The first part of this chapter asks who is a Hindu. Hindu nationalism (Hindutva) is based on perceived threats to Hindu demographic, cultural and political dominance, so the contours of these fears need to be understood as a starting point for any discussion of religious violence in India. In the second part of this chapter, I examine the nature of that violence and the extent to which the official crime statistics of India can be relied on as a way of understanding the position of India’s Muslim minority. I argue that the under-representation of Indian Muslims in India’s administrative and security institutions contributes to religious violence and to the unreliability of Indian crime statistics.

Who is a Hindu?

Religious violence in contemporary India takes many forms but in this chapter I focus on the conflict between Hindus and Muslims, the two largest religious communities in India. In South Asia, this kind of conflict is called ‘communalism’. The newly leaked figures for the 2011 Census of India tell us that 78.35 per cent of Indians were Hindus and that Muslims accounted for about 14.2 per cent of the total population of just over 1,210 million (Ghosh and Singh 2015). The proportion of Christians, Sikhs, Buddhists and Jains was much smaller, namely about 2 per cent in all cases except for the Jains whose population remains at about 0.4 per cent of the total. The official Census of India report on the religious composition of India has not been released yet despite the publication of other summary figures in 2013 from the 2011 Census. Some right-wing political groups in India have seen this as a deliberate attempt by the Indian government to suppress sensitive data showing that the proportion of Muslims is growing at the expense of the proportion of Hindus (Dutta 2013). Between 1950 and 2001 the Indian Census figures did show a disparity between trends in the Hindu and Muslim populations: the proportion of Hindus declined from 84.1 to 80.45 per cent while the proportion of Muslims increased from 9.8 to 13.4 per cent. On the other hand, the 2011 Census figures show that the Muslim population of India grew more slowly in the last decade relative to the previous one. Why are these numbers sensitive?
The controversy about the size and growth of the Hindu and Muslim populations of India is an old one which began in the early twentieth century when plans were being made for the devolution of colonial power to local Indian parliamentary institutions (Mendelsohn and Vicziany 1998). The demographic factors that give rise to these disparities in growth have been routinely ignored because it has suited some politicians to use the higher Muslim population growth rates as the basis for arguing that the Hindu-ness of India is under threat. The higher Muslim population growth rates have been interpreted by the Hindu right as one indicator of the ‘assertiveness’ of Indian Muslims (see for example Dutta 2013). This assertiveness is said to threaten Hindu nationalism and identity. Research on the historical demography of rapid population growth has been ignored, partly because the Hindu right does not accept the evidence showing that high fertility rates in many countries and communities (not only India) are an indicator of socio-economic disadvantages. Typically, high fertility goes hand in hand with high death rates. Instead, Hindu nationalists stick to a common stereotype about Indian Muslims that the men all have four wives which, in turn, produce 25 children per family (Engineer 1984: 3–4).

The numbers of Hindus and Muslims have been a charged political question in India since Savarkar became involved in definitional issues about the nature of Hindu nationalism in the early decades of the twentieth century. Anxieties about Indian Hindus preceded Savarkar, as the 1909 essay by U. N. Mukherji on A Dying Race, shows. However, the definition that Savarkar gave in 1923 in the first edition of his book Hindutva has become the most influential amongst the Hindu right. Indian Hindus were one nation because both their fatherland (Pitribhumi) and their holy land (Punyabhumi) were India (Savarkar 1966, fifth edition, 115–116). This he contrasted with the alleged, divided allegiance of Indian Muslims whose fatherland was India but whose holy land, he claimed, was Mecca (Savarkar 1966, fifth edition, 135). This assumed, divided loyalty of Indian Muslims, is a recurring theme in attempts by Hindu nationalists to justify their criticisms of and attacks on India’s Muslim minority. Sitting on top of the perceived threat of rapid population growth amongst Indian Muslims are the ongoing conversions to Islam and Christianity – the fact that these conversions are so small in number and percentages, does not weaken the perceived threat as seen from the viewpoint of the Hindu right.

