DEATH SQUAD: ANTHROPOLOGY OF STATE TERROR

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Trials by Fire

Dynamics *of Terror* in Punjab and Kashmir

Two regions in the northwestern part of India have been the sites of major insurgencies over the past decade and a half. Punjab has faced an uprising by Sikh separatists aiming for the establishment of a sovereign state called Khalistan, and Kashmir a similar uprising by Muslims intent on either accession to Pakistan or an independent Kashmiri state. Counterinsurgencies in both areas have left the Indian government open to vigorous criticism by international human rights groups, in no area more strongly than in that of extrajudicial executions and enforced disappearances. No one knows the actual number of executed and "disappeared" Sikhs and Kashmiris; they number certainly in the thousands for each area, and probably in the tens of thousands for both regions combined. Those killed by Indian police, security and military personnel include militants, shelterers of militants, and separatist activists, but also include medical workers, human rights lawyers, and entirely innocent civilians. Torture and custodial rape are ubiquitous across both regions.[1]

Let me first, by way of background, lay out a few key differences and similarities between the situations in Punjab and Kashmir. Both involve religion —in one case Sikh, in the other Muslim —in what is formally a secular, but in de facto terms increasingly a Hindu, state of India. The Sikhs, however, are largely on their own in this conflict despite some probable assistance from India's longtime enemy, Pakistan, because of their geographic concentration in Punjab. The Kashmiri Muslims have, on the other hand, the leverage of transnational Islam, which provides both an actual and an imagined threat behind every Kashmiri assertion of separation from India.

Second, the Punjab conflict is largely a domestic one, centered on the secessionist movement for Khalistan. Kashmir is alternatively entirely tied up in international politics. Pakistan, India, and China have already fought several wars over it, there is a longstanding United Nations interest in and presence in Kashmir, and there is substantial juridical ambiguity about India's claim to the area at the time of Partition. Though Sikh mili- tants would like to claim a similar ambiguity, the historical record is far less clear here than in the Kashmir case, and other nations — excepting again Pakistan — have shown minimal interest in getting involved.

Both Sikh and Kashmiri .insurgencies are very recent, the Sikh one dating from 1984 and the Kashmiri one from 1989. Despite (or perhaps because of) their relative youth, both are heavily factionalized. Militant Sikh factions at least share the common goal of a sovereign state of Khalistan, while the Kashmiris are radically divided into those who hope to join Pakistan and those who would like to see an entirely independent Kashmir. The Hizb-ul Mujahideen and Harkatul Ansar are the two major forces supporting the former position, and the Jammu and Kashmir Lib- eration Front is the most important organization supporting the latter. These three, and other smaller groups, are currently united in a political coalition called the Hurriyet Conference, which holds the explicit goal of a plebiscite on Kashmir's future. The major Sikh forces (today in a state of quiescence) like the Khalistan Commando Force, the Babbar Khalsa, the Khalistan Liberation Force, the Sikh Students Federation, and the Bhindranwale Tiger Force, have always been somewhat at odds with one another despite a common ideology and military aim.

Finally, the level of support for insurgency among the population as a whole is today far more obvious in the Kashmiri than in the Sikh case. It may well be, as Khalistanis argue, that over a decade of counterinsur- gency has frightened the Punjabi populace into apparent submission. It is also true that infiltration and criminalization of the Khalistani forces have alienated the people of Punjab from the "freedom fighters." But the plain fact is —whatever the reasons —that at the moment a Kashmiri guerrilla can assume a level of sympathy from civilians that a Khalistani guerrilla cannot.

Despite these important differences in the situations of India's two northwestern states, they are linked by a program of state terror emanating from New Delhi. From the viewpoint of the central government, a successful secessionist effort in either place could have a dangerous dom- ino effect on other disaffected peripheries, perhaps pulling India's fragile union apart a mere half century after independence. In the name of national security India passed counter terrorism legislation that severely curtailed democratic rights and freedoms as well as turning a blind eye to the pervasive abuses noted year after year by the international human rights community. (Now there is a national Human Rights Commission, but its powers are severely limited.) Perhaps as important is the national mood of increasing intolerance for dissent, which has transformed India's intellectual life over the past decade and a half. Most Indians, willfully ignorant of the horrors taking place in their name, continue to chant the "mantra of democracy," as Barbara Crossette

calls it (1993: 104); there is an Alice-in-Wonderland quality to the national image of pacific mysticism and tranquil coexistence. At one point in the counterinsurgency in Punjab, so many bodies of "disappeared" Sikhs werebeing dumped in the state's waterways that the governor of neighboring Rajasthan had to issue a complaint that dead bodies from Punjab were clogging up his canals. In Muzaffarabad, on the Pakistani or "free" side of Kashmir, a blackboard by the banks of the Jhelum River keeps count as Kashmiri bodies float down from across the border. (When I visited in January 1997, the grim chalk tally there was at 476.) Given the deep mythic significance of India's rivers in the Hindu tradition, this defilement is especially telling. "The largest democ- racy on earth" has polluted its sacred waters with the bodies of tortured citizens.

That this hellish state of affairs continues to inspire "terrorism" is unsurprising. That the world continues to hear more about terrorism than about state terror is both misleading and shameful. Anthropologists who refuse complicity in this dangerous game have, however, the respon- sibility for elucidating just what the effects of state terror are at grassroots level as well as researching the dynamics of resistance to it. The eth- nographic study of political violence, which complements the study of ideological and macroscopic factors with attention to the lived realities of human experience, has a great deal to contribute to our understanding of conflict and to the potential for its resolution.

This is not the place for a detailed review of the conflicts in Punjab and Kashmir; for these I refer the reader to accounts by Kapur (1986), Kumar (1996), Lamb (1992), Mahmood (1996), Newberg (1995), Pettigrew (1995), Schofield (1996), Thomas (1992) and Wirsing (1994). What I would like to do here, rather, is to further consider what living in an arena of conflict is actually like for residents of Punjab and Kashmir. What are the main features of state terror as it is experienced by Sikhs and Muslims of India's northwest? How are actions of resistance shaped by the envi- ronment of terror? And (not to be ignored) how do the militant move- ments themselves contribute to the perpetuation of that environment? It was a wintry January evening in Muzaffarabad when I heard Yacub's story, he lying on one cot, me on another, gazing up at the ceiling in the kind of semidarkness that prompts the putting aside of roles, that prompts intimacies and confidences. He was a young fellow, as many of them are, probably no more than eighteen, with close-cropped hair and a trim beard, jet black, and dark eyes, and clothes that seemed too big for his wiry frame. Or maybe it was simply his youth that made his clothes seem too big; could this really be one of the mujahideen, whose very name evokes a sense of the dangerous, the exotic, the heroic (i n various combinations depending on one's political sympathies)? The reality, minus the intimi- dating weapons, in the comforting twilight of the guest house, was decep- tively unlike the stereotype. Yacub was just a boy; he could be my student, in another world, or my son.

Yacub had decided to join the Hizb-ul Mujahideen — one of the largest of the guerrilla forces fighting against the government of India in Kash- mir — after the town in which he lived suffered several sweeps of Indian security forces that left bloody corpses, burned houses, and raped women in its wake. He didn't know much about the political issues at stake here, he knew only that the devastation wreaked upon people he knew was tied to the fact that they were Kashmiri and that if Kashmir were removed from India this devastation would stop. The Hizb-ul Mujahideen, one of the Islamist groups, tied this issue to the fact that the Kashmiris were Muslims and that every other state in India was dominated by Hindus, and saw Islamic Pakistan, next door, as a natural ally. The Hizb-ul Mujahi- deen had bases over the Himalayan border — called officially the Line of Control — in Azad Kashmir, of which Muzaffarabad was the capital. Yacub quit school and set off, along with some of his young friends, to cross the mountains into Pakistan for training as a *mujahid.*

The group of youngsters had just left the last villages behind them when they came across an old man, gnarled and white-haired, pitifully trying to climb a rocky slope. "Grandfather," they said, "What are you doing here? Sit, rest, you will not make it up this mountain."

The old man sat, and recounted how Indian soldiers burst into his house one day, ripping the clothes off his grown daughter and tying both of them to a wooden post. One by one they raped and abused her as her father tried helplessly to close his eyes and ears. After the soldiers left, the old man managed to break free of his bindings, and proceeded to hunt down an ax. He came back to his daughter and said, "I can't leave you here like this. I am going to kill you, and then I am going to burn this house and all our things, and I am going to join the mujahideen and avenge your honor."

The old man had done just this, hacking his daughter to pieces with an ax and burning the entire compound, and was now on his way to "join the mujahideen." "Grandfather," the young men said. "You can never make it over these mountains. You go back home, go to your relatives and stay with them. We will avenge the honor of your daughter for you. We will do the fighting

for you."

Yacub then told how the old man did turn back, and made his way slowly back down the hillside. The young recruits, thirty-four in all, pushed on. Over the course of the next two weeks the little group ran into security patrols several times, resulting in nine deaths. Two more deaths came from cliffside falls; a third was buried in a chance avalanche. Four others froze to death during pauses on the high-altitude trails. When the remain- ing eighteen eventually crossed the border, five of them had severe frost-bite, enough to warrant amputation of limbs. Another came down with a respiratory infection and died within weeks.

The handful of surviving would-be warriors began training for jihad. My young bunkmate's story brings out some key features of the arena of terror, which I shall now explore in greater detail. Primary among these is the nonstrategic and nonpolitical quality of the lived experience of state violence, which often prompts a similarly nonstrategic and nonpolitical resistance. The language of strategy and politics, though most often used in the analysis of conflicts like the one in Kashmir, barely scratches the surface of the actual personal engagement of individuals in the violence that enmeshes them. The ethnographic study of this vio- lence illuminates a different dynamic, which must be addressed as a central part of any attempt at conflict resolution.[2]

Let us begin with the very dramatic episode which ends with the old man putting his daughter to death with an ax. This is a move which angers us with its sexism and frustrates us with its waste. Yet it illuminates a central part of the dynamic of state terror, which aims not merely to suppress a threatening minority, but to humiliate its members so thoroughly that they are incapable not only of resistance but of basic dignity as well. The fact that Indian soldiers understood that the point of greatest vulnera- bility for Kashmiri Muslim men was the sexual honor of their women shows their acute awareness of the dynamics of this kind of humiliation in a campaign of terror. The defiant gesture of killing his daughter was then the old man's refusal to allow humiliation to stand in the way of re- sistance. This is, at any rate, how the story was taken by himself and his young Kashmiri interlocutors.

Intangibles like pride and shame are rarely part of the calculus of justice that frames most Western thinking about political order/disorder. In

Rawls's classic conception of a just society, for example (1971), each individual must at birth be assured of a fair chance in the game of social life; a person's rewards should be commensurate with his or her efforts. But this liberal notion neglects the element of compassion for the weak that in spite of political theory is a keystone of what most people intuitively consider to be a central element of human decency, as Avishai Margalit points out in his addendum to Rawls, *The Decent Society* (1996). A society which humiliates is never decent, asserts Margalit, however justly its re- wards may be allocated on the basis of individual effort and agreed-upon social rules.

