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Ripudaman Singh Malik Ajaib Singh Bagri

Cynthia Keppley Mahmood

Today I read in the newspapers about a bill brought before Parliament about the possibility of Canadian victims of terror being able to bring suit against perpetrators of violence and the countries harboring them, i.e. the notion of "alien torts." How admirable! How very civilized! Far better, certainly, than the response we got in the United States toward Osama bin Laden after the 9/11 attacks, which was a growled, "I'll git 'em alive or dead" from President Bush. Down the road from that cowboy threat, we and our allies find ourselves mired in two wars, and hated as never before across the Muslim war. Surely some sort of recourse to international law, to international courts, or in the end to domestic courts, would have been preferable to even this greatest and most heinous of crimes.

When Canada suffered its heaviest terrorist blow, the downing of the Air India jetliner in 1985, it turned to its intelligence and judicial agencies for what became the lengthiest and costliest investigation in Canadian history. That resulted, as we all know, in the Vancouver trial of Ripudaman Singh Malik and Ajaib Singh Bagri, the two remaining accused, in 2006, in which both were acquitted.

But on this day when we are commemorating the 25th anniversary of the Indian Army's storming of the Golden Temple of the Sikhs at Amritsar and concomitant massacre of several thousand innocent worshippers - going essentially unnoticed in the Canadian media amidst the hubbub over Tiananmen Square - we must fairly take note of the fact that despite the world's respect for the Canadian justice system, this verdict exonerating these Sikhs of the Air India bombing has simply not been taken to heart by the wider Canadian society. They simply don't believe it's true. This disbelief is not helped by the inflammatory journalism of two BC reporters, one openly in contact with Indian intelligence agents in Canada, and the other who actually subtitled her book, "How the Air Bombers Got Away with Murder."

The result of all this is a widespread silencing of the Canadian Sikh community, normally as everybody knows, a particularly boisterous, outspoken, and unquietable segment of Canada's multicultural mosaic. This is coming for two reasons, I suspect: first, Sikhs sense that non-Sikh Canadians don't view them, anymore, as quite "Canadian," the taint of the terrorist mythos lingers; and second, within the Sikh community deadly divisions have been sewn in which every person suspects the other of being either a CSIS or a RAW (Indian intelligence) agent. Now, every time I approach a podium in



How important is it for some one to "speak" even when all you can use is the eyelid of one eye!

Canada, some Sikh or the other rushes up to me and whispers, "Don't say anything about Khalistan. Don't say anything about Air India. And so on, a litany of self-censorship, amongst the very refugee community who fled to Canada precisely for its freedom to speak without fear.

In Punjab itself one finds the same strange silence, eerie now as economic growth and the natural hustle-and-bustle of Punjabi life covers over the history of suffering that is so recent that so-called "normal" life is in fact pathologized: farmer suicides are one of the facts of life that no longer seem odd; alcoholism, once unthinkable among

LET'S CARRY EACH OTHER'S HEADS

All is not well in Sikhdom right now, and we all know that. It's a threshold moment, a time of transition. The armed insurgency has come and gone. What, at this moment, needs to be done by a world Sikh movement aiming to support Sikh interests in Punjab and everywhere?

Sikhs, is now common; drug use has become the teen "problem" it is in other countries. This is the new normal. But underneath the surface, tensions remain, the same old grievances have never been resolved and the guilty have never been held accountable. Look at last week after the sad Vienna episode! Immediately, spontaneous violence breaks out across India, wherever there are Sikhs. Yes, they are back to "normal," but any spark can set them off.

In my studies as an anthropologist with Sikh-Canadian families in the B.C. area, I and my students find that many parents are not even passing along the stories of what

happened to the Sikhs of Punjab during 1984 and the decades thereafter; the fact that they themselves had been jailed and tortured or perhaps raped; that their house had been burned; that two uncles had disappeared in the night, never to return; or yes, that another uncle had taken up arms to fight for Khalistan and had been shot down in an encounter with police. Why are some parents declining to pass along this key part of this history, this very reason why many immigrated to Canada in the first place? Because they are scared. Even here in Canada, they are now afraid that something could happen

In one of the great films of all

time, "Le Scaphandre et le Papillon" (The Diving Bell and the Butterfly), directed by Jean-Dominique Bauby, the true story is told of a man who, in an accident, is paralyzed from head to toe. He can move only his left eyelid. At first, he desires nothing but death. But after a while, he comes to realize with the help of a patient nurse that he could construct a sort of code by blinking that left eyelid in stuttered sequences and thereby communicate. With greatest difficulty, he eventually manages in this manner to dictate an entire book, the story of his life and his insights about life and freedom. A sad film, a tragic film? Yes, of course. Very hard to watch. But at the end this is a story of liberation and of human dignity, because the protagonist realizes that despite all, he still has his voice and thereby his humanity. He can still "speak."

