

INDIA: Ongoing violence against the Dalits in Orissa must be prevented immediately

ASIAN HUMAN RIGHTS COMMISSION – URGENT APPEAL PROGRAMME

Urgent Appeal Case: AHRC-UAC-192-2008

28 August 2008

INDIA: Ongoing violence against the Dalits in Orissa must be prevented immediately

ISSUES: Caste based discrimination; impunity; religious group; state inaction

Dear friends,

The Asian Human Rights Commission (AHRC), the National Campaign on Dalit Human Rights (NCDHR) and the International Dalit Solidarity Network (IDSN) hasten to bring to your urgent attention the ongoing violence reported from the state of Orissa, India. It is reported that as of now in Orissa, particularly in parts of the state like Kandhamal, Bargarh and Koraput Deogarh districts, a rampage of burning, looting and murdering is underway. It is reported that the violence has resulted in 14 deaths so far, in addition to the murder of four Vishva Hindu Parishad (VHP) [World Hindu Council] cadres that reportedly has triggered the current outbreak of violence.

CASE DETAILS:

On August 23, 2008 a VHP leader Mr. Laxmananda Saraswati (89 years) and four of his associates were killed in Kandhamal district. The VHP is a Hindu militant organisation operating in India since 1964. The VHP has close associations with other fundamentalist Hindu divisive forces operating in India, like the Rashtriya Swayamsevak Sangh (RSS) and its political force, the Bahartiya Janata Party (BJP). The youth-wing of the VHP is called the Bajrang Dal.

Immediately after the murder, the VHP and its allies called for a state-wide bandh (enforced protest by the closure of all commercial, government and private establishments). The VHP issued a public statement accusing the Christian community in the state as being behind the murder. Soon after this, the VHP carders and its supporters reportedly unleashed a brutal and systematic attack upon the Dalit communities in the state, focusing on the Christian Dalit communities, their properties like houses, business institutions, prayer halls and other Dalit community organisations.

The rampage unleashed by the VHP and its cadres has resulted in the murder of 14 persons so far and in the destruction of millions worth of property. For the murder of the VHP leader and four of his associates, a Maoist group operating in the region has claimed responsibility for the murder. Credible sources also inform that the same Maoist group had in fact sent warning messages prior to the murder of the VHP leader. It is reported that the VHP is now making use of the murder of one of its leaders as an excuse to flare-up violence against the Dalits in the state.

It is reported that even though several people lost their life and property in the ongoing violence in Orissa, the state government did nothing to prevent the incident of the murder of the VHP leader snowballing into a large-scale violence. The government of India also abstained for several days before intervening. It is only on August 27, that the Union Minister of State for Home Mr. Sriprakash Jaiswal visited the state. The minister before returning to New Delhi also met the Chief Minister of the state Mr. Naveen Patnaik and the State Governor Mr. M. C. Bhandare. While the minister ensured that four battalions of the Central Reserve Police (CRPF) and its three helicopters will be deployed in the state at the request of the state government, the minister also accused the state administration of its neglect in preventing the violence. The lack of prompt and immediate action to prevent the violence resulted in horrific incidents. For example a

violent Hindu mob terrorised the inhabitants of an orphanage and set fire to the building where a female staff was burnt alive. A few days ago, a school was raided by the Hindu mob where five innocent persons were killed. More than two dozen similar incidents were reported from Orissa since August 23 that depicts the willful negligence of the state government to prevent the violence.

It is only yesterday that the state government declared an emergency in the violence hit area. The state government has also issued a shoot at sight order. Yet the state government has failed completely to control the ongoing violence and to arrest the actual persons behind it.

It is reported that the victims of the violence are forced to abandon their houses, stop their businesses and to run away for life to nearby forests to be safe. Ordinary life has become impossible in certain parts of the state, especially in Kandhamal, Bargarh and Koraput Deogarh districts. Schools and other educational institutions remains closed indefinitely. The violence was targeted against the Dalits and those who work for the Dalit empowerment.