This attention to basic human respect sheds some new light on India's caste system, which even for those who relativistically accept the religious justification of merits accumulating over multiple lifetimes to account for the disparate life chances of Brahmins and Untouchables, contains an element of basic *indecency* in its denial of dignity to those ending up at the bottom. It is episodes of humiliation, and not poverty or reduced life chances per se, that are highlighted in the recollections of individuals who have spent their lives as Untouchables. Likewise — however contrary to expectation — it is the humiliating aspects of state terror, like the rape of one's daughter, that occupy center stage in the narrations of its victims. Such episodes, for the individuals involved, far eclipse the element of bodily pain, and overwhelm the political considerations typically at the heart of discussions of conflict.

Punjabi Sikhs, like Kashmiri Muslims, have a culture in which honor means everything. Over the course of six years' research on the Khali- stani insurgency, I found that the two kinds of stories most likely to provoke both tears and anger were those involving female sexuality and those involving symbolic insults such as the cutting of hair or beard (kept long as a matter of religious principle). Interestingly, Sikh rebels turned these same tactics on one of their primary enemies, the former director general of police of Punjab, K. P. S. Gill. Although Gill has been publicly declared to be one of the top targets of the remaining Khalistani militants, when some ran into him in Belgium in 1996 they did not kill him but merely snatched his turban. When a Khalistani leader was asked about the limited nature of this assault, he replied that Gill "didn't deserve to be killed." He meant this is in the sense that this enemy was not *good enough* for a death with honor, a kind of battlefield death; he would, rather, be humiliated by having the turban, symbol of Sikh dignity, knocked from his head. And there is a powerful taunt in this gesture as well; we *could kill* you, but we do not choose to do so. The sense of being a marked person, of waiting for the violent death that can come at any moment, underlies the state's use of random terror tactics as well. Sweeps of neighborhoods occur suddenly, often at night; people are dragged off to police stations and interrogation centers in their night clothes. One house will be hit; another spared. The over- whelming presence of security forces, as many as half a million in Punjab and Kashmir each at the heights of their respective counterinsurgencies, means that the civilians are virtually prisoners, awaiting the knock on the door, the

siren at the end of the street. As Camus pointed out in his classic essay on the death penalty, "Reflections on the Guillotine" (1961), this purgatory state of being is itself a form of torture in its total sub- version of individual autonomy (a point echoed by Sister Helen Prejean [1993]). In a state under military occupation, everyone is under a sort of death sentence. Whether one is spared or not is more a matter of luck than of innocence. And in the face of this kind of uncertainty stress disorders proliferate; "Belfast nerves" manifest themselves in Amritsar and Srinagar, too, and they are as much a product of state terror as of "terrorism."

The undermining of the self that is the long-term result of existence in these conditions is the short-term goal of custodial torture as well. Schol- ars of torture have long known that although the near-universal rationale for torture is the obtaining of information, there is much more going on in the torture arena than linear means-to-end strategy. Elaine Scarry (1985) has written most effectively of bodily pain as a narrower of worlds, a constrictor of human space down to the mammalian elements of breath, hunger, elimination, sleep, warmth. Although we often say that torturers are denying the humanity of their victims, in fact the purposeful infliction of purposeless pain recognizes the humanity of the tortured in its attempt to eradicate that human element. As William Ian Miller notes, " [The torturers] know that the people they torture are humans . . . and that is why they torture them, in the hope that they can reveal them as not being what they know they are. There is no thrill in making a rat act like a rat. The thrill is in making a human act like a rat. And a human who acts like a rat justifies his torture for two contradictory reasons: because he disgraces his humanity by acting like a rat and because as a rat he is pretending to humanity, a most disgraceful and arrogant presumption for a rat" (1993: 166). No one wants to be turned into a rat. Is it surprising that subsequent to a degradation like this, a survivor's only thought is the reclamation of his or her humanity, whatever that takes?

Sikh and Kashmiri torture survivors frequently report the role of reli- gion in sustenance during custody. A link to God (Waheguru, Allah) through prayer is one way of retaining a hold on a world outside the domineering pain of torture Scarry so insightfully describes. It would not be too strong a statement to say that many Sikhs and Kashmiris have ended up "finding religion," so to speak, through their own incarceration and torture. This is not because in Indian jails they are rubbing shoulders with fanatics who unduly influence them in this direction (a typical explanation), but also because the conditions with which they are faced demand more-than-human resources.

Outsiders who visit Sikhs' homes and *gurudivaras* (places of worship) are often taken aback by the presence of posters illustrating gory scenes of torture. The same kinds of pictures form a wall-to-wall mural at a Kashmiri center I visited; they can be found in newsletters, in family photo albums, on wall calendars, and even on T-shirts. While part of the intent of such exhibition is to provoke continuing anger, there is no doubt that torture pictures are mostly received as inspiration by Sikh and Kashmiri audiences; see, they exclaim, what we are capable of overcom- ing! See how nothing stops us! Christ on the cross, after all, provokes both sorrow and joy — and is the continuing inspiration for some Latin Ameri- can resistance movements through the image of *Cristo guerrillero.*

Religion, in having one foot always outside and beyond the immediate social order, is a key mobilizer of resistance against state oppression. Buoyant movements of religious nationalism around the globe today, while deeply frightening to those in the West nurtured on the ideal of secular liberal democracy, must be understood at least in part in terms of the orders which they resist (Juergensmeyer 1993). The state of India, in the actions it has taken against Sikh and Kashmiri insurgents, has clearly shown its awareness of the power of religiously motivated resis- tance. When it attacked the Golden Temple complex at Amritsar in 1984, containing the holiest shrine of the Sikhs, the ostensible aim was to rid the sacred buildings of the militants who had taken up shelter inside. But the level of force used in the attack was utterly incommensurate with this limited and eminently attainable aim. Seventy thousand troops, in con- junction with the use of tanks and chemical gas, killed not only the few dozen militants who didn't manage to escape the battleground but also hundreds (possibly thousands) of innocent pilgrims, the day of the attack being a Sikh holy day. The Akal Takht, the seat of temporal authority for the Sikhs, was reduced to rubble and the Sikh Reference Library, an irreplaceable collection of books, manuscripts, and artifacts bearing on all aspects of Sikh history, burned to the ground. Thirty-seven other shrines were attacked across Punjab on the same day. The only possible reason for this appalling level of state force against its own citizens must be that the attempt was not merely to "flush out," as they say, a handful of militants, but to destroy the fulcrum of a possible mass resistance against the state.

A similar chain of events occurred at Charar-i-Sharif and Hazratbal mosques in Kashmir. It is true that it was militants who first politicized these places of worship, as in the case of the Golden Temple complex.

But it was the state's response to this politicization that turned Charar- i-Shai if and Hazratbal into potent symbols of oppression. Insults to the body and soul of individuals, as in the torture enterprise, are paralleled by insults to the community and faith, when *gurudtvaras* and mosques come under siege. No Sikh can ever forget what happened at the

Golden Temple complex; Kashmiri Muslims will always be haunted by the image of Indian troops at their mosques. And these memories are concretized in the form of pictures, paintings, posters insisting again and again that such sacrilege will not be forgotten. Ruined buildings jostle with dese- crated bodies for wall space in militant living environments.

Sikhs cremate their dead, while Muslims bury. This implies a somewhat different dynamic of memorialization in the two communities. For Sikhs there are typically memorial services held in honor of the heroic de- ceased every so often after the death, which are the occasions for cement- ing of continued solidarity. For Muslims, the presence of a burial site forms a geographic, rather than chronological, center for such solidarity. Both communities are deeply affronted when they are unable to treat the body of a loved one in the proper way; photos of wild dogs tearing apart the bodies of young men on the street are among the most horrifying of those that circulate. And "disappearances," common to both areas, are wounds that never heal. Human rights workers investigating the problem of disappearances have been themselves disappeared, without a trace.

Though there is a long history of rational grievance and countergriev- ance that on the macroscopic scale defines the evolution of conflict in Punjab and Kashmir, when one grapples with the grassroots experience of these conflicts one has to conceptualize not politics but humiliation and rage. Lots of Sikhs and Kashmiris know nothing at all about treaties, international boundaries, agricultural prices, or the allocation of electric power. For many of them, it is the visceral anger stemming from physical, emotional, and spiritual insult that prompts the taking up of arms.

Yacub, the young Kashmiri fighter who now sits across the border in Pakistan, awaits his chance to avenge the honor of the old man whose daughter was raped. He is also now burdened with being among the survivors of the initial band of recruits who headed off across the Hima- layas together, and hence carries a sense of responsibility to make his comrades' deaths meaningful as well. Why did he live, and they die? Yacub's sense of mission increases with each passing day. His own family, who advised him to finish school rather than joining the mujahideen, doesn't know where he is. He has to do something to make that sacrifice worthwhile, too.

The poignant combination of extreme youth with seriousness of pur- pose is quite dangerous, of course, particularly given the plethora of sophisticated weapons that have flooded South Asia since the Afghan war (thanks to the two former Cold War enemies whose battleground that became). The jihad of the Muslims and the *dharm yudh* of the Sikhs are both philosophical and military struggles, which our English rendition as "holy war" rather trivializes. These concepts have long and complex theological histories, but one thing they convey is the sense that there is more at stake in a given campaign than territory alone. There is a higher purpose, for the achievement of which life itself is no sacrifice at all. Hence the traditions of battlefield martyrdom that have impressed and terrified the enemies of Sikhs and Muslims throughout history.

I will suggest here that although the theological underpinnings of jihad and *dharm yudh* are unique, the notion that there is more of philoso- phy than strategy in why people fight is deserving of wider consideration. Paul Freire (1993) is exemplary among the dozens of commentators on guerrilla resistance movements for the lucidity with which he expresses the sense that acts of violence can best be understood as attempts to reclaim human dignity in otherwise inhuman situations. Note that in this conception it is the acts of violence which are themselves significant, independent of what they accomplish or fail to accomplish in strategic terms. This facet of revolutionary violence is often overlooked because it appears to be nonsensical or irrational in the linear terms with which we typically think about conflict, but it is critical. Without understanding that from the viewpoint of most guerrilla fighters what they are doing is the pinnacle not of inhumanity but of humanity (and for some, the strong awareness that this humanity is God-given), we will never be able to effectively grapple with the problem of insurgent violence.

If Sikh and Kashmiri fighters simply "wanted to die for the cause," as the insurgent-as-fanatic school of thought would have it, both separatist move- ments would be making far more use of suicide missions than they in fact do. (There are some cases in each, but they are few in number.) Suicide missions are highly effective, in sheer military terms. But although *willing- ness* to die characterizes both Sikh and Kashmiri guerrillas, the aim is a more existential one: to live and die meaningfully, to make one's life and death count not in the game of casualty tallies but in the definition of one's humanity. Martyrs are venerated not really for their deaths, which" are incidental, but for their courage in living lives that denied the indig- nities around them.

