

**Reading Material
Mātā Sāhib Kaur Course**

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AN OUTLINE OF THE SIKH DOCTRINES

Teja Singh

The aim of the life, according to the Sikhs Gurus, is not to get salvation or a heavenly abode called Paradise, but to develop the best in us which is God.

“If a man loves to see God, what cares he for salvation or Paradise?” (Guru Nanak’s *Asa*)

“Everybody hankers after Salvation, Paradise or Elysium, setting their hopes on them everyday of their lives. But those who live to see God do not ask for Salvation: The sight itself satisfies their minds completely.” (Guru Ram Das in *Kalyan*)

How to see God and to love Him? The question is taken up by Guru Nanak in his *Japji*:

“What shall we offer to Him that we may behold His council-chamber?
 What shall we utter with our lips, which may move Him to give us His love
 In the ambrosial hours of the morn mediate on the grace of the True Name;
 For, your good actions may procure for you a better birth but emancipation is from Grace alone.”
 “We should worship the Name, believe in the Name, which is ever and ever the same and true.” (Sri Rag of Guru Nanak).

The practice of the Name is prescribed again and again in the Sikh Scriptures, and requires a little explanation.

THE NATURE OF GOD OR THE NAME

God is described both as *nirgun*, or absolute, and *sargun*, or personal. Before there was any creation God lived absolutely in Himself, but when He thought of making Himself manifest in creation He became related. In the former case, ‘when God was Himself self-created, there was none else; He took the counsel and advice with Himself, what He did came to pass. Then there was no heaven or hell, or the three-regioned world. There was only the Formless One Himself; creation was not then (*Gujri-ki-Var* of Guru Amar Das). There was then no sin, no virtue, no Veda or any other religious book, no caste, no sex (Guru Nanak’s *Maru Solhe*, XV. and Guru Arjun’s *Sukhmani*, XXI). When God became *sargun* or manifest, He became what is called the *Name*, and in order to realise Himself He made nature wherein He has His seat and ‘is diffused everywhere and in all directions in the form of Love’ (Guru Gobind Singh’s *Jap*, 80).

In presenting this double phase of the Supreme Being, the Gurus have avoided the pitfalls into which some people have fallen. With them God is not an abstract idea or a moral force, but a personal Being capable of being loved and honoured, and yet He is conceived of as a Being whose presence is diffused all over His creation. He is the common Father of all, fashioning worlds and supporting them from inside, but He does not take his birth. He has no incarcerations. He Himself stands for the creative agencies, like the *Maya*, the Word and Brahma; He Himself is Truth, Beauty and eternal yearning of the heart after Goodness (*Japji*). In a word, the Gurus have combined the Aryan idea of immanence with the semitic idea of transcendence, without taking away anything from the unity and the personal character of God.

“O! give me, give some intelligence of my Beloved.
 I am bewildered at the different accounts I have of Him.
 O happy wives, my companions, say something of Him.
 Some say that He is altogether outside the world;
 Other that He is altogether contained in it.
 His colour is not seen; His features cannot be made out:
 O happy wives, tell me truly –
 “He lives in everything; He dwells in every heart:
 Yet He is not blended with anything. He is separate.”¹
 “Why dost thou go to the forest in search of God?
 He lives in all, is yet ever distinct: He abides with thee too.
 As fragrance dwells in a flower, or reflection in a mirror,

So does God dwell inside everything; seek Him therefore in the heart. ²

People who come with preconceived notions to study Sikhism often blunder in offering its interpretation. Those who are conversant with the eastern thought fix upon those passages which refer to the thoughts of immanence and conclude that Sikhism is nothing but an echo of Hinduism, while those who are imbued with the Mohammedan or Christian thought take hold of transcendental passages and identify Sikhism with the Islam or Christianity. Others who know both will see here no system, nothing particular, nothing but confusion.

If, however, we were to study Sikhism as a new organic growth evolved from the existing systems of thoughts to meet the needs of a newly evolving humanity, we would find no difficulty in recognizing Sikhism as a distinct system of thought.

Take, for instance, Guru Nanak's *Asa-di-Var*, which in its preliminary stanzas lays down the fundamentals of Sikh belief about God. It is a trenchant clear-cut monotheism. God is called 'the dweller of Nature,' and is prescribed as fillings all things 'by an art that is artless' (xii 1– 2). He is not an impotent mechanic fashioning pre-existing matter into the universe. He does not exclude matter, but includes and transcends it. The universe too is not illusion, Being rooted in God who is real; not a reality final and abiding, but a reality on account of God's presence in it (ii. 1). His will is above Nature as well as working within it, and in spite of its immanence its acts not as an arbitrary force but as a personal presence working 'most intelligently' (iii. 2). The first thing about God is that He is individually one, above every other being, however highly conceived, such as Vishnu, Brahma, or Shiva (i), or as Rama and Krishna (iv. 2). The second thing is that He is the highest moral being (ii. 2), who had inscribed all men with His Name or moral presence (ii). He is not a God belonging to any particular people, Muslim or Hindu but is the dispenser of life universal' (vi). The ways to realize Him are not many, but only one (xii 3), and that way is not knowledge, formalism (xiv. 2. xv. 1-4), or what are received as meritorious actions which establish a claim or reward (viii. 2), but love (xiii. 2) and faith (xiv. 2), the aim bring to obtain the grace of God (iv. 2. v. 2, viii 2, xiii. 1). The only way of worshipping Him is to sing His praises (vi 1, vii. ix. xii 2. xix 2. xxii 3) and to meditate on His Name³ (11., viii. 1, ix. 2. xvi. 1).

UPLIFT OF MAN BASED ON CHARACTER

This life of praise is not to be of idle mysticism, but of active service done in the midst of worldly relations." There can be no worship without good actions." ⁴ These actions, however, are not to be formal deeds of so called merit, but should be inspired by an intense desire to please God and to serve fellow-men.

"Without pleasing God all actions are worthless.

Repetition of mantras, austerities, set ways of living, or deed of merit leaves us destitute even before our journey ends. You won't get even half a copper for your fasts and special programmes of life.

These things, O brother, won't do there; for, the requirement of that way are quite different. You won't get a place there for all your bathing and wandering in different places.

These means are useless; they cannot satisfy the conditions of that world.

Are you a reciter of all the four Vedas? There is no room for you there.

With all your correct reading. If you don't understand one thing that matters, you only bother yourself.

I say, Nanak, if you exert yourself in action, you will be saved.

Serve your God and remember Him, leaving all your pride of self." ⁵

The Gurus laid down the foundation of man's uplift, not on such short-cuts as mantras miracles or mysteries, but on man's own humanity, his own character; as it is character alone, - the character already formed - which helps us in moral crisis. Life is like a cavalry march. The officer of a cavalry on march has to decide very quickly when to turn his men to the right or left. He cannot wait until his men are actually on the brink of *nulla* or *khud*. He must decide long before that. In the same way, when face to face with an evil, we have to decide quickly. Temptations allow us no time to think. They always come suddenly. When offered a bribe or an insult, we have to decide at once what course of action we are going to take. We cannot then consult a religious book or a moral guide. We must decide on the impulse. And this can be done only if virtue has so entered into our disposition that we are habitually drawn towards it, and evil has got no attraction for us. Without securing virtue sufficiently in character, even some of the so called great men have been known to fall an easy prey to temptation. It was for this reason that for the formation of the character the Gurus did not think it sufficient to lay down rules of conduct in a book they also thought it necessary to take in hand a whole people for a continuous course of schooling in wisdom and experience, spread over many generations, before

they could be sure that the people thus trained had acquired a character of their own, This is the reason why in Sikhism there have been ten founders, instead of only one.

Before the Sikhs Gurus, the leaders of thought had fixed certain grades of salvation, according to the different capacities of men, whom they divided into high and low castes. The development of character resulting from this was one-sided. Certain people, belonging to the favoured classes, got developed in them a few good qualities to a very high degree, while others left to themselves got degenerate. It was as if a gardener, neglecting to look after all the different kinds of plants entrusted to him, were to bestow all his care on a few chosen ones, which were in bloom, so that he might be able to supply a few flowers every day for his master's table. The Gurus did not want to have such a lop-sided growth. They wanted to give opportunities of highest development to all the classes of people.

“There are lowest men among the low castes.

Nanak, I shall go with them. What have I got to do with the great?

God's eyes of mercy falls on those who take care of the lowly.”

“It is mere nonsense to observe caste and to feel proud over grand names.”⁶

Some work had already been done in this line. The Bhagats or reformers in the Middle Ages had tried to abolish the distinction between the high-class Hindus and the so-called untouchables, by taking into their fold such men as barbers, weavers, shoe-makers, etc. But the snake of untouchability remain unscotched; because the privilege of equality was not extended to men as men, but to those individuals only who had washed off their untouchability with the love of God. Kabir, a weaver and Ravidas, a shoemaker, was honoured by kings and high-caste men, but the same privilege was not extended to other weavers and shoemakers who were still held as untouchables. Ravidas took pride in the fact that the love of God had so lifted him out of his caste that even “the superior sort of Brahmins came to bow before him,” while the other members of his caste, who were working as shoemakers in the suburbs of Benaras, were not so honoured.⁷

The Sikh Gurus made this improvement on the previous idea that they declared the whole humanity to be one and that a man was to be honoured, not because he belonged to this or that caste or creed, but because he was a man, an emanation from God, who had given him the same senses and the same soul as to the other men:-

“Recognize all human nature as one.”

“All men are the same, although they appear different under different influences.

The bright and the dark, the ugly and the beautiful, the Hindus and the Muslims, have developed themselves according to the fashions of different countries.

All have same eyes, the same ears, the same body and the same build – a compound of the same four elements.”⁸

Such a teaching could not tolerate any ideas of caste or untouchability. Man rose in the estimation of man. Even those who had been considering themselves as the dregs of society and whose whole generation had lived a grovelling slaves of the so called higher classes, came to be fired with a new hope and courage to lift themselves as equals of the best of humanity.

Women too received their due.” How can they be called inferior,” says Guru Nanak, “when that give birth to kings and prophets?”⁹ Women as well as men share in the grace of God and are equally responsible for their actions to Him. Guru Hargobind called woman, “the conscience of man”. Sati was condemned by the Sikh Gurus long before any notice was taken of it by Akber.¹⁰

The Spirit of men was raised with a belief that he was not helpless creature in the hands of a Being of an arbitrary will, but was a responsible being endowed with a will of his own, with which he could do much to mould his destiny. Man does not start his life with a blank character. He has already existed before he is born here. He inherits his own past as well as that of his family and race. All this goes to the making of his being and has a share in the moulding of his nature. But this is not all. He is given a will with which he can modify the inherited and acquired tendencies of his past and determine his coming conduct. If this were not so, he would not be responsible for his actions. This will, again, is not left helpless or isolated; but if through the Guru's Word it be attuned to the Supreme Will, it acquires a force with which he can transcend all his past and acquire a new character.

This question of human will as related to the Divine Will is an intricate one and requires a little elucidation.

According to the Sikhism, the ultimate source of all that is in us is God alone. Without Him there is no strength in us. Nobody, not even the evil man, can say that he can do anything independent of God. Everything moves within the Providential domain.

Thou art a river in which all beings move:

There is none but Thee around them.
All living beings are playing within Thee. ¹¹

The fish may run against the current of the river or along with it, just as it likes, but it cannot escape the river itself. Similarly, man may run counter to what is received as good or moral, but he can never escape from the pale of God's Will. ¹²

Then who is responsible for his action? Man himself. We learn from the first shlok of *Asa-di-Var's* 7th *pauri* that man is given free will, which leads him to do good or evil actions, to think good or evil thoughts and to go in consequence to Heaven or Hell:

“Governed by his free will he laughs or weeps:

Of his free will he begrimes or washes himself;
Of his free will he degrades himself from the order of human beings;
Of his free will he befools himself or becomes wise.”

In the next shlok we read:

“Self-assertion give man his individuality and leads him to action;

It also ties him down to the world and sends him on a round of births and deaths.

Wherefrom comes this assertion of self? How shall it leaves us?

It comes to man from the Will of God and determines his conduct according to his antecedents.

It is a great disease; but its remedy also lies within itself.

When God sends grace to man, he begins to obey the call of the Guru. Nanak says: Here ye all, this is the way to cure the disease.”

The source of evil is not Satan or Ahrman, or any other external agency. it is our own sense of Ego placed by God in us. It may prove a boon or curse to us, according as we subject ourselves to God's Will or not. It is the overweening sense of self that grows as a barrier between God and man and keeps him wandering from sin to sin.

“The bride and the bridegroom live together, with a partition of Ego between them.”

The infinite is within us, “engraved in our being, like a cypher which is gradually unfolding its meaning as we listen to the voice of the Teacher. It is like the light of the sun ever present, but shut out of our sight by the cloud of ignorance and selfishness. We sin s long as this light remains unmanifested and we believe in our own self as everything to us.

Regeneration comes when, at the call of Grace, we begin to subject our tiny self to the highest Self, that is God, and our own will is gradually attuned to His Supreme Will, until we feel and move just as He wishes us to feel and move.

Really the problem of good and evil is the problem of Union and Disunion with God. All things are strung on God's Will, and man among them. As long as man is conscious of this, he lives and move in union with Him. But gradually

led away by the overweening sense of self he cuts himself away from that unity and beings to wander in moral isolation. it is , however, so designed in the case of man that whenever. He wishes he can come back to the bosom of his Father and God and resume his position there. Guru Nanak says in *Maru*:

“By the force of Union we meet God and enjoy Him even with this body;
And by the force of Disunion we break away from Him:
But, Nanak, it is possible to be united again.”

When we come into this world, we begin our life with a certain capital. We inherit our body from our parents, and there are divine things in us, as ‘the spirit and progressive tendencies,’ which serves as forces of Union and keeps us united with God. But there are also evil tendencies in us inherited from our past lives which serves as forces of Disunion and draw us away from Him towards moral death. Cf. Guru Nanak in *Maru*:

“Man earns his body from the union of his mother and father:
And the Creator inscribes his being with the gifts of the spirit and progressive tendencies.
But lead away by Delusion he forgets himself.”

This teaching about the freedom of will and ‘progressive tendencies’ raises the spirit of man and gives him a new hope and courage. But that is not enough to enable him to resist evil and to persist in positive virtue. The temptation of evil is so strong and the human powers for resisting it, - in spite of the inherent progressive tendencies, - are so weak that it is practically impossible for him to fulfill that standard of virtue which is expected of him. It was the consciousness of human weakness which made Farid say:

“The bride is so weak in herself, the Master so stern in His command.”

That is, man is endowed with such weak faculties that he stumbles at each step, and yet it is expected of him that. -

“He should always speak the truth, and never tell lies.”¹⁵
“He should beware even of an uncousiness sin.”¹⁶
“He should not step on the bed of another’s wife even in dream.”¹⁷

These commands cannot be fulfilled simply with the strength of knowledge and inherited tendencies. They will not go far in resisting evil. The higher ideal of leading a life of positive virtue and sacrifice is absolutely impossible with such a weak equipment. Then what is to be done?

The prophets of the world have given many solutions of this problem. Some get round the difficulty by supposing that there is no evil. It is only a whim or a false scare produced by our ignorance. They believe in the efficacy of knowledge. Others believe in the efficacy of Austerities; still others in Alms given in profusion to overwhelm the enormity of sin. There are, again a higher sort of teachers who inculcate the love of some great man as a saviour. What was the solution offered by the Sikhs Gurus?

They saw that, although it was difficult for a man to resist evil and to do good with his own powers, yet if he were primed with another personality possessing dynamic powers, he could acquire a transcendental capacity for the purpose. This personality was to be the Guru’s.

THE GURU IN SIKHISM

The way of religion, as shown by the Sikhism, is not a set of views or doctrines, but a way of life lived according to a definite model. It is based, not on rules or laws, but upon discipleship. In the career of disciple the personality of the Guru is all along operative, commanding his whole being and shaping his life to its diviner issues. Without such a personality there would be no cohesion, no direction in the moral force of society, and in the spirit of a thousand kinds of knowledge ‘there would be still utter darkness.’¹⁸ There would be no force to connect men with men and them with God. Everybody would exist for himself in moral isolation, ‘like spurious sesames left desolate in the field’ ‘with a hundred masters to own them.’¹⁸ It is the Guru who removes the barriers of caste and position set up by the men

among themselves and gathering them all unto himself unites them with God.¹⁹ In this way foundations are laid of a society of the purified who as an organized force strive for the good of the whole mankind.

Such a creative personality must be perfect, because ‘men take after whom they serve.’²⁰ If the ideal person is imperfect, the society and its individuals following him will also get imperfect development. But ‘those who serve the saved ones will be saved.’²¹

The Sikhs Gurus were perfect, and are described as such in the Sikh Scriptures. Guru Nanak himself says in Sri Rag: “Everybody else is subject to error, only the Guru and God are without error.” And Guru Arjun says in Bhairon: “Whoever is seen is defective; without any defect is my true guru, the Yogi.”

The state of perfection attained by the Gurus is lucidly described in the eighth and eighteenth octaves of Guru Arjun’s *Sukhmani*. The same Guru says in *Asa*:

God does not die, nor do I fear death.
 He does not perish, nor do I grieve.
 He is not poor, nor do I have hunger.
 He has no pain, nor have I any trouble.
 There is no destroyer but God.
 Who is my life and who gives me life.
 He has no bond, nor have I got any.
 He has no entanglement, nor have I any care.
 As He is stainless, so am I free from strain.
 As He is happy, so am I always rejoicing.
 He has no anxiety, nor have I any concern.
 As He is not defiled, so am I not polluted.
 As He has no craving, so do I covet nothing.
 He is pure and I too suit Him in this.
 I am nothing: He alone is everything.
 All around is the same He.
 Nanak, the Guru has destroyed all my superstition and defects.
 And I have become uniformly one with Him.

The guru is sinless. In order, however, to be really effective in saving man, he must not be above man’s capacity to imitate as he would be if he were a supernatural being, His humanity must be real and not feigned. He should have a nature subject to the same laws as operate in the ordinary human nature, and should have attained his perfection through the same Grace as is available to all men and through perfect obedience to God’s Will. The Sikh Gurus have fought with sin and have overcome it. Some of them had lived for a long time in error, until the grace touched them and they were perfected through constant discipline of knowledge, love and experience in the association of their Gurus. When they had completely attuned to the Will divine and were sanctified as Gurus, there remained no defect in them and they became perfect and holy. Thereafter sins did come to tempt them, but they never gave way and were always able to overcome them. It is only thus that they became perfect exemplars of men and transformed those who came under their influence to veritable angelic being.

