

Conclusion and Recommendations

Conclusion

GENOCIDE: A THREAT TO THE VERY PRINCIPLES OF DEMOCRACY, CITIZENSHIP AND JUSTICE

The Gujarat genocide has not just been a manifestation of the most brutal forms of cruelty in modern history. Its perpetrators, the Bajrang Dal, the VHP, as well as the ruling BJP, have actually attacked the very principles and institutions of democracy and justice that are the cornerstones of the Indian Constitution and the Indian State, and sought to replace it with a communal and fascist regime of violence.

While this team unequivocally condemns the burning of the train at Godhra, and the grotesque murder of 59 people, including women and innocent children, it emphasizes equally strongly that the carnage of next three months was not a spontaneous retaliation or even a communal riot. As various members of the IAS, some of whom have stemmed riots themselves within hours, have explained categorically, it takes 5 hours to 3 days to stop a riot. It cannot continue beyond that - as it has for over three months now - without the active connivance of the government. It was an organized genocide.

DEMOLITION OF THE VERY FOUNDATIONS OF THE CHILDREN'S AND THE COMMUNITY'S CAPABILITY FOR SURVIVAL AND WELL-BEING IN THE FUTURE.

This team too, like most others before it, found evidence that points to a calculated, methodical and sustained programme of the Sangh Parivar and the Gujarat government for destroying the very bases for the survival of the minority. The frenzied raping, killing and burning of women and children have already laid bare their objective of ethnic cleansing and breaking the spirit of the community and its children. The findings presented here, regarding the acute trauma, extensive arrests and custodial torture, and the systematic crackdown on the education of minority students initiated more than three years ago, expose the further objective of demolishing the very foundations of the children's and the community's capability for survival and well-being in the future. The children and youth of Gujarat need concerted care, support and education if this is to be averted.

THREAT TO THE INTERNAL AND EXTERNAL SECURITY OF THE COUNTRY

Lack of access to education, and consequently of the rights of citizenship and democracy too, further destroys the possibility of peaceful negotiations between the communities, and paves the way for a future of unmitigated coercion, subversion and violent conflict.

The connection between denial of education to these children and a massive multiplication of fundamentalist forces cannot be denied. Children, and specially teenagers, who've lost their homes, are furious and ready for revenge. Others, who've seen much worse and lost much more, are still obviously in shock, but all hell will break

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lose once they recover the ability for anger. This, compounded with the systematic crackdown on every single level of education for minority children - elite and poor - as well as the sub-zero financial conditions of affected families, makes further schooling a dubious possibility. The consequences of this are not difficult to imagine. A desperate fury, and no positive channeling of emotions and abilities, makes more than 50,000 children and young people (at least 25,000 of them boys) ripe catchment area, across the next decade, for both the extremist fundamentalist forces within the country, and for appropriation by forces across the border.

Thus, in addition being guilty of gross violations of the Constitution of India, the Gujarat government is also responsible for endangering both the internal and external security of the country.

REVITALIZING THE FUNDAMENTAL VALUES UNDERLYING THE CONSTITUTION OF INDIA

Contemporary sectarian politics in Gujarat now operates exclusively in the form of faceless masses of “frenzied perpetrators” and “vanquished victims”, completely effacing the value of the individual human being. This is what makes possible the perverse brutality that is ravaging Gujarat. This state has witnessed a virtual collapse of human values and social ethics. In light of the collective dehumanization of the present, the principles of citizenship and democracy gather renewed significance. For in their emphasis on the basic rights of the individual they restore the human being to centre stage, and in privileging equality and justice they create the ground for mutual co-operation and respect between distinct identities.

Revitalizing the fundamental values underlying the Constitution of India, and making them a vibrant force again is the only way in which we can begin to counter rabid sectarian politics. The importance of human equality, the dignity of life and labour, the promise of justice for all, and the commitment to non-violence as the most humane path of action, are basic and rational values which have the potential to unify people across all divides of religion and ethnicity. Their potency should not be underestimated, for it was on the strength of these that India overcame the forces of colonialism. There is a crucial need for concerted efforts to breathe new life again into these ideals, with creativity and commitment, in every classroom, in culture and in politics. This work is basic to shaping a future of some peace and dignity for the children of Gujarat.

Recommendations

1) Trauma Counselling:

The government must keep track of traumatized children both in camps and even of those who may have left the camps for their original or new homes, and ensure long term trauma counselling sessions for them, with sustained follow ups.

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NGOs could play a valuable role here by getting therapists to train teams of volunteers whom the government could employ for this purpose.