A related problem of definition is that ‘Hindu-ness’ has always been, and remains today, a contested notion partly because many tribal and Dalit populations practise a wide variety of animistic and other customs, some of which have been incorporated into Hinduism and some of which have not. Most important of all, Hindus are born into the Indian caste system. By contrast, Dalits and tribal people were traditionally born outside the fourfold brahmanical caste division of India and they remained outside it in terms of the ritual hierarchies that remain important in the twenty-first century. These ritual hierarchies have also placed tribal and Dalit peoples into disadvantaged socio-economic, labouring groups. As a result, the Indian Constitution of 1950 created special categories which recognised the right of these people to obtain parliamentary seats, government jobs and places in schools, colleges and universities proportionate to their population size: particular tribal groups were named in a list of ‘Scheduled Tribes’ and similarly particular Dalit groups were named in a list of ‘Scheduled Castes’. These two schedules entitle the groups named in the Indian Constitution to reservation or affirmative action proportionate to their population in India: about 8.6 per cent in the case of Scheduled Tribes and 16.7 per cent for Scheduled Castes (Indian Census of 2011, 2013). Together these two groups represent some 25.3 per cent of all Indians who are defined as needing special consideration (or affirmative action) because they were ‘outsiders’ living beyond the pale of the traditional Indian caste system (Indian Census of 2011, 2013).
Beginning in the nineteenth century, however, some Hindu reformers have sought to bring these ‘outsiders’ into Hinduism by means that circumvent the problem of birthing rights. In particular, this has involved various ‘purification’ or ‘conversion’ movements led by caste Hindus amongst tribal and Dalit peoples. Hinduisation has even involved ‘converting’ and ‘purifying’ Indian Muslims (Sikand and Katju 1994). Various Hindu organisations have played an important role in these conversion/purification movements, one of the oldest being the Arya Samaj. For more than a hundred years, Hindu and Christian organisations in India have clashed in their competition to convert the ‘outsiders’ of the Indian caste system to their religious and social values (Kanungo 2008). Perhaps the greatest threat to the Hinduisation movement came from the Dalit leader Ambedkar, who in October 1956 took about half a million Dalits with him when he converted to Buddhism. The cry of the Ambedkarite movement was: we are not Hindus and we will not die as Hindus (Mendelsohn and Vicziany 1998: 114–115).

All conversion movements away from Hinduism have been seen as additional threats to Hindutva or the Hindu nation even though most of the religious minorities of India are very small – the Muslim minority being the one exception. Simplistic arithmetic has compelled supporters of Hindutva to see the growth of non-Hindu conversion movements (no matter how minor their impact on the total population of India) as something that weakens Hindu nationalism and anything that does that automatically strengthens the Muslim minority.

In contrast to these threats, Savarkar and the Hindu Mahasabha of which he became President in 1937, looked to those Princely States of India which were predominantly Hindu as future role models of what a hegemonic state based on Hindu-ness would look like and how it might function (Copland 2002: 221). A small group of Indian princes ultimately supported the Hindu Mahasabha and in the ten years up to Indian independence in 1947 abandoned their eclectic political and cultural policies by sacking their Muslim advisors, ministers and other high-ranking public servants in favour of appointing Hindus (Copland 2002: 227). The emergence of Hindu Rashtra (Hindu Rule), or explicitly Hindu oriented states, allowed the Hindu Mahasabha and the RSS to provoke communal animosity by encouraging Hindus to attack Muslims. Communal riots followed:

During the last five years of the colonial period, Hindu–Muslim clashes not only became more frequent in states like Jaipur which had wrestled with the problem since the 1920s, but began to break out in states which until then had been virtually riot-free, such as Gwalior, Jodhpur, Bikaner, Kotah, Patiala, Rampur, Bhavnagar and Bhopal.

Copland, 2002: 228

The question of who is a ‘Hindu’ and who is not has been a fraught political question for more than a century. In the contest for political legitimacy in India, various Hindu nationalist political parties have found it essential to their pride and also to their political success to convert and purify as many non-Hindus as possible as a way of augmenting the Hindu vote. In garnering the Hindu vote, many measures have been taken to strengthen Hindu culture by reinterpreting it and asserting it as something that has been pure, ageless and homogenous.

The contested nature of Hindu identity in modern India is an important factor in understanding religious violence and the crime statistics that I discuss in the following section. Why does the Muslim minority of India suffer disproportionately from violence? What are the mechanisms that allow this to happen?
Crime statistics and religious violence in India

In 2012, the Government of India decided to collect data about religious violence in India and began to distinguish between ‘riots’ and ‘incidents of tension’ between religious communities. Those data are summarised in Table 27.1 below which shows that in the first nine months of 2013 there were 479 communal riots in India, 154 incidents of inter-community tension, 66 Muslim deaths and 41 Hindu deaths. The figures show that trends in 2013 were well on their way to matching the level of religious violence recorded in 2012: namely 640 riots, 371 incidents and the deaths of 48 Muslims and 44 Hindus (Table 27.1). These data were prepared by the Ministry of Home Affairs and reported to the National Integration Council. Until now, however, I have been unable to locate the original document and so rely on press reports about it.

The data in Table 27.1 are puzzling for two reasons: why was it necessary to collect this data when the annual report called Crime in India was already published by the same Ministry? Second, why does the information in these two reports for 2012 not match up? To begin with, some preliminary observations are needed about any data that purport to capture the nature of violence and crime in India.