THE GURU IN THE SIKH

This transformation comes not only through close association with the Guru, which is found in many other religions, but through the belief that the Sikh incorporates the Guru. He fills himself with the Guru and then feels himself linked up with an inexhaustible source of power. A Sikh, a pure hearted Sikh, who follows the teachings of his Guru is a great power in himself; but when such a Sikh gets into himself the dynamic personality of such a perfect exemplar as Guru Gobind Singh, his powers acquire an infinite reach and he becomes a superman. He is called ‘Khalsa,’ the personification of the Guru himself.” The Khalsa,” says Guru “is my other self; in him I live and have my being.” A single Sikh, a mere believer, is only one; but the equation changes when he takes Guru Gobind Singh into his embrace. He becomes equal to ‘one lakh and a quarter.’ in the Sikh parlance. This change occurs not only in his physical

fitness, but also in his mental and spiritual outlook. His nature is so reinforced in every way that although hundreds may fall round him, he will resist to the last and never give way. Wherever he stands, he will stand as 'a garrison of the lord of Hosts,' a host in himself—a host of one lakh and a quarter. He will keep the Guru's flag always flying. Whenever tempted, he will ask himself, "Can I lower the flag of Guru Gobind Singh? Can I desert it? I, as Budh Singh or Kahan Singh, can fall; but can Guru Gobind Singh in me fall? No, never." This feeling of incorporation with the Guru makes the Sikh strong beyond his ordinary powers and in times of emergency comes to his rescue long before he can remember anything relevant to the occasion recorded in history or scripture. Bhai's Joga Singh's case is just in point. He was a devoted Sikh of the Guru Gobind Singh, and had received baptism from the hands of the Guru himself. He was so loyal that when he received an urgent call from the Guru to proceed to Anandpur, he hastened from Peshawar without a moment's delay, not waiting to see his own marriage through. And yet in a moment of weakness, this paragon of Sikh purity was going to fall, at the door of a public woman of Hoshiarpur. Who saved him in that emergency? It was the vision of Guru Gobind Singh, re-establishing the personal contact by pointing out the signs of personation worn on his body, and reminding him that he was carven in the Guru's own image.

THE GURU IN THE PANTH

So far we have considered what the Guru does for the Sikhs as individuals. We have seen how he intensifies their character and increases their power thousand fold by filling their personalities with his own. In order to increase this power immensely more, the Guru made another arrangement. He organized them into Sangats or Holy Assemblies, and put his personality again into them. This led to a very remarkable development in the institution of Guruship, and no description of Guruship will be complete without an account of this development.

The Sikh idea of religion, as we have seen, was something more practical than merely mystic. It was to consist of the practice of Nam and Sewa. To practise Nam means to practice the presence of God by keeping Him ever in our minds by singing His praises or dwelling on His excellences. This is to be done not only when alone in solitude, but also in public, where worship of the Name is made more impressive by being organized in the form of congregational recitations or singing. The other element is Sewa or Service. The idea of service is that it should be not only liberal, but also efficient and economical; that is, it should do the greatest good with the least possible means. It should not be wasteful. We do not set up a sledge-hammer to crack a nut or send a whole army to collect revenue. We have to be economical in our efforts; however charitable they may be. For this purpose we have to organize our means. In every work of practical nature, in which more than one person is engaged, it is necessary to resort to organization. As religion too—especially a religion like Sikhism whose aim is to serve mankind—belongs to the same category, it requires organization of its followers as an essential condition of its success. It may not be necessary in the case of an individualistic religion, wherein the highest aim is to vacate the mind of all desires, or to dream away the whole life in jungles or mountains; but where religion consists in realizing God mainly through service done within the world, where men have constantly to deal with men to promote each other's good, it is impossible to do without organization.

Guru Nanak had therefore begun with two things in his religious work: the Holy Word and the organized Fellowship.²² This organized fellowship is called Sangat. The idea of Sangat or holy Fellowship led to the establishment of locals assemblies led by authorized leaders, called Masands. Every Sikh was supposed to be a member of one or other of such organizations. The Guru was the central unifying personality and, in spite of changes in succession, was held to be one and the same as his predecessors.²³ The love existing between the Guru and the Sikhs was more intense than has ever existed between the most romantic lovers of the world. But the homage paid to the Guru was made impersonal by creating a mystic unity between the Sikh and the Guru on the one hand and the Guru and the Word on the other.²⁴ Greatest respect began to be paid to the incorporated Word, even the Guru choosing for himself a seat lower than that of the scripture. The only form of worship was the meditation on and the singing of the Word.²⁵ The Sikh assemblies also acquired great Sanctity, owing to the belief that the spirit of the Guru lived and moved among them. They began to assume higher and higher authority, until collectively the whole body, called the *Panth*, came to be regarded as an embodiment of the Guru. Guru Gobind Singh himself received baptism from the Sikhs initiated by himself. After him the Sikhs ceased to have any personal Guru. If we read the Sikh history aright, the Sikh community would appear as an organized unit to have undergone a course of discipline in the hands of ten Gurus, until its character was fully developed and the Guru merged his personality in the body of the nation thus reared. The Guru, as mentioned above, worked with two things: the personal association and the Word. Now after the death of Guru Gobind Singh the personality and the Word was separated. The Panth was invested with the personality of the Guru, and the incorporated Word became the *Gyan* Guru. That is, in simple word, the Khalsa Panth was to be the Guru in future, not in supersession of the previous Gurus, but as authorized to work in their name; and it was invariably to guide itself by

the teaching of the Gurus as found in the Holy Granth. So that the Sikhs came to name Guru Nanak and the Guru Panth in the same breath.

Amrit or baptism was made the basis of this organization. There was no room, left for any wavering on the border-line. All who wanted to serve humanity through Sikhism must join it seriously as regular members, and receive its baptism as the initial step. All must have the same creed, which should be well - defined and should not be confused with the belief and practices of the neighbouring religions. The Guru ordered that –

“The Khalsa should be distinct from the Hindu and the Muslim.”²⁶

“He who keeps alight the unquenchable torch of truth, and never swerves from the thought of one God;

He who has full love and confidence in God, and does not put his faith, even by mistake, in fasting or the graves of Muslim saints, Hindu crematoriums, or Jogi’s places of sepulcher;

He who only recognizes the one God and no pilgrimages, non-destruction of life, penances, or austerities;

And in whose heart the light of the perfect One shines – he is to be recognized as pure member of the Khalsa.”²⁷

Such a Khalsa was to embody in himself the highest ideal of manhood, as described by Guru Gobind Singh in his unpublished book, called *Sarb Loh*. Although the Khalsa was designed by the Guru himself, yet the Guru was so charmed by the look of his own creation that he saluted it, in the book of his own ideal and master. The Khalsa was thought fit enough to administer baptism of the new order to the Guru, and was consecrated as the Guru incarnate. As a sign that the Guru had placed himself eternally in his Sikhs it was declared by him that –

“If anybody wishes to see me, let him go to an assembly of Sikhs, and approach them with faith and reverence; he will surely see me amongst them.”²⁸

In the ranks of the Khalsa, all were equal, the lowest with the highest, in race as in creed, in political rights as in religious hopes. Women were to be baptized in the same way as men were to enjoy the same rights. The “*Sarbat Khalsa*” or the whole people, met once at the Akal Takht, Amritsar the highest seat of Panthic authority, on the occasion of Dewali or Baisakhi, and felt that they were one. All questions affecting the welfare of the community were referred to the *Sangats*, which would decide them in the form of resolutions called *Gurmattas*. A *Gurmatta* duly passed was supposed to have received the sanction of the Guru, and any attempt made afterwards to contravene it was taken as a sacrilegious act.

FORMS AND CEREMONIES

This institution of the Khalsa entails a certain additional disciplinary outfit in the shape of baptismal forms and vows, which are often misunderstood. It is true that if religion were only a matter of individual concern, there would be no need of forms and ceremonies. But religion, as taught by the gurus, is a force that not only ennobles individuals but also binds them together to work for nobility in the world. Organization is a means of enlarging the possibility, scope and effectiveness of this work. In order that an organization itself may work effectively, it is necessary that the individuals concerned in it should be able to keep up their attachment to the cause and a sufficient amount of enthusiasm for it. It is however, a patent fact that men by their nature are so constituted that they cannot keep their feelings equally high-strung for a long time at a stretch. Reaction is inevitable, unless some means are devised to ensure the continuity of exertion. This is, where discipline comes in, which keeps up the spirit of individuals against relaxation in times of trial and maintains their loyalty to the cause even in moments of ebb. This discipline, or what is called *esprit de corps*, is secured by such devices as flags and drills and uniforms in armies, and certain forms and ceremonies in religion. Uniformity is an essential part of them. They create the necessary enthusiasm by appealing to imagination and sentiment, and work for it in the moments of depression. They are a real aid to the religion, which is essentially a thing of sentiment. Man would not need them he were only a bundle of intellectual and moral senses; but as he also got sentiments and imagination, without which the former qualities would be inoperative, he cannot do without articulating his ideas and beliefs in some forms appropriate to sentiment. These forms must not be dead but a living index of his ideal, waking up in him vivid intimations of the personality that governs his religion. They should be related to his inner belief as words are to their meaning, tears to grief, smiles to happiness and a tune to a song. It is

true that sometimes words become meaningless, when we no longer heed their sense, or the language to which they belong becomes dead. It is true that sometimes tears and smiles are only cloaks for hypocrisy, and a tune mere meaningless jingle. But there is no denying the fact that, when their inner meaning is real and we were sincere about it, they do serve a very helpful interpreters. Forms, are the art of religion. Like art in relation to Nature, these forms impose certain limitations on the ideal, but at the same time they make the ideal more real and workable for general use.

Sometimes however, when the forms are determined, not by the necessity of uniformity which is so essential for discipline, but by locals or racial causes, they narrow the applicability of the ideal and create division and exclusiveness where they should have helped them to unite. When the spirit in which they had been originally conceived dies out, they become mere handicaps to religion, and the people who use them would be well advised to abandon them. It was such forms that Guru Nanak asked people to leave.” Destroy that custom,” he said, “which makes you forget dear God.”²⁹ But the Sikhs forms were not conceived in a spirit of exclusiveness, or as essential to the advancement of individual souls. They were simply appointed to serve as aids to the preservation of the corporate life of community, and any man who serves humanity through the Sikh Panth can wear them. It is possible for a man to love God and cultivate his individual soul without adopting these forms; but if he wants to work in a systematic manner, not only for his own advancement but for the good of others as well in the company of Sikhs, he must adopt these disciplinary forms of their organization. The Sikhs, who are the soldiers of Guru Gobind Singh and whose religion is surcharged with his personality, find the uniform worn and ordained by him as a real help in playing their part as units of the Panthic organization. This help comes from the appeal made to sentiment by the process of association and not through any inherent efficacy of the forms themselves. This association is not with places or things, but with an ever-living personality that is itself a symbol of the highest Personality. As is God, so is the Guru, and as is the Guru, so must be follower. Wearing a **Knicker** ensuring briskness of movement at times of action and serving as an easy underwear at times of rest, an iron ring on his right arm as a sign of sternness and constraint and a **sword** by his side as an instrument of offence and defence and as an emblem of power and dignity,³⁰ the Guru presented an impressive picture of a simple but disciplined soldier. He, however, combined in him the saintliness of the old Rishies with the sternness and strength of a knight. Therefore, like his predecessors, he kept **long hair**, which all the world over have always been associated with saintliness. A comb was a simple necessity for keeping the hair clean and tidy. These are the forms with which the Sikhs are invested at the time of their baptism, in order to look exactly like their master, as they are to behave exactly like him.

From the history of Sikhs in the past as well as in the present it is quite evident how effectively these baptismal forms, with the accompanying vows of purity, love and service, have aided them in keeping themselves united and their ideals unsullied even in times of the greatest trial. While keeping the Sikhs associated with their Guru and maintaining his spirit amongst them, they have not produced any narrowing effect on their belief or mode of worship. All worship and ceremony, whether in temple or home, whether on birth, marriage or death, consists of nothing else but praying and chanting hymns. Could anything be simpler?

Footnotes:

Jaitsri of Guru Arjun.

Dhanasri of Guru Tegh Bahadur.

Name is a term, like logos is in Greek, bearing various meanings. Sometime it is used for God himself, as in *Sukhmani* xvi 5: “The Name sustains animal life; the Name supports the parts and the whole of the universe.” It is describes as being immortal, “immaculate in-dweller of all the creation, and is to be sung, uttered, thought upon, served and worshipped. In most cases it means the revelation of God as found in the sacred Word.

Japji.

Gauri Mala of Guru Arjun.

Sri Rag of Guru Nanak. See also Guru Arjun’s *Jaitsari-ki-var vii*. and Guru Amar Das’s Bhairo.

Ravidas in *Rag Malar*.

Akal Ustat of Guru Gobind Singh.

Asa-di-Var. xix

See Guru Amar Das’s *Var Suhi*, vi.

Guru Ram Das in *Asa*.

Japji, ii.

Guru Ram Das in *Malar*.

Japji, xxix.

Farid.

Guru Tegh Bahadur.

Guru Gobind Singh.

Asa-di -Var, I

“Nanak, the true Guru must be such as to unite all men.” – Sri Rag, 1

Guru Amar Das in *Var Bihagra*.

Majh – III

Bhai Gurdas. Var i. 42– 43.

In the Coronation Ode of Satta and Balwand the following verses occur:-

“Guru Nanak proclaimed the accession of Lehna as a reward for service. He had the same light, the same method; the Master merely changed his body.”

“The wise being, Guru Nanak, descended in the form of Amar Das.”

“Thou, Ram Das, art Nanak, thou art Lehna, thou art Amar Das.”

“The human race comes and goes, but thou, O Arjun, art ever new and whole.”

Mohsin Fani, who wrote in the time of the Sixth Guru, says about the Sikhs in the *Dabistan*: “Their belief is that all the Gurus are identical with Nanak.”

Guru Gobind Singh in his *Vichitra Natak* says about the Gurus: “All take them as different from one another; very few recognize them as one in spirit. But only those who realize perfection who do recognize them as one.”

See also the *Sadd* of Sundar, the *Swayyas* at the end of Guru Granth Sahib and Bhai Gurdas’s Vars i. 45 – 48., iii. 12., xx. 1., xxiv. 5 – 25., xxvi. 41 and 34.

The Guru always signed themselves as *Nanak*.

“The Gurus lives within his Sikhs, and is pleased with whatever they like.” – *Gauri-ki-Var – IV* “The Guru is Sikh and the Sikh who practices the Guru’s word is at one with the Guru.” – *Aas Chhant, IV* See also Bhai Gurdas, *Vars* iii. 11, and ix. 16.” The Guru is the word, and the word is the Guru.” – *Kanara, IV*.

Asa-di-Var, vi. i.” In this world the best practice the best spirit is of the Word.” *Parbhati, 1*.” My Yoga is practiced by singing Thy hymns.” – *Asa, V*. Sujan Rai of Batala writing about Sikhs in 1697 says in his *Khulasatul-Twarikh*:

“The only way of worship with them is that they read hymns composed by their Gurus and sing them sweetly in accompaniment with musical instruments.” In the Golden Temple, Amritsar, up to this time, nothing but continuous singing of hymns day and night by relays of singers is allowed.

Rahatnama of Chaupa Singh.

Swayyas of Guru Gobind Singh.

Prem Sumarag.

Vadhans-ki-Var.

Charity and Kirpan are the symbols of self-respect.” - *Pakhiano Charitra*, 322.

ESSENTIALS OF SIKHISM

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II. The Sikh Thought

The basic problems of Sikh thought are naturally the same as those of other world religions, and as may be expected, their treatment by Sikhism is, in the main, on the lines of the Hindu and Buddhist speculative thought. Wherever Sikhism differs or departs from these lines of thought, it does so, as a rule, not by introducing new terms or concepts, but by underlining an already familiar concept or by amplifying or interpreting it otherwise. This is, as it should be, for, thus alone it is possible to effect a genuine new advance or expansion in the cultural and religious horizon of mankind and it is thus that all great cultures and civilizations have emerged and developed.

The Universe

We have already said that, in Sikh thought, the final duality between the matter and the spirit is denied; the basic Sikh thought is strictly monistic." From one the many emanate and finally into the one the many submerge." [28] All that exists, whether in the form of phenomena, appearances, or as numenon and reality, is, in ultimate comprehension, the Spirit and the mind. The individual mind, the numerous forms of life, and the inanimate matter are all Spirit in different modes. Out of the own initiative of the Spirit, a process of involutions occurred for some limited purpose, the precise nature of which is beyond human comprehension. The creation of the universe in its initial form, which the modern theorists, such as Abbe Lamatre (1904--), call the Primaeval Atom, resulted from the involuntary impulse of God. In this, Primaeval Atom was originally concentrated, in a super-dense state, that which expanded and disintegrated, through an antithetical evolutionary impulse, for thousands of millions of years, finally into the universe as it is today. This evolutionary impulse, whereby the Primaeval Atom has issued into the innumerable forms constituting the universe, has reached its highest point, up-to-date, in the creation of man, and man, therefore, is the point in creation from where the inverse movement of evolution may take a further leap towards the Spirit. These two processes of involution and evolution constitute a double but simultaneous movement and thus, creation of the universe is an involution-cum-evolution process, a descent and an ascent. The universe, thus, is nothing but God-in-becoming." The formless has become all the innumerable forms, Himself. He, that is beyond the attributes, is identical with all that in which attributes inhere. Nanak declares the doctrine of the One Being that is Becoming, for, the one indeed in the many". [29]

The main doctrines of Sikh theology are grounded in this view of the Ultimate Reality and its nature.

The Genesis

With regard to the coming into being of the Primaeval Atom, the Sikh doctrine is that the process was instantaneous, caused by the Will of God." The forms become in consequence of the Divine Will. Comprehension fails at this stage of understanding the Divine Will." [30] After thus stating this beginning of the becoming, the further statements made in the Sikh scripture about the creation and evolution of the universe are remarkably akin to the picture which has now been adumbrated by modern speculation after taking into account the data revealed by the recent advances in observational astronomy. One of the basic hymns in the Sikh scripture, which may be called the Hymn of the Genesis, says:

For thousands and thousands of ages and for millions of aeons there was nothing in the beginning but nebulous density.

Neither solids, nor spaces were there; only the Divine Impulse made become.

Neither the day nor night, neither galaxies and solar systems nor satellites, but only God, self-absorbed.

The atmospheres, the imprimis waters, the pre-conditions of all forms of life, and the sound, the protyle of all becoming they too were not there.

There were no higher places, middle regions or lower spaces, for the space as yet was not there; and there was no all-consuming time either.