Several local and national organisations have written to the Indian authorities calling for an urgent intervention. Of particular importance is an application filed in the state high court by two groups--the Human Rights Law Network and the Ambedkar Lohia Vichar Manch--requesting a direction from the court to the state government to ensure the safety of the victims of violence and to prevent it from further spreading.

It is reported that the court has allowed the application directing the state government to ensure that all victims are identified and provided adequate protection from further violence. The court has also directed the government to ensure that the victims receive necessary relief supplies and provisions are made for their rehabilitation.

BACKGROUND INFORMATION:

The murdered VHP leader in the past was accused of orchestrating communal tension in the state. It is reported that this person was spearheading a violent and fundamentalist Hindu movement in the state, particularly against the Dalit communities and their villages. The VHP was targeting the Dalit communities and their villages who had liberated themselves from the age-old inhuman practices of caste based discrimination and forced slavery.

Instead of openly speaking out against the Dalit empowerment and the growing tendency of the empowered Dalits posing new challenges against the arbitrary domination of the dominant castes, the VHP cadres led campaigns in the state to force the Dalits to return and reaffirm their belief in the Hindu religious practices, which supports the caste system. The forced reaffirmation of faith in the Hindu Religion upon the Dalit communities was justified and carried out vehemently by Saraswati and his cadre as the 're-purification' of the Dalits. Neither the state government nor the government of India intervened to prevent this.

Orissa is a relatively poor state, with a large Dalit/Tribal population. The practices of the caste system like 'untouchability', manual scavenging and bonded labour is forced upon the Dalit community with full vigor in the state. Dalits are denied education, decent jobs and reasonable payment for the work they do. The Dalit identity is stamped upon a person at birth being born to a Dalit parent/s. In short, being a Dalit often means segregation, bonded labour, illiteracy and social ostracism. The Hindu religious belief does not allow a change of this status by any means. It also means for the dominant caste Hindu, a Dalit remaining a Dalit is a guaranteed form of free labour.

The gradual liberation of a considerable section of the Dalits in Orissa from the shackles of the Hindu religious divisive and discriminatory practices meant that the Dalits benefiting from the relatively open economy and other opportunities like education accessible to them. This means that Dalits are no more bound to be bonded to the dominant caste and to be their slaves, but could obtain reasonably good government jobs and also educate their new generations. For the dominant caste this change was nothing but an unwelcome change in the socio, political economy. It also uprooted the centuries old social patterns that guaranteed them unchallenged and comfortable living conditions at the expense of the Dalits.

The dominant caste responded by setting up their own educational institutions. These institutions are called Vanvasi Kalyan Kendra (forest dweller welfare centre) where education was nothing but indoctrination into ritualised Hindu practices and the structured reassertion of the caste dominance in schools fueled by pretentious nationalist sentiments based on Hindu scriptures like the Vedas and the ultimate Sanadana Dharma that justified caste as an essential requirement for social harmony, prosperity and peace.

These schools and the education offered by the dominant caste were rejected by the Dalits, who by then had realised the fruits of liberation through proper education, given by the Government and Christian missionary schools. The fundamentalist Hindu forces like the VHP soon started implementing covert ways of punishing the liberated Dalits by orchestrating communal violence. On the outside it appeared as Hindus fighting Christian missionaries. Deep within, it is an attempt by the communal forces like the VHP, Bajrang Dal, RSS and the BJP to reassert caste identity and the domination these forces enjoyed upon the Dalits on the excuse of religious beliefs.

