

Wound, Waste, History

Rereading 1984

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Wounds are expected to heal. Our very conception of victims and victimhood is based on this hopeful axiom. But not all wounds heal, some remain in a constant state of decay, degenerate, and ultimately risk turning into waste too. It is this possibility of waste that this article explores. The 1984 violence is one of those historical wounds that has neither faded from public memory nor fully healed. At the heart of this unhealing wound is the question of justice that has long been denied to the victims. The judicial affidavits prepared in early 1985 not only narrate the violence that unfolded systematically, but three decades later testify to the inability of the state apparatus to help heal its wounded citizens.

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Testimonies

I On 1 November 1984, I went to serve tea to my father-in-law Sardar Moti Singh who resided in B-2. I saw that a meeting was being held in B-2 park. About 150-200 persons of our mohalla had gathered there. Four females and rest were males. Shri Sajjan Kumar was delivering a lecture...at about 1.50 pm, the gurudwara was set on fire. We all of our 'biradari' came out of our houses. Asla Ram Gujarati, Peeria and Nathu Pradhan broke the Nishan Sahib (the flag) and Jamadars had lit the fire and were standing outside. They had brought the oil drum into the street. Brahmanand Gupta and his three brothers had brought the oil drum. At that time SHO Bhatia of Sultanpuri, Jai Chand Havaldar, Rajinder Sepoy, Sukhbir Thanedar – these all said, you all sardars go to your house, otherwise I will open fire.

We went to our houses. The doors of my house were closed from outside. Bhatia and Jaichand closed the doors. Gun fire was heard from outside. Police was firing. The police were sitting in Sita's house and firing. Then sitting in Brahmanand's house, Ujjal and Islan fired which hit the house of Gudoli Kaur. This went on the whole night. At about 2.00 am in the night, the rear wall of our house was being broken. Behind our house is the house of the owner of Satbir Hotel. He was trying to enter from the rear. He set my house on fire. I even pleaded with folded hands. Brahmanand and his three brothers poured oil into my house and set it on fire.

Ujjal was firing from top. When the fire spread, then my Sardar and my two sons tried to run away. My Sardar was hit by a bullet whilst he was trying to

jump over the small wall. SHO Bhatia was firing from the front from the road. My sons were hit by bullets, were gasping. Then at about 7-8 am on 2nd November, they came and dragged my sons to a place near Satbir's house. They were burnt with kerosene. When I ran towards my sons, Nathu Pradhan, Gupta Brahmanand and Ramesh stripped me and raped me. They made me run naked on the road. Nobody from my street gave me a dupatta. I went to A-2 block to my older sister. I stayed the night there. The military arrived on 3rd November and evacuated all of us.

– Prem Kaur, widow of late Sardar Roshan Singh, Sultanpuri, Block A-4¹

II

By afternoon, there were many thousands of people in the mob. Groups of many hundred entered the house of each Sikh family, broke the doors and roofs and dragged out each Sardar and beat them with sticks and rods, and stabbed them with knives, swords and throw them down. Then they would set fire to them there itself. All three of our houses (extended family) were destroyed. All the goods from the three houses were looted.

My husband's elder brother was caught first. He begged them with folded hands but the mob's reply to him was "Saala haath jodta hai" (the bastard is folding hands). The mob killed him with a "basoola" and threw him down.

Somehow I took my children and hid in a neighbour's hut. After some time my husband fell down. I tried to hide him but 10-12 people were chasing him. These people cut down my husband with their swords. I took his head on my lap and wept the whole night. He was still alive. After some time, these people came back and dragged my husband out putting their ears to his chest to listen. Then they said, "he is still alive". They then attacked him with swords. I saved my life by giving them Rs 4,000/- and a gold amulet.

