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Why the 2020 violence in Delhi was a pogrom

The violence was organised and systematic and it appears that the Indian authorities were complicit.



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A Delhi municipal worker stands next to the remains of vehicles, steel cupboards and other materials on a street vandalized during the violence in New Delhi, India on February 27, 2020 [File: AP/Altaf Qadri]

After the passing of the Citizenship Amendment Act (CAA) in December 2019, India's Muslim community, civil rights activists and concerned citizens, occupied public spaces in an unprecedented manner to register their protest and protect India's constitutional promise of secularism.

The protesters, however, faced vilification, police violence and a harsh media trial that branded them "anti-national" and "jihadi". This perception was built by the governing Hindu-nationalist Bharatiya Janata Party (BJP), as they led one of the most communally charged electoral campaigns in Delhi ahead of the regional elections.

Complaints have been filed with the police that right after their electoral loss, BJP Minister Kapil Misra openly threatened protesters in northeast Delhi, the epicenter of the peaceful protests.

On February 23, 2020, violence erupted in the area and lasted several days, resulting in the death of 53 people, the majority of them Muslims, and the injury of 250. Approximately 2,000 were displaced.

The government and the media were quick to brand the violence as "riots" and the term remains widely used to refer to the events of February 2020. But a much more accurate word to describe what happened is "pogrom".

This was the conclusion of a fact-finding committee formed by the Delhi Minorities Commission (DMC) – an independent statutory body tasked with safeguarding the rights of religious minorities. The committee reviewed victim testimonies and primary legal sources and concluded that the events of February 2020 fit into the definition of a "pogrom".

Historically used to refer to anti-Jewish violence in Europe and the Middle East, the term "pogrom" is now also used with reference to anti-minority violence across South Asia, where the construction of religious hierarchies has contributed to regular cycles of violence. Pogroms are targeted acts of ethnic violence that exploit existing fissures and stem from the desire to show a community "their place" or are seen as an act of retribution for their imagined sins.

The aim is to desensitize the general population to anti-minority violence and move towards a "final solution". Most importantly, pogroms embody the participation of the state: in planning, instigation, or inaction and toleration.

In the Indian context, the term pogrom has been used twice before – to signify the scale of the Gujarat massacre (2002) and the anti-Sikh violence (1984), both of which saw individuals exploiting the state machinery to their own ends.

The DMC's findings indicated that the violence was organised and systematic – implying that it was purposely planned, triggered and targeted. Victims repeatedly stated that although they

could recognise some of the perpetrators as belonging to their own residential areas, a majority of them were brought from outside. Anything that could lead to the perpetrators' identification, such as CCTV cameras, was destroyed. This negated any defence of the violence being of a spontaneous nature, as is the case with riots.

Shops and houses belonging to the Muslim community had been identified prior to the violence, so meticulously that only they were attacked while all others, including those adjacent to them, remained unscathed. Women who were "visibly Muslim", were specifically attacked, their hijabs pulled and some were sexually assaulted. Women have also alleged being threatened with rape by police officers.

Mobs attacked mosques and Islamic shrines (dargahs) and even burned religious scriptures. Gas cylinders, fires, and petrol bombs were used for arson and complete destruction of property, along with iron rods, lathis, tridents, spears and live ammunition. The weaponry used showed a clear intent to kill, destroy and terrorise the minority community.

Multiple testimonies reflected police inaction even as the violence unfolded before them, or of police not arriving despite being called many times. In at least one instance, the police patrolling the area refused help, saying they "had no orders to act".

This suggests that the abrogation of duty to prevent violence, was not a one-off incident or localised operational failure, but a pattern of deliberate inaction over several days.

Even where they did arrive at the scene, victims stated that a number of police officials stopped their colleagues while they were attempting to disperse the crowd. In some, they merely stood as onlookers while the mobs cheered "Delhi Police zindabad" (Long live Delhi Police). In others, they explicitly gave a go-ahead to the perpetrators to continue with their rampage.

In the aftermath of the violence the Delhi Police, which directly operates under the BJP-led central government and command of Home Minister, Amit Shah, did not launch investigations against any BJP or allied party leaders who have been accused of inciting the mobs. This is despite the many survivor testimonies and documentary proof to such effect.

In what can be seen as a series of retaliatory measures, victims themselves have been charged and arrested. In other cases, the police has been accused of refusing to file complaints against named perpetrators.

The Delhi Police has instead scripted a narrative where dissenters have been accused of participating in a conspiracy to show the nation in a bad light. A number of students – mostly Muslims – have been charged under draconian counterterrorism and sedition provisions, which makes bail a near-impossibility. Civil society groups have been put through repeated interrogations.

The present treatment of Indian minorities, particularly the dehumanisation and vilification of the Muslim community, has also gained international attention. In April 2020, a detailed report by

the US Commission on International Religious Freedom (USCIRF) categorised India as a country of particular concern, alongside Saudi Arabia and North Korea.

The report observed that “India took a sharp downward turn in 2019. The national government used its strengthened parliamentary majority to institute nation-level policies violating religious freedom across India, especially for Muslims.” It took note of how the CAA, combined with the NRC, could lead to “statelessness, deportation, and prolonged detention” of Muslims.

However, the Indian government rushed to reject the report, and accused USCIRF of “misrepresentation”. The last time India was placed on this list was right after the Gujarat pogrom in 2002, which took place under the watch of the then Chief Minister of Gujarat, Narendra Modi.

Genocide Watch, a global movement that works to prevent genocide, has placed India on its alert list and, as per the 10 stages that lead up to genocide, India stands at stage five: organisation.

Over the last few years, the BJP has carefully managed to craft the narrative that Muslims are “foreigners” and their cultural, religious, and lingual identity is “starkly different” from the “Hindu” majority, to polarise and instil hate. Citizenship assumes a central place in a nation-state, indicative of state and rights membership.

The BJP’s attempt at redrawing who belongs bears a stark resemblance to the Nazi citizenship laws of 1935 that marked the first step towards genocide of the Jews. The international community must step in before this leviathan attempts another “final solution”.

The authors of this piece contributed to the research and writing of the Delhi Minorities Commission Report on the northeast Delhi violence of February 2020. However, the positions and arguments stated in this piece are those of the authors and not all of the contents in this piece reflect the opinion of DMC.

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