So important is the power of speech in being human that governments attempting to crush resistance movements start and end with quashing their ability to get their message out - as Foucault realized, to "speak truth to power." In northern Uganda, where the Acholi people and the Lord's Resistance Army are fighting a bloody war with the central Government, one could open any newspaper daily to find a picture of a face mutilated by having



Dr. Cynthia Keppley Mahmood speaking on June 4, 2009 at the World Sikh Organisation's Annual Parliamentary Dinner Meeting at West Block, House of Commons, Ottawa.

the entire mouth and lip area gouged out. The symbolism is obvious. Yes, the person was killed. But importantly, the person was not able to speak.

In Mozambique, where one of the world's bloodiest civil conflicts took place, my colleague reported that you could find in the marketplace the classic three monkeys showing the "see no evil, hear no evil, speak no evil" postures. But, she noted, in the "speak no evil" pose, the fingers covering the lips were parted oh-so-slightly - the carver's wink to his/her unknown future customer that yes, somehow, we will get this message out. Somehow, we will bear witness. Somehow, the world will hear about this.

The world has still not really "heard" about the travails of the Sikhs, and I want to explore why. After all, India is a democracy, "the world's largest democracy," and it has laws to protect against abuses of rights and to protect minorities. It has an independent judiciary and a relatively free press, and relatively calm and fair transitions of power.

The fact is, however - and I have learned this in the post-9/11 United States as well as in my research in India - that being a "democracy" by law alone is not enough to ensure the vibrancy and flourishing of human voices that alone guarantees human rights.

Let me present you with a seemingly paradoxical picture. Along with the Sikhs, I have also begun to study the Kashmir conflict, and I have visited both sides of Kashmir many times. Once during the Zia years in Pakistan - that is, during the years of military dictatorship - I was traveling along the Line of Control that marks the informal border of India and Pakistan. Streaming out of the mountains were hundreds upon hundreds, probably thousands, of refugees (these are the Himalayas, mind you, no easy trek), most of them suffering various levels of frostbite and starvation, many bleeding from wounds now starting to scar or freeze over. The point of note is that these refugees were flowing from India to Pakistan. From the democracy to the dictatorship, that is. And on the Pakistan side one could see vast miles of tent camps, as far as the eye could see, where Islamic aid groups were handing out blankets and tea and medical help (the beginning of another story).

Why would somebody leave a democracy and, at great cost, flee to a dictatorship? This picture points to what the Italian philosopher Giorgio Agamben calls "the razor-thin line" between democracy and dictatorship despite the fact that in our political theory we treat them as polar opposites. The fact is that the macro-structure of Indian democracy doesn't mean much for the texture of daily life in one of the regions where a "state of exception" rules; that is to say, where the government has decided that for security reasons certain rights may have to be temporarily abrogated and certain special laws called into place. In the United States, we know about the exceptional laws, the exceptional limitations of rights, brought into play during the crisis after 9/11: Guantanamo Bay, civilian wire tapping, new categories like "enemy detainee," foreign renditions, waterboarding.

It is through the concept of "the state of exception" that we can understand how it can be that India, though a democracy on the macro-scale, can show a highly dictatorial face to any given region deemed "exceptional" because of a security crisis. Now Punjab, later

Kashmir; now the northeast, then Gujarat, later Chattisgarh - kind of like popcorn. Let us not forget, as we celebrate "the world's largest democracy" that only exceptionally abrogates its commitments to human rights, that Hitler too came to power electorally, and that most of the holocaust occurred under "exceptional" laws passed for a time of crisis in what was otherwise a highly civilized nation. I just could not believe it when, in our small town in the United States, in a town meeting after the 9/11 attacks, my fellow townspeople readily agreed with the chief of

He relies on others, his fellow citizens, to use those laws to get him out of that detention, to make public the abuses, to end the state's use of exceptions to get round its commitments to basic human rights.

In the case of the Sikhs in Punjab, the problem was that there was nobody to come to their aid. With a few rare exceptions, most of India's civil rights and humanitarian organizations turned their backs on the Sikhs. People with turbans quickly became a pariah population: "socially dead," to use Orlando Patterson's fortuitous phrase. To put it bluntly, no one in



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police that torture may be necessary if we should - and here's the climate of paranoia for you - find terrorists attempting to take over the local mall. I wanted to raise my hand to point out, amidst the unanimous slippage into a proto-fascist mode of operation, that torture was completely illegal both domestically and internationally - didn't my educated fellow citizens in South Bend know that, for gosh sakes? But with a Muslim last name, I decided that prudence was perhaps the better part of valour for that moment, and I remained the quiet observer.