Nearby was the house of Shabnam alias Kacchoom. My husband's younger brother Dalip Singh and another relative Kripal Singh were hiding there. Shabnam

said that he would help us. But he himself brought a mob of 300-400 people and was in fact right at the front. He said that Dilip and Kripal are hiding. They both pleaded with folded hands and said you are getting us killed though you are a friend. And they (Dilip and Kripal) were killed before my eyes.

Similarly Rampal Saroj betrayed us and caused the murder of my father-in-law. "Call us husband, we are your men. Now we shall parade you. Where has your great Guru gone, now say the true name you bitches. Don't even speak of Trilokpuri, don't ever come back. Go to Chilla village, go down in the canal." The mob stood with sticks and rods and chased us and our children away from there.

– Janaki Bai, widow of late Hukum Singh, Trilokpuri, Block 32²

III

The mob dragged the Sikhs out of their houses and started beating them. They first beat the Sikhs after dragging them out of their houses. Iron rods and lathis were used for beating them and they were then burnt alive after sprinkling kerosene on them. The dead bodies of the Sikhs were seen lying in the street outside.

Bedi and his brothers and Kishori and his brothers started abusing the women-folk in an obscene and immodest manner. Police personnel never came to the spot. But if at all, they appeared, it was not to save the Sikhs but to point out and instigate the mob to kill the Sikhs. This process of killing men folk lasted till 9-10 in the night. The electric wires were cut off. It was dark around. They climbed on your rooftop. The mob started beating and throwing down Sikhs who were hiding on the rooftops. The persons below started setting them on fire alive.

Bedi, Kishori and many other persons were amongst the mob present there in the night at 10-11 clock. They abused us, turned the women folk and children out of houses and started beating the men folk who were later set on fire. My brothers and husband pleaded with them with folded hands as to what was their fault and why were they being beaten. They, however, did not pay any heed to their pleadings and after hitting

them with iron rods, set the sobbing persons alive on fire there and then. When they cried in pain, the mob felt happy and danced.

The women folk of the mohalla were made to sit in the Block 32 park. They started having a look at the women folk and forcibly took away the young ladies. During this period, the ladies started running helter-skelter. We, the women, pleaded with them with folded hands, addressing them as brothers as to why they were harassing us in this way, and abusing us, and that they had already killed husbands. To this they replied "don't call us brothers, we are not your brothers, we will not spare the ladies." Even at this time, the police did not come to our rescue.

The women then pleaded with the leader, Ram Pal Saroj, as to what all this was being done. "Save us, already our husbands have been killed." Ram Pal replied that nothing was in his control and that "they should suffer for all that has been done by the Sikhs". In the morning, all the ladies went to Chilla village. From there we went to Pandav Nagar on foot. We spent the night of 2nd November there. At that time, my four children were with me. On 3rd morning, we came to Kalyan Puri police station. There I met my other children also. Thereafter we were taken to the camps by the Army.

– Gopi Kaur, widow of Phool Singh, Trilokpuri, Block 32³

IV

On Saturday, 3 November, I and my husband were watching on tv the funeral of Smt. Indira Gandhi, the late prime minister of India. My sons and nephews were on the terrace. We suddenly heard a brick falling in the outer compound. My nephew came racing down from the terrace as if he had seen something terrifying. We heard a lot of turmoil on the roof. Suddenly brick bating (sic) started from the rear of the house. My husband left from the front door and sought shelter in the next door neighbour's house. Unfortunately he was seen by someone in the violent crowd entering the next house. He hid himself under a bed.

The violent crowd entered the next door and in spite of forceful pleadings of

the ladies of that house, my husband was dragged out from his hiding place under the bed, hit on the head with an iron rod, pushed him to the road and burnt alive there. While I was watching this horrible scene, I heard a crashing noise. The mob had entered the house breaking all the doors. I saw my son seriously wounded. I stood in front of my son to save him. In this time, my nephew rang up my sister-in-law Mrs Vasant and told him of this tragedy being enacted at Patel Nagar. Seeing this, immediately after having witnessed my husband's being burnt alive I fainted.

