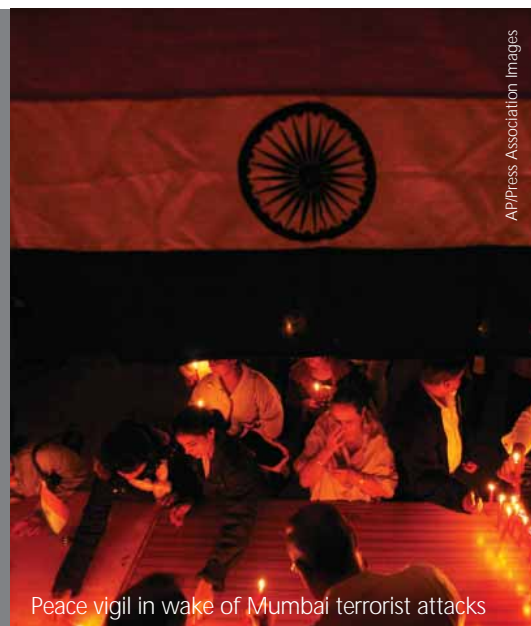




## Civil society and aid in India during the War on Terror

- Counter-terrorist measures in India have not led to a major crackdown on civil society in India
- However, they have affected particular minority and vulnerable groups such as Muslims, tribals, Dalits, poor farmers
- Right-wing Hindu groups in India have manipulated the War on Terror discourse to link Muslims with jihadist terrorism
- Resistance to counter-terrorist measures and their effects on minority groups has come mainly from human rights organisations
- The War on Terror has not led to significant changes in how donors engage with civil society in India.



Peace vigil in wake of Mumbai terrorist attacks

### Countering Terrorism In India

In late November 2008, gunmen entered Mumbai by boat to launch a spectacular terrorist attack on symbolically significant sites in India including the Taj Hotel and the Nariman House Jewish Centre. The choice of these locations and the language used by the terrorists to justify their actions—such as discrimination against Muslims in India, anti-Jewish statements and the conflict in Kashmir—pointed to the increasing circulation of global jihadist discourses across the globe and its interweaving with local grievances and tensions. These were not the first terrorist attacks in India. However, they were significant in that they catapulted India onto the international stage as a victim of global jihadi terrorism, along with Madrid, New York, London, Nairobi, and Dar es Salaam, drawing India deeper into the politics of the War on Terror. In doing so they re-opened a debate about the need for tighter counter-terrorist measures, an argument that was vociferously pushed by the right-wing Bharatiya Janta Party (BJP).

Terrorism and counter-terrorism measures in India are not new, the first anti-terrorist law, the Terrorist and Disruptive Activities (Prevention) Act (TADA) being passed in 1985 after the assassination of former Prime Minister Indira

Gandhi. Since the launch of the War on Terror the BJP has built upon a background of communal unrest stretching back to the late 1960s to fuel suspicion of Muslims and link them to global jihadism. During the BJP government of 1999 to 2004 BJP leaders adroitly manipulated the events of September 11th in the USA, the subsequent attack on the Kashmir Assembly in November 2001, the December 2001 bombing of India's parliament and the Godhra train tragedy of February 2002 to push for new counter-terrorist legislation. In March 2002 the Prevention of Terrorism Act (POTA) became law.

When the United Progressive Alliance government led by the Congress Party came to power in September 2004, it made good on a campaign pledge to repeal POTA. However, this did not apply retrospectively, and those detained under

“ *the terrorist attacks in Mumbai in December 2008 catapulted India onto the international stage as a victim of global jihadi terrorism* ”

### NGPA Programme

The Economic and Social Research Council (ESRC) Non-Governmental Public Action research programme is a unique opportunity to further understand the impact of non-governmental public action in reducing poverty and exclusion, and in social transformation, from an international comparative and multi-disciplinary perspective.

Public action by and for disadvantaged people, undertaken by non-governmental organisations (NGOs) and other actors, is increasingly significant at local and international levels. The focus of the programme is not just on NGOs, but on a broader range of formal and informal non-governmental actors concerned with poverty reduction and social transformation. These might include advocacy networks, campaigns and coalitions, trades unions, peace groups, social forums, rights-based groups, social movements and business in the community initiatives.

