdaus Educational Trust for Orphans (FETO) are running private orphanages: there are 12 such in Srinagar alone.

Source: Wani, K., 'Orphans of Paradise'; *The Pioneer/The Foray*, March 17, 2002.

Loss of innocence, faith and trust

Balaatkar, or rape, is a word many children in riot-torn Gujarat are familiar with today, like this nine-year-old girl who volunteered to explain what it means: "*Mein bataoun, didi? Balaatkar ka matlab jab aurat ko nanga karte hain aur phir use jala dete hain*" (Rape is when a woman is stripped naked and burnt).²⁵ Children like her who have lived through communal frenzy have their innocence prematurely snatched from them; but often, they lack the cognitive and emotional tools to fully comprehend and deal with all they hear, witness and experience.

"*Hinduson ne bura kam kiya*" (Hindus have done bad things – a euphemism for rape). This was just one among scores of testimonies given by children who survived the carnage to representatives of Citizens Initiative, when they visited relief camps in rural and urban areas of Gujarat. All too palpable in their testimonies was a fundamental breakdown of trust in others: "We celebrate all their festivals – we play Holi, we love *patakas* at Diwali, but the Hindus can't celebrate our festivals. That is why they are jealous. So jealous that this year they did not even let us take out our *tazia* procession." True, the *tazia* processions did not take place as they normally do on the tenth day after *Muharram*. But this was consciously disallowed by the Muslim community itself, for fear of inviting trouble. However, the children's understanding, which is shaped by the general animosity they sense, indicates how sentiments can crowd out rationality.

For Mohammad Yashim, who lost his mother and six siblings in the Gujarat riots in February 2002, the cuts go very deep: "I keep having nightmares about it. I can't sleep. Sometimes I think I'm sleeping but I wake up crying. I hate Hindus. Why did they do this to us? I saw our neighbours in the crowd. I'll kill them if I can." Life can never be the same for thousands of children like Mohammad Yashim whose trust in neighbours, 'friends' – and humanity itself – has been shattered. While such children will probably never trust a Hindu again, there are, others like Reshma, who realise that "all Hindus are not bad, I know that. Our neighbours did not do this to us. It was done by people from outside. However, the police did not come to our aid."²⁷

A similar erosion of children's faith in the police has been documented by Chakmak, a monthly children's magazine published by Eklavya, an NGO working in Madhya Pradesh. The editorial team of Chakmak decided to record the views of children after the communal riots broke out in December 1992. Some children expressed a subtle lack of faith in and even anger towards the keepers of law and order – the police. There were others, who felt that the presence of the police bred fear and tension in them, rather than a sense of security. Many of them felt disturbed seeing policemen roughing up people – guilty and innocent. Not surprisingly, one young boy recalled how, while running for safety, he and his family had to be doubly cautious, to dodge not just the miscreants, but gun-toting policemen as well.²⁸

Government efforts

Safeguards

Both the Constitution of India and the CRC contain provisions that in theory, protect children against the ill-effects of communalism.

The Constitution of India, under Article 39 (Directive Principles of State Policy) enjoins the State to direct its policy towards ensuring that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity. The Constitution also guarantees equality before law, prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. Besides this, the Constitution confers on all citizens the right to freedom of religion, freedom of conscience and free profession, practice and propagation of religion.

The UN Convention on the Rights of the Child, ratified by India, urges all signatories to recognise and respect the needs and rights of ethnic, religious and linguistic minorities. While many of the Articles of the CRC are of general relevance vis-a-vis children affected by communal violence, there are three that assume a special significance in the Indian context: In the prevailing communally-charged climate in the country, Article 29 stands out as an antidote, since it enjoins states to prepare the child for a responsible life in a free society, in

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the State Rehabilitation Council.³⁰ Set up in 1996, the Council has so far provided Rs 248.30 lakhs under different schemes to militant-affected people. The Council has also provided Rs 82 lakhs by way of scholarships to school-going orphaned children, pensions to widows, old age pension and marriage assistance to young widows or grown-up daughters of widows.

The Assam Police has begun taking steps to mitigate the impact of militancy on children through "Project Ashwas".³¹ This project was launched in November 2001 in collaboration with UNICEF "to give the children of this militancy-infested state an opportunity to bloom in an atmosphere of tranquillity." The project aims at mobilising public opinion against all kinds of terrorism and violence that have a direct bearing on children; collecting data relating to children affected by violence; and assisting affected children with counselling. The training also aims to inculcate amongst policemen a positive attitude towards the needs and problems of children who have suffered trauma.