When God Willed, He created the universes. The expanse was caused without a formal cause None knoweth His limits or limitlessness. The True Teacher revealeth this secret. [31]

Man

The man being the highest yet attained point in the process of creation, on the phenomenal plane, where the

evolutionary impulse has apparently near-exhausted its initial momentum, it is man on whom now the responsibility rests for consciously revitalising this impulse for a further evolutionary leap.” Thou art the very essence of God. Therefore, know thyself as such.” The human body is the resting point of the process of creation and it is from here that the further upward movement towards the God-realisation starts. Therefore, involution-cum-evolution which is responsible for the creation of the universe, and which after reaching the point of human consciousness has reached a stasis, and the man is thus a voluntary diminution of God. Since God is truth, knowledge, bliss, light, harmony and immortality, the involuted forms of creation are, so much less of all these. Man being the stage at which the evolution has emerged into self-consciousness, man is capable of knowing that he has reached a particular stage of the creative process, and he is capable volitionally, of taking steps to evolve upwards to the next stage. This is the stage of the Brahmajñani, or the God-conscious man, and it is to this stage of evolution, a vague and distorted premonition of which finds expression in the later 18th and early 19th century West European literature in the form of the concept of the superman.” Lo, I preach to you the superman; superman is the meaning of the earth”, said Nietzsche. Again, “Man is a rope stretched between the animal and the superman. . . . What is great in man is that he is a bridge and not a goal”. [34] Sikhism agrees with this except that Sikhism declares that the meaning of the earth reaches far beyond the stage of this superman, and superman as conceived thus is not only an inadequate and distorted concept, but is merely an interim stage. Sikhism endorses Nietzsche that the sphere of the activity of the superman, and of the higher still stages of the evolution, is the earth, in the sense that it is on this earth, and other similar terrestrial spheres that a perfect human society of God-conscious men, of psycho-social perfection, is the ultimate objective of the impulse of God which has originally given rise to the process of creation. In contra-distinction to all those and previous philosophies and religions, which taught that the ultimate goal of man was either absorption into God or entry into a supramundane Kingdom of God, wherein there is abiding propinquity to God, Sikhism urges man to divinise the whole of humanity on this earth by transforming mind, life and matter, through a conscious effort and will and with the aid of the spiritual technique of Naamyoga, which is capable of transforming the mental, vital and material stuff, of which the man is made, into subtler, finer and nobler substance capable of taking along the whole being to a level of existence, undreamed of before, where pure knowledge, full harmony and divine bliss would prevail. This, indeed, would be a society of gods, and the ultimate purpose of the divine impulse of creation in the establishment of this society of human gods in the terrestrial spheres of the universe. It is the teachings of the Sikh Gurus that the supreme duty of man is to make an all-out effort towards this divine goal, and the Sikh Gurus not only point out this goal, but also reveal the way towards it.” Hail, the Guru, a hundred thousands times, hail, for, he reveals the secret of emergent transformation of man into gods.” [35]

God

The Sikh concept of the Ultimate Reality is more akin to the Judaic notion of an Almighty Person than to the Aryan concept of an immanent neutral Principle. The basic formula of Sikh theology is the opening line of the Sikh scripture which characterises the Ultimate Reality as follows:

“1, Being-Becoming, Truth, Numenon, Creator, Person, Non-thesis, Non-antithesis, Beyond Times, Form, Unborn, Self-expression, Light . . .”

Maya

The doctrine of maya has been basic to the Hindu and Buddhist speculation from the very beginning. The best known work, apart from the omniscient Mahabharata, in which the term maya (relative truth) is employed as a philosophical concept, is the metrical treatise, Karika by Gaudpad, wherein, unlike the Mahabharata (Bhagvadgita, XVIII, 61), the term is not taken for granted, but is explained and defined. Since the proper name of Gaudpad was borne by the teacher of the famous philosopher of Hindu monism, Shankara, the author of the Karika may be the same person who might have lived at the end of 7th century. This work, Kanka, is usually printed with the Mandukaya-Upanishad, and for practical purposes, is regarded a part of it. In language and thought, both, it bears a remarkable resemblance to Buddhist writings of the Madhyamik School, and the criticism of the Hindu orthodoxy that “the monism of Shankara, in which the doctrine of maya is embedded, is, in reality, crypto-Buddhism”, [36] is not without substance. In the Karika, the world of appearances is compared to the apparent circle of fire produced by whirling lighted torch. This striking image first occurs in the Maitrayana-Upanishad (vi. 24). It also occurs in the Buddhist Mahayan scripture, the Lankavtarsutra, which purports to be an account of the revelation of the true Religion by Gautama, the Buddha, when he visited Ceylon and there gave discourses to the King of the island, Ravana, and his wife, Mahamati. This text represents a well-matched phase of speculation in Buddhism, as it criticises the Hindu School of Philosophy of the Sankhaya, Pashupat, as well as other schools. It includes a prophecy about the birth of Nagarjuna, the great Buddhist savant of the 4th century A. D., and it mentions the advent of Guptas which marks the renaissance of Hinduism in

India. It also alludes to fresh incursions of the Hunas into northern India, which incursions destroyed the Imperial Gupta dynasty at the end of the 5th century A. D. Throughout the Hindu speculative and religious literature ever since, this doctrine of maya is admitted as, in some way, an independent principle of the process of creation. True, the subtle Shankra asserts that the principle of maya is anirvachaniya, i.e., it can neither be said to exist nor not to exist. A is neither A, nor not-A. Whatever else this statement may mean, it does implicate that maya has a positive existence. Sikhism denies the doctrine of maya, thus conceived. As ignorance and nescience have no positive existence, they merely being the aspects of the self-limited involuted Spirit, likewise, maya, as such, has no positive existence. It is merely a way of saying that the individual consciousness perceives the reality only in the form of partial knowledge, which is so on account of the process of involution. As the darkness is merely a negative aspect of the light of the sun, similar is the case with ignorance and nescience:

“What is there positive to which we can give the name of maya? What positive activity the maya is capable of? The human soul is subject to the pleasure and pain principle in its very nature as long as it operates on the individuated plan of consciousness”. [37]

This interpretation of the concept of maya in Sikh theology has far-reaching consequences in so far as it pulls the Hindu mind out of the slough of much indolent introspective preoccupation and subjectivism, generated by the belief that the whole world of the appearances in which man is born to pursue his socio-political life, is no more real than a phantasmagoria in the minds of the gods above. By giving a foundation of solid reality to the world of appearances, this reinterpretation of the concept of maya confers a sense of reality, a feeling of urgency and an objectivity to the whole frame of mind, which is necessary for the all-out effort to speed up the evolutionary process through the human will, and this is the core of the precepts of Sikhism, as a way of life.

Ethics

The fact that religious experience, per se, is non-moral, has been known to Hindu thought from the very beginning. In the West, it has been recognised clearly only in recent times. It was Dr Otto, who in his *Idea of the Holy*, about a quarter of a century ago, made this point finally clear. In the Judaic religious tradition, for all practical purposes, religious life and ethical conduct appear to have been identified. The Ten Commandments of Moses are ethical precepts. In the Koran, it is these ethical commands which are presented as the essence of religion. Western scholars are sometimes shocked at the stories narrated and adored in the ancient Hindu texts, of the deeds of gods which do not conform with strict ethical standards, and about which the narrator of the story expresses no moral horror and passes no censorial judgment. From this, the Western reader erroneously concludes that ethics has no place in the Hindu religious practice and tradition. This is far from the truth. From the very beginning, in the Hindu thought and tradition, it has been recognised that ethical conduct is the very foundation on which the life of a religious man must be based. The rule of conduct of the Buddhist sramans, the formulary of conduct of the Jain bhikshus, the daily rules made obligatory for Brahmin in almost all basic Hindu texts, bear ample testimony to the fact that the relation of ethics to religion has always been considered as intimate by the Hindus. It is true that the Hindu thought recognises that the man of highest religious experience is, like the superman of Nietzsche, beyond good and evil, but that is not to say that in Hindu tradition the ethical values have no place in religious life. In Sikhism, while it is recognised that the highest religious experience is unmoral and belongs to a category of value which is not ethical, it is nevertheless stressed that without strict ethical purity of conduct there is no possibility of any advance in the religious experience. A religious life, not strictly grounded in ethical conduct, or a religious discipline which ignores the ethical requirements, is considered in Sikhism a great error.” The seed of the testament of the Guru cannot germinate except in the field of ethical conduct, constantly irrigated by the waters of truth. [38] A man of religion is ever characterised by ethical deeds, honest living, sincerity of heart, and a fearless passion for truth.” [39] “Nanak maketh this public declaration, let all men ponder over it. Ethical conduct is the only true foundation of human life on earth.” [40] Sikhism, thus, lays a stress on morality which raises the moral law to a high status which was not generally countenanced by the Hindus and Buddhists. The Buddhist and Brahminic systems appear to assume tacitly that morality is a means to felicity and it is not obedience to a law which exists in its own right as demanding obedience, what Immanuel Kant calls, the Categorical Imperative. It is true that by them moral conduct is regarded as governed by the cosmic law, called the law of Karma which means that good deeds bring good results and evil deeds bring evil results. Sikhism, however, raises ethical conduct to a higher and more sovereign status, and makes it as the true expression of the harmony of human personality with the Will of God. All ethical conduct, therefore, is not merely conducive to good results such as happiness, but it is primarily an act of establishment of concord between the human personality and the person of God. Since this concord is the highest end and the goal of human existence and endeavour, it is, therefore, the basic ingredient of the highest activity of man, which is religion. Thus, Sikhism, while recognising that the order of reality,

which is revealed as numenon to the human experience, is not identical with the category of ethical experience, it unequivocally emphasises that the two cannot be divorced or separated and that the nature of the numenon is such that its realisation is impossible without ethical conduct. In this way, the Sikh thought fuses the Hindu thought and the semitic tradition on the subject of ethics and religion.

Free Will

European philosophy and theology have been much exercised over the subject of the free will, while the Hindu tradition has considered this topic as of minor importance. The explanation for this lies in their analytical understanding of the concept. In European thought, an individual is conceived of as a permanent fixed entity, basically separate from the rest of the world which is his universe. It is argued that without freedom of will there is no moral responsibility, and if there is no moral responsibility there can neither be guilt nor punishment, either in society, or hereafter, before the throne of God. This problem has not much troubled the Hindu mind for two reasons. In the first place, the Hindu thought rightly considers that there is no such thing as a completely independent and stable entity called the individual, and secondly, the Hindu argues, and quite rightly, that if the human will is not free then what does the term 'freedom' mean? What instance shall we bring forth with which to contrast the supposed determination of the human will? Our notion of 'freedom' is inalienable, derived from our own experience to which we give the name of 'will'. Whatever, therefore, we may mean by 'freedom', it is ultimately in the terms of our experience of our own will, that we give meanings to it. Thus interpreted, to say that human will is free is an axiom and a tautology. There is no meaning in the thesis that human will is not free, for 'free' is that which is like unto the human will. The trouble, however, arises when we give to the expression 'free will,' a meaning which we have not derived from any deep analysis of our experience of our will, but which have been superimposed by our intellect. Thus, we like to think that 'free will' is that power of volition of the human individual which is totally uncaused and unconditioned. A little reflection, however, will show that such a 'freedom' does not, in fact, exist and further, that if it did and could exist, it will destroy all foundations of 'moral responsibility', 'guilt' and justification for 'punishment', either here or hereafter. To begin with, there are the facts of heredity, the environment, and the sub-conscious mind. There is not much doubt that the individual is the product of his heredity, the inner mechanism of which the science of biology has partially discovered recently in the fertilized germ-cells and its genes, which make all the organic cells that make up the body, including the brain and the nervous system. This pattern we inherit from our parents and our ancestors, and it is certainly a determination of the choices that we make in our lives from time to time. New psychology has revealed to us the sub-conscious layers of human mind as the seat of instincts, emotions, and intuitions, accumulated, for those who faithfully follow the dogma of the Church Council of Constantinople (553, A. D.), which anathematised the doctrine of transmigration, in the race pattern during evolution of millions of years or, for those who hold the doctrine of metempsychosis as fundamental, accumulated in the course of millions of previous births and rebirths of the individual. They are certainly a determinant throughout a man's life in the matter of his choice and the conduct that follows it. Again, from outside, the social environment is active in continuously influencing and moulding an individual's mind, and thereby his power of choice and conduct. These three factors, the physical, the environmental, and the hereditary, are there as a fact and their power of influencing the human powers of choice cannot be denied. In this context, there cannot be a free will, as an uncaused and unconditioned factor which solely determines as to what choice an individual will make. But even if there were such a 'free' will, it will entail disastrous consequences for the science of ethics and the doctrine of moral responsibility. If a man's actions are not free when they can be shown to be causally chained to his character, the sum total of his heredity, past experiences and environment, then the only circumstances in which it would be proper to call a man 'free' would be those in which he acted independently of his received character, i.e., of his habits, desires, urges, and perspective on life and all the rest. But if this agent of 'free' action is not to be identified with that which is subject to particular desires and urges, which is circumscribed by a given environmental and circumstantial setup, which is devoid of character, motives, persistent interests and the like, then who is this agent of 'free' choice, the 'he'? Such a notion of 'free' will completely dissolves the agent of action; a person with such a 'free' will is a completely disembodied and unidentifiable entity. Such an entity can neither be blamed nor praised, nor held responsible for what it does, for it would be clearly unreasonable to hold an individual responsible for his actions if we did not think there was a causal connection between his character and his conduct. When we can show that there is no such connection, as, for instance, that an act is committed as a result of coercion, we do not normally hold him responsible. The reason is not that the one act is 'uncaused' and 'free', while the other is 'determined'. The reason lies in the kind of the cause; in the one case, the cause lies in the character of the individual over which he has, in some sense, control, while in the other case he has no such control. As we gain new knowledge about the kinds of causes that affect conduct, we change our mind about the kinds of behaviour for which we should hold men responsible. The recent shifts of stress in the science of penology in the modern world, and the ancient wisdom of the east and west which iterated that an individual is ultimately responsible for nothing, must be

appreciated in the context of this analysis, and not in the superficial frame of reference of 'determinism' and 'free will'." A man reaps only that what he sows in the field of karma," [41] declares the Sikh scripture. It simultaneously asserts that, "Say what precisely it is that an individual can do out of his free choice? He acteth as God Willeth." [42] And the Bhagvadgita asserts that, "God sits in the heart of every creature with the consequence that all revolve in their set courses, helplessly, tied to the wheel of maya." [43] That man is free to choose and act to some extent, and to the extent that he is so, to that extent alone he is morally responsible and subject to praise and blame, is a true statement; that there is no such entity, and no such entity is conceivable, which is wholly 'uncaused' and 'undetermined', and further that in the ultimate analysis, the whole area of individuality can be shown to be linked to a penumbral cause of complex of causes which are supra-individuality is also a true statement, and these two true statements are not self-contradictory or incompatible with each other, constitutes the Sikh doctrine on the subject.

This brings us back to our immediate experience that seems to carry its own certitude with it, that in some sense we are free, we have the notion of freedom as the core of this experience. Sikhism, while implicitly taking note of the three factors, and the ultimate factor out of which they stem out, which determine the powers of human choice, lays pragmatic stress on this fourth factor, perpetually present and operative in the human mind, which is the autonomous power of choice. This autonomous power of choice is the divinity in man, according to Sikhism, and it is this core around which the whole human personality is constructed. It is this central core of the human personality which is at the heart of the individual consciousness, and it is therefore, "the source of all human misery, as well as the panacea of all his ills". [44] "How shall man demolish the wall of nescience that separates him from God? By being in tune with the Will of God. And how shall we know the Will of God? Nanak answers: It is embedded in the very core of human personality". [45]

It is this autonomous power of free choice which is endowed to every human personality and by virtue of which the effects of the other three observable determining factors of human choice are interfused and, thus, the act of free human choice gives birth to a new event which is not wholly determined, and which is not a mere combination and aggregation of all these four factors, but which is a new event, unique in nature, and potently capable of giving rise to other similar events in the future. It is this power of free choice that is included in man's heritage which has the capacity to go beyond this heritage and, thus, within the limits given, a human being is free to shape his own destiny. Nor are the other factors, his received character, the individual circumstances merely accidental and fortuitously superimposed upon the individual, for they too are the fruits of his past karma of many previous births and, thus, are self-determined, result of free choices made. When and why did an individual make the first free but wrong choice? This question relates to the First Things, and, therefore, exhypothesis, the individual comprehension fails at this point for, "the son knoweth not the birth of his father."

This is the view of 'free will' in relation to the doctrine of the karma which Sikhism teaches.

Karma

The doctrine of karma is not the same as the doctrine of pre-destination of Christian theology. Karma is, in a sense, fate, not pre-destination, for, within the limits given, and these limits constitute the karma inherited from the previous births, a man is free. This karma is not fate because all the time we are making our own karma and determining the character of our further status and births. The doctrine of karma, as understood in higher Hinduism, and as expounded in Sikhism, merely teaches that our present limitations are traceable to our acts of autonomous choice in our past lives and as such our karma is a source of rewards and punishments which we must enjoy and endure." Ignorant mind of mine, why blame God, for the good and evil of this life is verily thy own karma." [47] But this idea differs from the idea of fate, as commonly understood in European thought, in as much as it is not inexorable, for, all the time we are making our own karma within a context, the core of which is always free and autonomous.

Evil

The existence of evil is the main reason, or one of the main reasons for the existence of religion, and the explanation of evil is the chief problem of theologies and religious philosophies. Whether it was God who created evil and whether evil is due to misuse of the gift of free will, are problems which constantly occur and recur in almost all religions of the world. The main trend of Hindu thought on this problem is that since the world itself is unreal, the existence of evil in it is not of greater concern to the individual than the world itself. A Hindu would assert that the proper course for the human soul is to seek mukti, liberation, or unison with God, by renouncing and discarding this vain show of appearances, called the world. The Hindu thus, is not very much concerned to prove that evil does not really exist in the world, or to explain why God allows it to exist. Since the world itself is no more than a phantom and an

insubstantial dream, the evil itself cannot be of a more enduring substance, and, at any rate, it is of no direct concern to the man of religion. Sikhism cannot and, therefore, does not adopt this view, because Sikhism does not accept the ultimate dichotomy of the matter and the spirit and does not accept as an independent entity, the principle of illusion, i.e., maya. Since Sikhism postulates that religious activity must be practised in the socio-political context of the world, the problem of evil to it is very much a real problem, as it is to the European thinker. Sikhism, therefore, returns almost the same answer to the problem of evil which the European pantheist gives, namely, that since God is all things and in all things, the evil is only something which is a partial view of the whole, something which appears as such when not seen from the due perspective. Sikhism asserts that there is no such thing as the principle of evil, as some theologies postulate, although there are things in this world which are evil. This anti-thesis of evil and good according to Sikhism, is a necessary characteristic of the process of involution which the spirit is undergoing in the process of creation of the world. Evil and good appear at one stage of this involution-cum-evolution and they disappear when the process of evolution culminates into the unitive experience of God, Just as the white ray of light splits into its variegated spectrum while passing through a prism, and again gathers these multichromatic hues into its all-absorbing whiteness, when it becomes itself again. This explanation and statement of the doctrine of evil is laid down almost in as many words in the Sukhmani of the Fifth Nanak, and also at numerous other places in the Sikh scripture.” When a complete perspective is granted to man by the grace of God, all evil is seen to melt into its primal source, which is all-Good”. [48] “There is no independent principle of evil in the universe, because God is All-Good and nothing that proceeds from All-Good can be really evil, and there is naught which proceeds from ought but God”. [49]

Numenon and Sansar, or the Reality and Appearance

Sansar is the principle of change, which determines the world of phenomena, and in Hindu thought and in many other systems of metaphysics, it has been argued that on this account it is un-real. It is presumed as axiomatic that the real must not be infected with change. The basic theological formula of Sikhism, with which the Sikh scripture opens, is preceded by the exegetic statement that, “all change, all evolution, all that is characterised by the time-process, is ultimately real”. [50] The numenon, the order of reality, which is revealed to the human mind through gnosis, therefore, is not something which is fundamentally different and away from the phenomenon. That what is altered in the gnosis is not that what really is, but it is the mode of perception and the quality of prehension of the individual, which is transformed, thus revealing the vision of the numenon. It is this very mundane and the material world and the phenomena which is freshly and differently prehended and cognised by the human consciousness, when it is enlarged and purified. Sikhism, therefore, is in agreement with the aphorism of the great Buddhist philosopher, Buddhagosa, who declared, that “Yas-sansaras tan-nirvanam”, i.e., “the flux and the Absolute are the same.” “This world of fleeting appearances that you see, is, in fact, the true face of God and as such it is revealed to the consciousness of the emancipated man”.