There is no doubt that there is a certain exhilaration in having decided to live "with one's head in one's hands," as the Sikhs say; to relinquish the self in favor of a higher cause, to lose all fear of death. Khalistani fighters describe a sense of "rising spirits" that fills them with joy even as they face near-certain death in battle. Similar feelings of liberation have been de- scribed in other warrior traditions, such as the "killing laugh" of the *berserk* state in the Icelandic sagas (Miller 1993:103). A young man from Sudan who had come to join the jihad for Kashmir commented, "You can say I have come here because of a moral obligation to help my brothers in Kashmir. Maybe that is why I first came. But

now I stay because I just like it. I feel great. I know that .God is with me all the time and I have never been so much at peace in my life. I have literally no fear at all. I feel free because I am doing the right thing." Another young *mujahid,* this one too young for a beard, noted, "I thought I might feel afraid if I had to face the possibility of death. But once I made the decision [to join the mujahi- deen], not a grain of fear has come into my mind. All that has gone up in smoke. I used to be afraid of my teachers! Now, I am afraid of nothing. I have overcome my fear and I can do whatever is required now, as God is with me."

Lest it be supposed that I am valorizing the militants by including such quotes, let me hastily note that Sikh and Kashmiri guerrillas in these exalted states have been culpable for some horrific acts of violence. One of the most difficult things for me to grapple with in my study of Khalistani militants was the refusal of most of them to condemn the obvious atroci- ties committed by a few. For example, everyone would agree that innocent people should not be targeted in a war of national liberation. But when other militants did in fact set off bombs in urban neighborhoods, with no military or political target, few would come out and say that it was wrong. When I probed further, it became clear that the reason for this hesitation was that the evaluation of the act was in Sikh minds totally tied up with the wider evaluation of the individuals responsible. So-and-so is a good/sin- cere/devout/honest man, so what he did must have been all right. This inseparability of act from actor (honorable people do honorable things; dishonorable people do dishonorable things) is characteristic of heroic cultures (as per Nietzsche 1969). When people pushed to ratlike status rise up, they become supermen. They challenge the status quo at every turn, and every act of breaking the law is experienced by them and their audience as a celebration.

Zulaika and Douglass, who have long studied Basque separatists, note in their extended meditation *Terror and Taboo* that insurgent violence is frequently more "ritual" than "functional" (1996), drawing on anthro- pological categories. They describe well the sense of "deep play" that pervades the insurgent community, unfettered as it is by the fear of death that circumscribes the lives of most of the rest of us. Traditions of martyr- dom among Irish Republicans, Tamil Tigers, Palestinians, and others are highly spiritual, and have little to do with "warfare" as we typically con- ceive it. Even though these groups talk in terms of the "wars" they are fighting, the centrality of morality in their struggles (the just war, the holy cause) places many of their actions outside the realm of military strategy. "The martyr is the antithesis of the soldier," comments Petti- grew (1996:129).

Let us return to K. P. S. Gill, former police chief of Punjab who had his turban knocked off in Belgium, for an illustration of this principle. After retiring from the Punjab police, Gill went on to become president of the Indian Hockey Federation. In this capacity he planned to attend the Olympic Games in Atlanta in 1996. There were obvious security concerns for the American hosts, given Gill's history vis-a-vis the Sikhs. Expatriate Sikh organizations, however, were totally committed to keeping violence out of North America. The U.S. and Canada had provided asylum to Sikh victims of state terror, and Khalistanis continued to need communities outside of India which were centers of activism. The public relations effect of any act of violence here would be disastrous. Everyone agreed that there must be no attempt to touch Gill in Atlanta, although he is a known top target generally.

These kinds of thoughts are the thoughts of soldiers, which the leaders of the Khalistani organizations basically are. They are thinking of the strategic impact of one or another course of action, and molding their behavior to that course of action with the highest chance of success. Fortunately, their rationality won out in this case. But many of those involved in the Khalistan movement are not, in fact, soldiers. In private discussions, there was a lot of talk along lines of the moral necessity of "delivering justice" to the former police chief no matter what the circum- stances and no matter what the repercussions. Some were willing to mar- tyr not only themselves but the cause, if necessary, to meet the moral challenge of bringing down the man they hold responsible for the thou- sands of abuses that occurred in Punjab during his watch.

The fact that "terrorist" acts are often more expressive than instrumen- tal in nature is oddly reciprocated by the industry of counterterrorism, which despite its rhetoric of brute realism is focused on strategies that appeal philosophically but are rarely pragmatic responses to the violence they purport to address. When facing willing martyrs, heavy-handed com-bat approaches are of little use. When facing those whose anger stems from a sense of humiliation, using appellations like "mad dog," "cow- ard," and so on (the list is endless) hurt rather than help. Both dele- gitimizing rhetoric and elevated security appeal to the mainstream (anti- terrorist) audience, of course, just as the attack on the Golden Temple complex was applauded by the people of India generally and the labeling of Sikh militants as criminals was readily accepted in the mainline media. But both tactics preached to the choir; their reception among the mili- tants, whose behavior after all one was presumably trying to affect, was nothing less than disastrous. For people who already feel their humanity is being challenged, being publicly imagined as nothing more than rats invites further attempts to prove otherwise.

So we have come full circle here, noting that acts of state terror like torture and the bombing of religious places are more than simple mili- tary tactics, that responses to them resonate with meanings far beyond the strategic, and that state-responses to insurgent violence again cannot really be understood as pragmatic politics. To understand them as forms of performance or ritual, while risking trivialization of the bloodshed involved, is an important antidote to the hyperrational war discourse that merely skims the surface of the violent arena. The world of Punjabis and Kashmiris is one fraught with meanings; every action reverberates through multiple frames of cognition and emotion. Nothing less than the definition of the self is at stake — baptized, molded, and welded by fire.

The conflicts in Punjab and Kashmir are also, however, about the shap- ing of nations. We cannot address this without moving beyond individual experience to the notion of collective identities, shaped in point/coun- terpoint through oppositional conflict. So we have to shift gears here, from philosophy and psychology to a more sociological look at the role of state and resistive violence in group boundary definition.

Barbara Crossette's plaintive interrogative with regard to India must be taken seriously: more Indians are killed *each year by* their own police and security apparatus than were killed during the entire seventeen-year dic- tatorship of Pinochet in Chile, but why is there no domestic outcry (1993: 104)? The failure of Indians to protest this situation cannot be chalked up to apathy or amorality; that much is clear from their mobilization around other causes. Rather, their complicity must be understood in terms of the fact that Sikhs and Muslims have come to be defined as traitors to the Indian nation, conceptualized increasingly around its Hindu heritage, and the seeminglyjust punishment for treason is death. India, as a young and weak state torn up by centrifugal forces of linguistic, ethnic, and re- ligious diversity, asserts its boundaries boldly (if extrajudicially) by eradi- cating those who step outside the line. This is a common scenario all ovei the world, as the geographic spread of the chapters in this volume tragi- cally attests. And the "fearful state" tactics of such frail collectivities (after Ali 1993) are mirrored in the separatists' own organizations and strategies, which are likewise focused on the delineation of boundaries through the twin concepts of nationalism and treason. They are aiming for their own states, and like the state of India extrajudicially execute traitors. The phenomenon of death squad activities in arenas of conflict can be, then, a window into the ideological framework of nations and national iden- tities—a framework which shapes discourse, and death, on both sides.

The "Black Cat" phenomenon in Punjab and Kashmir points illustra- tively to the role that terror tactics play in the heightened awareness of group identity nurtured in the militant movements. The phrase stems from the Indian police and security forces' use of what is called a CAT or "concealed apprehension technique," in which a former militant who has been bribed or persuaded to betray his comrades wears a black hood over his head and face and points out those to be targeted for elimination. The Black Cat commandos are a particularly feared and despised element of separatist militancy in both Punjab and Kashmir. Someone who has become a "cat" or informer is a key target for militant reprisals, of course. And there is a particular venom against "cats" as compared to other informers or enemies, because they have been part of, then be- trayed, the imagined nations of Khalistan or Kashmir. Militants from all groups are utterly unapologetic about the equation of treason with death in these cases.

The Black Cat as a hooded and anonymous figure is particularly re- pellent, however —more of an untouchable than a mere enemy —and the vehemence of reprisals against "cats" invites further consideration. The covering of the face of the Black Cat precludes the man-to-man kind of confrontation that is celebrated in the insurgent movements. "You have to look someone in the eye and tell him what he did wrong, then punish him," a member of the Khalistan Commando Force told me. Joyce Pettigrew (1995) remarks on the tradition of public challenging that charac- terized the early phases of the Sikh insurgency, in which a fighter would call out his identity and dare his adversaries to respond. This goes beyond the merely strategic elimination of an enemy or a betrayer. It speaks to a need to give voice to a new reality, in which guerrillas are not terrorists sneaking around in the dark but freedom fighters boldly defining their turf and establishing new boundaries. You have crossed the line of this new nation, you are a traitor, and now I will kill you. The Black Cat, in evading this confrontation and definition by his anonymity, frustrates nationalist aspirations that depend on the articulation of nationhood and treason in the act of punishment. He trades in ambiguity, and is, hence, tabooed. Paradoxically, an enemy who will come out and fight —even if he is likely to win — helps in the definition of nationhood that the mili- tants seek. The Black Cat is not a hero; he is an antihero, and despised.

We can all understand, if not sympathize with, a logic which posits a nation (of India, or of Khalistan or Kashmir) then punishes those who would bring it down with death — accompanying those deaths with proc- lamations that make publicly clear what the symbolism of the boundary means. But there is an added factor in the Sikh and Kashmiri insurgen- cies that muddies these waters further, and that is the equation of re- ligious community with nation in at least some versions of the envisioned new states. We have already looked at the important role of spirituality in how individuals respond to terror and in how they define themselves in an environment of terror, as well as how the state uses attacks on religion as a form of degradation and delegitimization. But the insurgent move- ments as wholes have

taken on the cause of defending religion as well. Sikh militant groups in Punjab have targeted not only Indian police and security forces, and not only those among their own who have betrayed the cause by becoming informers, but also civilians remiss in upholding the tenets of the Sikh religion or in celebrating the Punjabi language. Kashmiris have not only fought against the military occupiers of their towns and cities, but also against local Hindus, many of whom have now fled Kashmir as refugees, prompting accusations of "ethnic cleansing." In both Punjab and Kashmir, puritan elements of the Sikh and Muslim religious communities have forcefully attempted to impose a particular moral code on their populations of support, which has not only antag- onized many of them but has also enhanced the image of the militants as "fundamentalists." Not only are they "terrorists," but "fundamentalists," too. Who can sympathize with them?

Liberals in the rest of India find themselves in a position of ambiva- lence; they condemn the human rights abuses that have certainly been perpetrated on the Sikhs and Kashmiris, they may stand in solidarity with some of their political grievances, but they fear a nonsecular outcome of the struggles they are witnessing. Dipankar Gupta noted after the brutal massacre of several thousand Sikhs in Delhi in 1984, "Bleeding-heart liberals weren't sure whether they should bleed with the Sikhs" (Gupta 1985). A dozen years later, they still aren't sure. Most dare not speak out too loudly about death squads and disappearances in Kashmir, for fear that stance may be taken as solidarity with those same Muslims who dem- onstrated against Salman Rushdie in the streets in Srinagar.

