The threats and fear continue for the Muslims affected by the Muzaffarnagar riots in western Uttar Pradesh last year. Added to the pathetic conditions of the camps where they have fled to is the government’s unclear definitions and non-transparent relief measures. Even as Muslims continue to move out of areas where sustained hate-mongering has made their lives miserable and lose their livelihoods in the process, many of those who have filed police cases find they are welcome back only if they take back their complaints.

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The opinions expressed in this article however are my own and the usual disclaimers apply. The threats and fear continue for the Muslims affected by the Muzaffarnagar riots in western Uttar Pradesh last year. Added to the pathetic conditions of the camps where they have fled to is the government’s unclear definitions and non-transparent relief measures.
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Since May 2014 I have visited the districts of Muzaffarnagar and Shamli in Uttar Pradesh (UP) and interacted with the victims of communal violence and the activists who have been working with them during the last one year. I stayed in Muzaffarnagar city and Kandhla town in Shamli district, and spoke to people still living in refugee camps and in those places where they have settled (or are in the process of settling) in rented houses or land/houses they bought with the compensation given to them.

The communal mobilisation in September 2013 was spread over and affected at least four districts in western UP, namely, Muzaffarnagar, Shamli, Baghpat and Meerut. In the mainstream media and public discourse it came to be known as the “Muzaffarnagar riots”. This nomenclature hides two aspects. One, that the mobilisation was well-planned and aimed at pre-poll polarisation of votes and two, that although most overt physical violence occurred in Muzaffarnagar, a large number of people in
Shamli were forced to flee their homes and villages out of fear due to intense communal mobilisation in the area. Communal mobilisation and forced migration is a process that still continues in the entire western UP region including Saharanpur and Muradabad, in addition to the four districts mentioned above. This article is aimed at highlighting certain issues and problems that need to be enquired into. There is also need to collect empirical data for purposes of legal and public advocacy.

In both Shamli and Muzaffarnagar districts, I met the district magistrates (DMs) along with the activists of various groups working in the region with the victims. These meetings helped me get a larger picture of the prevailing situation vis-à-vis payment of compensation to the victims of violence and the displaced families, pursuance of the criminal cases by the district police/administration and efforts for rehabilitation of the displaced persons by government or non-government actors.

**Deficient Relief**

My initial impression was (and it got confirmed later) that as far as provision of relief was concerned some areas got serviced more than the others. During my visit in May 2014 the relief operations of most
groups were either already over or in the process of winding up. People reported that living in the open was the biggest problem but by and large they expressed appreciation for the help by organisations and individuals due to which they did not have to go hungry. It is important to note that much of the relief effort was mounted by Muslim individuals and religious bodies (both local and from outside). Some big name donor organisations such as Oxfam were appreciated for the sensitivity and astuteness with which they provided useful relief material. Most of the usual national non-governmental organisations (NGOs) who are at the forefront of disaster response in the country were conspicuous by their absence. Even those who did come, did so much after the violence and left after a brief engagement or tokenism.

The Muslim religious organisations’ efforts were deficient largely because they did not have either the experience or the trained personnel for such efforts. They and other individuals/informal collective donors operated only out of religious piety and community solidarity which fell short as far as effective relief was concerned. They were also beset with problems related to unwillingness of the “corporatised” NGOs to network and work with them. All these factors put together
also meant that a broad-based and long-term vision for resettlement of the people could also not be developed.

**Unclear Definitions of Reparation**

Some displaced families have received the Rs 5 lakh compensation (which was the lump sum offered to them by the UP government for being subjected to communal violence and the contravention of their rights). Compensation for the death of a family member or for injuries was categorised a separate amount. Bodies of many people, who the witnesses allege were killed in the violence, have not been recovered. Nor have the investigative agencies been successful in finding any proof of their death and thus their families have failed to receive compensation.

People were also supposed to receive compensation for the damage to houses/household things. The process of proving the damage and loss is such that it is easy to ensure that adequate compensation is denied. A family has to prove that they were residing and present in the village at the time of the violence. There is a cap of Rs 25,000 on claims of material damage. Many families left their houses and belongings behind when they perceived the threat of violence in the villages. Their
pre-emptive flight saved them from murderous attacks but much later
their property was subjected to arson, pillage and vandalism. This
continues even today.