NGO initiatives

Save the Children Fund, U.K. through its NGO partners in Jammu and Kashmir, are supporting various child-centred education and health care projects in the valley and Ladakh.

A number of NGOs, in partnership with the government and international agencies such as Oxfam-UK, Action-Aid-UK and Save the Children Fund-UK are working in various relief camps of Gujarat – providing services such as health care, trauma treatment, food, filling complaints/cases against rapists and criminals and so on. A notable intervention has been that of Citizens' Initiative, a group of 30 NGOs working with riot victims in Gujarat.

Some thoughts for action

• If we hope to build a truly secular society, we must work with children. Let us begin in schools with an education system that imparts knowledge on religion and religious practices, not only to promote tolerance, but also to acknowledge similarities and appreciate differences. Children in schools may be involved in planning and

a spirit of understanding, peace, tolerance, equality of sexes, and friendship among all people, ethnic, national and religious groups and persons of indigenous origin. Article 30, too is of importance in the Indian context, since it seeks to protect the right of a child belonging to an ethnic, religious or linguistic minority to enjoy his/her culture, religion, and language. Article 39, enjoins state-parties to take appropriate measures to promote the physical and psychological recovery and social re-integration of a child victim of any form of abuse, torture, cruel, inhuman or degrading treatment or punishment, including armed conflicts. This provision is again of significance in India, given the huge gaps in relief and rehabilitation measures for children affected by communal violence and militancy.

Besides the above, the government has put into place both preventive and punitive legislation (such as detentions, imposition of curfew, regulation of processions and assemblies) that may be invoked at the time of communal tension. Various agencies have been established by the government to promote national integration and communal harmony and to address the problems of minorities. These include:

- The National Commission for Minorities. (See Box 4).
- The Commission for Linguistic Minorities
- The National Minorities Development and Finance Corporation.
- A separate division in the Ministry of Home Affairs to look after preservation and promotion of national integration. Its promotional efforts include observance of "Sankalp Divas" and "Quami Ekta Week"; provision of grants-in-aid for conducting essay competitions on national integration and communal harmony among college and school children; presentation of the Communal Harmony Award and Kabir Puraskar in recognition of efforts to promote harmony and integration.³²

Welfare and rehabilitation

In Kashmir, the Government has launched various schemes for the welfare and rehabilitation of victims of militancy through

celebrating all major festivals of every religion. Children may also be encouraged by their families and teachers to visit their friends, belonging to other religious communities, on religious festivals.

- A Children's Monitoring Committee could become a catalyst in schools and neighbourhoods to prevent children and adults from speaking negatively of other religions and communities and, perhaps, from demonstrating such prejudices.
- There is an urgent need to systematically collect data on children affected by communal violence in order to understand the magnitude of the problem.
- Television and radio should feature programmes on various religious faiths and ethnic groups to encourage the spirit of tolerance and acceptance of the diversity of our society.
- Until such time as the National Commission for Children is established, the National Human Rights Commission should hold spe-

Acts of commission and omission

Box 4

Over the years, various commissions have been set up to deal with the question of communal riots in India.¹ Each of them has placed on record their concerns and recommendations, many of which have not been heeded. These include:

- *Biases on the part of police officers* against a particular community while dealing with communal situations. Serious allegations of high-handedness, arson, looting and molestation of women have also been levelled against the police deployed to protect citizens.
- *Hesitation in taking action.* For instance, the National Police Commission noted: "In one town, where a serious communal riot was raging for a very long period and where curfew was imposed continuously for days, the district officers could not even decide on the arrest of the anti-social elements, as there was constant unwarranted interference with their discretion by the political executive."
- *The tendency amongst some officers to avoid taking responsibility* for dealing with certain situations. Police officers often find it prudent to avoid getting involved in situations where they may have to open firing.
- *Several commissions have stressed the role of Peace Committees*, comprised of impartial members drawn from both the communities involved in a conflict. The peace committees can play a very important role in removing fear, mitigating pain, reducing panic and restoring normalcy.