SIKHISM AND THE WORLD SOCIETY

Bhai Sahib Sirdar Kapur Singh

Note from Editor

On Nov. 3, 1974 the author arrived at Toronto to attend to certain engagements when he learnt that in the Occumenial Institute of the University was scheduled to meet on the 5th November, to consider as to how best all the world-religions can mutually cooperate to help solve the most urgent current problems of mankind of peace and war, hunger and emergence of a world society, that is God-oriented. The author learnt that no Sikh had been invited, although preparations for this gathering had been afoot for the whole of the past year. On his enquiries he was informed that "Sikhism" was not accepted as an autonomous or a world-religion and the representatives of Hinduism, therefore, were deemed as sufficiently qualified to refer to Sikhism, if necessary, during those momentous discussions. As Sirdar Sahib expressed a wish to participate in these deliberations, as a Sikh spokesman, he was shown the courtesy of being formally invited. The gathering was about 50/60 strong elite, representing, Hinduism, Buddhism (Hinayana, Mahayana, Tantrayana, Tibetan Buddhism and modern western Buddhism), from India, Ceylon, Tibet, Korea, North Vietnam and Bhutan, and Islam was represented by Sunni, Shia, Ahmadi and Ismaili sects of Islam. Almost all sects of Christianity were well represented, as was Judaism. On the following note being considered, it was deemed of sufficient importance to claim most of the time of the deliberations and in conclusion there was reached a consensus that in Sikhism as the most recent and modern world-religion was entitled to special attention in relation to the problems that had engaged the minds of the delegates. We hope the readers will find it very informative and interesting.

"I may say that there are broadly speaking five categories of religions from the point of view of outlook and institutional action, that is their scope of prevailment.

1. Religions that are ethnic, grounded in the conviction that entitlement to and direct benefits of the, or their religion are divinely and irrevocably reserved for a particular ethnic tribe constituting the God-ordained elite of Religion, "the Chosen People", in special covenant with God. Judaism is the well-known instance of this category of religions.
2. Those who claim that entitlement to and direct benefit of their religion are freely open to the Jew and the Gentile. That is, all the people of the world of and only if they accept the religion in question and its verbal formulations as the exclusive repository of Truth. The ecumenical religions of Christianity and Islam belong to this category.
3. Religion that insists that since penultimate and highest experience is essentially obtainable as the end-result of a long series of birth and re-births of a soul within the context of a particular geographic and cultural milieu through the process of merempsyehosis. The path and benefits of the true religion are accessible exclusively to a genetic racial group confined to a specified geographic habitat. By understanding thus alone can the Hindu claim that "It is an exclusive privilege and grace of God that enables man to be born a Hindu in the sacred land called, Bharat, that is India. A birth in the other lands, no matter of how excellent a condition and however frequently, is no better than a repetitious frustration and wearisome waste."

Krsnanugrahato labhadava manave janam bharte, anyasthane birtha hanam misphlanca gata gatam.

- Vishnupurand

The basic postulate of this doctrine is that the multitudinous personal experiences of the present as well as the characteristics of the body holding the experiencing self are the expression of the past acts in some residual and seminal form by a transmigrating entity or principle. A Hindu would explain that the fundamental convictions of the votaries of religions (1) and (2) arise out of the prolonged and laborious studies of obscure phenomenon and mysterious human facilities, that can be understood properly only if the aforementioned basic postulate of Hinduism is conceded and accepted which provides the rationale of Hindu claim regarding birth in a genetic Hindu family in India.

4. Religions that postulate that the fact of religious experience being non-intellectual and non-cognitive implicates that operative level of the religion must be the upaya, the provisional means, and not doctrines and concepts, beliefs and dogmas. And these upaya have to be as variable as the beings whose spiritual foods they are meant to supply. Buddhism as the export-form of Hinduism, is a religion of this category with its numerous expressions ranging from Hinayana, the original ethico-philosophical religion, to Mahayana, Vairayana. Tantrayana, Mantrayana, Tibetan Buddhism and the Zen to mention only the major manifestations of Buddhism.

5. The religion that aims at transcending of all particular-ism in religion and points towards a religious experience realized as the All-Ground of all-particular religious experiences and which, therefore, does not confront dogma with dogma and belief with belief. And which does not aim at religious conversion so much as the authentic religious life and is thus primarily a bridge-maker and not a universal conqueror or all-leveller, such as ecumenical religions, like Islam and Christianity tend to be. Sikhism, being a religion of this category does not outright reject or oppose other doctrines or dogmas but demands true dialogue rather than conversion as the goal transcending particular-ism of other religions. As it preaches that beyond, lies not a universal concept, not synthesis or syncretic amalgam but deeper penetration of one's own religion in thought, devotion and action. It upholds that in depth of every religion-living religion—there is a point at which religion itself loses its importance. And that to which point it breaks through—particularly elevating it to spiritual freedom and with it to a vision of the spiritual presence in other expression of the ultimate meanings of existence.

I. The religions of the category (1) are of due exclusivity engrossed in and preoccupied with the maintenance and preservation of their own identity and their status spiritual privilegentia through political and social viability.

II. The religions of category (2) in the case of Christianity, believing that, the nature of things is divine love for the created world, aim at a will to create through suffering. And a movement of such wills that is expected to lead to establishment of a new “Kingdom” and state of affairs in human history in which God's Will is “done on earth as it is in Heaven.”

III. The other variety of category (2), of which Islam is an expression par-excellence, aims at and strives for, al-jihad. A universal or dominant monolithic, close Muslim world—society in which the laws of personal conduct and social organisation revealed unambiguously and finally by God through Prophet Mohammed are obeyed and enforced. This being the ultimate purpose of God in creating the world and the man-and which Muslim society is to be enlarged and strengthened progressively through the policy of “enforcement of Islamic laws through sword.” as-shara' tahatus-saif.

IV. The category (3) religions are insular, self-sufficient and self-engrossed, concerned only with ensuring external non-interference and their internal purity.

V. The religions of category (4) are a-social, catholic and concerned exclusively with awakening in the individual in his personal capacity and not in his position as a limb of the society-transcendental consciousness, prajna the wisdom that liberates from the limitations of all names and forms.

VI. The religions of the category (5) that is Sikhism, freely recognizes that search for a fundamental unity of religions or the attempts at the religions reproachment have their limitations. For, there are fundamental differences in the conceptions of reality and attitudes towards the world, permanently impeding a real and lasting synthesis between basically incompatible elements. Sikhism preaches frank and unreserved dialogue between various religions, and the human groups that owe allegiance to these religions, so as to arrive at the experience that transcends religious particular-ism and realizes a base of identity underneath all modes of religious expression. As a corollary thereof Sikhism favours a plural, free, open and progressive human society, God-oriented, non-aggressive but firm and ever ready to combat against rise and growth of evil, through organized resistance, and forward looking yet non-ambitious. For facilitating emergence of this state of affairs it has conceived of and recommends organized and co-operative efforts of man of good-will, indicating the true sources of dynamism available to man for this purpose, the details of which however are outside the scope of this short note.”

“The Sikh Review” has published a brief report on Sirdar Kapur Singh's representation of Sikhism in the University of Toronto in 1975 which is being reproduced along with editor's note at the instance of readers of Sikhism.

FOUNDER OF A WORLD RELIGION

Sirdar Kapur Singh

There is an apocryphal *hadith*, a saying of Prophet Mohammed, that five kinds of men go to hell without being asked any previous reckoning : the rulers because of their injustice; the Arabs because of their racial fanaticism; the peasants because of their arrogance; the merchants because of their lies; and scholars because of their mental confusion and envy. It is, therefore, prudent to define one's terms before attempting to say something on them.

Herein, what follows, the term "founder" means not a follower, exegetist, syncretist, a metaphysician or a philosopher, but one who, while in direct contact with what Otto Rudolph in his *Idea of the Holy* calls "Numenon", and compulsively impelled by it proclaims, formulates and preaches a way to such a contact by others. A 'religion' is neither ethics, nor metaphysics, neither mystical awareness nor magic, neither theism nor worship of a deity or even the Deity; it is that which moves man to the depth of his being and yet has not its origin in the depths of human soul but moves it from outside. Just as the central concept in art is 'beauty', in ethics 'goodness', so in religion it is 'holiness', an intimate contact or union with which is felt as utterly necessary for complete satisfaction and wholeness of man. A 'world religion' is that way of life on which all mankind may walk without the apartheid of race, color, sex, age, caste, class, country and clan.

It is intended here to give, first, a briefest possible life-sketch of the historical man Nanak, who became Guru Nanak, the World Teacher, a short account of the nature of his prophetic claim and a bare outline of his teachings and their relevance to the modern human situation. Nanak was born on 15th April, A. D. 1469 in the North-West of India in a village, now called Nankana Sahib—the Holy Birthplace of Nanak—situated in Pakistan from where the Sikhs, his followers, were expelled, almost to a man, in 1947, when the outgoing Britishers divided India into the two separate countries by drawing a pencil line on the map of an indivisible India. As might be expected, Nanak, the son of a petty high caste revenue official, was, from the beginning, of an unworldly turn of mind, and many attempts of his parents to engage him in some gainful occupation, each time, ended in disaster, till he was persuaded to accept the gainful and important post of the Chief Supplies Master of a nearby Muslim Principality. The turning point in his life came when he was twentyseven years old. During these days, he would, while performing his duties, pass out into reveries, frequently becoming trances. On one such occasion, while supervising weighing of grain stores, he stopped dead at the count of measure thirteen, which in Punjabi language is the word *tera*, also meaning, "I am thine", and he went on counting *tera, tera*, while measure after measure of stores was being passed out. As was to be expected, the government took a serious notice of it and an enquiry into his gross negligence was ordered against him. While the enquiry was still in progress, Nanak, as was his routine, went one early morning for his dip in the neighboring stream and disappeared into the bed of the river for full three days, when he was presumed drowned and a search for his body proved fruitless. All these days, he had sat, what in ancient texts on Yoga is called *jalastambhasamadhi* 'trance-in-water', a skill acquirable through prescribed techniques and practices and also available to gifted individuals from birth. There are many who possess this skill in India even today. On the fourth day he emerged from the depths of the waters and uttered the following words: "There is no Hindu, no Mussalman". [1] Whether he meant that deep down in the substratum of Aryan and Semitic religions there is an identity of base or whether he intended to convey that the truth of both had been obscured and lost to practitioners of both these faiths on account of verbal formulae and empty rituals, it was a fit formula for the commencement of his divine mission that demands acceptance of genuine dialogue rather than conversion as the goal of transcending particularisms or contending cultures and feuding religions, with a view to discover a universal concept, not synthesis or synthetic amalgam, but deeper penetration of one's own religion in thought, devotion and action, and thus to arrive at the realisation that in every living religion there is a point at which the religion itself loses its importance and that to which it points, breaks through its particularity elevating it to spiritual freedom and with it to a vision of spiritual presence in other expressions of the ultimate meanings of human existence. This is not the doctrine of the so-called 'fundamental unity of all religions', for such a claim has its limitations. Given fundamental differences in conceptions of Reality and attitudes towards the world, no real synthesis can be expected, there being incompatible elements in the cores of various religions. None of these religions can draw closer to the others, for each must claim itself to be the way and the truth for its own believers, even if not for all men. No world religion can seriously consider abandoning its own absolutistic claim, for if it did, it would scarcely have the right to call itself a religion, much less a world religion. But a sort of reconciliation, mutual understanding and respect is possible, generating civilised tolerance and growing co-operation. It seems more likely that this is the true intent and meaning of what Nanak uttered on this occasion.

The genre of pious Sikh literature called *Janamsakhis*, “The Testaments of the Life of Nanak”, almost unanimously describe the experience of Nanak during his ‘trance-in-water’:

“As God willed, Nanak, His devotee, was escorted to His Presence. Then a cup filled with Liquid of Immortality was given accompanied by the command : ‘Nanak, pay attention ! This is the cup of Holy Adoration of My Name. Drink it . . . I am with thee and thee do I bless and exalt. Go, rejoice in My Name and preach to others to do the same . . . Let this be thy calling.” [2]

Nanak himself refers to this assignment with deep gratitude: “I, a jobless minstrel, was assigned a rewarding task”. [3]

Nanak, now, had been exalted as the Guru Nanak, Nanak the World Teacher, and after resigning his government post, he set out upon four long and arduous missionary journeys on foot into the four corners of the then accessible parts of the world to him, India, Inner Himalayas, Ceylon, Afghanistan, Central Asia, Middle East, Eastern Turkey and Arabia, which lasted from the year 1497 to the year 1521, when he permanently returned to India to found a religious commune-town, Kartarpur, where he passed away on September 22, 1539. These journeys have been held and described in Sikh pious literature as having been undertaken to purify and divinise the entire mankind on all parts of the globe. [4]

Guru Nanak had nine successor World Teachers who, through precept and practice, fulfilled and applied the teachings of Nanak, the First Guru, to the changing and growing politico-social situations of the day, and in their own independent revelations and testaments explained and exegetised the contents’ implications of Guru Nanak’s revelations which they themselves compiled and recorded as the Sikh scripture, the Guru Granth. The Tenth Nanak, Guru Gobind (1666-1708) was the last manifestation of Nanak who passed on the preaching and practice of Sikhism as world religion to the Collective corpus of all the believers inspired and guided by the Word, as revealed and recorded in the Sikh scripture. Ever since, the central focus of all Sikh congregations and the body of the non-institutional Sikh Church is comprised of the collectivity of all the believers in Sikhism, and is called the Panth, ‘the Way of Life’. Nanak the Tenth further ordained (1699) the Order of the Khalsa to establish, to perpetuate and to legitimatise the social pattern amongst governments, societies and states of the world, wherein the Sikh values of life— truthfulness, honesty, mutual trust and loyalty, productive labour and communal sharing, gratitude and integrity of conduct, authentic living, and, above all, spiritual transformations that raise man to what St. Teresa of Avila, the Christian mystic, refers to as “spiritual marriage” —prevail and wherein a God filled man returns to society for its service and edification. [5] These are the Sikhs whom one might meet in all parts of the world, bearded, unshorn and turbaned, symbolising natural, spontaneous, unmanufactured or fashioned pristine integrity of man. It is to this Order of the Khalsa that Arnold Toynbee, in his History points as the true prototype of the elan of the Communist party of Lenin, while rejecting the latter’s claim that his Communist Party was a unique phenomenon in the history of the societies of mankind. [6]

Nanak is the first born in India who claims that the religion he preaches is a revealed religion.” I am completely dumb as I am and I speak as I am made to, by God.” “I utter and preach the Word just as it comes to me.” [7] Our knowledge of the psychological character of the religious experience and its matrix is so minimal that it is not possible for us to make positive statements about divine revelation. Quranic revelation is not a living experience between God and man, a happening into which God Himself enters, but it is a book. The first word of Mohammad’s revelation is, “read” and the page of a book is shown to him, the book that the angel has brought down from heaven. Islam was a book-religion from the first moment on. Jesus left no written word to his followers and is merely reported as having claimed full authority of his Father, God, for what he was preaching. Moses, like a much earlier Babylonian King, Nebuchadnezzar, received a material, an inscribed tablet of laws, through the agency of a burning bush and from the sun-god on high, *shams*, respectively. The seers, *rishis* of Vedas, grasped, without necessarily comprehending, eternal sounds, *sruti*, and then passed them on to future generations in mnemonic formulae and, therefore, the text of Vedas are *apauruseya* and eternal, co-existent with the beginning of existence, *anadi*. The “voices” heard by extraordinary men, throughout the ages, such as Socrates and Joan of Arc in the West, have been known to be of obscure origin, proven unreliability and dubious authenticity. Mysticism is a variety of human experience that might be interpreted, but in itself is non-sensory, non-intellectual and altogether non-verbal and ineffable. Guru Nanak claims direct contact with suprasensuous Truth and the Divine Person which is sensory, intellectual and verbal, experienced with an immediacy and simultaneity that carries with it its own authenticity and which is, *sui generis*, fashioned into a mould of poetry and song. Bergson has well pointed out that “before intellection, properly so-called, there is the perception of

structure and rhythm.” The nature of Guru Nanak’s revelation is, thus, shown as unique and mysterious in character and origin.

Prophets of religion, like other men, are also rooted in time and place. The teachings of a prophet may amount to unique contributions of enduring value to the thought of their age and they may say that it is a class by itself, without a precursor, without a successor, logically untraceable to antecedents, yet thereby a prophet does not cease to belong to his age; just as he is arising most above it, he is truly rooted in it. This is true of Guru Nanak also.

The central teachings of Guru Nanak may be briefly summed up as follows:

1. He teaches that it is not the intellectual formula or verbal assent to it that liberates man, but the deed and his quality of living.” Truth is higher than everything but higher still is truthful living.” [8]
2. Self-alienation is the most profound affliction, not only of the modern man but it has been so ever since man began to look within. In the most ancient recorded thought of man—the Veda— this self-alienation, *kilvis*, the primal fission where the One became many, is pinpointed as the basic problem of the human psyche, and the ritual technique of *yajna* is recommended for re-gaining this lost unity, and this is the beginning of the prestigious Hindu contribution of the techniques and systems of Yoga to the insights into the psychologies and religious practices of mankind. Religion always proceeds from an existential dichotomy between man and the world, between man and God, and man longs to overcome this dichotomy to achieve a wholeness which appears to him as necessary for a satisfying and authentic living. Pascal describes the point well by observing that “all man’s troubles stem from the fact that he cannot bear to stay in a room alone with himself”. Each one of us, more or less, encounters a sense of despair, when he is forced to compromise his inner vision with the realities of a world he must share with others. It is one of the terms of a social being as it is the predicament of a lonely person and, therefore, part of adult life, particularly of the intellectual, whom Albert Camus describes as “someone whose mind watches itself”, and in whom this disease of self-alienation is apt to run rampant. In the whole of the Sikh scripture, as in the revelations of Guru Nanak himself, there are repeated references to this great wrench in human psyche and the cure is declared as a spiritual system and discipline based on the fundamental psychological insights of the Yoga and its adaptation to a secular, social life, thus discarding the necessity of turning one’s back on the world, and full social participation in it in search for annulment of man’s self-alienation. This system and way of life is the Nam-Yoga of Sikhism that constitutes the greatest contribution of Guru Nanak to the Religion wherein the secular and the spiritual are indissolubly married. This Yoga of the Name is the core of the ‘Religion of the Name’ which Sikhism is and which God commanded Guru Nanak to practise and preach to the world.
3. The third Central teaching of Guru Nanak is that the fully integrated person, the liberated individual, the deified man, must revert to the world and society to participate in its activities to guide and assist it in striving for achieving a situation in which human mind is free, human psyche is made whole, authentic living is facilitated and individuals may evolve into “deified men.” When Guru Nanak travelled deep into the Inner Himalayas crossing Nepal and some portions of Western Tibet, reaching the legendary Kailash Mountain and the celestial Mansarovar lake, the snowy and inaccessible abode of the perfected yogis who were amazed to see a mere mortal reach there, “How does the news go with the world of the mortals?,” they asked Guru Nanak.” The society is rotten to its core”, replied Guru Nanak, and then raised an accusing finger at these yogis adding, “And sires, you are guilty ones, for, it is men of high culture and sensitivity who alone can guide and sustain society, but you have chosen to be self-indulgent escapees ?” [9]
4. When asked as to what power and competence there was for lifting society out of its incurable morass, Guru Nanak has gone on record as saying: “The two levers, that of organised confrontation with and opposition to evil and the right idea that must inspire it.”