The most contentious claim has been determining the “family unit”.
There are claims that a married couple and their young children should
be considered a separate family, adult married sons (or brothers) should
not be included in the “joint family” and should thus receive separate
compensation. District administrations did not devise a clear definition
and transparent process to determine the family unit eligible for
separate compensation and the process was conducted very differently in
the two districts. Apart from the legal and rehabilitation issues
involved as a result of the improper/unclear process of disbursement of
compensation, there is much interpersonal conflict and dispute within
families. The community is also faced with a deficit of cohesion and
solidarity because of these contests for resources.

While the better off amongst the victims of violence and forced
displacement have been able to leave the relief camps, the poorest of
the victims still remain there because they do not have any resources.
The loss of social relations (the social capital in the
villages has real and material consequences on their lives and livelihoods) cannot be compensated within the limited legal and administrative definitions. A much more creative and imaginative approach to rehabilitation is required for this population that still continues to live in abject conditions one year after the violence erupted. There is also an urgent need to assess the extent of the flight of Muslims from the villages and the loss of property and livelihoods.

I have visited the Basikalan camp in Muzaffarnagar, and the Nurpur, Panjeeth, Dabheri Khurd, Sunheti, Malakpur and Khurghan camps in Shamli a number of times. There are around 22 camps across Shamli and Muzaffarnagar. In tehsil Kairana, in Shamli, around 250 families are living on forest department land in the camps in Malakpur, Dabheri Khurd, Noorpur Khurgaan, Sunheti and Barnawi in a pathetic condition. Most of them are from Soram village of Muzaffarnagar, Pura Mahadevi village Meerut, Chakroli village Baraut, Kutba and Kutbi villages of Muzaffarnagar, Bitawda of Muzaffarnagar, Bhaju village of Shamli, Bhora village of Muzaffarnagar and Soop village of Baghpat.

A renewed and urgent effort is needed to advocate for their rehabilitation in the present winter season. A detailed assessment of
these camps aimed at arriving at an estimate of the extent of the
problems and response is needed from the state
agencies/district
administration for their speedy rehabilitation.

**Displacement Continues**

Kandhla town and its rural area which already had a Muslim population
of between 70% and 80%, witnessed large scale in-migration from the
violence affected villages. Many of those who received compensation have
chosen to settle here either on rent or by buying houses/plots using
the compensation money. There was displacement of the entire Muslim
population even in villages which were not affected by the communal
violence since people fled out of fear. A steady stream of families
continues to migrate to Kandhla town to seek safety in numbers. This
process of internal displacement and spatial segregation on communal
lines is of course something that cannot be countered merely by NGO
projects. While the state apparatus may not accept that these people are
“riot victims”, it is pertinent to point out that in view of the
widespread process of internal displacement the state cannot limit the
criterion for compensation to those villages/families where people have
died in communal attacks. People who manage to escape death or
overt violence cannot be penalised for it. There must be efforts to devise measures to recognise the threat of violence and compensate the internally displaced.

Those who have fled are not ready to go back to their villages both in cases where violent attacks took place and also where overt violence did not take place. The issue of insecurity seems inextricably bound with other factors. The area has been subjected to widespread hate-mongering and Muslims say that they have lost their honour and any standing in the village communities. They say that the majority Hindu population of their village does not want them to come back. Muslims, especially poorer Muslims face humiliation and public spaces have become hostile. It has also been reported that persons “looking like Muslims” are harassed while using public transport and other public utilities.

Even prior to the communal mobilisation western UP was notorious for rampant and violent casteism, which is also connected to patriarchy and scant respect for the rule of law. Criminal aggression from certain caste groups such as the Jats, Gujjars and Rajputs led to communal mobilisation, violence and now the overt hostility and constant threats.
These castes were also instrumental in convincing the dalits within the village communities that they (the former) would ensure impunity for those indulging in rioting and murderous attacks. This not only provided them with foot soldiers but was also a part of the ideological polarisation of the rural communities. The fault lines of the village community were supposedly redrawn in the name of consolidation of the “Hindu vote”. For those who indulged in pillaging, looting and even murdering was it the promise of the collapse of the caste system or was it convenient given that there were gains that could be made and impunity was assured?

Under pressure from the Supreme Court criminal cases against perpetrators of violence were registered and it is only of late that arrests are being made. Expectedly a sizeable section of people being arrested are dalits. This exposes the older fault lines of the village communities as there has been no attempt to abolish the caste hierarchies.

‘Compromise’ as Reconciliation

The social fabric of village communities is being torn asunder thus preventing the return of Muslims to their villages and homes. In May many displaced families told me that they expected their neighbours to apologise for their “mistakes” and allow them to return home.
Interacting with a family that has lost three of their eldest family members in Lisarh village (dead bodies not found), I asked them if they would have forgiven the villagers. They said, “Yes. We do not know who exactly it was that killed our elders and we would not have held the entire village guilty. If their elders came and apologised, we would have gone back.”