– Harbans Kaur, widow of Kartar Singh, Patel Nagar⁴

The Work of Affidavits

The box filled with hundreds of hurriedly typed A4 pages lay together with books and documents assembled over a decade. I reopened the archive this summer when we moved homes. The typed pages I was holding again after a long time belong to a distinct variety of documents called "affidavits" that are intricately woven into the life of the Indian judicial system. The ubiquity of affidavits in public life is well known by anyone who has had to deal with the state in one way or another. The affidavits are simply sworn oaths, testimonials furnished in the presence of a recognised public authority, and authenticated by authorised judicial agents to be true. These documents were not FIRs, or first information reports, which detail the crime as a first step towards police investigation and due judicial process. The affidavits were filed half a year after the subject had failed to activate the regular justice system.

To reread these affidavits is to reconsider the kind of work such documents perform in public life generally, and more specifically, in relation to violent events that have been in the public eye, yet never been fully addressed. The affidavits I invoke here are testimonials of victims who were also eyewitnesses to one of the first large-scale pogroms, organised in the heart of the capital city of postcolonial India in 1984. The year 1984 in Indian political lexicon has become shorthand by now; it not only stands for organised violence – to avenge

the assassination of Indira Gandhi by her Sikh bodyguards – resulting in an estimated 3,500-5,000 deaths on an all-India scale in a span of few days, it also signifies the impunity with which the state denied justice to its affected citizens in the long run. Three decades later, these affidavits, in various ways, speak of this doubled-up tragedy – first, the brutality of violence, and then, denial of justice.

My own relationship to these documents precedes the moment they were produced in courtrooms in collaboration with lawyers and judicial experts. The accounts presented here had already been circulated orally – especially among those who had survived the violence – as occasions for mourning, and as dangerous scripts of what could have happened had the army not intervened, or had some kind neighbour not given shelter at that particular moment, or any other miracle that separates one from a possible disaster. That the questions of death, rape and material destruction were distinct possibilities, and not just located in the realm of our fearful imagination, was what the affidavits stood for.

It was not until more than a decade ago that the actual copies of these affidavits came my way while engaged in my research on Partition history. During my fieldwork, I often witnessed how the residents of Partition resettlement colonies – from Amar Colony in Lajpat Nagar to Derawal Nagar in Kingsway Camp – the ex-refugees and their descendants, would speak of 1984 as “our Partition” as a way of making me understand the kind of loss and destruction they had witnessed. But Partition, they would sometimes try to rationalise, was a bit different because the events of boundary-making, expulsion and loss was supposed to lead to their proper “homeland”. On the other hand, 1984 had precisely happened in the safe zone of that homeland where security of life and possessions was supposedly guaranteed by the state to all its constituents. Partition and 1984 were intricately connected in these narratives, one unfolding into another to create a sense of enduring loss. Yet, it was 1984 that stood for that ultimate breakdown of trust between

the state and its citizens – home itself was the theatre of violence now.

Harcharan Singh Phoolka, the Delhi-based advocate who has worked tirelessly to get justice for the victims, gave me the copies of the affidavits, meticulously numbered according to colonies and zones in Delhi. The testimonials are diverse in many ways. Some are translations from Punjabi, Hindi or Urdu, while others are composed in fluent English. Some are machine-typed by professional stenographers of the court, while others are handwritten by the deponents themselves. The documents often bear signatures, but, more often, they bear thumb impressions that verify the contents. The diversity in terms of class and caste is well visible in these statements, and so is the extent and type of loss, and the ability to overcome it evident in the testimonials. Without doubt, the ones who suffered the most in terms of loss of life and meagre material possessions were also the ones who were the most vulnerable in terms of both class and caste.