It happens easily. Democratic laws, Charters of Rights and Freedoms, do not in themselves protect our rights. It is an active and vigilant citizenry making use of those laws, who are actually the bulwark against abuses like torture, concentration camps, illegal wiretapping. Picture the detainee in the jail cell, weak, probably naked, on a cold floor, living on scraps of food, emaciated, awaiting he knows not what future. It is not he who can draw on the laws that protect our rights and freedoms.

India really cared if they lived or died. Why? Because the image was cleverly and quickly created of the Sikh-as-terrorist, and therefore the Sikh as unworthy victim. The same Indians who otherwise gathered for protests or organized aid when Christians were attacked, somehow stood aside when the victims were Sikhs. And the killers of Sikhs, some of them on a large scale, were never held up for public shame, let alone legally prosecuted; as Zygmunt Bauman said of perpetrators of the holocaust, designers of genocide are usually actually proud of their accomplishments, who view the offending population as weeds that no longer belong in the national garden. The Sikhs, who had sacrificed so much for the nation of India, by the 1980's fit this description perfectly. Good men did nothing as one by one, Sikh men, women and children died in the fields of Punjab.

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ry forget the thousands of grandmothers and grandfathers, aunts and uncles, fathers and mothers, sons and daughters, who did in pain and indignity, whose ashes were blown away into Punjab's blue skies or simply flushed unceremoniously down some canal to a foreign land? I understand the fears, the wish to protect. But I also believe very strongly in the power of the human voice, the need of the human voice to at least set history straight, to make sure that history is written not only by the powerful, to make sure that those deceased and disappeared are never forgotten. It is not "democracy" or "academic freedom" that will take care of that task. It is you and I.

In Sikhism the metaphor of living with one's head in one's hands is powerfully set into the very basis of the tradition; it means living humbly, without ego, living to serve. Recognizing the fragility of the planet on which we live and the brief moments we share upon it, I like also to imagine that we also carry each other's heads in our hands, you and I. What precious cargo!

I have lived among the Sikhs these past many years, in any case, in this fashion, knowing that my love and respect is reciprocated by a community too often stereotyped and too little listened to. I have learned about chardhi kala from the Sikhs I've known, and I think I've become more generous and yes, more courageous from the model of the Singh and the Kaur around me.

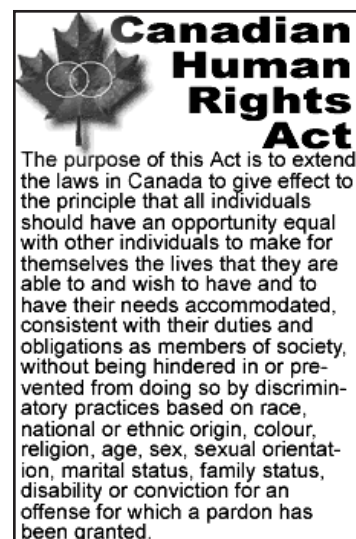
But not all is well in Sikhdom right now, and we all know that. It's a threshold moment, a time of transition. The armed insurgency has come and gone, the movement for Khalistan has risen high and . . . ? and what? Some still believe a separate state is the only avenue for justice, while others barely talk about it anymore. In the diaspora, a first generation's emotional response has yielded to a second generation's more educated and measured leadership, and we can expect a third generation yet more capable in areas of law and organization and civil discourse - less ready to turn to fisticuffs over old feuds and arguments. But what, at this moment, needs to be done by a world Sikh movement aiming to support Sikh interests in Punjab and everywhere?

As a sympathetic and educated observer I may offer a few humble suggestions.

Thus far, the energies of the movement have been almost wholly inwardly focused. Newspapers, radio and television broadcasts, camps, and so on, and so on, have all aimed at the internal Sikh community, attempting to rally it round, sort out its differences, educate its youth. These remain important tasks.

But what the world Sikh movement has not done is to turn its energies toward the outside - to seek out, educate, and make partners of the wider non-Sikh society. This has been critical in every successful case in which a Diaspora community has mobilized in support of a homeland base. Here, the taint of "terrorism" and the continuing feeling that the Sikhs are not worthy of sympathy make such outreach all the more important. This community has a lot of catching up to do. The Tamils, the Kashmiris - two other Diaspora communities with which I am familiar - are way ahead. Sikhs have, by contrast, made a ghetto of themselves.

Let me give you a simple example. In the guide to Toronto provided by the hotel where I'm staying, there's a list of places of worship. One can find churches, synagogues,



The purpose of this Act is to extend the laws in Canada to give effect to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able to and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offense for which a pardon has been granted.

(The author is Associate Professor of Anthropology, Senior Fellow, Joan B. Kroc Institute for International Peace Studies, University of Notre Dame. This article is based on a speech she delivered at the World Sikh Organisation's Annual Parliamentary Dinner Meeting at West Block, House of Commons, Ottawa, on 4 June 2009 in the matrix of the theme Past in Perspective - Future in Focus; Commemoration of 25 years of Saka Akal Takht.)

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