Thus, this fourth teaching of Guru Nanak furnishes the Sikh reply to the questions: “Must the carriers of grace rise like lions or die like lambs? What is the relation of exemplary violence to exemplary martyrdom ? Whether one person stands for all or all for one or a small pioneering elite act as stand-ins for the rest ? Whether the elite withdraw into an enclave or into a wilderness to bear witness or act as leaven to the lump ? How is a balance to be struck between ‘being’ and ‘doing’, ‘wisdom’ and ‘inner certitude’?”

Paper read in a Seminar of Asian and Slavonic Studies, Faculty of British Columbia University, Vancouver, Canada, on October 17, 1974. It was later published in the Journal of Sikh Studies (Vol. II. 1) of Guru Nanak Dev University in

February 1975, and also in Sikh Review's February-March 1975 issue.

- [1] Puratan Janamsakhi (ed. Bhai Vir Singh), 4th ed. p. 15.
- [2] Puratan Janamsakhi (ed. Bhai Vir Singh), 4th ed. p. 14.
- [3] *Hau(n) dhadhi vekar(u) karai laia.* --Majh (Var), M 1, SGGS, p. 150.
- [4] *Charia sodhan(i) dhart(i) lukai.* --Bhai Gurdas, 1 (24/8)
- [5] The Interior Castle.
- [6] See *A Study of History* (Abridged) p. 187-88.
- [7] *Hau(n) apahu(n) bol(i) na janda, mai(n) kahia sabh(u) hukmao jiu.* --Suhi, M 1, SGGS, p. 763.
- [8] *Sach(ch)o(n) orai sabh(u) ko, upar(i) sach(ch)u achar(u)* --Sri Rag, M. 1, SGGS, 62.
- [9] Bhai Gurdas 1(29/6).

THE TEN MASTERS

Puran Singh

INTRODUCTION

The history of human civilization took a new turn when the Sikh Gurus appeared on the scene of Medieval India. It was a time when people had no sense of the real meaning of life and were indulged in useless ritualistic pursuits. The Sikh movement served as a light-house for the people groping in the dark. The people converged around this light-house, listened the ambrosial sermons to their heart, and got imbued themselves in the Divine tremors. The Master showered on them the real 'gift of life' (*Jia dān*) and unified them with the Almighty God (*Har sio lain milāe*). They were then changed men and elevated to the stage of the ideal man i.e. *Gurmukh*. The Sikh history narrates many heart-rending stories of such elevated disciples.

Prof. Puran Singh (1881-1931 A. D.) was a genius of his times. Though he got his higher education in Chemistry and earned a good name in this field with new researches, he basically was a man of letters. He had a good habit of enjoying the company of spiritualists and sharing his spiritual experiences with others. For that he joined the other mystic folds too, but when he came in contact with the Saint-Sikh poet Bhai Vir Singh, he was infatuated by the Sikh mystic path. He treaded this path and shared his emotional feelings with others in the form of a number of books. His Punjabi and English mystic poetry touches the new heights of spiritual experiences in a powerful but simple language.

The historians' accounts of the Sikh Gurus narrate the political, social and other events exhaustively but they lack the spiritual horizon of the Great Masters. It was Puran Singh, who touched this aspect in depth. Himself a mystic par-excellence, he narrates the stories in his own way. The flow of the narration is unparalleled. The reader absorbs himself with the first sentence and enjoys the Divine Masters' blessings to his heart.

When the world is by and large dissatisfied on account of inner spiritual hunger, we find that the mystic writings of Puran Singh serve as a soothing healer to the strife-torn humanity. Therefore, such writings must be published again and again so that a large number of people could take benefit from these. We are feeling an inner satisfaction when we find ourselves attached with this rare and marvellous writing. This is the feeling which we cherish for our esteemed readers by its publication.

—Publishers

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“Sarv Rog Ka Aukhad Nam.”

—*GURU GRANTH*

“His name is the cure of all distress.”

“Music is His food, and the colours of life are His raiment.”

—*NANAK*

Fellow-Traveller on the Path of life, stay awhile. Let me tell you a few things that we heard as Sikh children from our ancestors, and let me share with you the Song of Nanak, which is our only provision for the pilgrimage from this earth to that Heavenly Region where the Masters dwell in peace.

Gwalior, C. I.,

PURAN SINGH

May, 1920

FOREWORD

“It is the Master’s gift—this life of inspiration. All the Gods exist in the Master—Shiva, Vishnu, Brahma; and the Vedas are in Him, and the Divine Song.”

The Book of the Ten Masters is the record of the teachers of the Sikhs, who have handed on the mystic doctrine first taught by Guru Nanak in the sixteenth century. Nanak is “the unknown man who roams disguised on earth”, who enters into the vacant house, the heart of his disciples, through whom the mystery of the divine in men is revealed. A poem of Puran Singh in an earlier volume¹ says, “Nanak is still with us, a Song, a Book, his voice still sings in our ears, his figure flits before us, his eyes meet ours, his feet we touch.” He is part of the Changing Permanence of Things Eternal, which is one of the secret doctrines of the sacred Book of the Sikhs, the Guru Granth.

Nanak, the first Master, not only lives in his disciples; His spiritual self, his very presence, passed into the mind and body of the nine Masters who were his successors.” Him have I seen not once, but for ten generations.” After him, Angad received the sacred message and became the apostle of his inspired faith in God. To Angad, succeeded Amar Das.” I saw Amar concealing the All-Father in a majestic form of man, the silver knot of hair on high, the white beard flowing down like a river of light, a tall ancient stern man of love and labour; for behold, Nanak is now become Amar Das.” So the succession goes on and in the following pages the Western reader will be able to find the opening into that region of ecstasy which was sealed of Nanak and entered by his true disciples.

But while the line of the Gurus, of Saints and Masters of the Sikh religion, was maintained, there was a break in the tradition after the fourth, Ram Das. Already in his time a change had begun to affect the people. He it was, who founded the Golden Temple at Amritsar, and planned the bathing tank from whose waters that city takes its name, which means the divine essence of the true Ambrosia. Under the next Master, fifth in the line, Arjun, the tank and the temple were completed. That meant a new stage in the growth of the Sikhs: they were becoming a propertied people, acquiring a collective religious and social sense. The Golden Temple of Amritsar was a symbol of their new consciousness. They worked to complete it with such desperate devotion and unsparing energy, that “when Arjun saw the state of their bodies, he wept for pity.” Another sign. It was on Arjun’s initiative, that the bible of the Sikhs, the Guru Granth took form, and the orally preserved sayings, songs and other remains of the four previous Masters or Gurus were written down. But Arjun’s fame, and the growing wealth of his people, excited the envy of the Emperor Jahangir. He was attacked too because of the heretical doctrines, detected by the orthodoxy in the Granth Sahib. Arjun was not to be moved. He was of the seed of the martyrs, and his doom was inevitable. He was put to torture—fire and water and boiling cauldron—he bore all firmly. The last message he sent through the Sikhs to his son and successor, Har Gobind, was one that sounded ominously the change from peace to war: “Let him sit armed on his throne, and raise as best he can an army at his right hand!” “That was in the year 1606 A. D., and the religion of the Sikhs went through a gradual metamorphosis in succeeding years, and their quietist faith became more and more militant.

So Har Gobind, in the Song of the Masters, appears in warrior guise. As his father had presaged, he and his fellow-Sikhs were to learn the truth of the fatal proverb—Wealth must wear a sword!” “Under Har Gobind and his successors, the Sikhs still strengthened their commonalty. With Tegh Bahadur, ninth of the Gurus, we come to the advent of an overwhelming enemy, Aurangzeb who vowed he would convert all within his reach to Islamism. When Tegh Bahadur heard the cry of the Sikhs, imploring his aid against Aurangzeb, he sat so still, that his small son (who became the last of the Ten Gurus), grew uneasy and questioned him:

“Father, why art thou so silent?”

“My son,” he said, “thou art still a child, and cannot know how the very earth is grieved at the great oppression (by the Turks). Yet none is brave enough to give up his life, in order to free the earth from the burden of Islam.”

“Oh, Father thou art brave and thou art generous. Who is worthier than thou to free the Sikhs from the sons of Islam?”

Then Tegh Bahadur knew that this path was to be the same as Arjun’s, and he gave himself up to Aurangzeb, and suffered martyrdom and a cruel death for his people’s sake. His son, another Gobind—Gobind Singh—became the most warlike of all the Sikh leaders and Gurus. In the Song of the Masters, he as the tenth reincarnation of Nanak, appears in the form of the Ancient Huntsman, before whose arrows flies the Stag of Death.

“He wears the starry crest. He carries the Hawk on his thumb, and bears aloft the flags of the Kingship of Heaven.”

“His pennon waves. His flags flutter on the walls of Heaven. The Angels cry aloud to him, ‘Hail, Lord and Master.’”

“The Rider on the Blue Horse; the Wearer of the Blue Robe, he leads the Sikhs, the armies of the Heroes, to defend the sacred cause and the purpose of God on earth.”

The end of Gobind Singh was in keeping with his warrior’s aspect. His four sons, mere boys, were cruelly ordered to execution by Aurangzeb,² and died fearlessly. Their mother took her own life by suspending her breath when she found she could not save them or aid her husband. Again Gobind Singh, while still his wounds from the last battle he had fought were only half healed, took up a mighty bow to try his strength, and his blood burst out afresh. *Sic itur ad astra*. With his last breath he left the beloved book, *the Granth Sahib*, to his disciples.

That is one account of his end. The story told in the latter pages of this book is not so dramatic; but it is more mysterious. When the predestined day came, Gobind Singh sent for the sacred offering—simply a coconut and five pice—and laid them before the Holy Book, *the Granth Sahib*. “The Word is Master now,” he said, “Let all bow before Saint Book, as my successor!” Thereupon, attired in his symbolic blue soldier’s dress, he mounted his blue war-horse, as Marko of the Serbs did his horse Sarac, rode away and vanished behind the spiritual veil of the sensual world.

It is no wonder that the Sikhs look upon Gobind Singh as their deliverer, he, who by his sword became the true defender of their faith. For he had, realized with Socrates, as we read in Plato's Republic, that a state or a city must have that courage which is a kind of safe-keeping—"the safe-keeping of that wisdom which teaches what things and what kind of things are to be feared." It was the sacred Idea of the Sikhs which was imperilled and which as Gobind Singh knew had to be saved and "to be preserved alike in pleasure and in pain, in fear and in desire, and never to be cast away."³

There is a transcendental touch in this record of an end, which was in reality a new beginning. Milton's familiar saying about the Book which is the precious life-blood of a master spirit, treasured up to a life beyond life, receives a new meaning by Gobind Singh's committal of the sacred office to the *Guru Granth*. The living Spirit of the Ten Masters or Gurus, passes finally into the pages of the ever living inspired Book, the Testament of the Sikh faith, the revelation of the divine Father to "the Child lost in the World-Fair," as Puran Singh has it. Its message was that of Coleridge:

All thoughts, all passions, all delights,
 Whatever stirs this mortal frame
 All are but ministers of Love,
 And feed his sacred flame.

The conflict of the Sikhs with the powers of Islam, which reached its climax under the Tenth Master, Gobind Singh, was one based on a fundamental religious difference. In an interesting study of the two creeds, Puran Singh points out that like the ancient Vedism, out of whose scattered remains, Hinduism arose, Islamism was incompatible with the real and ideal doctrine of Nanak and the nine Masters who carried on his work. The religious faith of Islam was akin to Hinduism, in its dual worship of principles that are contrary to those of Nanak and of Buddha.

"Islam was, in fact, extremely dualistic in practical life. As the conqueror's religion, it lost its original beauty of universal good-will, implicit in the faith and sacred name of Allah. These two civilizations met in India, whence the religion of Buddha had already been driven out, only to suffocate the religious life of the people. The Hindu and Muslim cultures met, clashed and died, after giving brief life to Hindu Muslim art and thought: they never met in a living faith of the people; nor did they give any impetus towards true contemplation or right conduct. Both the Hindu and the Mussalman became slaves of selfishness, in their common contempt of the common people. Opposed to both these civilizations in the *Dhyanam*, the inspiration alike of Buddha and Nanak, which comes of art, not of philosophy. Both these teachers insist on the attainment of the unflickering flame of *Dhyanam*, of a life—calm, unruffled, supremely felicitous. In Buddhist history, they carved the image of Buddha in stones, while in the Sikh history they aimed at chiselling the image of Guru Nanak in living statues of human bodies. This realization was higher than anything art alone can do, but human nature still craves artistic expression. There ought to have been a great renaissance of art and letters in the wake of Sikh culture; and a beginning was made by the Tenth Guru at Anandpur, which assumed the proportions of a great Sikh university. But the Sikh culture was thrown into the fire by the Muslim emperors.

"Neither Buddha nor Guru Nanak insists on a metaphysical philosophy of life. The work before man really is to transmute himself into very God. The *Dhyanam* of Buddha is the way, and there is no other way. In comparison with this civilization of art, joined to life and to religion, the Hindu and Mussalman philosophic systems divorced from life are dead or derelict.

"Indeed the monastic tendency of Hindu philosophy and Hindu life had by Nanak's time, well-nigh killed the spirit of religion in India. After many ages, the sense of religious vision had awakened in the mediaeval Bhaktas, under the leadership of the Hindu philosopher, Ramanuj. But he could not found his new religion of mysticism without torturing the Vedanta philosophy; this religious movement did little beyond producing a few Bhaktas who were something between monks and householders, rapt in their own metaphysical reverie. The only exception was Kabir; a weaver, a Muslim by birth, whom Ramanand won as his disciple more through the latter's enthusiasm than the former's choice. Kabir, by his inheritance of Muslim ideas, was well fitted to shock those followers of Hinduism whose ritual went by the name of religion. He cleared the air, and his name to-day is the only bright and living memory of the awakening led by Ramanuj and Ramanand. But neither Kabir nor Ramanand had that mastery over the laws of spiritual life that would have enabled them to create a new spirit in India. They were voices of reform, but lacking the original power at whose signal the graves would open and the dead arise from their sleep. Still we do see in their awakening the

forerunner of the coming of the Master in the Punjab. The Master saw the darkness, and he rose to scatter the ghosts of night under Heaven's own Inspiration, and on the authority of his own, direct realization of the Truth."

From the crude and often confused reports of the life of Gobind Singh that have come to us, we discern the noble figure of a true leader, a soldier of God, who deliberately set out to storm the strongholds of superstition and tyranny; and we find that he did it with unflinching power, making everyone confess his soul to him, the Master. A word, a song, a smile from him, was enough to search the hearts of the people; and as the Master gave to them, so he took the Living Word from their lips. Such words as *Yama*, *Destiny*, *Nirvana*, *Yoga*, *Atma*, *Anhad*, *Brahman*, *Para-Brahman*, *Guru*, *Sadhu* and *Saint* are caught from the people as they used them, and these terms were given back to them with the inner illumination that came from the personal sanction of the Master. The Sikh people saw the meaning of everything: life, love, death and afterlife in Him. The language of Nanak cannot be interpreted by taking it in its literal or traditional meaning. The simple word, *Hukam*, is a whole song in *Japji*—suggestive of a law of the Creator's Mind, that we cannot, indeed, clearly express it in modern philosophic phraseology because the Master is dealing with the secret laws of life and not with the thought-products of his mind as does a mere philosopher. The word, *Suniye*, literally "hearing" is visibly, a simple word; but the Guru devotes four complete songs in its praise. The highest meaning we can think of is "Inspiration." Such words again as "Rama", "Krishna", "Govinda", "Raghunath", "Vedas", "Vishnu", carry in them the devotional fervour of centuries. The sentence, "Rama is my Beloved", began to have a new significance to the people, when it was weighed with their own personal devotion to the Master.

"Now that I have taken refuge in Thee, I look to none beside.
They tell me there is the Purana and the Quran;
They tell me there are gods like Rama and Rahima;
But I know none but Thee!
They tell me there are a hundred other scriptures, Vedas, and Smritis, and many sacred books;
But I need nothing beyond Thy Word!
I have heard of all of them; but there is no close companion between them and me.
Now that I have taken refuge at Thy feet
I look to none beside."

The faith of the Sikhs, we learn by this book, is a living one, inspired and re-inspired by Divine Idea and by the Living Word that passes current in the mouths of the people. To understand it the Western reader needs to enter with sympathy into the mind, childlike spirit and religious imagination of the followers of Nanak. That can be learnt from many episodes in these innocent pages, such as the stories of Gobind Singh as a merry boy or as a man who had not forgotten his boyhood, or the account of the humility, humour and good-humour of Amardas who, when he was kicked by the would-be Master, Datu, said, "Honoured Sir, my old bones are very hard. They must have hurt your precious foot?" With that he rubbed Datu's feet in deep reverence.

As a revelation of the inner mind of the Orient, in its transparent truth and faith the book is unique. We need to throw aside our modern disbelief to get on terms with so child-like a spirit, with a temper of mind which was gentle to fearfulness, yet brave and fierce as the four young sons of Gobind Rai, or as the lion-heart of that Master himself.

Ernest Rhys

Footnotes:

1. *The Sisters of the Spinning Wheel*, Dent & Sons, Ltd., 1921.
2. Actually the two elder sons Ajit Singh and Jujhar Singh laid their lives in the battle of Chamkaur fighting against armies of Aurangzeb, while the younger ones Zorawar Singh and Fateh Singh were bricked alive by the Nawab of Sirhind.
—Publishers
3. Bk. IV, 427.

I - THE FIRST MASTER - GURU NANAK

THE CHILD NANAK

He came like a song of Heaven, and began singing as he felt the touch of the breeze and saw the blue expanse of sky.

He was a child of smiles; and his eyes were silent and wise; he loved quiet of soul. He loved joy and thought.

Whoever saw the child, or touched him accidentally, praised God. A thrill of unknown delight came to anyone who lifted the child, or played with him. But none knew whence came to him that gladness of soul.

Everyone saw that he was the child of Heaven; he was so beautiful, so mysteriously fair in colour and form, with a radiance that was new to earth. He cast a spell that none could escape. Rai Bular, the Moslem Governor of the place of his birth, loved him both as a child and as a boy; the Brahman teacher loved him; whoever came in contact with him was irresistibly drawn to him.

His sister Nanaki saw from his very infancy in him the light of God, and kept her discovery a profound secret. She was the very first inspired by Heaven to be his disciple. Rai Bular was the second; he had seen that gleam of soul in Nanak, which is seen only once in many centuries, and even then by the rarest chance. In his old age Rai Bular cried like a child for his saviour.

Nanak the child gave the signs of Nanak the Saint and Guru at a very early age. He composed music, he talked of God and life; his untutored mind was a marvel to everyone.

THE BOY NANAK

He ate little, slept little, and shut himself in his own thought for days and days; and no one could understand him.

He was sent to the school, but he could not learn anything.” Teach me,” said he to his teachers, “only this one large letter of life. Tell me of the Creator, and the wonder of this Great World.”