Sikhs who are defining an eventual Khalistan as a religious homeland face big questions about the relationship between the Akal Takht, the seat of religious authority for the Sikhs, and the government of a state which, after all, will include more than just Sikhs within its boundaries. Kashmiris are already facing similar issues in the division of their inde- pendence movement into the Islamist Hizb-ul Mujahideen, Harkat-ul Ansar, and other organizations, and the secular Jammu and Kashmir Liberation Front (JKLF), which envision very different futures for Kash- mir. It is the rallying of the discontented and dispossessed around the banner of religion, which occurs to a greater or lesser extent among most of the Sikh and Kashmiri groups, which prompts the greatest skepticism on the part of not only secular Indians but Westerners as well. If you make the *panth,* the Sikh community, equivalent to the nation, will those opting out of or not included in the *panth* have a place? If you conceive of the *ummah,* the community of Muslims, as a sovereign collectivity, will you end up *with fatzvas* against those who reject membership, defined then as traitors to the nation? Are we going to face another Iran in Kashmir?

That these kinds of fears are fueling a renewed revitalization of the Hindu majority in India is not surprising. Over the past few years there has been a decline in support for the secular, umbrella-like, Congress party and polarized support for a variety of regional, caste-based, or re- ligiously based parties including preeminently the Hindu nationalist BJP. The middle ground which has held India shakily together is in a fragile state, and may evaporate altogether. The fact that some BJP leaders — who receive substantial electoral majorities —have explicitly equated being a Hindu with being an Indian, and hence not being a Hindu as being a traitor, is an ominous one. Anti-Muslim gangs in one of the Bombay riots called out the slogan "Pakistan or death," a frightening contortion of the early Muslim nationalist theme that led to the creation of Pakistan. This time, the mobs were not Muslims offering themselves for martyrdom, but Hindus demanding the expulsion or execution of a whole community conceived as traitorous to the national polity. And the tide has turned against India's Christians as well; beheadings of priests and rapes of nuns have been greeted in the national press by much sorrow, but also by suggestions that the perpetrators were heroes saving the Hindu nation from contamination. Although the notion of mimesis applied to violent conflict can have the unfortunate effect of making all sides seem equally right or wrong, there is certainly a symbiosis in the definitions of nations we have seen on the Indian subcontinent since decolonization. Sikhs and Kashmiris are now expressing their grievances against the state of India not in terms of compromise solutions like the acceptance of the Anandpur Sahib Reso- lution in the Sikh case and the implementation of Article 370 of the Indian Constitution in the Kashmiri case, but in terms of the utter rejec- tion of one national entity and the creation of a new one. Escalating cycles of killings and revenge killings on both sides make the boundaries between those imagined nations clearer and clearer, and the possibility of any negotiated solution more and more remote. The language of self- determination, widely recognized in international arenas, has eclipsed all other possible discourses regarding Punjab and Kashmir. At the same time, the consolidation of resistance against state oppression in terms of the Sikh and Muslim religions has led to a Hindu backlash that is having repercussions throughout India and may yet lead to a redefinition of the Indian state.

! The humiliation / dignity dialectic that plays so large a role in individual experiences of terror and resistance is entangled, then, in evolving no- tions of national identity on both sides. The two arenas feed on each other, as each new atrocity provokes further outrage and serves as justification for further acts of violence. How to stop this cycle? I only wish I had the answer. The first step, however, must be to realistically assess what par- ticipation in conflict

actually means to the people involved. No amount of negotiation over bordersyin itself, can resolve issues of humiliation, dignity, and identity which are the axes of the lived experience of violence in India's tragic northwestern rim. For the ethnographer, bearing witness to this experience is both theoretically and politically mandated.

A serious distortion in Western Indology is created by the tendency to concentrate on one region, one religious group, or one conflict arena at a time. The fact is that Punjab, Kashmir, Assam, Tamil Nadu, and every place else in India are part of a single political order. It speaks to the great success of those who dominate that order that rebellions against it are couched in particularistic terms that can quite effectively be dealt with from the center on a case by case basis. A more insidious form of success is the fact that the academic vision of India has been refracted into similarly particularistic visions, which in asking why Sikhs are rebelling, why Kash- miris are rebelling, why tribals are rebelling, and so on seems to put the burden of explanation on the rebels rather than the order against which they all chafe. A more unified resistance would be deeply threatening for New Delhi; the more universalistic academic perspective on the Indian state and its malcontents now developing across a range of disciplines is revolutionary in its implications. As the late historian Herbert Gutman commented about the various progressive histories of the United States — working-class history, women's history, African-American history, and so on —when are all these going to add up to a different vision *of American* history? (Gutman 1981; and see Bonner etal. 1994.) When does the study of ethnonationalist movements within states lead to a rethinking of the nation-state itself (Tambiah 1996)?

In a 1994 speech, a leader of the Dalit movement (Dalit means "op- pressed," and is the term of choice for politically aware Untouchables) chastised anthropology for its historical complicity in perpetuating caste ideology in the name of relativism. Many Western academics could also be accused of keeping their eyes shut in the face of a dangerous turn in the Indian national mood over the past few decades, one which Paul Brass likens to the "murderous, pre-fascist stage" of 1930s Germany (1994: 353-354). Tragically, state terror per se is not where it stops in India; Brass is correct in noting that what we are seeing is not just the imposition of a repressive regime but a wider cultural development that might well be termed protofascism. Urban pogroms against Sikhs and Muslims that have repeatedly taken place involved not just small bands of hired thugs but large numbers of people, and, furthermore, were never widely pro- tested or repudiated by the Indian citizenry as a whole. The non-Hindu groups who were the targets of these pogroms are rapidly being defined out of the national self-image; they are, to use Orlando Patterson's for- tuitous phrase, "socially dead" (Patterson 1991). Like the demonization of the Jews preceding the Holocaust, there is a hallucinatory quality to mainstream Indian conceptions of Sikhs and Muslims — and other, less visible minorities, too. In the worst rhetoric, that of right-wing Hindu organizations, they are cancers in the body politic that must be rooted out for India to flourish. Consider Bal Thackeray of the Hindu chauvinist group Shiv Sena, in power in Bombay (renamed by them as the pre- Muslim Mumbai), who when asked if the Muslims were beginning to feel like the Jews in Nazi Germany said that if they behaved like the Jews in Nazi Germany, then there is nothing wrong if they are treated as the Jews were in Nazi Germany (Mehta 1997:120).

The electoral success of the Shiv Sena, and the penetration of the martial Hindu organization RSS into all levels of the popular Hindu party BJP, shows that these groups which were once perceived as peripheral to the contemporary Indian psyche have become quite mainstream. Anti- Sikh and anti-Muslim rhetoric that would be considered "hate speech" in most Western countries is tolerated in major media outlets in India. The parallels with what Goldhagen has called "eliminationist anti-Semitism" in prewar Germany are stunning, not only in the ordinariness of senti- ments of hostility toward the non-Hindu minorities and the celebration of Hindu purity as the foundation of Indian nationalism, but in the hege- monic quality of the entire discourse (see Goldhagen 1996). Academia is not immune here, even Western academia with its long-term romance with a harmonious and tranquil India and its long-term enmity with turbaned and bearded crusaders. (Bill Kunstler, the civil rights attorney who had defended Martin Luther King and other Black activists, by the end of his life was defending Muslims and Sikhs [see Kunstler 1994].) We have to be wary of our seduction and our prejudices here, and pay atten- tion to the evidence before our eyes that India is not what we would like to imagine.

There is a lot at stake in India: most of us admire the beauty of its philosophical heritage; its attempts to create a democratic secular state against all odds; its gloriously plural cultural worlds. There is a lot to fear in the insurgent movements that have recently sprung up; no guarantees at all that what they would create would be better. (Pakistan and Bangla- desh are no Utopias, either.) But, the least we can do here is what we as anthropologists do best: listen, observe, teach, and write about people living very different lives with compassion, honesty, respect, and courage. It is a limited project, but one that faces us with a certain urgency as shots continue to be fired across the borders of the communities we once so confidently described, and as the people we study and learn from continue to bleed.

Notes

For reports on the human rights situation see Amnesty International 1998, 1997a, 1997b, 1996a, 1996b, 1995, 1994, 1993, 1991; Asia Watch and Physicians for Human Rights 1993a, 1993b; Asia Watch 1991a, 1991b; Human Rights Watch 1996, 1995, 1994; Human Rights Watch and Physicians for Human Rights 1994; International Commission of Jurists 1995; Physicians for Human Rights and Asia Watch 1993.

1. The details of the above story have been slightly altered for the protection of the individuals involved. "Yacub" is a pseudonym.

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DEATH SQUAD: ANTHROPOLOGY OF STATE TERROR

Chapter 8: Joyce Pettigrew

Parents and Their Children in Situations of Terror

Disappearances and Special Police Activity in Punjab

When evildoing comes like falling rain, nobody calls out "stop!" When crimes begin to pile up they become invisible. When sufferings become unendurable the cries are no longer heard. (Brecht 1976:247)

In 1984 Indian government forces attacked the precincts of the Darbar Sahib (Golden Temple) complex causing immense loss of human life and damage to the buildings therein. Code-named Operation Bluestar, this attack had been planned for some months beforehand and was timed for an important day in the Sikh calendar when thousands of pilgrims would be expected to be present as well as many people on an outing with their families. Exact casualties have never been known. This attack was followed swiftly by army combing operations in the villages of the Punjab (Opera- tion Woodrose) when many young people disappeared. The army opera- tion did not attack solely individual human beings in their finiteness. Nor were the buildings that were destroyed and damaged mere buildings. They were the collective belongings of all Sikhs as a people, symbolic of their temporal and spiritual sovereignty and of a political tradition which holds that political power has no authority if not based on justice nor can such justice survive without political sovereignty. The violent events of June-September 1984, together with the massacre of Sikhs in India's major cities in November 1984, and the daily terror families subsequently experienced in Punjab's villages were factors in the rise of resistance in the Punjab. A *Sarbat Khalsa* (general congregation of the Sikh people) was convened in Amritsar in January 1986 which passed a resolution favoring an independent Sikh state (Khalistan), and on 29 April 1986 the Declara- tion Document of Khalistan was signed and presented to the world. With this development the Indian state's legitimacy had been contested and a counterstate proposed. Such action was deemed traitorous.

The Context for Counterinsurgency Operations in the Rural Punjab

Indian Punjab is adjacent to Pakistan. It produces most of India's wheat. Its inhabitants, predominantly Sikh, have shown their commitment to India in all of its wars and participated actively in its institutional life. Particularly ruralite Sikhs have high positions in the defense forces, civil administration, police, and foreign service. Politically and economically incorporated into India, the Sikhs are also culturally allied through lan- guage, literature, and architecture to the Muslim Punjab. Moreover, in the Punjab region the pragmatic concerns of patronage, friendship, and kinship ties rather than state loyalty were a major impact on political alliances. Boundary-making in this region was a comparatively recent event. India and Pakistan became states only in 1947. With this develop- ment the region between Delhi and the banks of the Indus River lost its character as frontier territory spanning the divide between the fertile plains of Hindustan and the arid lands of central Asia. The Sikh part of the Punjab became a borderland between the Islamic lands of West Asia and Hindu civilization. In these circumstances the state, as an institution, was fragile. Hence, as support for armed resistance to the Indian state grew in the Sikh rural areas, there was sufficient reason for the Indian state to respond with overwhelming force. Illegal detention, disappear- ance, false encounter (a fictitious armed engagement as a cover up for police killing of a detainee) became daily events. Such disappearances and illegal detentions continue to occur.