A Story of Complicity

Most of the affidavits were generated a few months after the violence, which peaked between 31 October and 3 November 1984. The testimonials were assembled for the Justice Ranganath Misra Judicial Commission that was set up half a year later to launch an enquiry into the pogrom. As is well known, the Misra Commission was flawed in its very methodology that allowed the powerful accused private hearings, whereas the victims, often poor and vulnerable, were not given that privilege. The testimonies of the accused were never subjected to cross-examination, and on the basis of this skewed enquiry, the Misra Commission absolved Rajiv Gandhi of executive responsibility. The irony is that even this feeble report was not allowed by the government to be tabled before Parliament in 1987 for a discussion. Since then, 1984 has been the subject of at least 10 judicial enquiry commissions, a process that has sometimes appeared almost to be a farce where enquiry commissions would recommend the creation of more commissions to undertake further enquiry.

The testimonials amassed in 1984 and 1985, nevertheless, constitute a vast, largely untouched archive in its raw form – raw not in the sense of being unprocessed, but for presenting the brutality of violence unadorned by either legal or journalistic prose. What makes these testimonials moving is not just the brutality described therein, but also the fact that a large majority of the crimes described here have still not been brought to justice. Three decades later, the political leaders and functionaries who appeared in the testimonials largely remain beyond the proverbial “long arm” of justice. The affidavits, worn-out and battered, now carry an extra burden – not only do they describe the suffering of the victims at the hands of an organised, sponsored mob, they also document the depth of impunity through which the state can deny justice to its own citizens.

Central to this story is the role of the police that has not always been the key focus of investigations. In many accounts, some named police officials appear directing the victims indoors while assuring them of safety and protection, and then directing the mob to attack them. In some cases, the policemen themselves participated in the violence by shooting at the victims. In others, they disarmed the victims so that they could no longer protect themselves from the mob. A well-known account is of a Sikh family that possessed a licensed gun, and which kept the mob at bay for almost 24 hours. They were safe until the police arrived and arrested them for possessing arms. The attack in that quarter took place as the police left with the gun and the arrested Sikh men. The affidavit details how the police beat up the men for having defied the mob, and one of the men in police custody died of fatal injuries a few days later. These accounts of police complicity, or, more often not, non-action, have never been fully investigated.

The affidavits also speak of sexual violence – sometimes unambiguously, and at other times in the form of hints that point more subtly towards its possibility. The word “rape” does not figure always, but is alluded to in different ways. For instance, the perpetrators presenting

themselves as “husbands” to the women whose partners they had just killed, or the brief narratives of abduction of young women by the mob told by family members or neighbours. Through the curtain of shame, the extent of sexual violence can be gauged as it appears in concealed forms. In fact, sexual violence has almost always occupied minimal space in judicial and criminal enquiries of events of communal violence.

Neha Dixit’s (2013) reportage on rape during the 2013 Muzaffarnagar violence was path-breaking in this respect. Her investigation brought out in painstaking detail the use of rape as a tool of punishment and revenge wrought collectively upon a community. That sexual violence is a part of communal violence is well known, but has never been focused upon in its own right. In this sense, Urvasi Butalia (1998), and Ritu Menon and Kamla Bhasin’s (1998) work on Partition and sexual violence stands out for directing our focus on an oft-neglected theme. Megha Kumar’s recent work on sexual violence and communalism in Gujarat promises to investigate this theme, but unfortunately still remains unavailable for the reading publics due to judicial intervention of a different kind.