2) Immediate Justice for Arrested Minors

The minors arrested have already been subject to severe torture and their education has also been hindered. The cases of all minors arrested must be dealt with immediately, in juvenile courts, in as humane a manner as possible.

The cases should be conducted in the presence of representatives from human rights organizations.

4) Speedy Justice in hitherto unrecorded cases

Immediate recording of FIRs, supplementary FIRs including names of culprits where they were not recorded earlier, must be facilitated, along with the setting up of special courts to bring speedy justice to all the affected surviving victims. It is imperative to foster children and young people's faith in democracy and the judicial system of the country, if a large scale takeover of the law into their own hands is to be pre-empted.

5) Immediate Compensation

The government must give immediate compensation to all. This should include amounts adequate for setting up small shops businesses to all teenagers who've never been to school/won't go now or need to earn for their families to recuperate losses. It should also start special income generating programmes for older girls who are not enrolled in schools.

6) Access to Education:

The government must ensure that

- a) all children displaced from their original homes get admission in the municipality schools in their current areas of residence
- b) additional schools are started up in areas with large displaced populations
- c) all children of affected families get fellowships for school and college, and expenses for books, uniforms and transport for at least the next 5 years
- d) special provisions are made to ensure that girls and young women feel safe travelling between home and school/college, and that they all enroll in schools/colleges
- e) it actively encourages the building up of mixed populations across communities in each school
- f) parity be maintained amongst all municipality schools regarding the number of teachers, students admitted, facilities offered etc.
- g) classes 5-7 be added on to all the municipality primary schools where they do not already exist, and restart the classes which have been shut down.

NGOs and private educational foundations should play an important role by

- a) ensuring that concerted efforts and funds are channeled into sending to school even those children who've never been to school before and to orient them

- towards recognizing the importance of becoming educated articulate members of the community
- b) opening up more seats for affected children in private institutions, on fellowships where possible
 - c) procuring funding and making available full fellowships and expenses for study in boarding schools in other states, in cases where parents are willing (many are too terrified to let their children go at present - complete breakdown of trust)), and in the case of orphans too.

6) Dress and language codes

The government must emphatically prohibit the imposition of dress codes and particular languages in all institutions, with specific penalties prescribed for those that continue to disallow the minority community's dress and language on their campuses.

7) Creative programmes for revitalizing the values of democracy and citizenship:

Sensitive and well thought out programmes for creatively fostering respect in children for the values underlying the constitution of India, as these have the potential to unify people across divides of religion and ethnicity. Programmes which develop an understanding of the importance of human equality, the dignity of life and labour, the promise of justice for all, and the commitment to non-violence as the most humane path of action, should be developed, and teachers trained for the same, by the DPEP (which claims to be an autonomous body with funding from the Netherlands) and other educational bodies, or NGOs specializing in children's education. The Government should be directed to draw upon the expertise of these agencies to implement the programmes in all schools.

8) Directives to Gujarat government to implement in schools the programmes for revitalizing the values of democracy and citizenship:

Its clear from the Education minister Anandibehn Patel's interview with us that the Gujarat government has no plans to implement programmes for fostering communal harmony and peace in schools. The multi-party Parliamentary Forum on Education and Culture should be urged to press this case in the Parliament, so that the Parliamentary Committee on Education and the Ministry of Education direct the Gujarat government to implement programmes on peace and communal harmony in all private and municipality schools.

9) Security and welfare of orphans and children of women widowed in the carnage

Regarding orphans and children of women widowed in the carnage, it seems unlikely that the larger families/community will let go of them at present, but likely that they will feel burdened by them later. So it would be important to develop a programme that

- a) keeps in close touch with orphans and children of women-headed families now, presses for government compensation, and ensures that the units caring for the orphans now do not have direct access to the total amount of the compensation, but get periodic payments for the upkeep of the child

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- b) helps place the orphans/children of women headed families in institutions/boarding schools with fellowships if necessary and when the time is right.

10) International Monitoring of measures adopted by the state, and dissemination such information – as per International Convention on the Rights of the Child

Article 44.1 of the International Convention on the Rights of the Child (ICRC) requires all States Parties to submit reports, every five years, to the United Nations Committee on The Rights of the Child, “on the measures they have adopted which give effect to the rights recognized herein, and on the progress made on the enjoyment of those rights”. Recommended that

- a) The Central Government demand a detailed report from the Gujarat Government regarding the steps taken to ameliorate the effects of this communal carnage, have it verified by an international monitoring team, and highlight the measures taken in its next report to the UN Committee.
- b) The Central Government make this report widely available to the public in this country, as per Article 44.6 of the ICRC.



Into an uncertain future: Babies born in Shah-e-Alam Camp