The special units of police which operated in the rural areas did not do so on behalf of class or elite interests. They operated on behalf of the counterinsurgency policy of the Indian state, their purpose being to detach the civilian population from close contact with the guerrillas by generating sufficient fear within that population. Wickham-Crowley (1990:225-230) shows with reference to Latin American data that when there is "a large overlap between the civilian population and the combat- ants," government terror against the civilian population is "common" and "massive." This was also true of rural Punjab.

The initial aim of security policy was to silence the countryside. As Taussig (1992:27) reminds us, "the point about silencing and the fear behind silencing is not to erase memory. Far from it. The point is to drive the memory deep within the fastness of the individual so as to create more fear and uncertainty." A lesson was being taught to the

villagers that while the guerrillas were in their midst, no peace would be possible. Raids and operations within the rural areas were not aimed at active fighters alone but at their civilian population base, the intent being to create distance between the guerrillas and a population angry that it could not be protected. Hence terror was directed against entire areas and their populations. In that regard special units of police operated all over the Punjab but were particularly concentrated in the border districts and in areas where a particular guerrilla leader had massive popular support. Counterinsurgency activity provoked premature outbreaks of fighting so that those associated with the independence movement in whatever ca- pacity could be identified. Special units then went in to eliminate them. There was a joint purpose.

In the post-1984 years young people became fighers because of their ideological commitment to the Sikh nation. Subsequently they joined the resistance movement because of indiscriminate repression affecting both themselves and their families. A further wave joined because guerrillas, in the words of Stoll speaking of the Ixil of Guatemala (1993:30), "were ineffective in defending their supporters." Largely this was so because they were unable or unwilling, unlike the Basques (see Laitin 1995:25), to "police defectors" from within their own ranks. In these circumstances the state was able to create successfully a situation where guerrilla units could not be distinguished from police units by the rural population. Those who were recruited to the special units infiltrated the various guerrilla groups, masquerading as militants, and were an intrinsic part of the overall counterinsurgency effort. Bonds between fighter and farmer were broken as these counterinsurgents involved themselves in land dis- putes and factional rivalries, thereby heightening the traditional divi- sions within rural society. Their actions in this respect caused confusion as to who were the real militants.

Once there was adequate chaos and disorder, the issue of criminal violence and political violence became blurred. Disorder has its own rules wherein, as Taussig puts in (1992:17), "the arbitrariness of power is practiced as an exquisitely fine art of social control." Those with influ- ence in the villages who were sympathetic to the militant movement, but law abiding and moderate, were subject to robbery, kidnapping, and murder from 1989 on. Responsibility for these attacks would be claimed by an organization claiming to be militant. So, as with other movemens of armed resistance, guerrilla networks were not just destroyed by military measures but also by "spreading around responsibility for the killing" (Stoll 1993:303). One source commented, "The really top guerrillas were under intelligence directives and especially if they were on the wrong tracks (extortion, killing, rape) would be given protection. There were Central Reserve Police Force (CRPF) cordons around where they stayed to keep away the Punjab police."

Locally prominent individuals who had had an initial feeling of soli- darity with those fighting for an independent state of Khalistan were shaken by what they took ta.be the corruption within militant ranks. Any families of standing in the villages left, or they saw to it that their children left, for there was no future for them there. Most could not leave. They had to live without defenses. Those who could afford to sell their land went abroad but, as in the ghetto in Rome where a settled population similarly faced an onslaught of sudden, overwhelming force, "people with more limited means forced themselves to be optimistic about stay- ing" (Stille 1992:189).

Retired army personnel, particularly, appeared to be targeted be- cause of their associational linkages, and many ex-servicemen were kid- napped or had their property raided. Some abandoned their property. Ex-servicemen numbered 600,000 in Punjab and along with serving army personnel were under state surveillance. For various historical reasons they had always been identified with the Sikh nation. Some had mutinied in 1984 and subsequently became members of guerrilla units.[1] Others, on their retirement, had supported political organizations with guerrilla connections.

Special Police Activity in the Rural Areas

Special police operations were a part of overall counterinsurgency policy. Extralegal groups operating on behalf of the state engaged in the abduc- tion of the following categories of person: political activists; persons sus- pected of having association with them; lawyers[2] who defend families whose human rights have been violated; journalists who write about such violations; and human rights workers who record their complaints. How- ever, the largest body of those held comes from a wide range of persons uninvolved with political activity. Once abducted, they are detained in un- official interrogation centers which include schools, houses, forest bun- galows owned by the Public Works Department (PWD), and a variety of official police buildings belonging to the Central Investigative Agency (CIA) of the Punjab police, the Central Reserve Police Force, and the Border Security Force (BSF). Informants and more recently some written reports[3] have suggested, additionally, that Hindu temples provide facili- ties for the cremation of political prisoners.

According to my own data political prisoners are taken into custody by a wide range of bodies.[4] The detention is unacknowledged by the security forces. The arrest is denied. No arrest report is indeed filed nor any charge sheet prepared. The person is not produced in court but is held incommunicado. Once in custody, arrested persons therefore can be, and are, subjected to threats and torture. When their families go to the local police station to report their disappearance they are asked for money. The initial act of abduction sets in train a process of illegal custody and torture which often culminates in ah extrajudicial execution. It renders the politi- cal and judicial process irrelevant. If the arrested person can be of use he is taken around as a spotter.[5] Should young men cooperate as informants or as "cats" (those who masquerade as guerrillas), they can postpone, though not avoid, death.[6] The body is rarely handed back to the family (though in some cases families have retrieved bodies from the railroad tracks and from the canals). It is cremated as that of an unidentified person.

Persons can be picked up and detained in a range of situations: by men in unmarked cars or jeeps, but also in raids, in CRPF or commando operations, in police-army combing operations, or as a consequence of counterinsurgency operations that have been conducted in specific areas. The identity of the abduction group varies. It may be composed of low- ranking police constables accompanied by former militants who have been brought over, by those designated as "cats," or it may comprise police in mixed groups. It may be a single unit of either the BSF, the CPRF, or the CIA. Whatever their composition, the gunmen concerned subse- quently prove to be unidentifiable. However, their activities have identifia- ble effects on families: the disappearance,[7] torture, and frequent extra- judicial killing of their sons either in cross fire[8] or in an encounter. Such activites have been documented by international human rights bodies and the United Nations.[9] They have rarely been documented by anthro- pology which, as Nagengast (1994:112) notes, "has not been in the fore- front of the study of collective violence, terrorism and especially violence in state societies . . . because its methods and theory depend on months and years in the field until recently defined as a relatively small self con- tained community that did not include the state."

According to a village informant with much experience of police ac- tivity (the father of Harjit Singh, whose case was taken up by Amnesty International and is discussed on p. 214):

Those directly responsible for kidnappings, interrogations, disappearances, and actual eliminations are not merely the various units of commandos belonging to the police and army. There exist certain hit squads. They are sometimes dressed in khaki uniform and turban [of the Punjab police] though they can be in plain clothes. Whichever district police officer needs them, is free to use them. Some police are indeed members of these units. However, they are not under the control, direction, or otherwise responsible to, the district police chiefs.[10] They have no identification by way of rank or number and in kidnappings and other operations usually operate in mixed groups comprised of the Punjab police, CRPF, BSF, and commando units. They have access to and can command use of the various police stations and indeed of any building such as schools and even Hindu temples. They can command use of any vehicle. They operate from cars which either have Chandigarh number plates or which have no number plates.

That such a category of police with special duties exists in Punjab hasnever exactly been concealed from Punjab's population. In the early years of the insurgency these were more under the control of the district police chiefs. For example, the *Punjabi Tribune* of 10 October 1989 gives on page 10 a picture of a policeman assigned for undercover work and to whom special protection has been given. The authority letter, signed by the then senior superintendent of police (SSP) of Kapurthala, says the following: "the bearer of this authority letter has been assigned with some special task and as such he may please be rendered every sort of facilities required by him and if something adverse against him comes to your notice, the undersigned may be consulted before taking any action against him."

What most distinguishes members of special police units from ordi- nary police is that they are permitted to function outside their normal areas of jurisdiction and are directly responsible only to their superiors, whoever they may be, and that on the authority of these superiors they can command use of facilities and of cooperation whether it be military or paramilitary. Thus raids on homes in any one district might not be conducted by the local district police but by police from other districts, put together in a special unit. They are operational units with great mobility who do no routine police work and who also live in special accommodations, that is, not police accommodations.

Routine Policing, Special Police, and Counterinsurgency

Routine policing involves day and night searches, vehicle checks, surprise sealing of areas, area searches,[11] raids on active hideouts, guarding of key installations and key crossing points where canal and road meet. Normal policing also can involve cooperation with the army, who man check- points on link roads, and with the CRPF in combined

operations. In these respects, therefore, it is meaningless to differentiate either the police and CRPF from the plainclothes units which families so fear, for they provide the infrastructure enabling the latter to operate. Hence legal and illegal force cannot be distinguished. In many ways ordinary policing has effects for families similar to those of the abduction squads — innocent travellers may be picked up on suspicion after a bomb blast or at a checkpoint. They are never seen again, even though they have not been targeted. Innocent persons were otherwise targeted for elimination because mili- tants came to them for food and shelter.[12] Moreover, ordinary police accompanied these special police units to give directions as to the where- abouts of houses and persons and thereby aided them in the discharge of their duties. The CRPF guarded the entire area when these units were on operations and on occasion were used as a reserve. Where specific infor- mation was obtained as to the whereabouts of certain militants, the ser- vices of a CRPF battallion would be enlisted. When, for reasons of wider intelligence policy, attacks on trains and buses were planned, cover was provided by the CRPF. Likewise when these units operated on the border they used the facilities of the BSF, though the latter did not enter villages.

One suspects, in the case of special police units, that their activities were under some form of central control, as only central forces were informed about their operations and that, too, minutes before they were about to occur. According to one informant it was military intelligence which gathered the information on which much of the counterinsur- gency activity and special police operations were based. This one would expect. In all counterinsurgency activity, intelligence networks from the police, army, and paramilitary structures collude to achieve a single pol- icy against which nonviolent forms of struggle and individual combat actions taken by guerrillas are meaningless.

Punjab's police, being a community police linked to the rural popula- tion by kinship, affinal, and friendship ties, was totally porous. It is cer- tainly significant that so long as suspects were in local police custody, information leaked out to their families as to their whereabouts through these networks. However, precisely because of their location within the community, certain policemen of rural background, usually those low in status and initially low in rank but high in local area knowledge, would be coopted into abduction squads. Some were subsequently promoted to the rank of SSP or superintendent of police (SP). In that capacity they would be responsible for recruiting a network for special operations. According to one source, "they were carefully selected for their loyalty from cats and Punjab's constables and their operations done under the protection of the CRPF. Those who had to be blackmailed to give their support were never rewarded. The director general of police's [DGP's] policy toward those bought for special operations was protect, support, use, and then kill."