Attempts to quantify the extent and severity of religious violence in India are fraught with enormous difficulty and all numbers need to be cited with great caution. Official statistics about violence in India are collected by the local administration and police in each state: typically the reports are biased in favour of the majority Hindu community for the simple reason that the police who investigate the crimes are predominantly Hindu. Before Indian independence, in northern India for example, half of the police force was Muslim, but by the early 1950s this was down to 5 per cent (Brass 1997: 288). The situation had probably worsened by the late 1990s, because the Sachar Report of 2006 noted that the proportion of Muslims working in the ‘Public Order and Safety Activities’ area (a category including workers in addition to police) was only 6 per cent at central level and 7 per cent at the state level despite the proportion of Muslims in the Indian population being about 13.5 per cent as per the 2001 Indian Census. Well over 80 per cent of employees at both levels in the area of policing and related duties were Hindu as Table 27.2 shows.

The lack of empathy that Indian administrations have for Muslims is partly driven by their very low representation in the public services beyond the ‘public order and safety activities’ noted above. According to the Sachar Report, at the central level a mere 3 per cent of the Indian Administrative Service employees were Muslim and they only represented some 4 per cent of the Indian Police Service. In the case of the highly prestigious Indian Foreign Service, the proportion was dramatically lower, just 1.8 per cent (Sachar 2006: 165).

At the state level the visibility of Muslims in the apparatus of government was not any better. Table 27.3 summarises the data that the Sachar Report eventually extracted from state governments that had been very uncooperative; as a result the data are far from complete, often based on small samples. On average, the proportion of Muslims employed in state level administrations at high and low level positions was about 6 per cent. The table also reveals some surprises: for example, in the state of West Bengal, the proportion of Muslims was well under a fifth of their proportion in the state’s population despite a long history of Marxist government in West Bengal. That left-wing regime frequently claimed to deliver greater equality than other regimes, but clearly this did not apply to the employment of Muslims in the government services of West Bengal. In most parts of India, Muslims were greatly under-represented in the government bureaucracy.
<table>
<thead>
<tr>
<th>State</th>
<th>Total riots</th>
<th>Total incidents of tension</th>
<th>Total deaths</th>
<th>Hindu deaths</th>
<th>Muslim deaths</th>
<th>Total injured</th>
<th>Hindu injured</th>
<th>Muslim injured</th>
<th>Police</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2013</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National</td>
<td>479</td>
<td>154</td>
<td>107</td>
<td>41</td>
<td>66</td>
<td>1,697</td>
<td>794</td>
<td>703</td>
<td>200</td>
</tr>
<tr>
<td>UP</td>
<td>93</td>
<td>108</td>
<td>62</td>
<td>20</td>
<td>42</td>
<td>353</td>
<td>134</td>
<td>219</td>
<td></td>
</tr>
<tr>
<td>Maharshtr.</td>
<td>56</td>
<td>100*</td>
<td>10</td>
<td>3</td>
<td>7</td>
<td>271</td>
<td>101</td>
<td>106</td>
<td>64</td>
</tr>
<tr>
<td>Bihar</td>
<td>40</td>
<td>25</td>
<td>9</td>
<td>5</td>
<td>4</td>
<td>208</td>
<td>123</td>
<td>66</td>
<td>19</td>
</tr>
<tr>
<td>Gujarat</td>
<td>54</td>
<td>21</td>
<td>6</td>
<td>3</td>
<td>3</td>
<td>147</td>
<td>85</td>
<td>57</td>
<td>5</td>
</tr>
<tr>
<td><strong>2012</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National</td>
<td>640</td>
<td>371</td>
<td>93</td>
<td>44</td>
<td>48</td>
<td>2,067</td>
<td>1,010</td>
<td>787</td>
<td>222</td>
</tr>
<tr>
<td>UP</td>
<td>117</td>
<td>39</td>
<td>20</td>
<td>19</td>
<td>9</td>
<td>488</td>
<td>266</td>
<td>197</td>
<td>25</td>
</tr>
<tr>
<td>Maharshtr.</td>
<td>94</td>
<td>208</td>
<td>15</td>
<td>6</td>
<td>9</td>
<td>280</td>
<td>97</td>
<td>110</td>
<td>44 and 29 others</td>
</tr>
<tr>
<td>Madhya Pr.</td>
<td>89</td>
<td>92</td>
<td>9</td>
<td>4</td>
<td>5</td>
<td>241</td>
<td>146</td>
<td>80</td>
<td>15</td>
</tr>
<tr>
<td>W. Bengal</td>
<td>23</td>
<td>21</td>
<td>9</td>
<td>1</td>
<td>8</td>
<td>57</td>
<td>19</td>
<td>38</td>
<td></td>
</tr>
<tr>
<td>Bihar</td>
<td>20</td>
<td>30</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>139</td>
<td>87</td>
<td>52</td>
<td></td>
</tr>
<tr>
<td>Gujarat</td>
<td>57</td>
<td>20</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>201</td>
<td>82</td>
<td>91</td>
<td>28</td>
</tr>
<tr>
<td><strong>Grand total 2012 and 2013</strong></td>
<td><strong>1,119</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The data for 2012 is for 12 months; for 2013 for 9 months up to 15 September 2013