A report by the National Commission on Minorities (NCM), a government of India establishment that conducted a field study in Orissa during 21-24 April 2008 proves this point. The study was conducted by the NCM after the December 2007 violence in Orissa orchestrated by the VHP.¹

The report says "But the underlying causes for this [riots] go well beyond the Kui Pana conflict [Hindu - Christian conflict] so ably highlighted in the report of the last team. In Bamunigaon, for instance, the Christian sahi (locality) was attacked and this was followed by an attack on the Hindu sahi. But the village itself has more than one Christian and Hindu sahi. Yet only two sahis were vandalized. On closer questioning, it turned out that the Christian sahi that was attacked was far more prosperous than the one at Battapally that was not attacked.

Although both are inhabited mostly by Dalits [sic] Christians, the attack was concentrated in the sahi whose members were prosperous and had organised themselves under the banner of Ambedkar Vanik Sangh. These people are shop owners or are in [government] service. The inhabitants of Battapally sahi are much poorer and provide no competition to the inhabitants of the Hindu sahi. The economic motif behind the rioting becomes apparent."

Similar sentiments were expressed by Mr. Vincent Manoharan, the General Secretary of the NCDHR. According to Vincent "...the current violence is an offshoot of the earlier incident that happened in December 2007. It is beyond doubt that the attempt by the Hindu fundamentalist forces are to silence the Dalits and to ensure an end to the Dalit socio economic empowerment that they inherited recently through education and business. For the NCDHR and its partners who work in this region, it is clear that the violence is a ruse to prevent the assertion of Dalits and their economic development and empowerment in the state. The dominant caste Hindus cannot tolerate the Dalits liberating themselves through economic empowerment, becoming socially equal in status and thereby posing a formidable challenge to the dominant caste's socio-economic and political dominance, superiority and authority.

The NCM has also expressed the same opinion in their report after the December 2007 violence.

In addition to issue of Dalit empowerment, there are also other interests playing a role, clandestinely in the state. For example, Orissa is rich in its mineral resources. Dalits are on a regular basis being evicted from their natural environment to facilitate the operations of the mining companies. Violence committed against the Dalit communities in Orissa is an easy way of instilling fear in the Dalit community.

Unfortunately the violence in Orissa is portrayed as a purely Hindu-Christian issue, sidelining the caste factor. The fundamental fact that the violence in the state is against Dalit empowerment committed and sponsored by fundamental dominant caste Hindu forces is ignored. The government also plays the same tune. In fact, had the government been more vigilant and true to its commitment to the people, this incident would not have happened. They knew that violence would erupt at anytime. By their inaction they let it happen."

¹ Link to the report: <http://ncm.nic.in/pdf/VC%20Tour%20Report%20of%20Orissa.pdf>

Living conditions are tough in this backward state. Deaths from starvation and other natural disasters are common in Orissa. Though the government is still in a denial mode, hundreds of persons have died from starvation in that state in the past decade. The estimates made by credible sources suggest that on an average 100-170 persons die from starvation each year in Orissa. In the period 2000 - 2003 about 441 deaths from starvation were documented from Orissa. Most of these deaths were reported from the southern region of the state, which has a high Dalit population.

An estimated 2/3rd of the population live in abject poverty in Orissa. The state has some dismal records vis a vis national statistics on infant mortality rate, lowest number of doctors per capita, poor public facilities like government sponsored education, sanitation, housing, electricity and clean drinking water. This not only paints a dismal picture about the government but also of the humanitarian and other social service agencies operating in the state and their actual reach to the poor and needy population in Orissa.

SUGGESTED ACTION:

Please write to the relevant authorities named below expressing your concern about the situation in Orissa. The Indian authorities must be urged to take all possible steps immediately to end the violence in the state. The victims must be provided immediate protection and the state must ensure that the perpetrators are investigated and brought to justice without delay.

Send an appeal: <http://www.ahrchk.net/ua/support.php?ua=UAC-192-2008>

The AHRC with NCDHR and ISDN will write separate letter to the UN Special Rapporteur on contemporary forms of racism, discrimination, xenophobia and related intolerance, calling for an intervention in this situation.

