



Iqbal.A.Ansari

COMMUNAL RIOTS THE STATE AND LAW IN INDIA

Existing literature on communal riots mostly deals with the causes of riots in contemporary structural terms in the political ,economic and socio-culture perspective ,tracking on occasions their origin to historical roots .The role of the state's law enforcement agencies in prevention and control of riots and prosecution of rioters,though generally figures in most inquiry reports,has not been exclusively deal with in any book so far.

The present book deal with this aspect of riots which has lately gained prominence in view of the growing realisation that major riots like those of Delhi(1984) Bhagalpur(1989) and Ayodhya debacle all owe themselves to failure of governance.During all phases of riots i.e.preventive control and prosecution,the role of the state law enforcement machinery has been questioned as neither impartial nor effective.The reason of this recurring failure of the state machinery,as revealed by studies and inquiries by reputed scholars,NGO's and judicial Commissions has been traced by distinguished contributors to this volume including senior police officers retired judges and scholars to the existing organisation of police to its community composition and its prejudiced perceptions on minorities,but most importantly to the cynical calculations of the political executive who use the civil administration and the police for their political survival and consolidation of power.The book suggests reorganisation of the police under statutory Security Commissions as recommended by the National Police Commission.Also suggested are the measure for the representation of minorities and other weaker sections in all wings of law-enforcement,and training of forces in human rights,specially in the use of firearms in accordance with UN Code of conduct,emphasising use of non-lethal weapons and techniques of mob control.

The criminal justice system especially in cases arising out of riots,has also come in for criticism.Suggestions have been made to reform police procedures,and practices and to set up special investigating and prosecuting agencies,for speedily bringing to justice all those who are involve in rioting.The book underlines the need for certainty of punishment of the guilty and adequate compensation to the innocent victims for which a law needs to be enacted.

Apart from contributed articles the book includes relevant studies and analyses like those by V N Rai,N C Saxena,Amnesty International ,Human Rights Watch/Asia.It also presents some seminar reports on subjects,especially that organised in Bombay by Dr Asghar Ali Engineer.Also included in this book are summaries of some recent law court judgements and of earlier

Reports of Commission of Inquiry into disturbances at Bhiwandi etc.(1970) Tellicherry (1971)Jamshedpur (1979) and Amnesty International Report on Meerut Riot.

Contents: Introduction: I. Problems and Perspective. II. Studies and Analyses. III. State Protected Lawlessness from Ayodhya to Bombay. IV. Reports of the Seminar on "Communal Riots and the Role of Law Enforcement Agencies" organised in Bombay on 15-16January 1994 by the CFD (Delhi) and CSSS (Bombay) under the Convener'ship of Asghar Ali Engineer and Iqbal A. Ansari. V. Judgements of Law Courts (1996) on Anti-Sikh Riots of Delhi,1984. VI. Inquiry Reports (Excerpts) VII. Appendices

The Editor: Iqbal A. Ansari (b. 1935) joined the Aligarh Muslim University in 1962 and retired from there as Professor of English in 1995.His publications include the following books: The Muslim Situation in India (Sterling 1989) Readings on Minorities: Perspectives and Documents Volume I & II (Institute of Objective Studies New Delhi 1996)Communal Riots,the State and Law in India, (Minorities Council of India,New Delhi 1997) Prof.Ansari has contributed a large number of articles on human rights,minorities ,Muslims and Islam to books journal and newspapers.His forthcoming book deals with inter-group violence and the role of law enforcement agencies in India.

Since 1977 Prof. Ansari has been actively associated with the human rights movement. In 1990 he founded with Justice (Retired) V.M. Tarkunde the Coordination Committee on Kashmir to monitor human rights situation and to promote dialogue on Kashmir. He is also the founder Secretary-General of the Minorities Council of India, which seeks to secure justice for minorities and their peaceful coexistence with the majority

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