Source: Hindustan Times Correspondent, 2013; Source for 100* is PTI, 2013
### Table 27.2 Proportion of employees in public order and safety activities in India at the Government of India Level and the State Governments Level

<table>
<thead>
<tr>
<th>Community identity</th>
<th>Central: Government of India services</th>
<th>State Level services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Percentages employed</td>
<td>Percentages employed</td>
</tr>
<tr>
<td>Muslims</td>
<td>6 (13.5)</td>
<td>7 (13.5)</td>
</tr>
<tr>
<td>Hindu UCs (upper castes)</td>
<td>42</td>
<td>37</td>
</tr>
<tr>
<td>Hindu SC/ST (scheduled castes and scheduled tribes)</td>
<td>23</td>
<td>21</td>
</tr>
<tr>
<td>Hindu OBCs (other backward castes)</td>
<td>23</td>
<td>26</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

**Note:** Proportion of the Indian Muslim Population as per the 2001 Indian Census in brackets

**Source:** National Sample Survey data cited in Sachar, 2006, p. 102

### Table 27.3 Share of Muslim employees in some State Governments (sample of 4.4 million)

<table>
<thead>
<tr>
<th>State</th>
<th>Sample of total number of employees</th>
<th>Percentage of Muslims in the state population</th>
<th>Percentage of Muslims in higher positions</th>
<th>Percentage of Muslims in lower positions</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Bengal</td>
<td>134,972</td>
<td>25.2</td>
<td>4.7</td>
<td>1.8</td>
</tr>
<tr>
<td>Kerala</td>
<td>268,733</td>
<td>24.7</td>
<td>10.3</td>
<td>10.4</td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>134,053</td>
<td>18.5</td>
<td>7.5</td>
<td>4.9</td>
</tr>
<tr>
<td>Bihar</td>
<td>78,114</td>
<td>16.5</td>
<td>7.2</td>
<td>7.6</td>
</tr>
<tr>
<td>Assam</td>
<td>81,261</td>
<td>30.9</td>
<td>10.2</td>
<td>11.4</td>
</tr>
<tr>
<td>Jharkhand</td>
<td>15,374</td>
<td>13.8</td>
<td>3.8</td>
<td>7.2</td>
</tr>
<tr>
<td>Karnataka*</td>
<td>528,401</td>
<td>12.2</td>
<td>4.9</td>
<td>8.9</td>
</tr>
<tr>
<td>Delhi</td>
<td>135,877</td>
<td>11.7</td>
<td>2.1</td>
<td>3.3</td>
</tr>
<tr>
<td>Maharashtra*</td>
<td>915,645</td>
<td>10.6</td>
<td>3.1</td>
<td>4.5</td>
</tr>
<tr>
<td>Gujarat*</td>
<td>754,533</td>
<td>9.1</td>
<td>3.4</td>
<td>5.5</td>
</tr>
<tr>
<td>Tamil Nadu*</td>
<td>529,597</td>
<td>5.6</td>
<td>4.2</td>
<td>2.9</td>
</tr>
<tr>
<td>Sum of states</td>
<td>4,452,851</td>
<td>16.0</td>
<td>5.7</td>
<td>5.6</td>
</tr>
</tbody>
</table>

**Note:** Only the four states marked with an asterisk above provided the Sachar commission with full information. 'Sum of states' includes Andhra Pradesh with 876,291 employees, but no breakdown was given

**Source:** Data extracted from Sachar, 2006, Table 9.5, p. 170
The low presence of Muslims in the administrative, police and security services of India at the central and state levels interacts with their lack of political influence. At the state level the impact can be seen more clearly in cities such as Mumbai where the growing rhetoric of Hindu nationalism continues unchecked, partly because right-wing political parties such as the Shiv Sena have close connections with the police, the administration and politicians. By contrast, the political influence of the Muslim communities has been very weak, as it is in most parts of India. The 1998 Srikrishna Report concluded that a factor in the routine lack of consideration given to Mumbai’s Muslims was their inability to:

increase their representation in the Bombay Municipal Corporation or in the Legislative Assembly. This has contributed to the Hindutva idiom gaining ground.

Justice Srikrishna 1998: Vol. 1, Chapter 2, para.1.25

Police bias against the Muslim minority in Bombay was acknowledged in the Srikrishna Report to be serious. It manifested itself in the local police frequently refusing to record Muslim complaints. The Srikrishna Report is again worth citing:

The Commission is of the view that there is evidence of police bias against Muslims which has manifested itself in other ways like the harsh treatment given to them, failure to register even cognizable offences by Muslim complainants and the indecent haste shown in classifying offences registered in “A” summary in cases where Muslim complainants had specifically indicated the names and even addresses of the miscreants. That there was a general bias against the Muslims in the minds of the average policemen which was evident in the way they dealt with the Muslims, is accepted by the officer of the rank of Additional Commissioner, V.N. Deshmukh. This general police bias against Muslims crystallizes itself in action during January 1993.