While no one apologised, there were numerous efforts at “reconciliation” once the first information reports (FIRs) were registered and arrests began. People who had registered cases were “persuaded” by the families of the accused who had been denied bail or were absconding that they must return and all that they had to do was take back or weaken their cases. This notion of “reconciliation” (or compromise and called faisla by the locals) also means that those displaced victims who have not registered police cases and wish to return to their villages are shunned by the village. They have been told that their return is of “no benefit to the village”. Distress sales are becoming increasingly common. Those who are slightly better off are able to hold on to their properties but the poorer ones are forced to sell off their properties at ridiculously low rates.
Within local cultures where prestige and honour are considered more sacrosanct than accountability for crime in the modern criminal justice system, these examples illustrate the dated notions of justice. These notions are proving catalytic in the reactionary denial of the right of the Muslims to continue existing within composite communities and their wider citizenship rights. The lack of egalitarian response especially from the security agencies and the justice delivery system further aggravates the already insecure situation.

The assembly by-polls in a number of places meant that the communal mobilisation continued unabated. A lethal blend of insecurities, communal animosities, organised hate-mongering and patriarchal values produced incendiary situations every day in the area. Apart from cooked-up allegations of love-jihad, even road accidents and burglaries threaten to take a communal turn and set off renewed clashes.

The issue of compensation has affected the class hierarchies since many of the families which were affluent before the riots now find themselves in the same economic situation as those who were “inferior” to them. Compensation has affected community cohesion. The erstwhile well-off families too are finding it difficult to start anew.
Western UP has been a relatively prosperous region and the wages in the area were not too low. The labouring class usually migrates seasonally for shorter durations and to relatively nearer towns and even villages. The poor are finding it hard to cope with their loss as they are not equipped to deal with this kind of pressure. Many of them lost all that they had set aside for their daughters’ marriages and looting of homes continued over a period of time as the news spread about cash found in homes. This is also an indicator that Muslims do not tend to deposit their savings in banks.

**Collateral Loss**

Children and youngsters have had to drop out of school due to displacement and have lost one academic year (two in many cases now). Many young girls/women used to occupy themselves by stitching for family and neighbours (often for payment) but have lost their network of clients and sewing machines. Combined with their trauma, the inability to do anything productive with their time is something they are not able to deal with.

The situation continues to be too volatile for people to make an all-out effort to deal with the present. Many told me that they focus only on their present needs and avoid asking themselves larger
questions on the efforts required to make a new beginning.

Apart from the obvious losses the children also lost much that was of importance to them like friendships. More significantly, stories of violence and betrayal fill them with dread for the future and unwillingness to go back to their homes. Within families, as livelihoods are affected, men and women are negotiating gender roles. Many hastily arranged marriages have not worked out because they were fixed based on expectations of receiving aid promised by religious organisations which did not materialise. Some marriages did not ultimately take place as they were arranged by the parents eager to dispose of the responsibility of the daughter in view of the threat of sexual violence and I heard about several cases of broken engagement because of unmet dowry expectations. Probably because there are “more important” things in a patriarchal society to attend to there are hardly any efforts to deal with the issues that affect the women and families.

What is heartening, however, is that citizenship is emerging as an important issue and equal citizenship is an aspiration that people are clearly articulating. Their complaint is that the state is not only unjust but is not even making any efforts to appear just.
There is a deluge of complaints against the state investigative team (SIT). There were numerous complaints before the National Human Rights Commission (NHRC) and the Minorities Commission. In October I heard of rape victims who have not yet been successful in registering complaints with the police but they are adamant that they want to. While fatigue may have set in as far as the rest of the country is concerned the victims are tireless in their efforts to seek justice.

More Threats and Fear

At the time of writing this article I heard from the local activists in Shamli district that the sub-divisional magistrate (SDM) of Kairana in Shamli along with forest department officials visited Malakpur on 6 December and asked the families to vacate the land within 72 hours. This ultimatum has increased the anxiety among the camp dwellers. They have been calling the activists to seek help in this regard. The activists have asked others to help them put pressure on the district administration to let the residents stay on or relocate them to a suitable place where they can begin rebuilding their lives without fear.

The activists say that the administration believes that these people are continuing to stay in the camps only out of greed for
compensation.
Also, the administration maintains that these people are not “riot victims” so they cannot be brought under the purview of compensation.