Historical Waste

I turn here to the “deponents” – the official nomenclature for those who attempt to make their voices heard within the judicial system through affidavits. The deponents, in this instance, also happen to be the victims of deadly crimes perpetrated against them, or eyewitnesses who saw murders and rapes take place in front of them, and more often than not, are both victims as well as eyewitnesses at the same time. A vast majority of the deponents who feature in the affidavits are widows who were witnesses to murders of their husbands and children, police inaction or collaboration, and sometimes victims and/or eyewitnesses of gang rapes. The widows of the 1984 pogrom have often been positioned as the prime embodiments of the violent brutality and loss that defines it. They not only have experienced suffering, but also bear witness to the suffering of others who are no more alive. In their

testimonies, the demands for justice are seldom for themselves alone, they invariably carry the moral burden of narrating the wounds inflicted on others. The historical wound of 1984, we might say, has for long been intricately tied to the bodies of widows. Recall how the widow colony located in the Tilak Vihar area of West Delhi is often the place journalists, researchers, and documentary film-makers visit when they want to see and show the unhealed wounds of 1984. The widows are taken to be the living memories of three-decade old violence.

The centrality of the widows in the narrative of 1984 allows us to delve deeper into the nature of the wound itself. The very description of the victims/eyewitnesses primarily as “widows” signals the layered ambiguity with which the society views them. The wound, here, constitutes the experiences not only of suffering and loss of their loved ones during the violence, but, I suggest, also of being positioned as wasted “left-overs” of men who were killed by the mob. If widowhood in a patriarchal set-up is seen as a prolonged curse, a punishment, a form of wound that never ever heals, then widowed victims of communal violence symbolise the tragic depths of that irrecoverable loss in the public sphere. Or, put differently, the figure of the widow poses a theoretical impossibility for social scientists who have long claimed voice and publicity to be equivalent to recovery and healing.

The ability to speak, to make one’s suffering heard has for long been taken to be a sign of healing of the wound. The act of remembering, and telling others aloud what one’s bodies had borne, and eyes had seen, has been interpreted to be a step towards closure. For Dipesh Chakrabarty, the publicity of the historical wound, or to speak in its name “is to be already on the path of recovery” (2007: 77). Given this established theoretical drift that equates publicity and recovery, I would like to rethink the question of recovery itself, and consider instead the “possibility of failure” to recover even when one’s plight is public knowledge. What I am proposing is to bring in the possibility of irrecoverability into the frame of recovery that has little space for

those who fail to travel the expected path of “becoming”: from victims to survivors.

The events of 1984, after all, have been in public orbit for three decades now, part of a public discourse where the testimonies have been in circulation within and outside the court system. The question is this: how do we make sense of the wound that does not heal, residual matter in a constant state of decay that neither regenerates nor disappears, and yet remains essential to the public spectacle of woundedness even as it is deemed “irrecoverable” in the present? By historical waste, I am suggesting a suspended condition where victims sometimes fail to recover and do not “get over” and “move on” with their lives as expected. Their utter destruction and failure remain in full public glare as symbols of collective woundedness, and, therefore, valued as such but with little prospect of recovery. How do we account for their failure to don the mantle of “survivor” as NGOs and social scientists looking for signs of agency would have? And what does the judicial stalemate and constantly deferred justice mean for the victims’ ability to recover? These questions of irrecoverability, or the failure to heal the wound, have hardly been addressed within the studies of violence and suffering.

To be sure, the position of the widows of 1984 is not an exception, but can be located in a longer gendered genealogy of violence and loss. Consider the young widows of the 1947 Partition who had been turned away by their extended families due to family quarrels, lack of financial resources, or, sometimes, the stigma of sexual violence or widowhood itself as they were seen as embodiments of misfortune and ill-luck. A large part of my fieldwork in 2000-02 and 2010 on Partition refugees was conducted in a “widow colony” in Lajpat Nagar established by the state in 1947 to house young widows who were not claimed by their families for a variety of reasons. This group of young female refugees had been separated from “normal” refugees and housed in barricaded camps, more like tightly-run hostels, where the movement of the inmates was regulated by the state-turned-patriarch.