Justice Srikrishna 1998: Vol. 1, Chapter 1, para.1.6

Later in the report more detail was provided about the poor records kept by the police and their lack of investigative professionalism (Justice Srikrishna 1998: Vol.1, Chapter 5, paras 1.3–1.6).

What impact does such police bias have on the data about communal violence in India? More often than not, official police statistics tend to show that the victims of communal riots are more numerous amongst the Muslim communities than amongst the Hindus. More accurate investigations and reporting by Indian police would probably increase the disparity between the number of Muslim and Hindu victims of communal violence by showing that more Muslims suffered than the current records show. One report into the communal riots of Gujarat in 2002, for example, rejected the official death rate because so many Muslims had been burnt alive after being hacked, cut, gang raped … There are no death certificates since no remains were found as bodies were burnt to ashes.


Second, the police themselves are part of the problem of religious violence. Table 27.1 shows that many police were injured in riots and incidents of tensions. Some police were killed too, but typically their numbers are small because the police are armed while the
India’s Muslim minority

rioters are at best poorly armed. What these figures do not reveal is the role that the police can play by either failing to act against those who perpetrate violence or being complicit in the violence because they identify with the grievances articulated by local Hindus, administrators or politicians. Typically it is Indian Muslims, Dalits, tribal people, women and sexual minorities (Vicziany 2007) that tend to suffer the worst police anger or revenge that might be unleashed during periods of social instability. As a result of these biases, the police cannot be relied upon to accurately report crimes committed against Indian minorities. Again, the Srikrishna Report provided a good example of the scale of the problem of police complicity in riots. Between December 1992 and January 1993 police shootings during the communal riots in Mumbai exceeded all other reasons for death: 356 police shootings compared to 347 stabblings, 91 incidents of arson, 80 deaths due to ‘mob action’, 22 private shootings and four others. Forty per cent of the 900 people who died were shot by the police (Justice Srikrishna 1998: Vol. 1, Chapter 2, para.1.25). Chapter 4 of the report speaks specifically about the connivance of the police with the rioters:

Police officers and men, particularly at the junior level, appeared to have an in-built bias. The bias of policemen was seen in the active connivance of police constables with the rioting Hindu mobs on occasions, with their adopting the role of passive on-lookers on occasions, and finally, in their lack of enthusiasm in registering offences against Hindus even when the accused were clearly identified and post haste classifying the cases in “A” summary.

*Justice Srikrishna 1998: Vol. 1, Chapter 4, para.1.13*

The Srikrishna Report’s documentation of the communal bias of the Bombay police is not unusual. The Liberhan Commission Report documented similar biases in the case of the state apparatus in Uttar Pradesh (UP). In this instance, the state government of UP ensured that the local police and civil servants were supportive of the agenda of Hindu nationalists by organising ‘mass transfers’ of neutral personnel out of positions of authority and replacing them with compliant individuals (Justice Liberhan, 2009, 950, para. 168.7; para. 168.8). The destruction of the mosque in Ayodhya on 6 December 1992 as a result of mob violence orchestrated by the Sangh Parivar depended not only on the frenzy of hatred conjured by Hindu nationalists (Justice Liberhan, 2009, 377 para. 61.33), but also the religious bias of the law enforcers (Liberhan Memo, 2010, para. 2.6), the lack of police and bureaucratic professionalism (Liberhan Memo, 2010, para. 2.12) and the unhealthy collusion between police, civil servants and politicians (Liberhan Memo, 2010, para. 2.2). Justice Liberhan’s inquiry into the violence of events in Ayodhya concluded that serious public disorder had occurred because the local police were incapable of and unwilling to act because of their sympathy for the supporters of Hindutva:

What also became painfully obvious was the danger of allowing the guardians of peace to sympathize with miscreants to the extent that they become a part and parcel of the problem instead of the solution.

