

Two decades of struggle and hope

As Feb 27, 2022 looms, we still hope against hope that some day, substantive justice will be done



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I remember the date. I remember the smell. I remember the sound as my sandals gingerly navigated through shards of glass. I remember the smell of burnt and kerosene-soaked rubber tyres. It was, I will never forget, March 4, 2002.

In what remained of Gulbarg society, charred remains of Kasimbhai Mansuri, young wannabe lawyer Mohammad Sandhi, their family members and other victims were still there. Ehsan Jafri saab's remains too were collected from the burning embers in front of his home on the fourth day after rioting began.

All of Gulbarg society had turned to Jafri Saab in the belief that he would save them, as he had often done in the past. It was only around 2.45 p.m. after making dozens of desperate calls to policemen and influential people that he realised that no help would be coming this time. He himself was a target now. That is when he surrendered to the mob, hoping the mob would spare others. He died a painful, brutal death and few were spared.

Glass bottles in their hundreds filled with a white chemical substance and gas cylinders brought in trucks and tempos were singled out by eyewitnesses at Gulbarg, Naroda, Watva, Sardarpura and in the Panchmahals. They were the weapons of mass destruction used in the attack in 300 places spread over 153 of Gujarat's 182 assembly constituencies.

The daylight lynching of Jafri saab, barely three kilometres from the police commission-

er's office, on February 28, 2002 has been downplayed by the regime. He has been vilified by men at the very top. Demonisation and de-validation of Ehsan Jafri is a chilling metaphor for the abandoned Gujarati Muslims.

The five cover stories I authored for *Communalism Combat (1998-2002)*, tracked the genocidal build up. Selective censuses of Muslims and Christians, social and economic boycotts, systemic hate speech and propaganda had started much before Godhra. The corrosion of state and society had begun insidiously, decades ago. Post-2014, this now extends to nearly all of India.

Death of 58 persons in the S-6 coach of Sabarmati Express at Godhra, which caught fire or was set on fire, in the early hours of February 27, 2002 provided the trigger. No attempt was made to contain rumours or retaliatory violence. Sensational and false reports of rape of and attacks on 'Hindu' women were splashed in banner headlines across the frontpage of Gujarat's most read newspaper.

Evidence gathered painstakingly from State Intelligence Bureau (SIB) records 11 years later in the Zakia Jafri case, revealed how communal mobilisation in the form of 'funeral processions laced with hate propaganda' had been unleashed in several districts. Records revealed how SIB officers had warned superiors of what was coming.

Mob attacks had started in the Meghaninagar area early in the morning on February 28. But the attacks intensified after the visit of a prominent political leader who assured at 10 am that security and protection were on their way. Both Gulbarg Society in Meghaninagar and Naroda Patiya witnessed the worst of the killings- 69 persons at Gulbarg society and close to 124 at Naroda.

The number of people killed has been computed by us at 2,000, the figure that I had first mentioned at a press conference at the

SAHMAT office in Delhi on March 3. This was close to the actual figure because we had received over 250 calls between February 27 and March 2 from across the state. But till today, the state refuses to acknowledge either the scale or spread of the violence.

Mapping the incidents, compiling the list of victims, collecting descriptions and photographs, from faded passport sized to bright images of the lives snapped shut, became a personal obsession.

The highways were still being patrolled by mobs 5-6 days after rioting began. They stopped and attacked vehicles at the slightest suspicion. I was often left stranded as taxi drivers fled, leaving me behind.

I have been physically attacked five times in



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the past 20 years (the first one witnessed by Justice Verma, chairperson of the NHRC, just outside Godhra) but they pale into insignificance when one remembers the violence, personal loss and of justice delayed, a daily traumatic reminder to at least 22,000 survivors.

Remarkably, nowhere did eyewitnesses put the size of mobs unleashing terror at less than 2,000 strong. I was among the first journalists to visit far-flung villages. But the size of the mob everywhere was said to have ranged from 15,000-20,000, many of them armed with deadly agricultural implements. A few carried firearms and a select few carried mobile phones, a rarity then and expensive, to coordinate the attacks.

The report of the Women's Parliamentary Committee (cross party, Aug 2002) put the number of attacks on women at 185, attacks on children at 57 (33 in Ahmedabad city) and women and children dead at 225. Survivors have however narrated over 253 cases of brutal violence on women and children. A visible technique, indicative of the organised nature of the mob, was the systematic destruction of evidence and trails.

Every criterion laid down in the 1948 Genocide Convention that India ratified in 1959 but has refused to legislate on was met in Gujarat pogrom in 2002. Acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: killing and or causing serious bodily or mental harm; deliberately intending to cause physical destruction in whole or in part (Article 3). Article 4 leaves no man or woman immune from punishment be they constitutionally elected persons or private individuals.

Though we are notorious for our short public and institutional memory, some figures bear re-telling. Besides the killings, there was targeted and selective economic destruction: 18,924 houses seriously damaged, 4,954 homes

completely destroyed; 10, 429 shops burned, 1278 ransacked and 2,623 *larrigallas* lost to arson. All estimated to have been worth Rs 4,000 crores or more.

Religious and cultural shrines were also targeted: 285 *dargahs*, 240 *masjids*, 36 *madrasas*, 21 temples and 3 churches damaged/destroyed (totalling 649). Of these, 412 were repaired by the community themselves, 167 are still damaged. A court challenge to get the state to restore them elicited a favourable order from the Gujarat high court which was thereafter diluted in the Supreme Court.

Our efforts to ensure justice from trial courts to the Supreme Court, fighting 68 cases in all, put us in the crosshair of a system unused to account for its omissions and commissions. The few police officers who bravely opted to become whistleblowers paid a heavy price.

Citizens for Justice and Peace (CJP) secured 172 convictions and 124 life sentences at the first stage of trial. Some of them were overturned in appeal, with even the Supreme Court granting bail to those convicted of deadly crimes, including a former minister. Twelve years after the first convictions in the Godhra mass arson case, many of the accused are still out on bail.

Some sense of closure came to our team with the filing of the Protest Petition in the Zakia Jafri case on April 15, 2013. We also burnt midnight oil between October 5 and December 9, 2021, extracting direct evidence from over 50,000 pages of records to present to the Supreme Court in support of the contention that the state was complicit in the violence. It was a cathartic vindication.

As February 27, 2022 looms, we recall the last 20 years marked by media trials, vilification, humiliation and despair. We still hope against hope that some day, substantive justice will be done. ●

(The writer is a civil rights activist based in Mumbai and journalist and secretary of Citizens for Justice and Peace)