The Committee on Communal Riots, appointed by the *National Commission for Minorities* in 1997, advised the setting up of a statutory Community Relations Committee (CRC) at the national level. Comprising of jurists, sociologists, historians and specialists in ethnic conflict resolution, this Committee would: conduct research on sources of inter-group conflicts; monitor inter-group relations; oversee management as well as peaceful resolution of conflicts; and lastly, initiate legal action against those involved in fomenting communal harmony, ill-will and disharmony. It also recommended that the Community Relations Committee should have regional, district and *mohalla* units; and that Special Intelligence Units be set up at national and state levels.

The Committee stressed the need for a mechanism to monitor the media and to conduct a periodic review of the NCERT and UGC syllabus, to weed out inter-community prejudices. However, recent efforts by NCERT to rewrite Indian history (with obvious biases) runs counter to these recommendations.

Four-and-half-years have passed, but there is no sign of these recommendations being implemented. Had the Community Relations Committee been in place, we might not have witnessed the Gujarat carnage.

Source: Singh, J.; 'Minority Rights, a Global Concern'; *Communalism. Combat*; July 1999, p.5.

cial hearings for children. During these hearings, children's testimonies could be gathered. Besides forming the basis of legal action against abusers, these testimonies would shed light on the progress of relief and rehabilitation efforts. Legal cases should be expedited and extreme care should be taken to ensure that court proceedings do not traumatise the child further.

- The proposed National Commission on Children should have a special cell to look into issues affecting children during disasters, communal riots, war and militancy.
- Mental health care must be made a mandatory part of immediate relief services. Such services must include trauma treatment and therapy by voluntary counsellors, trained to use child-friendly methods. Children requiring long-term therapy must be identified and mechanisms evolved to enable children to continue their therapy in the post relief stage.
- Children need to be taught coping skills to deal with recurring nightmares and fear. Children who face violence everyday, like those in the states of Jammu and Kashmir run the risk of getting inured to it. Efforts must be made to get them to realise that what they may have come to view as normal, is actually abnormal.
- Getting education programmes going in all relief camps as soon as possible must be given

utmost priority and children must be encouraged to attend classes. (See Box 5).

- Parents and siblings of children who are lost should be traced as early as possible to minimise trauma.
- Children who have been orphaned, need special care and counselling, and they should be restored to a member (aunt, uncle, grandparents) of the extended family. To ensure that these children are not seen as unwelcome members and a burden to the foster family, the State could initiate a sponsorship programme for such families. Adoption and institutionalisation of children should be explored as the last option.
- In the case of orphaned children, the monetary compensation of Rs 2 lakhs should be put in a fixed deposit in a bank. The interest earned could be used for the child's education and welfare.

Conclusion

It was December 20, 1992, a fortnight after the unfortunate demolition of the Babri Masjid. A 10-year-old street child asked Suresh, a street educator from Butterflies (an NGO working with street and working children): *Bhaiya*, are you a Hindu? Suresh said "No". "Then you must be a Muslim" remarked the 10-year-old, to which Suresh responded "No." "Then what are you?" "I am a human being." Taken aback, the 10-year-old cautioned Suresh, "You must

Tragic tourists

Box 5

Bhri Gupta Singh, in his piece *One week at Aman Chowk*, recalls that "the one thing that took up most of our time and attention at Aman Chowk were the children... A wave of about 200 children arrived from various parts of the camp. We played simple games involving clapping, sound and movement. Many of the adults from the camp gathered around to watch and smiled and laughed with us. I think there may have been a note of relief. Here was someone who did not want to take any photographs, was not officiously noting down things in a pad and did not want them to tell their stories for the

hundredth time (Outsiders making quick, short visits, or 'tragic tourists' as they have come to be called, will often come back and say 'People are dying to tell their stories.')

The author refutes this, saying that quite often, children and adults from the camps are fed up at having narrated the same incidents over and over again. In fact, all that they may really want, like the children in Aman Chowk, is "to sit with us, talk, hold our hands..."

Source: Singh, B.; 'One Week in Aman Chowk'; in *Securing South Asia*; Seminar No. 517; September 2002; p. 82.

either be a Hindu or a Muslim, or else you will be killed."

Reactions such as these, coming from children, are a wake up call. Must our children identify with one or other religious community to feel secure and protected? Is this the message we are conveying to our children? And if so, where have we gone wrong?

For much too long we have taken communal riots 'in our stride'; many of us have even started believing that they are another unavoidable reality of our times.

This passive acceptance and absence of outrage at a juncture when women and children are

being pre-meditatively singled out and butchered is a dangerous form of social paralysis, and leaves the stage wide open for communal forces to enact their agenda.