*Liberhan Memo 2010: para 3.6*

The public disorder surrounding the destruction of the Babri Masjid in Ayodhya was orchestrated by the RSS but Liberhan named the top leadership of the BJP in a long list of those culpable for the events that threatened peace and democracy of India (Justice Liberhan, pp. 958–962, para. 171.1).
Another reason for not trusting police data on communal violence is that the minority communities often engage in self-censorship and do not report religious tension or instances of violence. Communities have come to depend on their own interventions. For example, amongst the Koli communities of Mumbai,8 we discovered that two of the villages had dargahs or shrines to Sufi saints. In the case of one of these villages, a gang of torch-bearing Hindu hooligans turned up during the riots of December 1992 threatening to burn down the dargah (Vicziany et al. 2013). The Koli residents surrounded the building and protected it by shouting ‘You will have to burn us before you burn the shrine’. The hooligans left; no damage was done and nobody was hurt. However this ‘incident’ was never reported to the police. More significantly, the confrontation would not have fitted into police definitions of religious violence because only a few Muslim Koli families continue to live in the village. It was the other residents, mainly Hindu and Christian Kolis, who formed the protective ring around the shrine. In other words, the hooligans who wanted to destroy the Muslim shrine were Hindu nationalists but the protectors were the whole village, not just the Muslim custodians of the dargah. Moreover, the Koli of Mumbai in general believe in a wide range of gods, goddesses, spirits and gurus – including their own tribal goddesses and water spirits. Typically, they are described by outsiders as ‘Hindu’ but they may or may not accept that definition depending on their family circumstances. In other words, the realities of religious life amongst India’s many communities are complex and do not always lend themselves to simplistic definitions or fixed categories. This means that when we read police reports, we have to ask ourselves how the police decided who was a Hindu and who was a Muslim? How do the police learn about the identity of individuals involved in religious conflict? Can police categories be depended on? The risk of a serious mismatch between police definitions and ground realities is considerable. Most important of all is how do the police apply the categories given to them by administrators seeking to classify the ‘motives’ for violence and crime? We now turn to the question of motives.

The greatest danger hidden behind the figures in Table 27.1 is the assumption that religious riots and inter-community tensions are actually about religion. Even if the victims have been correctly identified as Muslim, Hindu or other, that says nothing about how the violence began, how it was fuelled, why some incidents of tension died out while others assumed explosive dimensions, and in whose interest it was to fan the flames of conflict in the first place.

An insight into these difficulties is provided by another important and frequently cited source of information about violence in India, namely the annual report on Crime in India by the Ministry of Home Affairs. I use the 2012 report as a benchmark for commenting on the nature of police data about violence and crime. I seek to explain why the category called ‘communalism’ is not an exclusive motive for murder or culpable homicide.

Table 3.2 of the 2012 report lists various motives for murder and culpable homicide for each Indian state and territory. In addition to ‘communalism’ which appears on page 331, on pages 329 to 331 statistics are provided for other motives such as gain, property disputes, personal vendettas or enmity, love affairs/sexual causes, dowry, lunacy, witchcraft, political reasons and terrorist/extremist violence, casteism, caste conflict, and other motives (Crime in India 2012).

The number of people reported as having been murdered in 2012 as a result of ‘communal’ motives was 15 for the whole of India (Crime in India 2012: 331). However, in Table 27.1, based on a special report by the Ministry of Home Affairs as cited by the Hindustan Times, the total number of deaths during communal riots for 2012 was given as 93: 44 Hindus and 49 Muslims. I have been unable to ascertain why this statistical discrepancy exists between the two reports on communal violence in 2012. More importantly, however,
we gain an insight into the statistical mess surrounding the police reports of crimes and violence in India by carefully studying the motives for murder in the annual *Crime in India* report.

To begin with, local police have enormous discretion in the classification of crimes. For example, during fieldwork in Belgaum district (Karnataka state) in 1988 on the subject of atrocities against Dalits, we discovered the multi-layered nature of the motives behind crimes (Mendelsohn and Vicziany 1998: 70–71). Four Dalit boys and their Maratha friend were abducted by an unsuccessful Lingayat-caste candidate for the village council election. Another Lingayat candidate had been elected to lead the village council and his success was blamed on the Holeya Dalits in the village. One Holeya candidate also won the reserved seat for Scheduled Castes and his son was amongst the five punished by the failed Lingayat candidate. All three of the successful village candidates belonged to the Janata Party that had stood against candidates from the local peasant party. The boys were caught cutting grass for the family cow on the disgruntled Lingayat member’s land. The cow had recently been purchased as part of the asset creation schemes promoted by the Integrated Rural Development Program (IRDP) to assist the economic improvement of Dalits. Night was falling and it began to rain, so the boys were in a hurry. They were caught and punished by being forced to eat human faeces collected from the roadside. Although no murders were committed in this case, the multiple causes for the Lingayat landlord’s anger could have led to worse outcomes. Had a murder been committed, the local police would have had the discretion to classify the case as a crime of property or personal enmity or political violence or casteism or class conflict. Exactly how and why the local police decide to classify a crime by placing it into one category rather than another depends entirely on the local situation and police perceptions of this. Given the discretional mobility between the categories, any statistic that claims to be an accurate reflection of murders motivated by religious hatred rather than something else should be regarded as unreliable or at best incomplete.