Thinking he might do as a trader, his father gave him a few silver coins to set him up in that way of livelihood. But no! Having started out, he feasted the saints of God, and returned empty-handed. Then he was sent to take the cattle out to graze; he drove out the herds upon the green sward, and left them free to graze by themselves as he sat alone. The solitude of the Indian noon was good for him, for then the whole creation taught him the language of the gods. He heard the songs of the shade. Every blade of grass intoned a hymn in his ears. His animals loved him, came near him, touched him, looked at him; they knew nothing of any man’s ownership of meadows that, for them, all appertained to God. The cows could make no difference between “his” grass and “my” grass; so a clamour arose, and they drove our Nanak and his cattle from the fields. He was declared a failure as a cowherd; though he loved to sit alone with stars, and to talk to animals when they were in distress.

People anxious about his health brought a physician, for to them Nanak’s unworldliness appeared insane. When the physician put his fingers on the pulse of Nanak, the boy’s voice, which had been silent for days, came thrilling with a new and unsurpassed sweetness:

“They have called the physician to me!
 The poor doctor feels my pulse!
 What can a pulse disclose?
 The pang is in my heart!
 Their life is a disease, and they seek nothing else.
 The doctors come to cure, when there is no cure for the pain of death.
 Oh, physician! why touch my pulse when the pain is in my heart?
 Go back! go back whence you came
 None has a cure for the pang of love.
 I pine for my Beloved:
 Who gave the pain, will cure it.
 Oh, poor physician, what can a pulse disclose?
 You have no cure for me.”

When the family Brahman came to invest him with the sacred thread, he spoke again, subduing all that heard:

“Oh, Brahman! You have no sacred thread.

If you have,
 Give me the forgiveness of the Creator,
 Draw round me a sacred line that no desires dare cross,
 Unfold the Divine in me,
 Which then will be a sacred thread—
 Never showing wear or break.
 Fires shall not burn it, nor the storms destroy!
 Blessed of God, O Brahman, is the man such thread surrounds!
 That is salvation.”

NANAK THE STRANGE YOUTH

They married him, believing marriage and home-life would bring him back to earth. And they asked him to set out and earn a living for his wife. Nanak started to Sultanpur, where his loving sister Nanaki lived. It was thought that Jai Ram, Nanaki's husband, would get him some employment. As he was setting out from Talwandi, his native place, his wife came to him and said, “Pray, take me, too, with you.” “Dear lady,” said he, “I go in search of work; if I succeed, I will send for you.”

Jai Ram got Nanak the position of officer-in-charge of the storehouse of Daulat Khan Lodi, Nawab of Sultanpur. Nanak loved to distribute the provisions; it is here that he began distributing himself also. None begged at Nanak's storehouse in vain, he lavished his goodness on every corner. It is said of him in a Punjabi proverb that God gave him His stores and then forgot all about them; key, lock, all were with Nanak.

It is here that he sang his famous song of one word. In Punjabi language, the word *Tera* means, both the arithmetical figure *thirteen* and the phrase *I am thine*. Once Nanak, weighing out wheat flour, counted the weighings—”one, two three”—till he reached the number thirteen; but at this he forgot all his counting and went on weighing and calling out: “*Tera! Tera! Tera! Tera! Tera! Tera!...*” “Thine Thine! Thine! Thine! Thine! Thine! Thine!”

NANAK THE WORLD-TEACHER

He was lost in this flood of his own thought and wonder, a river that flowed out of him and at the same time engulfed him, so that he was looked on as one dead. What they saw of him was but as his garment cast upon the shore of life, while Nanak himself was swallowed by the Infinite. Truly, never did they see him again in the form in which they knew him so well. He came out and spoke as Guru Nanak the world-teacher, to the awe of everyone. Said he, “There is no Hindu, no Mussalman!”—a heresy so paralysing that they felt bound to suppose he had now lost every particle of sense. He could no longer take an interest in his work, and shortly afterwards left it altogether. He was not Nanak now, but Guru Nanak.

His father came to counsel him, but without effect. Of the many conversations that he had with his parents, on different occasions when he returned to his native place again and again from his travels abroad, we faithfully preserve the following few, without attempting chronological order:

Father: My son! They say you do nothing, I am ashamed of you. Why not plough the fields if you can do nothing else?

Nanak: I do something that others cannot understand father. I, too, plough, but my ploughing is different from theirs. I sow the seeds of *Hari Nam*; my heart is my fields and my mind is my plough, and God waters my fields. I plough both day and night, and I sow my songs.

Father: Why not have a village-shop and sit there and rest and sell merchandise?

Nanak: Time and space are my shop, and I sit and deal in song. I praise Him who has made all this.

Father: None can understand what you say, your speech is so difficult. Why not enter again into the Government service, which is fairly easy?

Nanak: I have already entered His service. I cannot serve another. I go whither He takes me and I do as He bids me.

At another time, when he met his mother after a long interval, the following conversation took place.

Mother: My son ! Do not go away now, but come and live in your house as of old.

Son: My house is His Temple, mother! God is my home and His grace is my family. His pleasure is my utmost riches, mother! He judges me not; He is kind and merciful as none else is. He blesses and blesses without end. He provides me with everything, and I am for ever happy in him.

Of what use is this life of houses, wherein a thousand desires consume the man; and there is no rest, neither in waking nor in dreams, mother?

Mother: Wear clothes such as we wear; and be not so sad, so strange; go not away from us.

Son: My clothes are white and stainless, mother; for I live in love of Him who has given me so much love.

I am made to wear His Presence and His Beauty, mother!

He is my food and raiment.

The thought of Him, mother, is my covering of honour

His treasures contain everything.

My clothes are eternal youth,

I wear the perpetual Spring.

Of what use are these clothes, the wearing of which gives so much trouble?

And then a thousand desires consume the man; and there is no rest, in waking or in dream.

Mother: Oh ! Why do you not live like us and eat what we eat?

Son: I drink His very Presence, I eat of His precious Substance, and partake of His Light.

In His glance is my heavenly sustenance. I have neither hunger nor thirst. Of what use is this bread, mother, the eating of which gives so much trouble? And a thousand desires consume the man; and there is no rest, neither in waking nor in dreams.

To the Hindus he said, "You are not Hindus" ; to the Mussalmans, "You are not Moslems" ; to the Yogis, "You are not Yogis" ; and so was it wherever he went. He not only withheld these names, but by his very presence changed those that had borne them into men. When he left the place, his eye seemed to be still upon them, keeping their minds steadfast. A new life came to the people, in him they found their God, their world, and their lost souls.

In him they began anew; and in him they ended.

NANAK AND HIS SISTER

When he prepared to go on his long journeys into the trackless lands around, usually on foot, Nanaki (his elder sister and his disciple) could not brook even the thought of such a long separation from him.

She said, "O, divine one! what will be our condition then? How shall thy lotuses live and breathe without thee!"

"Bibi," said the brother, "this is Heaven's call, I must go whither it leads my feet. Many will attain the heavenly life if you forego for a while your own yearnings. I would not be gone from you. Whenever you will think of me, I will be with you."

Guru Nanak did return to her frequently, interrupting his travels.

Mardana, the rebec player, joined him; and Nanak took up his royal residence under the stars.

He went to Sangaladeep and other isles in the south of India, he visited the Nilgiri hills. He crossed the borders of Assam in the east and the Trans-Himalayas in the north, and went by Baghdad and Bokhara right up to the Caucasian mountains. He visited Mecca, whither he came by way of Baluchistan. He travelled throughout the northwestern frontier of India and the Kashmir. None ever travelled so much with one single purpose; namely, to thrill the earth from pole to pole with the working of his spirit.

NANAK AND DUNI CHAND

A banker named Duni Chand lived in Lahore in the times of Nanak. He flew many flags over his house, each flag representing ten millions. One day he came to see the Master, and Nanak gave to him a needle, which he said he would receive again from him in the world beyond this after death. Duni Chand took the needle home, and told his wife of the Master's strange speech, and still stranger request to keep a needle for him in his books. Both went to the Guru again, and said, "Sire, how can we carry a needle with us beyond death, when all we have shall be left behind?" "Of what use is your all, then," said Nanak, "if it will be of no use to you in regions beyond death where you will have to pass long centuries?" "Pray, then, tell us what We can take with us," said they.

"The wealth of loving Him," said the Guru: "Han Nam will go with you."

"How can we have that wealth?" said they.

"Just as you have this, if the Guru so pleaseth, if he giveth the gain of life, if he favoureth ye," said the Guru.

Both Duni Chand and his wife entered the path of discipleship.

NANAK AND A JEWELLER

The Master sat as usual under a tree, outside a city on the Gangetic plain in Eastern India. He gave Mardana a jewel, and asked him to go and get it valued in the city. None could value it truly; some offered gold for it, and some mere silver. Mardana at last met a jeweller, who, when he saw the Guru's jewel, brought all his jewels and offered them to Mardana, and said, "Who can pay the price of this priceless jewel? Who can buy Beauty? I offer my all for the joy of its auspicious sight. It is the beginning of my luck. It is the favour of God that I have seen it to-day." The jeweller Salis Rai and his wife followed Mardana and sought the refuge of the Guru. They were initiated into the path of discipleship.

NANAK AT EMINABAD

There at Eminabad in the Punjab, lived in those times, a carpenter who used to make pegs of wood and other implements for the village. He lived in "pure poverty," as the Japanese would say. His life was simple, his needs were few, and he was happy. He was a disciple of the Master, but full of natural simplicity. Nanak went straight to his house and lived with him for days. He neglected the table of the king and preferred plain bread and water at the house of this man of God. The king sent for Nanak and asked, "Why do you refuse my bread and eat at the house of a low-caste though they say you are a Saint?" "Your bread is blood and his bread is milk," replied Guru Nanak.

NANAK AND THE TANTRIK KODA

In a thick forest of India, Koda met Guru Nanak under strange circumstances. Mardana had lost his way and fallen into the hands of Koda; Mardana was just what he wanted for his man-sacrifice. Koda bound him hand and foot, and began his preparations, lighting a fire under a huge cauldron of oil. The wind blew, the rain came, and the fire went out. He tried again with the same result; and he knew not why the elements went against him that day. He looked up and there stood Guru Nanak. His look disconcerted Koda, who went into his cave to consult his mirror. The mirror gave him the image of man, and he came out and asked for forgiveness.

Nanak said: "Koda! Sing His great Name."

Koda entered the path of discipleship.

NANAK AND SAJJAN THUG

Sajjan kept a Moslem mosque and a Hindu shrine side by side for the weary travellers to rest in a lonely jungle pathway. There lay the bones of many a travellers that came hither to rest in the midst of the temple or the mosque. Once Nanak was the guest of Sajjan for a night. Sajjan served the Guru with the utmost devotion, for he took him to be a very rich man. He saw the sparkle of a million jewels on the Guru's forehead. Late at night, Sajjan, as usual, invited the Guru to retire to rest.

Such heavenly music was uttered by the Guru when Mardana began playing his rebec, that Sajjan was overwhelmed with remorse; he was washed with music. He cried, "Save me! even me, O Divine One!" "Be pure," said the Guru, "and sing His Name!"

NANAK AND VALI QANDHARI

Once Nanak was near the ancient Buddhist city of Taxila. A bleak mountain now called Vali Qandharj (the prophet of Qandhar) stands with its bare peak at a little distance from Taxila, towards the Peshawar side on the Grand Trunk Road by which came Alexander the Great and other invaders to India. This mountain is so called because in the times of Guru Nanak, there lived a Vail—a prophet—a native of Qandhar, on its high summit. He had built himself a house by the side of a little spring of crystal fresh water on the top of the mountain. This was the only spring of water near the place where once encamped Guru Nanak and Bhai Mardana. Mardana was very thirsty. The Guru asked him to go up and drink water from the fountain of Vail Qandhari. Mardana went up, but the reception of the Vail was very indifferent. "Who are you?" said he. "My name is Mardana, and I am a disciple of Nanak," replied Bhai Mardana. "What brings you here?" "I feel thirsty, and wish to have some water from your spring." "There is no water here for such as you; go back and ask your Master for it." Nanak asked Mardana to go again, saying that they were simple folk of God and wanted some water from his spring. Mardana went three times as bidden by the Guru, but to no purpose. The last time when he came back, Guru Nanak said, "Never mind, Mardana! Dig here. There is a fountain of water flowing at your feet." The spring was there, it came with its cool crystal waters kissing the feet of the Master. Vali Qandhari, too, came down to see Guru Nanak who so naturally attracted everyone. Guru Nanak spoke to Vali Qandhari saying, "O friend, those who live so high, should not be rock-like dry."

Vail Qandhari was enriched with the wisdom of the Master, and blessed with poverty; he too, drank the waters that flowed at the Master's feet.

KAMAL AND BRAHAMDAS ENTER DISCIPLESHIP

Nanak was in Kashmir, living in the forest near the great lake. Kamal, a Mohammedan faqir, lived nearby on milk that the wandering shepherds gave him; he was very pious and sad, pining for the life of the Spirit. He pined for that celestial goodness which comes to man only through the grace of God. He was an old man now, and looked at the setting sun and the rising moon with feelings as of a beggar whom, when he came to them with his bowl, they had turned out of doors. Brahamdas and Kamal were friends; one an orthodox Brahman, and the other a Pathan with glowing eyes. Pandit Brahamdas always had three camels following him, loaded with volumes of ancient wisdom. He always carried his stone-god hung by a thread round his neck. Brahamdas informed Kamal of the strange visitor to Kashmir who "wore leather and ate fish." He said, "It is strange. Many a man who has gone and tasted the nectar of his kindness is transfigured." Kamal, who had been thirsty all his life, sought the presence of Nanak, fell at his feet, and fainted with joy. As he rose, he found in his own heart, the light which he had sought in vain in the forests. Kamal followed the Master. Nanak asked him to settle in the Kurram valley¹ (now the tribal frontier of India), it was from here that the song of Narn spread towards the West. Kamal was the servant of his Master, the soldier of his King, a temple of holy song. Mardana entered his final rest here; passing away in the great concourse of the disciples of Kabul, Qandhar and Tirah, when Nanak paid his second visit to Kamal.

Brahamdas wished at first to discuss his lore with the Guru, and began thus:

Brahamd as: Where was God before Creation? and how were things created?

Nanak: He opens His eyes and He closes them, according to His pleasure. He knows.

Brahamdas: Who are you, who being a teacher of religion, wear leather?

The discussion ended in a trance. Like dawn singing through every leaf of the forests of Kashmir, came the Guru's heavenly voice:

“Blessed is the disciple that hath met the Master!
 He is gay as the face of earth adorned with flower and leaf,
 He seeth this world, the garden of Beauty, in full bloom!
 All lakes are brimful of nectar.
 He is inly made divine and rich in colouring as a garment with madder dye;
 The Mystic body of the Master has melted into his silver limbs.
 And the Lotus of life bursts in full blossom in the heartlake of the disciple.
 The whole world cries as the antelope caught in a hunter's trap.
 Fear and pain and thirst and hunger crowd from all sides;
 But blessed is the disciple that hath met the Master!”

The Guru gave him the celestial vision. Brahamdas entered the Path.

He was given the authority to distribute amongst the folk of the Kashmir valley the Divine riches given him by God.

NANAK AND A POOR MAN

(One of thousands of such who met Him)

Once Guru Nanak lived with a poor man. On leaving, he burnt the poor man's hut, the walls and the thatching of grass and all he had.

When the Guru came again, there was a palace for him in place of the hut, and there was a bed of gold for him to rest upon, when singing in ecstatic elation the Vision of God.

Whosoever met him, the Guru burnt his poverty and his clinging thereto and made him rich.

NANAK AND THE LEPER

The leper was in his hut; and late at night the Guru called him out; it was a moonlit night.

“Who is it?” said the leper. The song flowed from the Guru as soft loving light from the moon.

“It is but for a night, as the birds rest on the tree;
 For at earliest dawn we go—no talk of me and thee!
 A night on the roadside—a night and a day;
 It is but as the meeting of travellers on their way!
 Each noisy bird of passage from its branch its bearings takes;
 Then every bough is silent; we're flown as morning breaks!”

How could the leper believe that he could have a guest! He came out and saw him. The song descended on the leper as the moonlight clothed him with affection. Nanak said, “When in the song of Nam we cry aloud, all our past suffering is seen to come of our forgetfulness of the Beloved. Suffering sets us on fire, makes us, as it were, red hot, and cools us again, till we pass through a hundred fires!”

Nanak gave him the song and went away.

NANAK AND GOD'S HOUSE

Nanak the Master was at Mecca. The Master slept out of doors with his feet turned inadvertently towards the Qaaba, the House of God. The chief priest of the place came and said, "O forgetful stranger! awake and see your feet are turned towards the House of God!"

The Guru replied, "Is it so? Pray, turn my feet yourself in the direction where the House of God is not."

It is here they asked the Guru, "Pray, tell us what does your God eat and wear?"

"Music is His food, and the colours of life are His garment," replied the Guru.

NANAK AND TWO CITIES

Once Nanak was the guest of the City of Light, where lived good people. At the time of departure thence, the Guru cursed them, "Be ye scattered, and may there be no city here." After a while the Guru was the guest of the City of Darkness, where lived evil-minded persons. Nanak, on leaving the city, blessed them, "May this be your settlement for a long time to come!"

NANAK AND THE FOOLS

Once he was at Multan. Many false hermits lived there, and they were all afraid of some true one coming and disillusioning the crowds that assembled and worshipped them. They thought Nanak had come to deprive them of their living. It is said they sent Nanak a bowl of milk too full to have another drop, meaning thereby there was no room for him. Mardana wished the Guru to accept it, for he was thirsty and hungry after a long dusty tramp. He smiled, and returned the bowl, placing a little flower of jessamine on the surface of the milk." There is room for me everywhere," said the jessamine flower.

NANAK AT HARDWAR

Some people were throwing water towards the Sun while they bathed in the Ganges." O men! what are you doing?" said the Guru." We are offering water to our dead ancestors living in the Sun," said they. At this, the Guru began throwing water in the opposite direction with both his hands. When they asked what strange thing he was doing, he replied, "I am watering my fields of wheat in the Punjab."

The priests of Hardwar collected round him and said, "Of what caste are you, and of what town?" "My caste is the same as that of wind and fire, and I come from a town whence come both day and night."

NANAK AT KURUKSHETRA

During a great fair, the Guru was at Kurukshetra. He asked Mardana to go and get fire to cook his meals, and Mardana went and touched the fire of an "orthodox". The orthodox cried out in a rage, and fell upon Mardana; whereupon the Guru said:

"The evil is still in his mind, hatred resides in his heart;
And yet his Cooking Square is pure!
Of what use are these lines of the Square when lowcaste thoughts still sit with him in his mind?"

NANAK AND EMPEROR SIKANDAR LODI

It was Sikandar Lodi, then Emperor of unfortunate India, who, along with others, put Guru Nanak in prison where he had to labour on the hand-mill. He did the labour; but the music flowed from him in the prison, and all came to listen, and all stood to listen in awe and wonder. Sikandar Lodi also came and stood listening, and asked forgiveness of the Master. The gates were opened, and for the sake of the Master everyone was set at liberty.

NANAK AT JAGANNATH

The priests of the temple began their hymn to their God. In a huge salver they put many little lamps of ghee, the pearls of the temple, and the offerings and incense; and all stood to offer it to God. There were priests that held each one a feathery *chowrie* (a ceremonial fan used for sacred rites, etc.) in his hand and stood at the back of the enshrined god to fan it. The priests began the ceremony, but the Guru paid no heed. After the ceremony, the priests were very angry with him. Then came Guru Nanak's voice like the voice of God, and all stood listening dumb as cattle.