Building systematically on research to date, this programme will develop theory, generate new empirical theory, and foster beneficial linkages between researchers and users.

the Act continue to be incarcerated. Moreover, several of the provisions in POTA exist in other legislation. In the aftermath of the December 2008 Mumbai attacks, the lower house of the Indian parliament passed the Unlawful Activities (Prevention) Amendments Bill, increasing the period of detention of suspects from 90 to 180 days. Though the BJP has been outspoken in calling for harsher counter-terrorist legislation, Gujarat Chief Minister Modi's attempt to capitalize on the Mumbai attacks backfired, winning him condemnation in the national media. Nevertheless, there was a strong political imperative to be seen to be taking action and the bill passed easily.

## Effects on Civil Society

Counter-terrorist legislation, measures, and practices in India have in general not led to a major crackdown on the spaces and activities of civil society in India. Their effects have been partial and selective, targeting minority communities and vulnerable groups such as Muslims, Dalits, tribals, and poor farmers. Political leaders have exploited the political opportunity opened up by the War on Terror to label oppositional groups and movements such as secessionist struggles in the North East or the Naxalite movement as terrorist organizations and so discredit them.

Right-wing political groups have whipped up suspicion of Muslim communities, their leaders, and their organizations, promoting a view that Islam and terrorism are intrinsically related. As the 2006 Sachar Committee Report, the first specific investigation of the status of Muslims in India, stated: "They [Muslims] carry a double burden of being labelled as 'anti-national' and

*“Resistance to counter-terrorism measures and their effects on minorities and vulnerable groups has come primarily from human rights groups”*

as being 'appeased' at the same time ... Muslims need to prove on a daily basis that they are not 'anti-national' and 'terrorists'. In contrast only scant attention has been accorded to the perpetration of violence and terrorist acts by right-wing groups. As a well-known Indian scholar commented, "What Hindu organizations do is not called terrorism, but if it is Muslims, then it is terrorism."

In general, counter-terrorism responses have had a minimal impact on relations between the union state and the charitable and welfare-oriented part of civil society. There has been some government suspicion of foreign donors and NGOs, as reflected in the government proposal in 2005/2006 for a new Foreign Contribution (Management and Control) Bill. As in other countries, counter-terrorist legislation in India has involved prohibiting groups and movements. As of 2008, 34 organizations were listed under the Schedule of Terrorist Organisations, most of these linked to secessionist causes.

Resistance to counter-terrorism measures and their effects on minorities and vulnerable groups has come primarily from human rights

groups. Mainstream, government- and donor-funded organizations have remained silent. Though groups across India denounced the violence against Muslims in Gujarat in 2002 and assisted with relief, only a handful of civil society organizations in Gujarat publicly challenged the attacks or assisted later with relief work. Furthermore, mainstream civil society in general has been remarkably detached and silent about the effects of restrictive legislation on civil society spaces and groups in areas of conflict in India, such as the Northeast and Jammu/Kashmir. This silence of mainstream civil society relates not only to the fractious and divided nature of civil society in India but also to the growing dependence of mainstream, voluntary-sector organizations on government grants. This, as in other contexts, has led to a disarming depoliticization of parts of civil society.

## Aid, civil society and terrorism

Compared to contexts such as Afghanistan or Kenya, the War on Terror regime has not led to significant changes in how donor agencies have engaged with civil society in India. Nonetheless, to a limited extent, post-9/11 security concerns have seeped into donor engagement with civil society in India. This is apparent, for instance, in efforts to cultivate new engagement with Muslim communities and madrassas, as USAID has done in Andhra Pradesh with its new Madrasa Quality Education Programme. It is also apparent in how UK Department for International Development officials have used the discourses of the War on Terror to promote agendas of social inclusion. Also indicative of the growing interest in Muslim communities is the UK government's courting of Muslim groups in India. The effects of the War on Terror regime have also filtered into contractual arrangements between donors and local civil society. For example, the Ford Foundation introduced new anti-terror clauses into their standard grant agreement letters, though it has not otherwise reoriented its engagement with civil society in India for security objectives.

Full findings of this research are available in Jude Howell and Jeremy Lind 2009, Counter-Terrorism, Aid and Civil Society. Before and After the War on Terror, Palgrave Macmillan, Basingstoke and New York.