The *Crime in India* annual report for 2012 also includes Table 3.1 on the ‘Incidence and Rate of Violent Crimes’. On page 328 the category ‘Riots’ is given, showing that in 2012 there were 74,633 riots throughout India. Table 3.1 also has information about other crimes including murder, attempts to commit murder, culpable homicide, rape, kidnapping and abduction, dacoity, preparation and assembly for dacoity, robbery, arson, and dowry death (*Crime in India* 2012: 327–328). The crimes are classified according to the particular Indian law under which the criminals were apprehended and charged. What is especially interesting about this table is that there is no disaggregation of the statistics for ‘riots’ – so we do not know what number were reported as communal. Nevertheless, my basic question remains: when do the police classify an event as a riot? When do they focus on other aspects of violence? Riots, including communal riots, are likely to involve robberies, rapes and arson too. So what determines which criminal event goes into which category? How do the police deal with such enormous overlaps? Or more cynically, does it sometimes suit the police and local administrators to use whatever criminal classifications they think best serves their own interests? My point is the same as argued earlier: the categories under which crimes in India have been classified are not mutually exclusive. The decision about how to classify crimes is in the hands of the local police which can be influenced by local administrations and politicians. Given the under-representation of the Muslims in the policing and governance of India, we cannot be confident that the criminal statistics of India are neutral and reliable.

I am not suggesting that all Indian police are corrupt, prone to communal revenge, submit false returns or ignore the plight of Indian minorities. Certainly there are outstanding policemen such as Suresh Khopade who took an interest in preventing religious violence and
in the aftermath of the 1984 riots in Bhiwandi set up a new model whereby citizens and the police cooperated in the containment of communal conflict (Khopade 1998). Khopade’s own investigations, however, also suggest that the burning of the bodies of riot victims prevented their identification (Khopade 1998: 39, 42–43, 45, 46). Some burnings were accidental in the sense that people might have been trapped inside burning buildings, given that arson is a common feature of communal riots. But other burnings appear to have been inflicted as a result of deliberate violence against individuals. Khopade notes that the 200 recorded deaths were a ‘gross understatement’ (Khopade 1998: 50) and that of these 200 ‘only 66 could be identified’ (Khopade 1998: 55). Khopade portrayed the police as overworked, unable to cope with the scale of the violence and so incapable of generating comprehensive or accurate records. While there is some logic to what Khopade has written, his analysis of the communal riots in Bhiwandi remains relatively superficial and incomplete.

A very different analysis of the 1984 communal riots in Bhiwandi was given by Ali Asghar Engineer in a unique study that compared the reporting by the police and press with an independent investigation undertaken by the Committee for Protection of Democratic Rights that Engineer set up and participated in (Engineer 1984, Preface). This inquiry was undertaken not long after the riots which occurred mainly between 18 and 27 May 1984. Engineer cites the official death toll as 278 (Engineer 1984: 154). A summary follows of the ‘Figures Reported by Authorities and Press’ according to the time and place of the riot incidents (Engineer 1984: 155–159). The table that follows these pages, summarises the findings of Engineer’s team. At the bottom of this table the following note appears:

According to a reliable source total number of deaths in Bhiwandi is 500 of which 400 [were] Muslims and 100 Hindus. The total number of persons arrested in Bhiwandi is 1350 of which 400 [were] Hindus and 950 Muslims.

Engineer 1984: 163

A comparison between these two tables – the official and independent summaries – show that the earliest police reports date from 21 May 1984 but the first independent survey reports begin on the 18 May 1984 when in Thane and other localities a total of 201 Muslims were killed (Engineer 1984: 160–162). Engineer’s report also adds the following remark in the case of Thane: ‘One girl raped; 4 girls missing’ (Engineer 1984: 160) and in the case of Chungat Nagar: ‘4 children missing’ (Engineer 1984: 161).

The reports by Khopade and Engineer agree on the significant under-reporting of the deaths and injuries that occurred during the Bhiwandi riots. However, Engineer’s report goes much further in explaining why such a high death rate amongst Muslims was possible in a Muslim dominated area. One factor was that the Hindus in the villages on the outskirts of Bhiwandi were mobilised and attacked the outlying urban Muslim settlements – they ‘came and wrought havoc’ (Engineer 1984: 13). Another factor was the police who ‘sided openly with the rioters and miscreants’ (Engineer 1984: 3). The Muslim riot victims reported that the police even fired on them, looted their houses, released biased reports to journalists and prevented them from identifying their dead (Engineer 1984: 13). Only the arrival of the military brought the situation under control.

I have used the accounts by Khopade and Engineer to illustrate the complex nature of communal conflict and in citing the Bhiwandi example I have tried to show why the crime statistics of India cannot be relied on. The aggregated crime statistics published by the Ministry of Home Affairs in their annual Crime in India reports depend on local police records such as those described by Khopade and Engineer.
Conclusion

Almost ten years ago, Paul Brass warned us not to seek explanations of communal violence in India by analysing statistical trends. His warning was incisive and elegantly expressed: abandon the methods of contemporary social science and focus on describing particular events, place them into their full context, continue your inquiries until such time as you have gathered as many representations and misrepresentations as possible, and then stand back and say: ‘I find no other logical explanation for this event. I challenge you to find a better one and to provide evidence for it’ (Brass 1997: 167). His critique of the use of statistical methods to elucidate communal violence in India is also worth citing in full, because many practitioners of contemporary social science …

continue to believe that there are certain truths to be found in a multiplicity of discrete events if only we can quantify and categorise precisely our cases. Nor can we take comfort that, if we are persistent enough, apply the appropriate methods of observation, testing and reasoning, we will find our ‘way among the facts’ to the truth of an event, to that which ‘really is’.