Here Nanak sang his famous hymn, when the night was rich with her stars in full glow.

ARTI

(Hymn of Praise)

The whole Heaven with its myriad lights goes round and round my Beloved!
 The little stars are as pearls!
 The winds fan him,
 And there rises in His temple the incense from the hearts of a million flowers,
 The endless music of creation resounds!
 A million eyes hath my Beloved!
 And yet no mortal eyes!
 A million Lotus-feet are His,
 And yet no mortal feet!
 I die with joy of the perfume of His presence!
 His Flesh emits a million perfumes!
 And yet He bath no scent!
 He is the Light of Life.
 By the beams of His face the stars burn bright,
 And He is the soul of everything,
 My *Arti* is my waiting for things to be as He willeth.
 When the master comes and stands by, the Divine Light is revealed!
 The Moon of His lotus-feet draws me like a thirsty *sarang* whose thirst daily increases.
 O God! come and bend on me Thy saving glance,
 And let me repose for ever in The Holy, Holy Naming Thee.

NANAK AND NUR SHAH OF ASSAM

Guru Nanak was in Assam in the city of Nur Shah, a woman of black magic, who exercised strange powers over all that locality. She fascinated and subordinated many by her spells, compelling them to dance to her tunes. She owned the whole country around, and many a mystic and many a celibate and Yogi had fallen into her snare.

Mardana went into the city to get some bread for himself, and he fell a victim to the machinations of the slaves of Nur Shah. They fed him, worshipped him, but "made him a lamb". They put him under their spell, and he drank without water and he ate without bread. Mardana was thus imprisoned in the spell of black magic of Nur Shah, and could not return to the Guru. Guru Nanak went to search for his Mardana, and found a lost disciple in Nur Shah also. She came at last and renounced her magic at the feet of the Guru. All her slaves were set free, and she obtained her freedom in the song of *Nam*.

NANAK AND HE KING OF SANGLADIP

The Master went to the city of King Shivnabh. Shivnabh had been pining to see the Master. A disciple Mansukh had already gone there from Guru Nanak's Punjab, and his personality had stirred the surrounding country. The whole royal family, after the King's years of sadness, entered the path by the kindness of the Master. The mystic words once uttered by the Master, here, are not fully understood as the chronicles put them, but they are clear and most significant. Shivnabh said, "Sir! What do you eat?" "I eat of men." Shivnabh brought a man to him." No, I eat of the son of the king, not of a poor man." The king brought his own son. The family collected together; the Master would verily eat the prince-such was the wild thought they had of the Master. The wife of the prince was addressed by the Master, "He is yours, not of the king who gives him to me. Do you agree to give him up?" "Yes," said the princess; "with all my heart

if the Master wants him for his service.” Nanak closed his eyes, and all sat together in the sweetest rapture of *Nam*. All were there and remained there, but when they opened their eyes Nanak had gone! He had “eaten” of the prince; who was thenceforward a disciple, and not a king.

NANAK AND BABER’S INVASION OF INDIA

(Sung at Bhai Lallo’s hut long before the invasion of Baber.)

Listen, Bhai Lab!

Lallo! I say, as He says to me,

The darkness of Sin has spread around.

Both the Mohammedan and the Hindus are masks of Sin,

The Lie is sitting on the throne!

I see the Bridal Procession of Sin start from Kabul, and engulf the country in sorrow!

Lallo! There will be sung a wedding song red with blood. And human blood will fall on the hands of new brides!

He alone knows how things come about;

But, Lallo! a great calamity cometh!

The heaps of flesh-clothes will be torn into shreds!

They will come in Seventy-eight, and in Ninety-three they will go,

When He will rise—*the Mard Ka Chela*—*the disciple of Man*

And scatter the hosts of darkness,

And strike the False with Truth, and the Truth shall triumph at last!

(*Translated from Guru Granth Sahib*)

Nanak saw the massacre of Saidpur. Baber was marching through the Punjab, and was ruthlessly destroying everything before him. We have in *Guru Granth*, Nanak’s lament for his people and country, which he uttered on that occasion:

I

“Save Thy people, my Lord!

Save them at any of Thy doors,

The soul of the people is on fire,

Send down Thy mercy, Lord!

Come out to them from any direction as it be Thy pleasure,

Save Thy people, my Lord,

At any of Thy numerous doors!”

II

“O, Master Divine! Today Khurasan is thine! why not India?

The Moghal, cometh as Yama towards India, and who can blame Thee?

We only say it is the Moghal, the Yama, coming towards us!

O Beloved! How many of Thy people have been brutally slain?

Is it not all pain inflicted on Thy heart?

Thou art the husband of all, Thou feelest for all!

If power strikes power, it must be witnessed in dumb helplessness;

But I do complain when the tigers and wolves are let loose as now, upon the herds of sheep,

O Beloved! Thou canst not endure the tyrant of a conqueror that wasteth the jewels of life thus, and prideth himself on his power, seeing not his death nor what cometh after death.

O Master! It is all Thy strange dispensation!

Thou bringest us together, and Thou severest us; in Thee we meet, and in Thee we separate from each other!

They call themselves kings, and they do as it pleaseth them;

But Thou seest, my Lord!

Thou seest even the little insect that crawleth, and Thou countest the corn he swalloweth with his little mouth!

A hundred blows of death come and strike, and yet the tyrant knoweth not Thy will!”

THE MASSACRE OF SAIDPUR

III

“There lie, rolling in dust, the honoured heads of the beautiful women of the palace; their hair-dressing still moist with perfumed wax, and the sacred vermilion-mark still wet on their foreheads!
 The swords of Baber have clipped their heads without a thought, and their tresses lie scattered in dust, no one can say whose heads are these!
 How strange is Thy dispensation, Lord! How strange Thy visitation!
 These women adorned the bright halls of pleasure once, and new brides sat with their bridegrooms.
 And they were once swinging in swings of love, the lucky ivory bangles shook on their arms, and their feet made music as they walked.
 There was a day when the old mothers of the families came and drank water after having touched the heads of the new brides with their golden vessels; drinking health and joy to their wedded life, and drinking all evil from off their heads—so great was the welcome given to them!
 They ate dried grapes and nuts and dates, and their homes were resplendent with the leisure of passion and youth!
 Today the same brides walk along the highways; their pearl necklaces broken, and halters round their necks; as poor mean captives led!
 Youth and Beauty are deemed foes!
 The mere slaves of Baber march them forth in utter disgrace and filth!
 It is Thy will, Lord! Thou givest and thou takest away
 Thou rewardest and Thou chastisest as Thou willest.
 O people! If ye had not cheated yourselves in pleasure!
 O people! If ye had not turned your back on Truth!
 The Baber’s cohorts are rolling over the land now, and there is no escape!
 The people cannot eat in peace, nor can they bathe nor offer food to their gods!
 No women can sit and cook, nor anoint themselves with *tilak* on their foreheads!
 There is no leisurely life now; it is all confusion and death!
 They only see their ruined homes, their widowhood and orphaned life, they weep and cry and wail!
 Ah! what can the people do if such be His will?
 And who can be spared if it be not His will!

THE MASTER AND THE COHORT OF BABER

The cohorts of Baber had razed Saidpur to the ground; and, as the Master says, there lay in the dust, the fairy heads of the beautiful women, with their dressing of that morning still moist with perfumed wax. He saw the sacred vermilion parting on their foreheads—the auspicious sign of wedded life-with feeling of a wounded father. -He was unwilling to leave the people that Baber’s mad soldiery had taken captive. He, too, was caught by them, and pressed into service. They put a heavy load on his head, and his minstrel was made a groom. The Guru called him and said, “Touch the strings of- your rebec, Mardana! for the song comes from Heaven. Let go the horse.” The horse followed Mardana, and Mardana followed the Guru, and the music came as the shower of cooling rain to the thirsty people. The miserable crowd heard the celestial hymns, and everyone forgot his distress.
 Baber came and listened and said, “I see God in the face of this holy man!”
 The would-be Emperor of India approached, and asked if he could do anything for the Guru.
 “I need nothing from you,” said the Guru, “set at liberty, if you please, these people, who have been wantonly oppressed.”
 All were set at liberty forthwith.

NANAK AND THE EMPEROR BABER

Baber took Nanak to his tent and offered him a glass of wine.” My cup is full,” said Nanak, “I have drunk the wine of His love!”

And these winged words of Nanak carried Baber away to the celestial realms. The would-be Emperor of India saw in His presence the true Empire of Pure Beauty. Never did a prince or a peasant meet Guru Nanak in vain!

NANAK AND MARDANA

Mardana was his Mohammedan minstrel. He first met Guru Nanak at the time of the latter's marriage. Mardana came and asked the bridegroom for a gift. The Master gave him the gift of Divine Song, and said, "Wait till I call you." Mardana was called, and he never left the presence of the "Bridegroom". When he died, his children took his place in the service of the Guru. To this day his offspring sing the Master's songs in the Sikh temples. But old love is passing; its place is not filled!

Mardana is the Master's rebec-player and companion, with all the wit and honour of the Punjabi Minstrel. Mardana is a blunt philosopher, "O Guru! You live on Heaven's breath and whispers, but we men need food and raiment. Please leave these forests, and let us go to the haunts of men, where we may get something to cure hunger." The daily accounts of his hunger and thirst, related with all the confidence of his supreme love for the Guru, are genuine items of prayer which a child of man can utter to his God. After all we need no more than a loaf of bread now and then. The name Mardana was so much on the Master's lips that we cannot think of Guru Nanak apart from Mardana, playing by his side on his rebec." Mardana, play the rebec, the music of Heaven cometh." This is the first line of almost every hymn of Guru Nanak.

Under the stars, under the trees, on the roadside, in forests, and on the eternal snows of the highest mountains in Central Asia, the Guru sang his hymns. In his discussions with the countless varieties of Indian and Eastern mystics and faqirs, the Hindu and the Moslem, the Yogi and the ascetic, the royal and the poor, in a thousand different studies of man and nature, in a deep association of silence with life and labour and love with death, the Guru sang his soul out, as the rebec of Mardana played trembling beyond itself.

When Mardana is afraid, Nanak smiles and says, "Mardapa! have faith. Keep calm, see the works of the Beloved! Wait and thou shalt see what God does."

NANAK AND HIS WHEAT FARMS AT KARTARPUR

Guru Nanak started wheat farms at Kartarpur, the town of Kartar (*Creator*) as he called it. His people came and worked with him in the fields. The Guru took keen delight in sowing wheat, and reaping the golden harvests: he was of the people. Once again his stores were open to them. The bread and water were ready for all at all hours of the day, and crowds came and freely partook of the Guru's gifts. All corners were filled from the Guru's treasury of thought and love and power; the diseased and distressed were healed by him.

He was an old man then; and he loved to see the crowds of God's disciples coming from the distant Kabul and Central Asia and Assam and Southern India—all the places where he had been in his younger days.

In the trackless world of that time, the old Father of his people travelled on foot, singing his Hymns of *Nam*, and gathering every trace of love. The Afghan and the Biloch, the Turk and the Tartar, the Sufi and the Brahman, the white and the dark races, mingled in his great heart. The disciples, both men and women came from all directions, and took part freely in the song of the Guru.

So great was the reverence of his own country for him, that Pir Bahauddin, the great Sufi teacher who counted his followers by thousands, one morning suddenly turned his back on *Qaaba* (which no Moslem would do), and began bowing in his *Namaz* in the direction of Kartarpur.

"Why so?" cried his faithful followers, in alarm.

"This morning I see the light of God in this direction, my friends!" said he.

NANAK AND BROTHER LEHNA

(Lehna in our language means "the dues to be collected," and it also happened to be the name of a great man of the Punjab.)

Lehna was a flame-worshipper. There was a flame within his soul, so he loved nothing but flame. He would go up the Kangra hills to worship flame—the flame of the volcano: called, by the primitive villagers, the Goddess Durga, *i.e.*, the lion-riding goddess of the great Hindu pantheon of gods and goddesses. The flame, as it came up from the volcano, seemed to leap into his soul, he burned more than ever with love of the Divine Flame. He was beautiful and godlike, a leader of the Durga-worshippers in those days. He would light for himself, while in the privacy of his sanctuary, a little lamp of ghee, and would watch the little flame for hours devotedly, and then, slowly rising, go round it in sacrifice, and suddenly begin to dance in rapture round the little flame. One day he heard of Guru Nanak, and the name fascinated him. He was on his way to Kangra, when he stopped to see the Master at the Town of God. Nanak asked him his name; and, when he replied that his name was Lehna, the Guru said: “Welcome, Lehna! You come at last, I am to pay your *lehna*.” After that Lehna never left Nanak. His companions, worshippers of goddess, went on their way, beating their cymbals and ringing their bells as usual. The flame of his little lamp in the silver plate waited for him at home, and departed with the night.

Beyond all expression was the love on each side between Lehna and Gum Nanak. The heights Buddha attained by his almighty struggle, Lehna attained through love. Lehna entered Nirvana in his love of the Master. Everything else that can be thought or seen, was very small for Lehna beside his love for the Gum. Nanak in this divine statue of love, chiselled his own image. He saw in it his eidolon, his transfigured self and bowed down to it.

THE SAFFRON-ANOINTINGS

Lehna was the son of a very rich man, and he used to dress in yellow silk of Bukhara. One day he came from his native place to see the Guru, and went to the field where the Gum was working. The Gum put a heavy load of wet grass on head of Lehna; who then followed the Guru home, the mud dripping from the wet grass and staining his silken clothes. As they entered the house, the Gum’s wife said with great concern, “Sire! see how his fine clothes are stained with mud!” Gum Nanak looked back and said, “Mud! Seest thou not good lady! He bears the burden of suffering humanity. They are not mud stains, they are the sacred saffron-anointings! The Heaven anoints him, He is a Guru.”

NANAK AND HIS DEPARTURE FROM THIS PLANET

The disciples and saints assembled. Bright was the day and beautiful the hour of his departure.

“Assemble, ye comrades,
 And sing the Song of His praise!
 Anoint the Bride,
 And pour oil on her forehead,
 And pray together.
 The Bride may meet her Lord!
 Guru Nanak left the earth amid a chorus of song:
 “They search for the Master in vain who search him on this earth,
 The old father of his people is not to be found,
 Neither in the grave nor in the cremation flame;
 He is in the heart of Guru Angad.”

Brother Gurdas, a disciple sang:

“Heaven heard at last the prayer of the people,
 Guru Nanak descends on earth!
 The disciples meet him and drink the nectar of his lotus feet!
 In Kaliyuga (*this dark age*) we realize the Divine,
 All the people are the people of God,
 Guru Nanak makes all the castes one caste of man!
 The rich and the poor combine in one brotherhood.
 From this Founder of Humanity, a new race of love goes forth;
 Nanak bows down to his disciple,
 The Master and the disciple are one!
 He is the Father of His people,

His song of *Nam* is our life for ages!
 Nanak comes, the worlds are lighted.
 Wherever the Guru goes, the golden temple of worship follows him!
 Whatever mound or earth he puts his foot on is our Shrine.
 The tree he sits under is our Temple.
 The far-famed seats of Sidhas (*Yogis and adepts*) change their names, and the yoga-houses become the Guru-houses!
 The temples of all the creeds seek refuge in him!
 Humanity resounds with his hymns, and all is divine!
 The Guru goes in all directions, seeking his own, all over the face of the earth;
 He makes our hearts his gardens of love and peace,
 And rivers flow in us singing his song!”

Another says:

“The dead rose out of their graves
 As they heard the song of Guru Nanak.
 He healed us all by showering on us the sparks of Divine Fire!
 The veils were lifted up, and the disciples went freely in and out of the door of death, in concourse of song with the Immortals!”
 Nanak the Master, sowed the seed of *Nam* in the hearts of men:
 And the fields are ripe with the golden corn,
 The harvests shall come, and the harvests shall pass,
 But the seed is of God and is growing!
 He gave him His own love, His own face and name and soul.
 He gave him His own throne in the hearts of men,
 Called him “Born of my loins,” and made another Nanak on this earth!
 This is Nanak the Master; the Spirit of God, that fashions Himself for ever in the image of man!
 The harvests shall come, and the harvests shall pass,
 But the seed is of God and is growing.”

Footnotes:

1. Now in North West Pakistan.

II - THE SECOND MASTER - ANGAD NANAK

PILGRIMAGE BY THE OLD NANAK TO THE NEW

The last days of the Master, at Kartarpur were made bitter by the attitude of his sons towards his beloved disciple, Angad. Nanak, as a spiritual teacher had given his love to his dearest disciple, and the jealousy of his family brought about a situation similar to that in the story of the awakening of Galatea. Nanak had therefore, already denied himself the pleasure of the presence at Kartarpur of his great disciple, on whom he loved to feast his mind, and had asked Angad to go and live at his own native place, Khadur. After this it was Nanak who would go occasionally to Khadur to see his Angad. A pilgrimage by the old Nanak to the new.

THE ECSTASY OF LOVE

One day, Angad, following Nanak, strayed too far out from Khadur towards Kartarpur; whereupon Nanak asked him to go no further, but to stay there and wait for his next visit. Angad stood looking at the back of the Master as he was slowly going towards Kartarpur, turning now and then to look back at Angad. When his luminous figure had disappeared, Angad saw it entering in his own soul. He felt bewildered with joy and wonder. There he sat on the roadside: lost in himself, his eyes fixed on the half-closed eyes of the mystical Nanak seated in his heart, his soul fast asleep in the Master’s soul. Days passed in that ecstatic trance, the dust settled on his hair, and the tendrils of green grass caught his toes. So did Angad sit in a trance of Dhyanam, with nectar-tears flowing out of his closed eyes, till Nanak returned in haste from Kartarpur to see his mighty lover and his divine Beloved seated on the roadside. The

Master strained him to his bosom; it was God embracing man. From such holy and secret confluence of the two Beloveds, the life of spirit flowed in a thousand shining rivers to the soul of the people.

ANGAD ON THE ROADSIDE

When Nanak left this earth for his original 'Kartarpur', Angad was left again on the roadside on this earth in the same state as when the Master had shown him how to bear physical separation in the union of Dhyanam. But Angad was deeply affected; he sought the lowly house of a humble disciple, and shut himself in a room, unwilling to open his eyes to look at anything else. His soul crane-like flew crying in the midair for his Beloved that had passed the limit of the sky. Months elapsed, and no one knew where was Guru Angad of the people. They hungered to see and to touch their Master, and thirsting crowds streamed hither and thither in the country searching for him. When Bhai Budha at last intruded on the love-Samadhi of Angad and persuaded him to come out to his people. Angad's first utterance was:

“What use is living on this earth
When the Beloved hath already journeyed on to Heaven?”
And again he said:
“If a man melt not in submission to his Beloved, in vain doth he live, better his head were severed with a sword.
Of what use is life, if cherish not in me the pang of separation from the Beloved?”

Angad, the second Nanak, has left us very few hymns of his own composition, but the few that have come from him are as brief and as intense as the two he first uttered on coming out of solitude.

I

Burnt be the fame, good name, wealth and rank, won at the hands of men of this earth!
Cast all such greatnesses into burning fire!
Of what use is all this if I have lost Film?

II

My sisters! it is the season of spring!
Such perpetual springs roll where the Beloved lives!
Praise Him, the beauty of Spring is His sign!