Summing up, it may be said that the government uses those recruited into special units in different ways. Undoubtedly factional and family animosities within the villages are exploited by the state as a way of hin- dering the development of new loyalties. In its fight against terrorism police interfered in marital disputes[13] and land disputes[14] in the villages, supporting, and hence compromising, one party. False complaints would be registered by one party to a dispute, supported by the state, to the effect that his opponent had links with terrorists. The individual nature of the many quarrels over land between and within families were eclipsed by the widespread use of such quarrels by the police. Disputes spiralled out of control as the police, as instruments of state, used all such con- flicts to advance their mission against terrorism. Incidents were pro- cessed and converted into a terrorist framework. Police officers could then claim the resulting rewards. In this they were given protection by superior officers and rarely held accountable. In the midst of situations such as these, innocents with no connection to militancy found them- selves in desperate trouble.

Villagers Responses

The collective and ideological response to any form of attack on one's person, community, or family, as influenced by Sikh historical and cul- tural tradition is one of defiance. However, responses to such violence in the villages have taken on a range of forms. If resistance was common, so also was flight abroad, movement from the village into the town, and becoming an informer. Defiant responses to the state were by no means universal, nor necessarily meaningful, to either small farmers' families in the villages or richer landlords. Except for committed guerrillas, defiance was possible only when there was a measure of protection. The committed became martyrs, and their deaths were commemorated yearly. They be- long to the Sikh nation. However, many young people killed have not been engaged in armed combat. They have been ordinary boys who have disappeared on an errand for their parents, visiting relatives, or while working in their fields, or who have been picked up from their own or their in-laws' home. The fears that parents developed for their children in such a situation may be said to be reasonable in the light of their chil- drens' vulnerability. They were not simply individual fears. Such pain and suffering, as Das (1994:139) notes, is "actively created and distributed by the social order itself."

Disappearances occurred primarily in the under-thirty age group. Some villages had lost more than forty young men. Sursinghwala in Amrit- sar district had lost seventy young men. Buttar Kalan, in Gurdaspur dis- trict, lost twenty. Each village has not kept a separate account of its losses. Erring on the conservative side, but keeping in mind the material emerg- ing from Patti and Tarn Taran, it is highly probable that most villages in the Amritsar district would have lost on average ten young men. Earlier figures also support the notion of a high civilian death toll, according to information given by a journalist once involved with the *Punjabi Tribune* and also with various official contacts in Delhi. In 1991 he had compiled a list of some of Punjab's detention and interrogation centers, giving fig- ures of estimated killings by police and paramilitary forces at these centers for the eighteen months prior to August 1991. The total for this period alone was 9,580.

It is precisely because the state did not expect to inculcate fear easily that it resorted to measures which kept parents in an almost perpetual state of anxiety. A son's disappearance often occurred after the family home had been robbed innumerable times, their tube well and crops de- stroyed, his education interrupted, and his parents taken to the police sta- tion. It was just as likely to occur without warning. Family harassment was an important element in control of the civilian population. To this end a boy would be released from custody, often temporarily, with the marks of torture visibly apparent on him. Duncan Forrest, an eminent pediatric surgeon, notes that "Tortures of whatever form are communications and are intended to leave their meanings within the victims in the permanent damage both to their bodies and to their minds" (1996:119). I would add that they are also intended to leave a meaning with their families. Women were frequently picked up in place of their husband or son. As Zulaika and Douglass (1996:194) note, "Each victim implies the victimization of an entire family." Sudden, precipitate disappearance was the worst terror parents experienced. An SSP who had once been in charge of Amritsar and Tarn Taran police districts admitted in an article ("After bullets and encounters try civic action," *The Tribune,* 13 October 1992) that "the worst fear which gripped the people was elimination of the boys by the police in encounters. Third degree methods used by the police during interrogation is another fear which haunts the people. Another sensitive issue pertains to those who are bailed out. The police whisks them away."

That low-ranking ex-servicemen, widows with little education, and farmers with not much land would dare to question the circumstances of their childrens' treatment by various police authorities perhaps explains the need of these authorities to create fear and terror. Arrested young people are moved around Punjab's CIA centers but rarely kept in any one of them for long. Many of the arrested were housed in bungalows, clinics, and schools and some in CRPF stations. They cannot therefore be con- tacted by relatives, the aim being to prevent or reduce any form of inter- vention, judicial or parental, in the interrogation process. They are kept on the move until the order comes to eliminate them. One militant from Amritsar district spoke of a pattern whereby people picked up in Faridkot district would be killed in Amritsar district, and vice versa. Likewise, Stanley (1996:1) reports for El Salvador that "families of victims some- times found their loved ones' heads and bodies had been dumped in separate departments of the country." All deaths conducted by special police squads have such a national scope.

Any notice that was paid to police power has to be placed in the context of village social relations. Epstein's point (1992:22) is a pertinent one, namely, that it is essential to explore not only the kinds of situation that elicit or provoke a given emotional response but also the sorts of social relations of the parties involved in a particular situation." Special reference has to be made in this respect to the factionalism within villages and to their lack of corporate identity. Villagers have little possibility of build- ing up trust amongst themselves on the basis of their membership in a local unit. Some are involved in state institutions, specifically the army police and civil service, and have loyalties developed from this type of association. Additionally, one's neighbor might be willing to give false information on one's family in the course of reactivating old enmities. For these reasons, during the period of state repression after 1984, the village became a setting for fear. There were no sure ways of distinguish- ing friends from enemies. Parents' fears for their children were magnified by the separateness of the family inside the village. Immediate kin might be distant. If sympathetic, they and friends were the sole hiding places for fugitive youngsters. Young people who had been picked up innumerable times by the police and badly tortured might be enrolled by their parents in colleges outside the Punjab, if they had the qualifications and their parents the resources. However, the police would continue to raid the family home and pick up brothers and aged parents in their place.

Villages in Punjab were units significant for revenue purposes alone and were never units of symbolic attachment for their inhabitants. Hence the state could increasingly and successfully treat them as ghettos against which they would plan attacks, in which they would target arrests and killings, descending on these settlements in large numbers.[15]

Emotional displays of fear from any member of a village family on such occasions were rare. There were several reasons for this. First, such emotions can rarely be vocalized since Sikh national identity finds expression, ideologically, through resistance to Delhi. Hence any emotional articula- tion of fear would not have been acceptable. Moreover, any such expres- sion would have been regarded as indulgent, since so many other parents had similar

experiences. Additionally, in rural Sikh culture, the expres- sion of fear is associated with shame. For these three reasons, fear sur- faces in ways that are respectable. For example, indicators of parental anxiety emerge in parents' concrete actions when their children dis- appear. Anxieties surface in telegrams[16] to the president and prime min- ister of India, the governor of Punjab, and, in some cases, international human rights bodies. Parents' procedural responses to tragedy continue when they are told, eventually, that their son was killed in cross fire, in custody, or in an encounter, usually false. Postmortem reports and affidavits[17] requiring the signatures of a doctor and a lawyer are obtained and letters are sent to influential MPs and judges.[18] Hearings are de- manded with the senior superintendent of police and the deputy com- missioner of the district concerned. In this procedural process the family is sustained by relatives and, in cases where they have had to abandon their land and home due to police harassment, by the Sikh religious structure. During 1996 the number of cases taken out in court against the Punjab police, the State of Punjab, and specific members of the Central Investigative Agency increased.

Families were without a traditional framework into which they could place their fears and have them explained. Although they were conscious of a religious framework to use to combat fear, they had none to describe the fear that they felt on a daily basis. The fears generated by the threat of sudden disappearance happening in the most mundane of places —at a bus stop, or at a road junction, for example —were of a different order from the tension and anxiety created by family and factional feuds. The latter had a certain time span to them. They did not always necessitate constant vigilance. And even in the midst of village enmities there was a time in each day when one could go to the tube well or sit in one's fruit orchard, drinking tea or country liquor as the sun set. Parents were unaccustomed to the clandestine terror of the contemporary situation, for the activities of the abduction squads could impinge on those who had no direct political involvement. Potentially all young *amritdhari* (bap- tized) Sikhs were a target.

This situation created fear within the lives of their families, a fear that appeared well justified given the torture practiced in custody, of which medical reports are now emerging (see Forrest 1995). If their son was picked up by plainclothes police, subsequently declared eliminated in cross fire, but then seen alive, as happened in one prominent case — that of Harjit Singh — the pressure and tension of events left a family with no peace and did indeed strike mortal fear. For as one ordinary policeman told Harjit Singh's father, "once you have been shown as eliminated [by forces acting on the instructions of the intelligence services] we [the police] are actually powerless/' The following pages of this chapter show in some detail what these conditions of terror have meant for one par- ticular family, the family of Harjit Singh.

Terror and the Family of Harjit Singh

Due to a campaign waged in all countries of western Europe by Amnesty International, Harjit Singh's case received and continues to receive a great deal of attention. I interviewed his father, Kashmir Singh, on 14 and 15 May 1994. Kashmir Singh had been aided in his search for his son by

information from friends or sympathizers inside the Punjab police. He also had relatives abroad who had connections with Sikh Human Rights Internet, a body which reports cases to Amnesty International. Addi- tionally, he himself was the son of a freedom fighter. All of these particular points may make this case atypical, in some respects. Yet in so many other ways it is very reflective of the situation parents are in regarding their children. It shows the relentless pressure that is placed on families by the various types of police unit. It illustrates the persistence and resilience of parents in searching for their children. Moreover, Harjit Singh's family is typical of the sort of family from which revolt has come, namely the small and middle farmers whose occupation is supplemented by employment in state institutions, in this case, the Punjab State Electricity Board.

In this particular case a few more resources and protection were avail- able and were channeled into finding out about the son's disappearance. However, all families do what they think is appropriate, in the circum- stances, for their children. Poor widows run from pillar to post securing affidavits and sending telegrams about the untoward deaths of their sons in police custody. They can take matters no further. Former army per- sonnel who have lost their sons report their cases to respected army generals. Although their service for India might have involved them in the loss of their life, they now find themselves very cavalierly and dis- reputably treated. These parents are every bit as heroic as their children, and they are persistent in their pursuit of justice, unknowing of whether their sons merely are illegally detained or in fact have been killed. In- deed, it is because of this multitude of small people refusing to be si- lenced that the police extend their terror to the families, often silencing them as well. For all parents, their children were good people, so they must fight for them, fearful of what might happen to them and unafraid for themselves. All, equally, have no protection in their villages and have to travel unprotected on the roads. Since Kashmir Singh began court

proceedings against the police, state terror has extended to his family: two attempts have been made on his own life, and one of his grandsons was abducted.

Harjit Singh, aged twenty-two, son of Kashmir Singh, was abducted by a number of plainclothes police on 29 April 1992. The reasons for his abduction partially lay in a family vendetta inside the village, yet they were also political. The abduction was organized by a police officer and accom- plished by those recruited by him to penetrate local militant networks. These recruits had led him to innumerable militants, as a result of which he had won promotion. The officer concerned had no interest in Harjit Singh, but kidnapping him did not contradict two aspects of state policy. The primary purpose of that policy, as stated, was the pacification of the rural areas. Since there was general sympathy for, and in this area active support of, the militant movements, the routes taken to achieve that pacification were those of general terror and discreditation. Overall, such abductions aswell as raids, facilitated the atmosphere of terror which was useful in bringing the different parts of Amritsar district to heel. Baba Bakala was an area in which militants had once offered the police protection for payment. Now the situation was reversed, and militants had to pay police for their protection. Several militants became informers and several of these in Harjit's village became part of a group indulging in rape and extortion, creating the confusion, disorder, and dis- creditation of the militant cause earlier mentioned. In their fight against militancy, high-ranking police officials protected the officers who orga- nized abductions such as Harjit's.