In the 1960s, the Government of India invented a novel bureaucratic category called “residue”, under which the widows were now governed. The official category of residue was meant to indicate all those refugees who were now deemed to be beyond “recovery” by the state (Kaur 2014). Besides widows, this category included refugees who were aged and handicapped, who seemingly offered little value to society. The English word “residue” suggests “something that remains when the whole or the main part has been taken” (*Oxford Dictionary* 1999), and when translated into Hindi suggests at least two overlapping meanings – *adhura* (incomplete) or *jhoothan* (half-eaten, leftover, and therefore rendered impure). In this official discourse, the status of the widow (the leftover of the man) mimicked the qualities of the bureaucratic residue (the leftover of the state rehabilitation programmes), where able-bodied men were deemed to be the prime agents of recovery and rehabilitation (Kaur 2009).

The women who were protected in marital homes and other patriarchal arrangements were considered recoverable and valuable insofar as recreating the familiar social order and honour. The young widows, in contrast, assembled in state-sponsored exclusive refugee camps and protected homes, embodied the violent fractures that had produced such exceptional spaces. They were, at once, objects of state pity and derision – ironically, their value lay primarily in their ability to embody the collective suffering of Partition. The relationship between recovery and publicity appears to be less straightforward in this case.

I want to return here to the widows/victims of the 1984 violence who have been in a state of judicial suspension for the past three decades. The space they occupy within the Indian nation as well as the Sikh community as such is a strange one in relation to what recovery might mean for them. Within the Sikh community, they have been the objects of sympathy, and their widowhood seen as a direct consequence and a constant reminder of the anti-Sikh violence. Thus, they have for long been recipients of small-scale financial help from the

community. These small amounts of financial aid, many would assume, facilitates healing as one gets on with the business of everyday life. In the national frame also the widows receive sympathy, yet here too they are also the reminders of a gruesome chapter in India’s contemporary history. Their stories have been told and heard, and their photographs exhibited in public spaces. This exposure in the global circuits of publicity, one might argue, is also a path to recovery.

The Balm of Justice

Yet, when one reads these testimonials that recount events of three decades ago, what becomes apparent is another meaning of recovery that has not always been located at the heart of the healing process – the balm of justice. While “communal riots” are usually attributed to the work of the faceless “mob”, the testimonials presented here clearly point out names of perpetrators – sometimes neighbours, local leaders, small traders with access to fuel and transport, policemen – who the victims were often familiar with. The act of describing the crimes, and naming the names of perpetrators is done with a singular purpose of pursuing justice for themselves and their dead ones. The pursuit of justice is not only about narrating to others what had happened, but also to gain an affirmation that others do believe in their accounts. The desire to see the guilty punished by knocking loudly at the doors of law is not about vengefulness, it is about restoring some order to one’s own life that was violently torn apart. If the breakdown of law and order signals the breakdown of the moral universe, the quest for justice is a desperate plea to renew one’s faith in the state apparatus to restore, even if partially, that fractured universe. And, it is precisely on this count that the victims have been failed by the state and the judicial system.

What makes these testimonies disturbing reading after three decades is not just the original wounds inflicted upon the victims, but the subsequent wound of the denial of justice that has never allowed the healing process to fully set in. To read these affidavits prepared for a judicial commission all

those years ago is unsettling, for we know too well that the cry for justice therein has remained unaddressed. The victims who had gathered courage to testify in the courts, and in front of a series of judicial commissions, somehow remain locked in time in the wait of justice. If there is a history these testimonies narrate, it is the messy history of the wound and its wasteful degeneration, of its failure to recover and move on even when faced with the deadline of a 30-year anniversary.

NOTES

- 1 Submitted to Ranganath Misra Commission on 7 September 1985, New Delhi.
- 2 See note 1.
- 3 See note 1.
- 4 Submitted to Ranganath Misra Commission on 8 September 1985, New Delhi.

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EPW Index

An author-title index for EPW has been prepared for the years from 1968 to 2012. The PDFs of the Index have been uploaded, year-wise, on the EPW website. Visitors can download the Index for all the years from the site. (The Index for a few years is yet to be prepared and will be uploaded when ready.)

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