Brass 1997: 267

Religious violence in India cannot be understood by studying the country’s crime statistics. More generally, police reports need to be treated with much caution not only because the police are overworked but more seriously because, as I have sought to explain, the police form part of a wider governance structure that under-represents the interests of India’s Muslim citizens. The dominant Hindu character of India’s administrative and security system makes it much easier for Hindu nationalists to co-opt the police and bureaucracy into serving the interests of Hindutva. During communal riots, when the religious consciousness of Hindus and Muslims has been inflamed to abnormal levels and taken on dimensions of extreme paranoia and revenge, it is easy for the police to be overwhelmed by the momentum of events, forget their professional duties and throw their lot in with their fellow Hindus. The absence of countervailing forces, such as stronger Muslim representation in the government, administration and policing of India, makes it harder to contain the influence of interest groups who manipulate religious differences for political ends. As one report noted, the police in India are not a neutral force: they ‘too have their biases’ and in the absence of proper training to counteract prejudice, the biases of the police are likely to reflect those of the Hindu majority community (Concerned Citizen’s Inquiry Report into Malegaon Riots 2001).

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Notes

1 The RSS or Rashtriya Swayamsevak Sangh, was formed in 1925 and is the ideological heart of the Hindu right, more commonly known in India as the ‘Sangh Parivar’. The Sangh Parivar includes a number of co-related organisations: today the BJP or Bharatiya Janata Party is the political arm of the Hindu nationalist movement; the VHP or Vishva Hindu Parishad extends the work of the
Sangh Parivar into many different social services and the international arena; and the Bajrang Dal is the youth wing of the movement.

2 The way in which Hindu nationalists have reinterpreted Indian history in a self-serving and communal manner has been the subject of analysis by Romila Thapar for many years (Thapar 2014).

3 The Sachar Commission was established in March 2005 by the Office of the Indian Prime Minister Manmohan Singh to report on the status of India’s Muslim minority. The chairperson Justice Rajinder Sachar was assisted by six expert, commission members and, despite many obstacles, submitted its report on 17 November 2006.

4 Justice Srikrishna, a sitting judge of the Bombay High Court, was appointed in late February 1993 to inquire into the events and causes of the Bombay riots of December 1992 to January 1993 in the aftermath of the demolition of the Babri Masjid in Ayodhya (Uttar Pradesh). The work of the commission was assisted by two committees of assessors: one from the Tata Institute of Social Sciences to report on the political, demographic and socio-economic background to the riots and another consisting of senior, retired state and federal police to report on the policing system of Mumbai and how to improve it. Five years later Justice Srikrishna handed down his findings.

5 For example, the Srikrishna Report on the Bombay riots of December 1992–January 1993 noted that of the 900 people who were killed, 575 were Muslims (or 64 per cent), 275 Hindus, 45 unknown and five ‘others’ (Justice Srikrishna 1998: Vol. 1, Chapter 2, para. 1.25). The same paragraph also recorded the greater number of Muslims who were injured: 1,105 or 54 per cent out of a total of 2,036, relative to 893 Hindus and 38 others.

6 Many other riot victims were burned alive in Gujarat in February 2002: see for example a new documentary about the violence in Gujarat by Sumaria 2014.

7 Justice Liberhan was appointed as a one-man judicial commission to investigate the ‘events, facts and circumstances’ leading up to the demolition of the Babri Masjid in Ayodhya on 6 December 1992. The demolition was regarded by Hindu nationalists as the first stage of rebuilding a Hindu temple on soil that they alleged was the birth place of the Hindu god Ram and that they believed existed beneath the foundations of the mosque. That demolition gave rise to communal riots in many parts of India. At the time of his appointment, Justice Liberhan was a sitting judge in Chandigarh. His office of inquiry was established in Lucknow (Uttar Pradesh) where he was given the support of the services of the CBI (Central Bureau of Investigation). The Commission was set up ten days after the demolition of Babri Masjid but the report was not completed until 30 June 2008, after some ‘17 long years and 48 extensions’ (Engineer 2009). The report was over 1,000 pages long with many more thousands of pages of supporting documents and evidence.

8 The Koli tribal peoples of Mumbai are one of the original three indigenous tribal groups that have inhabited this area for hundreds, perhaps thousands of years.

9 Perhaps the most famous and highly respected Indian policeman in recent years was Hemant Karkare (1954–2008) who, as the head of Mumbai’s anti-terrorist squad, uncovered the role of Hindu extremists in the Malegaon bombings. His death when leading Mumbai’s response to the terrorist attack of 26 November 2008 gave rise to rumours about his death having been arranged by Hindu militants.

References