Harjit Singh's abduction was witnessed by several people, some of whom informed his family. His father was told to go to the office of the then deputy superintendent of police (DSP) ofBabaBakala (subsequently DSP of Majitha and SP HQ of Amritsar) and that he would find his son at Beas police station. He traveled there and met the police officer in charge, who did not produce his son. After making further inquiries, he and a friend were directed to Gaggarbhana police station on the second of May. There the police admitted that Harjit Singh had been in their custody, and an assistant subinspector said he had been sent to Mehta. He asked Kashmir Singh for a large sum of money to secure his release. On 6 May his father contacted a relative in England and on 7 May Amnesty International was informed of his abduction. On 8 May it was confirmed that he was in Mai Mandi, the CIA's interrogation center in Amritsar. On 12 May, the SP in charge of Mai Mandi told his father he would need to contact higher authorities about his son. On 13 May Kashmir Singh read in the news- paper that his son had been killed in cross fire on 12 May. However, as noted in a 1995 judicial report which was the culmination of a three-year magisterial inquiry,[19] neither was the postmortem produced, "nor have any of the witnesses who identified the dead body of Harjit Singh at the time of the post mortem examination . . . been examined." There was no doctor to confirm the postmortem report or cremation certificate and no independent witnesses to identify the body.

Kashmir Singh requested a meeting with the SSP of Majitha, Amritsar district, but he refused, telling Kashmir Singh he should meet the DSP of Ajnala. He did so, the latter passing him on to the police officer in charge of Lopoke police station, and saying Harjit Singh had been killed there. Kashmir Singh asked the police for his son's clothes and watch, and requested he be shown his son's dead body. The policeman replied that he was not compelled to give him anything. Meanwhile, Kashmir Singh had received information in confidence from a Criminal Investigation Department (CID) officer that his son was still there in the Lopoke police station. The same day he was moved. On 25 June, while parked outside the CIA building in Kapurthala, his father saw Harjit waving to him from a passing vehicle. He followed it for as long as he could. Subsequently on 9 August a close friend saw him in a CRP jeep. On 13 August a childhood friend who was an official for an agricultural cooperative (and who was himself later eliminated by the police) gained access to Rasulpur jail, Amritsar district, with the help of a police constable who was a friend. He spoke to Harjit. On hearing this, Harjit's father then went to Chandigarh to secure a habeas corpus injunction. A warrant officer was appointed by the high court to search for Harjit Singh on 16 August and a judicial inquiry was ordered to be completed within three months. On 17 Octo- ber the warrant officer, one R. L. Bhattia, went to Rasulpur. He did not find Harjit Singh there. The police informed him that he had been shifted to the CIA center in Mai Mandi. There, on 19 October, Harjit Singh was seen at a window by his father, who identified him in the presence of the warrant officer. In other words, he was found alive after he had been declared dead five months previously. His father then made a report in the High Court of Punjab, the substance of which was that they were denied entry for a considerable period of time,[21] and when entry was achieved Harjit Singh had been removed once again.

From Mai Mandi, Kashmir Singh and the warrant officer went to see the then SSP of Majitha, PS Gill, an officer with a military background. According to Kashmir Singh, Gill told him, "because of your activities your son will never be able to return home alive." This statement is not exceptional. Those who involved the judicial authorities in what the po- lice considered were its own affairs became the object of particular ire. He went to see the relatives of the policemen concerned as well as the sister-in-law of the police chief but was warned to stay out of police mat- ters. In a

letter to the prime minister his lawyer wrote that, subsequent to 17 October, Kashmir Singh had sighted his son four times.[22] Meanwhile, in the village the police spoiled his newly cut wheat field and threatened the life of his grandson. The intimidation and threats that Kashmir Singh and his family experi- enced were also extended to his lawyer. On one occasion police sur- rounded his house, threatening to take the life of his child. Courtroom gossip also had it that he had been given inducements to leave the case. As a result, when Kashmir Singh reported the aforementioned events to him, he refused to record his statement. The police also came to the house of the warrant officer, issuing him, too, with a warning against making any statement, as a result of which, on 21 October, he reported the matter to the advocate general. The police, in the person of Darshan Singh Mann, DSP of Baba Bakala, approached the bench and said that Kashmir Singh was mad, dreaming that he just saw his son wherever he went. Mr. Bhattia submitted his report on the twenty-first, and on the basis of that the judge insisted that the police present Harjit in court. Darshan Singh Mann submitted affidavits that he had been caught on 11 October and killed on the twelfth. On 31 October the SSP of Majitha submitted his affidavit and confirmed Mann's reports. They brought along with them a postmortem report.

The team of five lawyers representing Harjit's case in court was headed by a Hindu lawyer, Ranjan Lakhanpal, the son of an old freedom fighter against the British. He questioned the judge why Amnesty International should lie about an abduction. The judge, Mrs. H. K. Sandhu, reserved judgment on 10 December 1992, and on the sixteenth she ordered an investigation into the whereabouts of Harjit Singh and that it be held on 24 January 1993 at Amritsar District Sessions Court. On that date there were hundreds of police around the court and Kashmir Singh claimed that he feared for the lives of his witnesses and of his own family. He filed a new petition to have the inquiry done in Chandigarh. This was granted. However, from 27 January 1993 until the present there have been innu- merable dates when witnesses could not obey summonses to attend the court, either because they had been murdered or because of intimida- tion.[23] On several occasions the various parties presented themselves be- fore the court but the judge was not present. At other times there were adjournments of hearings because the relevant police and government officials were not present.[24] The family of Harjit Singh continues to be harrassed. On 12-13 May 1994 two plainclothes police visited the school of the four-year-old son of Harjit Singh. They reportedly demanded to take him away, but the teacher refused (Amnesty International 1995a:3). On 2 August 1994 the judge conducting the case was promoted. Since that date there have been fourteen hearings scheduled but only six have taken place (Amnesty International, ibid.). The young son of his second lawyer was killed "in an accident" in 1995.

As Harjit Singh's father took the case into the international forum, Darshan Singh Mann demanded a 200,000 rupee bribe from his erst- while village informers to keep Harjit Singh in some form of custody. Harjit had been moved from place to place, maintaining his usefulness primarily as a spotter. He had eventually ended up in Mai Mandi, where the officer in charge was responsible to central authorities. To this day, high-ranking officials in the police force continue to protect their col- leagues and put a blanket over happenings, happenings which occurred because two structures are entangled: local village structures relating to family feuds and vendettas and factional alignments, and the more bu- reaucratically organized killing of the state.

Conclusion

Through the experience of one Sikh family I have sought to describe the context in which a large number of families fear for the safety of their children at the hands of abduction squads in present-day Sikh Pun- jab. Perhaps because of inadequate support structures in the village or through lack of associational ties, not all parents can respond in as per- sistent a fashion as Kashmir Singh. Generally, where support of some kind is forthcoming from the army or from the judiciary or from friends in the police force, the fight for justice is sustained. A family's awareness of what can happen to their children causes anxiety and in some cases trauma. However, when the untoward does happen they show little fear in search- ing for the whereabouts of their children or in attempting to secure their release from custody, even when they themselves are threatened.

However, resistance is a matter of character, ultimately. There are many doctors who, under pressure, allow their names to be used in postmortem reports that the police have concocted. There are doctors who will not admit into hospital those who are severely injured as a result of police in- terrogation.[25] There are lawyers who have made no protest against the repressive legislation introduced since 1984. The Harjit Singh case shows how difficult it has been for the courts to function in an atmosphere in which their personnel are subject to intimidation. Unsurprisingly, there- fore, when mothers and sisters have been held in custody by the police, their ultimate fate unknown, not all fathers and brothers have been able to cope with the threat of what might happen to them and to remain underground to fight. As one old lady from Sabrawan village, Amritsar dis- trict, told me, referring to the many abductions of young girls by the

police, "In every village and each house there is sadness."[26] Hence, to pro- tect their sisters or indeed some other family member, some young mili- tants and their sympathizers have compromised and become informers. It is standard police practice to use young men who come from guer- rilla strongholds such as Baba Bakala as spotters. In fact, until his last sighting, Harjit Singh was being taken around the villages and used by the police in their identification of those with militant views. In these circum- stances, the pressure put on young boys with no previous criminal convic- tion is overwhelming. In other instances, the relatives of the youngsters have been held hostage while the boy concerned was projected in the media, made popular, given arms, and left in place for awhile to collect information. He would be paid about 5,000 rupees per month and his relatives kept in custody as security. No harm would come to him as long as he remained useful both as an informer and as a fake militant. Villagers understood the behavior of young boys who found themselves in this position though they considered it a matter of shame. However, they themselves remained with the guerrillas only so long as the latter were able to give families in the rural areas a measure of protection. Once the security forces gained the upper hand, any open support fell away. Fam- ilies refused shelter even to the wives and children of dead guerrilla fighters, fearing their own elimination. Thus the mother of a noted guer- rilla fighter told me "if the police give us trouble there is nothing we can do and there is nowhere we can go." It was in this sort of environment that the wife and child of another well-known guerrilla, Sital Singh Matthewal, were killed by the police. To this day, persons are hesitant to deliver either messages or money to the families of known guerrilla fighters.

Kashmir Singh's persistence in pursuing his case through threat and pressure of a very substantial nature do not betoken fear of the state, though they show considerable fear about what is happening to his son. He is not unique in that. Particularly ex-servicemen who have suffered harassment and torture at the hands of special units, or whose children have been killed by them, would have been interested in pursuing their cases. That they have not been able to take their cases further, on their own, is due to lack of financial resources or legal encouragement. In all cases, the careful, legalistic responses to state terror that the families concerned prepare indicate that they see the issue of their children as being one related to justice.[27] In fact, the fear that they feel for their children is inexpressible. I believe that it must be seen in the light of what is happening to the family in contemporary Punjab. There is a three- pronged attack on its identity: through rape, which ruins the line by bringing bad blood into the family for generations to come; through the physical elimination of its young men or by reducing them to impotency; and through the destruction of its existing material prosperity —its land, houses, and agricultural implements. Against such a concerted onslaught only an effective resistance of a collective nature can offer a measure of protection. Fear for their children results in individual parental resis- tance. Perhaps they believe, as did Primo Levi (1988), that "the aims of life are the best defence against death."

Anderson and Simon (1987:42) accurately describe the current situa- tion: "The structure of terror is in place and operational." Cases of illegal custody, torture, and extrajudicial killing occurred throughout 1995 and 1996.[28] According to human rights lawyers fresh complaints of abuse were also made during 1997 and 1998. Moreover, officers accused of brutal attacks against civilians have not been dismissed. They have merely been transferred, and that, too, only for a time, and only because they have no personal connection to present ruling authorities. Guerrilla vio- lence may have stopped, but only because of superior state violence. In fact there has been no settlement.