At the same time, it is only natural for battle lines to silently form in the little minds and hearts of children who have personally witnessed or experienced brutality, violence and loss. Neglecting their needs can spell disaster for a nation that prides itself on pluralism and tolerance. (See Box 6).

A society without prejudices, hatred and discrimination, is undoubtedly the best environment for a child to grow up in. Surely we owe this to our children....

The border

Box 6

Bapu Nagar is a mill district in Ahmedabad. In the 1970s it was a Muslim majority area, but as the mills started closing down in the 80s and migrant Muslim mill workers started moving out, the character of the area underwent a change, and it became segregated into distinct Hindu and Muslim neighbourhood separated by a road that has for long been called 'the border'. February 28, and the ensuing violence drastically altered the look of the Muslim side of the border.

"... The closer you are to the border, the greater the annihilation. Doors blasted open with bottles of kerosene and petrol bombs, black, singed walls, piles of rubble in various corners, the occasional small household-based

karkhana with broken, blackened machines. The Hindu side of the border looks quite pleasant, houses of various ... hues,.. Ganesha or an occasional Durga adorning the front door. If you have a suitably wide-angle lens, there is even a spot near the border from where you can take a photograph – an endless row of colour-coordinated black on one side and an equally long row of neat, unharmed, multicoloured houses on the other."¹

This stark, visible divide, may well be implanted in the memories of children....forever.

Source: 1. Singh, B.; 'One week in Aman Chowk'; *Securing South Asia; Seminar No. 517*, September, 2002; p. 79

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Photo: UNHCR

15 The nowhere children

Children of refugees in India

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Nearly half of all refugee populations are children. Children of refugees face far greater dangers to their safety and well-being than the average child. The sudden and violent onset of emergencies, as well as the acute shortage of resources, with which most refugees are confronted, deeply affects the physical and psychological well-being of their children. Moreover, children are often victims of violence, disease, and malnutrition, which accompany displacement. They derive strength and learn patterns of behaviour from family members, neighbours, friends, teachers and classmates. Therefore, separation from, or disintegration of, familiar community structures adversely affects child refugees of all ages. Helping these children to meet their physical and social needs also means providing support to their families and communities.

Refugee communities in India¹

Despite being one of the largest refugee host countries in the world, India has ratified neither the 1951 UN Convention, nor its 1967 Protocol. Over the years, it has seen periodic influxes of refugees from Afghanistan, Burma, Bangladesh, Iran, Iraq, Somalia, Sudan, Sri Lanka and Tibet. Estimates put the number of refugees in India at about 250,000. Of these, approximately 100,000 are Sri Lankan Tamils and an equivalent number, Tibetan refugees. Apart from them, there are some 20,000 (primarily Afghan) refugees in the capital. The numbers are quite fluid, and "move in an ellipse of influx and repatriation."² For instance, about 54,000 Chakma refugees in camps in Tripura have been repatriated, the last batch in February 1998.

Refugees in India fall into three broad categories:

- Refugees under the protection of the United Nations High Commissioner for Refugees (UNHCR), mainly Afghans.
- Those who are recognised neither by the Government of India, nor by the UNHCR (Chin and Raikhen refugees from Myanmar, for instance).

Refugees who register with the UNHCR probably account for less than 10 per cent of the total number residing in the country at any given point of time. Many of the Chakmas, who crossed over in the 1960s, are settled in Arunachal Pradesh. A sizeable percentage of the 10 million-odd Bangladeshi refugees who crossed over to India in the wake of the 1971 Indo-Pak war stayed on. Many obtained citizenship: ration cards and voting rights. Also at that time, over 125,000 people from Pakistan's Sindh province are believed to have crossed over to Barmer District in Rajasthan. Predominantly Hindus, they stayed in refugee settlements, and eventually obtained citizenship. According to the *India Disasters Report*, the population increase in West Bengal in the 1980s may have been largely due to the 'net migration' from Bangladesh, since the number of Bangladeshis deported from 1989 to 1998, was negligible. As a result, migration has periodically been a platform in electoral campaigns. (See Box 1).

Children of refugees in India

The situation of child refugees is highly variable across community, as each group functions within a different legal, social and political environment.

The Tibetans have come a long way from the days when the early refugees were engaged in border road construction in the Himalayas. Living in road camps, and always on the move, their children were deprived of schooling, medical and other basic amenities. But with the establishment of the Tibetan Children's Villages in Dharamshala

*With inputs from Kanika Satyanand