SAMPLE LETTER:

Dear _____,

INDIA: Please take immediate steps to end the violence in Orissa

Victims: Dalits facing violence in Orissa from the Hindu fundamentalist forces

Name of alleged perpetrators: Hindu fundamentalist forces headed by the Visva Hindu Parisad (VHP) and its associate cadres operating in Orissa

Date of incident: Since 23 August 2008 and continuously thereon

Place of incident: Orissa, India

I am concerned to know about the recent spate of violence reported from the state of Orissa that has thus far resulted in 14 deaths and in loss of millions worth property.

I am informed that the current spate of violence in the state has its roots in the earlier incidents of violence unleashed by the Hindu fundamentalist force, the Visva Hindu Parisad (VHP) against the Dalits. A recent incident was reported in December 2007. I am concerned to know that inspite of the government's complete knowledge that the violence would erupt in the state, in the event of the killing of a VHP leader by the extremist groups and that the specific target of the violence would be the Dalit communities, the government did nothing to prevent it.

I am given to understand that the state is ruled by a political party, the Biju Janata Dal (BJD), an ally of the Bahratiya Janata Party (BJP) supported by the VHP. It is unacceptable that the state government led by the BJD was sitting tight as the incidents after the murder of a VHP cadre snowballed into a massive riot in the state, sponsored by the VHP against innocent Dalits whose socio economic empowerment is reportedly not tolerated by the Caste Hindus of this state. The state government, particularly the Chief Minister Mr. Naveen Patnaik, must accept and own responsibility for his government's as well as his ministry's willful negligence and its incapacity to prevent the violence in the state. The Chief Minister is also responsible for the Home Ministry in the state.

I am further informed that the current spate of violence is not just an aftermath of the murder of a VHP cadre, but a planned and orchestrated violence targeted against the Dalit empowerment in the state. I am informed that since several years the VHP is spearheading a campaign against Dalits in the state. By the silence of the state administration, it appears that the state government was letting the violence rupture again in the state.

I am also informed that the condition of life in the state is so poor that daily life is marred with violence and poverty. I am informed that the current spate of violence will only make matters worse for the ordinary people in the state especially the marginalised, the Dalits and the tribal communities in the state.

I therefore urge you to immediately take necessary steps so that the violence does not spread any further and that it is immediately arrested. I also further request you to take all possible steps to apprehend the VHP cadres who are orchestrating the violence in the state and to provide all necessary steps to ensure that the victims of violence, particularly the Dalits, who were forced to run away into nearby forests to save their lives are protected and measures taken to ensure that on their return they will not be further subjected to any further violence.

Yours sincerely,

PLEASE SEND YOUR LETTERS TO:

1. Hon. Murlidhar Chandrakant Bhandare
Governor
Raj Bhavan
Bhubaneswar, Orissa
INDIA
Fax: + 91 674 2404695

2. Mr. Naveen Patnaik
Through the Office of the Chief Secretary
Government of Orissa
Bhubaneswar, Orissa
INDIA
Fax: + 91 674 2536660
E-mail: csori@ori.nic.in

3. Dr. Manmohan Singh
Prime Minister of India
PMO, Room number 152, South Block
New Delhi
INDIA
Fax: +91 11 23019545

4. Mr. Shivraj V. Patil
Minister of Home Affairs
Through the office of Mr. K.C. Jain
Joint Secretary (Coordination and Public Grievances)
Room No. 9, North Block, Ministry of Home Affairs, New Delhi - 110 001
INDIA
Fax: + 91 11 23093750 or 23092763
E-mail: jscpg-mha@nic.in or dirpg-mha@nic.in

5. Minister of Social Justice and Empowerment
Government of India
Shastri Bhawan, Dr Rajendra Prasad Road
New Delhi - 110 001

INDIA
Fax + 91 11 23384918
E-mail: min-sje@sb.nic.in

6. Chairperson
National Human Rights Commission
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7. Chairperson
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Thank you.

Urgent Appeal Programme
Asian Human Rights Commission (ua@ahrchk.org)