Notes

The fieldwork on which this chapter is based was made possible by a grant from the Harry Frank Guggenheim Foundation, New York. I am grateful for this sup- port, which enabled me to go to East Punjab in the autumn of 1992 and the winter of 1993 to witness at first hand the effects of state policy in the rural areas of the province. The chapter's sources are the many parents in the districts of Amritsar, Faridkot, and Bathinda who came to me to record that their children were miss- ing. Subsequently, interviews were conducted in London with Kashmir Singh, father of Harjit Singh, and with two persons from Punjab who wish to remain unidentified who knew the militant struggle well. I am also obliged to those who arranged that I see the relevant court documents referred to in this chapter.

1. Certain high-ranking military officials attempted to explain the mutiny of the Sikh and Punjab regiments in a letter to the president of India in which they show how the observation of religious faith and military duty have been inter- twined among the Sikhs. The text of the letter is contained in Nayar and Singh (1984:160163).

2. Four lawyers have been killed so far and twenty-nine threatened with police abduction. Two of these had questioned the constitutional validity and legality of the state practice of distributing prize money to police

and brought a public interest petition. As their counsel noted, "the practice of putting prize money on the heads of suspects had led to the detestable pursuit of first apprehending subjects and making an illegal arrest, then putting a reward on their heads. Once the reward was decided they were simply taken out of illegal centres and shot dead and the money claimed. No scrutiny was done and no criterion adopted on how the reward is fixed, who decides it and on what material" *(The Tribune*, 21 May 1994).

3. In September 1995, Jaswant Singh Khalra of the human rights wing of the Shiromani Akali Dal alleged that 2,000 families awaited the return of their family members in the Amritsar district alone. Four hundred unclaimed bodies had been brought to the Patti municipality cremation grounds; seven hundred un- claimed bodies to the Tarn Taran municipality cremation grounds; and 2,000 bodies were cremated and unclaimed a the Durgiana Mandir Amritsar. An atten- dant at the cremation grounds in Patti commented on the fact that "unclaimed bodies have continuously been burnt here. Previously it used to happen once in a while. In the last 4 to 5 years it has been common. They only cremate. No one cares to take away the remains" (from video documentary *"Disappearance" in Punjabhy* Ram Narayan Kumar, 1996).

4. Amnesty International (December 1993) lists the names of eighty people who have disappeared in Punjab since 1990 and simply reports them as being picked up by "armed police," or by "police in plain clothes" and "police wearing khaki turbans."

5. The term is used to describe someone who, while in police custody, identifies from public places those espousing the militant cause. Police customarily used young men who came from centers of guerrilla activity as spotters. After a youth was captured it would be announced in the newspapers that he had been killed. In fact he was kept alive so long as he was useful.

6. Civil Writ Petition no. 13195 of 1996, Sardul Singh vs. State of Punjab and thers.

7. Disappearance is being increasingly used as a technique of terror. According to a report for the Independent Commission on International Humanitarian Issues, the key element in the definition of "disappearance" is the involvement of the authorities.

8. Normally when cross fire is mentioned in press reports it refers to the occa- sion when "a militant is taken for recovery of weapons by the security forces. The party comes under fire of the militants and in the cross fire providentially every- one escapes except the escorted militant" (letter to the prime minister by the Movement Against State Repression, the Punjab Human Rights Organization, and the Punjab Union of Civil Liberties, 15 January 1992).

9. For example, *India: Country Reports on Hitman Rights Practices for 1994,* issued by the U.S. State Department in 1995, makes reference on its first page to the political killings and extrajudicial executions by police in Punjab and remarks that "problems with the absence of police arrest records is particularly common in Punjab, where a number of disappearances were reported" (ibid:4). Likewise, the Economic and Social Council of the United Nations (E/CN.4/1995/96:45) notes that "The majority of the 224 cases of disappearances (in Punjab and Kashmir) reported to its Working Group occurred between 1983 and 1994" and "were primarily attributable to the police authorities, the army and paramilitary groups acting in conjunction with, or with the acquiescence of, the armed forces." Important official testimony to these sorts of events is also present in the U.S. State Department report of 19 January 1993: in Punjab there were credible reports that police, in particular, continued to engage in faked encounter killings. In the typical scenario, police take into custody suspected militants or militant support- ers without filing an arrest report. If the detainee dies during interrogation or is executed, officials deny that he was ever in custody and claim he died during an armed encounter with police or security forces. Afterwards the bodies reportedly are sometimes moved to distant police districts for disposal, making identification and investigation more difficult.

10. This is well illustrated by the case of one Param Satinderjit Singh, a student at Guru Nanak Dev University, Amristar, who was detained by police in May 1992. The then SSP of Amritsar is quoted as saying in a report by Human Rights Watch and Physicians for Human Rights (1994:51) that he "had been detained, but not by his police but by police belonging to some other district who were operating in the area without permission."

11. Human Rights Watch (May 1996) reports that in Kashmir most extrajudi- cial killings occur after "cordon and search operations during which all the men of a neighbourhood or village are called to assemble for an identification parade in front of hooded informers." In Punjab, by contrast, the frontline work is not done by

the army, and killings were the work of special units of police or of the CIA.

12. Civil Writ Petition 12330 of 1995, in the High Court of Punjab and Haryana at Chandigarh. Swaran Singh of Mohalla Rara, Jagraon, District Ludhiana vs. State of Punjab. Criminal Writ Petition 499 of 1994, in the same court of Budh Singh of Sunam, District Sangrur vs. Senior Superintendent of Police Sangrur.

13. See the case of Sarbjit Singh vs. State of Punjab and others. Criminal Mis- cellaneous Petition of 1996, High Court of Punjab and Haryana.

14. Jaspal Kaur wife of Avtar Singh of village Railon, near Bassi Pathana, District Fatehgarh Sahib vs. State of Punjab and others. Civil Writ Petition of 1996 in the Punjab and Haryana High Court. This is a horrifying case of illegal detention, rape, and torture for failure to relinquish three lakh rupees to another party and put twenty-one and a half acres in his name.

15. One example is the counterinsurgency operations —flood, provoke, de- stroy—that occurred in the Jagraon area of Ludhiana district in November- December 1992. In two operations the area was encircled by units coming from Kishanpura, Aliwal, Boparai, Bassian/Raikot, Hatur Khas, Dhudike, and Kokari Kalan.

16. One telegram, from the principal, Khalsa Senior Secondary School, Kharar, addressed to the honourable president and prime minister of India and the governor of Punjab, requests an inquiry into the arrest of his only son, saying, "His liquidation in cold blood is apprehended."

17. An affidavit dating from June 1992, one among many for that month, of Avtar Singh, aged twenty, states that his brother's penis was punctured with nee- dles and electric wires attached to it. He became impotent. His family secured his release on bail but the police killed him in his fields in Ghuman village, Gur- daspur district.

18. One ex-serviceman wrote several letters to the governor of Punjab, to Mrs. H. K. Sandhu, additional judge of the Punjab and Haryana High Court (date of letter 26 March 1991) and to his previous army commanders, regarding the death in cross fire of his son. None replied. He gave me a printed list containing the names of twelve prominent Indian MPs to whom he had sent letters. He received replies from only two. He also gave me a transcript of a hearing with the then SSP of Faridkot (Swaran Singh) on 21 September 1991 held in the presence of the deputy commissioner of the district.

19. Enquiry Report of 11 September 1995, Kashmir Singh vs. State of Punjab.

20. Amnesty International (1996:6) registered its great concern at the "absence of censure in the enquiry report of the police . . . who failed to identify the body before cremating it thereby removing any further possibility of identification."

21. Report of the warrant officer, as contained in evidence Kashmir Singh vs. State of Punjab 21 October 1992. In the High Court of Punjab and Haryana at Chandigarh CR. WD no. 651 of 1992.

22. Letter dated 27 August to the prime minister of India by Ranjan Lakhanpal, advocate, High Court of Punjab and Haryana.

23. Amnesty International (1995b: 7) quotes from a civil writ petition of a Chan- digarh lawyer, Navkiran Singh, which says: "It is noticed that some intelligence officials of the Punjab State are on permanent duty at the High Court premises. They enter the registry of the High Court and keep on collecting information of cases being filed against the state of Punjab especially writs of habeas corpus in which warrant officers are appointed. By the time the poor petitioner takes the warrant officer to the suspected place of confinement of the detenu, the police officer receives the wireless message that the warrant officer is on the way and the detenue is shifted elsewhere.

24. In an urgent action circular of 11 February 1994 Amnesty International makes the following comment on the case: 'This lack of progress appears to be largely due to the delaying tactics by the police and the recent absences of the judge hearing the case, most recently on 9 February 1994 . . . Although some of the delay in legal proceedings has been due to Harjit Singh's lawyer (he twice failed to appear in court on time), the principle cause has been the failure of senior police personnel to appear before the court. On 16 April 1993 the Superin- tendent of Police did not appear. He sent his deputy and so the hearing was postponed. The next hearing on 27 April was again postponed as the judge wanted KPS Gill, the Director General of Police, to appear in court. The next two hearings on 13 and 28 May were postponed as no government or police representatives were present. The judge hearing the case has been on leave on three recent occasions (19 November 1993, 21 December 1993 and 9 February 1994) when the hearing came to court." Thus the magisterial inquiry into Harjit Singh's case, which was supposed to take three months, in fact took three years. The major cause of the delay injudicial proceedings was the lack of cooperation from high-ranking police officials as a result of which several hearings were postponed.

25. In some cases the local civil hospital has advised the CIA not to admit the injured into hospital to avoid* proof of injuries. In this connection see the case of Modan Singh of village Shahpur, Bhiwanigarh, Sangrur.

Criminal Miscellaneous Petition of 1996.

26. An increasing number of rape cases are coming to light as individual women take their cases to the courts. One mother registered a case against the police on behalf of her daughter who had been picked up and taken to the police station while her brothers aged twenty-three and thirty were in illegal custody. Her husband was also tortured and he lost his mental balance. Gurdev Kaur, wife of Bhag Singh, village Rangian, District Ropar, vs. State of Punjab, Director General of Police and others. Criminal Writ Petition, 1995.

27. Seeking justice is the main motivation behind many cases now being brought to court which go back as far as 1991. A case in point is that of Swaran Singh vs. the State of Punjab. Civil Writ Petition 12330,1995. This was a case where an entire family of six, including their three-month-old child, was wiped out in a police raid due to a militant hiding in an outhouse on the farm.

28. Criminal Miscellaneous Petition of 19 August 1996. Modan Singh vs. State of Punjab and others. Charanjit Kaur, widow of the late S. Gamdur Singh, Bhai Ke Pishor, District Sangrur vs. State of Punjab, Civil Writ Petition of 1995. Ranjit Kaur, widow of S. Piara Singh Kirpal Singh Wala Mahil Kalan, Barnala, vs. State of Punjab, Civil Writ Petition 1995. It is significant that in all these cases the writ petition is primarily against the State of Punjab indicating that it is the state that families see as being primarily responsible and hence accountable for what has happened to their family members.

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