III

My sisters! it is the Cloud-month,
And the clouds are gathering in the sky!
In this lover's month of joy, if I think of another, I die!
My sisters! it is the *Sawan* month!
And it is raining love, it is raining joy;
To awake now is sin;
O let me lie in the embrace of my Beloved.
Wake me not, take me not from here, it is the sleep of peace!
O sisters! it is the *Sawan* month!

IV

I was a locked temple;
The gems of God were stored in my heart,
And I knew not.
My Master opened the door of my heart for me;
My Master had the key, and I knew it not.
Now I see all.

V

Men with no eyes may or may not be blind,
But great is the blindness of him whose inner door is locked.

VI

The Nectar of which we hear is love of God.
Immortality for which we long is the song of *Nam*.
The secret of life is hidden in me,
But it opens in the kind Glance of my master.

VII

The way to the Beloved is unknown,
He finds whom He favours.

VIII

How can I tell you of Him Who knoweth and Whom none else can know,
Whose Will pervadeth everywhere and Whom the whole creation obeys?
We come here sent by Him, We go back called by Him; His joy is goodness.

IX

The flag-bearers of *Nam* are great,
The singers of his *Nam* are rich
They have the key to the Door of Life
They are the chosen of God.

When Angad came out of his seclusion to the disciples, (it is written) “The disciples saw in him the same aura, the same face, and the same speech, as of his Master Nanak.” Born of His loins, there comes the Man complete!

From His eyes, a million more eyes take the flame of the Unseen,
Under his ribs throb a million hearts with faith and prayer,
His smile reveals the secrets of other worlds,
And the suns catch fire from the beams of His brow,
And the whole creation plays about Him in its original freedom, joy and peace!
Angad sings his Master’s songs, which impart life to man, woman and child;
And he toils for his daily bread, making ropes out of the coarse fibres of the Punjab, sweating and singing.

THE PLAYMATES OF ANGAD

Angad had little children for his playmates and companions. He always drew parables from the child mind to teach the great truths to his people.

He took interest in wrestling exercises, and was very fond of manly sports. Another delight was the education of young children. He formed a school round him for their instruction, and he simplified the old characters into a new alphabet, since called *Guru Mukhi*—” *Learnt* from the mouth of the Master.”

ANGAD AND THE PEOPLE

Angad had deep reverence for the people: the people were sacred. One day his minstrels refused to sing to his disciples, saying they were only for the service of the Master. Angad dismissed them, promptly ordering them never to come before him if they had grown so vain. When the minstrels obtained forgiveness of the people, it was only at the latter’s intercession for them that Angad also forgave them.

MOTHS ROUND THE LAMP

The Temple of Bread established by Guru Nanak was kept up by Angad. The whole people came to the new Master: some to be healed and blessed, others to be initiated as disciples. But, once they had come, they all continued, in one way or another, to hover round the magic personality of the Master, Angad, as moths hover round a lamp in the darkness.

ANGAD'S POWER

From Angad, the Master, spontaneously flew sparks of life, and the whole soul of a people caught fire from them. His creative power was shown in the raising of the dead by his presence. He worked in the Unseen, and lived more in the hearts of the people than in himself.

ANGAD AND EMPEROR HUMAYUN

Since the time of Baber, there was an attachment of the imperial dynasty to the throne of Nanak, the first Master, which continued more or less during the whole time of Baber's dynasty in India. This attachment was in the spirit of saint-worship that was so common in the Mussalman world, the belief being that the saints can avert many a calamity by their prayers.

Humayun was defeated by Sher Shah. He came to see Angad to obtain his blessing in regaining the throne, but Angad did not receive him. He was absorbed in play with children, and he heeded not Humayun who deeply offended at this "poor man's" reproof, put his hand on the hilt of his sword; but the sword refused to obey him, and his strength failed. At this Angad looked up smiling, and said, "Beaten by Sher Shah, you can do no better than strike a faqir with your sword. Better go back to your motherland before you seek to regain your throne."

THE THREE TEMPLES OF ANGAD

Angad reduced to writing the accounts of the travels and sayings of his Master, Nanak, as he could get them related by the disciples who had seen him and who came from far and near. He thus made a beginning of the gift of literature to the people, having at the same time given them an alphabet. In addition to the Temple of Bread and the Temple of Song, Angad the Master gave a third, the Temple Of Teaching to his people.

ANGAD AND HIS DISCIPLE AMARDAS

Amardas was a spiritual genius of the times of Angad. He was a Vaishnava by faith, and a great pilgrim who had been forty times to the sacred Ganges at Hardwar—going there bare-footed, singing divine hymns all the way, and feeling charitable, good, pure and poor all the while. It was in the seventieth year of his life that a trifling event produced a revolution within him; merely the hearing of a song of Nanak sung by Angad's daughter, Bibi Amro, the wife of Amardas' brother's son. Once, early at dawn, she was reciting the song of Japji; uttering the Divine music as it is heard ringing through air from the throats of birds that are singing and soaring, while she churned butter for the family. The old uncle Amardas felt a solace in that angelic voice and a life in the song that he had never felt before, and he drew still nearer to listen to her." Whose song is it?" said he." Our Father's," said she, "It is the Japji's song of Guru Nanak."

She took the old man to her father. Angad received him with the great respect that was due both to his age and to his position in society. Uncle Amardas, having seen Angad once, never while living, left his presence. Enraptured by it, Amardas would have died if it had been withdrawn. So deep and intense was his passion that he would find pleasure only in doing every service necessary to the Master; he would bring him a pitcher of fresh river water from the river Beas every morning for his bath, he would wash his clothes, he would serve him in the Temple of Bread—taking keen delight in self-effacement in his love. He extinguished his little self so thoroughly that he was considered mad; an old man who had no interest in life, he was dubbed Amru, and generally forsaken.

Even Angad, though sweet to everyone else, was not so gentle with him; for him there was all the rigour of discipline. The Master left the disciple alone to his ecstasies, to his labour of love, to his Samadhi; making response to him only in the Unseen, as the Master chose to cover his art-work under a thick veil from the vulgar gaze. Nevertheless, Uncle

Amardas showed no annoyance at the treatment he received. Only once a year a yard of *Khaddar* (a coarse cloth) was given to him by Angad; and Amardas, not knowing where to keep the sacred gift, put it on his head and left it there. Where else could he keep it? He found no place holy enough for it. Year after year he kept on winding over it the new cloth; and it so was for twelve years. Fond like a child of his Beloved, he would remain looking at him in a continual trance of wonder and joy and love. What else could he do?

NEW CITIES SPRING

New cities began to spring round the name and person of the new Master. On the bank of Beas the disciples built a town called Goindwal, and they wished that the holy Angad should go and live there. As he could not go, Angad asked his beloved Amardas to go and make Goindwal his residence.

Amardas took up his residence at Goindwal; but he would come everyday, the old man, with a brass pitcher of the river-water on his head and the Ganges flowing from his eyes to bathe the Guru. He would come singing Japji all the way, and halt just for a moment's rest midway at the place where now stands our shrine: Damdama Sahib, to which pilgrims now resort, if only to look up to Heaven in hallowed memory of our great ancestors.

SAMADHI OF LOVE

While returning from Khadur to Goindwal alone late at night, Amardas never turned his back on Khadur. He would have died if he had turned his back on the Master even in that way. With his eyes looking still towards Master, he walked backward to Goindwal. Here, in this great old wayfarer who had travelled all his life with his face towards God, can be seen again in slightly altered form the Love Samadhi of Guru Angad sitting on the road to Kartarpur. Amardas had found his God; and, in deep spiritual contemplation, was unable to turn his back on the ~spot where He in His bright raiment shone.

THE DISCIPLE CROWNED

One day, Amardas, while nearing Khadur with his brass pitcher of the Beas water, fell by the house of a weaver into his loom-pit, having tumbled against a wooden peg that the weaver had driven into the ground. It was a severe winter night, raining and pitch-dark. The weaver's wife disturbed in her comfortable bed by the noise of his fall, said to her husband, beside her, "Ah, who can have fallen at our door like that?" The husband replied, "Who else could it be, but that homeless insane Amru; he, who never sleeps, never rests and never tires?" This report reached Angad; the word "homeless" (*Nithavan*) used by the weaver, moved the Master deeply. He strained the old Amardas to his bosom; and from their meeting arose another sun in our sky, the new Amardas." My Amardas! my Amardas," said the Master, "is the home of the homeless, the refuge of the refugeless, the pride of the foregoers of their own strength. My Amardas! my Amardas is the Master. Nanak himself!"

And he sent for five pice and a cocoanut in the fashion of Nanak, and worshipped Amardas, giving him thereby, a throne in the heart of the people.

III - THE THIRD MASTER – AMARDAS NANAK

THE POOR SERVANT

Datu, the son of Angad, was for a while, at enmity with Amardas. Once he proclaimed himself a Master at Khadur, but he was not accepted. At this, Datu, full of rage, went out to Goindwal, and kicked Amardas; having always regarded him as a poor servant of the family.

"What! a servant of ours, made into a master?" cried Datu. But Amardas only knelt down and began rubbing Datu's feet in deep reverence, "Sire," he said, my flesh is old and hard; it must have hurt your foot."

THE MASTER'S INJUNCTION AGAINST CASTE

No one could gain an audience of Amardas without first partaking of the Bread of Grace at the Temple of Bread. This Temple was now kept up by the Sikh Commonwealth; and everyday's collection of grain was milled and baked into

bread and distributed free, reserving nothing for the morrow. If men were few and the bread more, the Guru was that day at home to the animals of the town the cows, the horses, the bulls, and the buffaloes, were fed. If anything still remained, the good disciples took it to the river and feasted the fish with it.

THE HUMOUR OF AMARDAS

Amardas had a very happy way of receiving people for initiation. There is a beautiful life story of Bhai Menhga to be told. Menhga in vernacular means *precious*, and the Guru called Bhai Menhga meaning—one whom he had purchased at a very high price. One day, a disciple named Lal (meaning *ruby*) came for initiation. Amardas at once remarked: “O, you are a *Lal* of the Guru.” Another day, a rich Mussalman horse-dealer named Allahyar came to the Guru merely to see him. But he became the Guru’s slave when the shining glance fell on him and the Guru remarked, “Thou art Allah’s *yar!*” (*the friend of Allah*). Ah! it is difficult to be His friend. Come, I will make you the slave of God!” Allahyar entered discipleship. Later on this saint was known as Allah *Shah*... of God—the King.

BIBI BHANI

Guru Amardas had two daughters: Bibi Sulakhni, known as Dani; and Bibi Bham who was the younger of the two. The latter, from her very girlhood, was fond of solitude and mystic thought. When playing with her girl companions, she used to recite the Guru’s hymns and thus preserve her own spiritual atmosphere. She used to dress in a simple suit of coarse cloth (*khaddar*), as a poor girl, seeing which some of the Sikhs were displeased. One day one of them offered her jewels and silk dress to wear, and asked her to clothe herself as became her dignity. In reply to this she chanted a hymn of Nanak—” All this is illusion, and the wearer thereof too, illusion” ; and she requested the Sikh to put all the proffered money into the sacred Temple of Bread for the service of the people. Bibi Bhani later on entered the path of discipleship; and she is one of the brightest among the heroic Sikh women who played their part in history.

THE CHOICE OF THE BRIDEGROOM

One day the mother conversed with the father about her daughter Bibi Bhani, “We must give away Bibi Bhani in marriage now,” said the mother.” To whom shall we give her?” said the father.” To a youngman like him,” said she pointing at the same time to a youngman standing by.” Yes give her to him, then,” said the father.

The youngman thus discovered was Jetha (*first born*). In this way the bridegroom was chosen; and, as he came to claim the bride, the Master said, “What gift do you choose, my son? It is our custom to present a gift of your choice at this time: choose, therefore, my son; at my expense be your choice.” “Sire, give me the jewel of *Nam*, give me the song of thy praise.” Here and thus did Jetha enter discipleship. He was married to Bibi Bhani; but, as poor as the bride and as spiritual as she, he began labouring, and thence forward continued as an humble disciple among a hundred thousand more who were digging the Guru Baoli (a well, with a staircase made of masonry leading down to the surface of the water). Jetha, like the others, carried baskets full of mud on his head, and surrendered himself wholly to the service of the Master in his love and Dhyanam, having renounced without repining all cares of the past and all anxiety for the future.

HOW THE FRAGRAANCE SPREAD

A remarkable book, *Bhai Menhga* and *Mai Suhag Bai*, had recently been published (as tract No. 209) in the series of the Khalsa Tract Society, Amritsar. It is one of the truest pieces of Sikh history that has come to light—a history in a poem, as all true history should be. Bhai Menhga and his wife both yearn for the life of the Spirit, but are invariably defeated by ascetic ideas—” garbs of renunciation,” till they despair of getting truth anywhere. And yet they cannot live without it. A stranger, a distant relative of theirs, comes on a visit to them. She makes herself perfectly at home with them, and looks after them as if she were the mother of the family. She cooks for them, serves them and lives as if she had thought: “Let me pour out floods of love, and efface myself.” Since her arrival, that sense of acute despair which had come upon the household has been slowly vanishing. This kind woman has brought solace to them, but they do not know that it is coming from her. They notice that there is something in her life which she scrupulously hides from them. The more they think of her, the more imposing and mysterious in their eyes becomes this seeming-insignificant person. They find her acting as the mother of many orphans, and as the sustainer of many a poor girl deserted by a cruel husband—gambler, thief or drunkard. They find her sitting beside the wet and cold bed of a poor

mother on whose starved bosom lies a new born babe, striving to suck. The wretched mother finds in her both a nurse and a benefactress, who washes her clothes, brings her new dress and food, looks after her children as long as she is confined to bed, and whom everyone in the house calls upon in need. They find in her a secret river flowing in a thousand channels, bringing water of life to the dead and the dying. They find her dumb about religion; she refuses to be defined, declines to be named—she desires only that someone may catch the gleam of her soul and follow it.

She dawns as a gradual revelation on Bhai Menhga and his wife. Her every act is a prayer, her very step a song, and herself like the sky spread over the snow tops—as pure, as high. Things develop further and further. Once the couple fell dangerously ill. Twenty one days of a sort of typhoid fever and another fortnight of childlike physical weakness; but this untiring mother-servant of theirs is by their bedside, nourishing them with the milk of Love. Led by the grey lady, the couple go to Goindwal, where they join the holy army of the Guru.

Amardas had, out of the abundance of his generosity, given authority to 146 apostles of his to go and spread the fragrance in as many regions, and to preach the truth through the language of action in one uniform spirit of the Master; namely, in love and service of the people. Out of these 146 adepts, 94 were men and 52 women. Out of these 52 chosen women, one was Mai Suhag Bai, the Grey Lady, who had rescued the drowning couple.

JETHA

Ramdass or Jetha (as he was called), being the first-born of his parents, was from Lahore. Jetha's parents found him a moody boy, who would do nothing useful for any consideration. Driven by his people, Jetha was at last seen selling boiled pulse to the passers-by on a roadside near Lahore, where sometimes in his joy he would distribute the whole stock of pulse free to the hungry—an ideal pulse seller! Finally, renouncing his native place, Jetha joined a party of Sikh pilgrims, and went with them to Goindwal. Soon afterwards he was discovered by the Guru's discerning eye; and thenceforth, Jetha never left the Guru's presence, whether the latter was making the rounds in his own country or on a journey to distant Hardwar. He was so selfless, meek, sweet and alluring, that the disciples began calling him by this original name Ramdass—which means Servant of God. After his marriage, he visited his parents with his noble bride; but he could not stay—he would die if separated from his Master. So he returned to Goindwal, and lived at his Master's feet.

THE JEALOUSY OF THE ARISTOCRATS

The prosperity of the disciples made the Moslem and Hindu priests and rich men very jealous of the growing fellowship surrounding the Master. A movement against him developed, and he was charged with wishing to make all castes one. By his teaching he had polluted, they said, the religion of his and their ancestors. Guru Amardas was accordingly summoned to the Imperial Court to meet the charges against him, but he sent as his representative Jetha, by whose frankness and persuasive advocacy, the storm-clouds were dispersed and the accusers abashed. All passed off well, but hatred rankled still in the hearts of the opponents.

THE MASTER AT THANESHWAR

The Guru went on the long journey to Hardwar to see his old friends and acquaintances; and, as he went, scattered the blessings of *Nam*. On his way he halted at Thaneshwar, where the people asked why he composed hymns in the unknown Punjabi dialect and why not in Sanskrit—the only language in which great truths can be expressed. The Guru said, “Sanskrit, now that is no longer the people's tongue, is like well water—sufficient for the irrigation of a small tract of land; whereas Punjabi, being the living language of the people, even if it be nothing but a dialect, is as the rain, which falls in showers all over the country.”

AMARDAS AND HIS PEOPLE

Bhai Budha, seeing the coarse bread that the Master ate, while from his Temple of Bread his people were always feasting, said, “Why should we, your Sikhs, be so well fed, when you eat this coarse bread?” The Master replied, “Bhai Budha, there is no difference between me and my people. I eat with their mouths, whatever you give them. That is my sustenance and not this coarse bread only.” Jetha standing by, was visibly moved, and burst forth in spite of himself into the song of praise:

“O Master! Thou hast that abundance of Love for thy disciples which the mother has for the Child,
As waters are to the fish, we thy disciples are to thee!
Thou feelest the relish of the bread thy people eat and the taste of the water they drink!
As the cow finds her soul in the calf, as a bride finds it in her bridegroom, so dost thou find thy joy in thy disciple.”

AMARDAS AND EMPEROR AKBAR

Emperor Akbar came to pay a visit to Amardas at Goindwal. It is written, he got down from his horse and walked a little distance bare-footed in his habitual reverence for all saints. The Emperor could not, however, be shown into the presence of the Master before he had partaken of the Bread of Grace.

The Emperor, having complied with this requirement, obtained the audience he wished. It was on this occasion that the Emperor offered to Amardas a large estate for the Service of Bread. The Master declined his offer, and said, “I have already obtained enough from my Creator. The people are my lands and estates. Enough, that daily we get our bread from God; we do not think of the morrow Enough, that we are of the Poor, and think of the Beloved.” But as a token of his appreciation of the Guru’s work, the Emperor gave an estate of a few villages as a present to Bibi Bhani; and this is the estate that later on was converted into a flourishing colony of disciples, where today stands the famous city of Amritsar.

AMARDAS AND JETHA

What Nanak saw in Angad, what Angad saw in Amardas, Amardas saw in Jetha; who was the divine Beloved of Amardas, and the story of whose discovery by means of a happy chance (introducing him into the family as a bridegroom) has been related. Bibi Bhani also had won the heart of the Guru by her continued devotion; and she prayed him that, to avoid all jealousy in the family, the inheritance, as birth, of the Spirit of Nanak, should henceforth, by his authority, be confined to her offspring. The Guru conferred this favour on her; but the husband of the elder daughter was held in higher respect and the Guru felt that the people were opposed to his selection of Jetha. Accordingly, he sent for both sons-in-law, and required each of them to build him a platform for his morning and evening assemblages. Rama and Jetha set to their appointed work and finished it. The Master told Rama, the elder, that his platform was not well built and he must throw it down and build anew. Rama built it a second and a third time with no better result. The Guru continued to give the same orders to him till in disgust, he refused to rebuild it anymore. Jetha was treated by the Guru in exactly the same manner. He built and rebuilt the platform seven times, and each time with an increased joy and greater fervour; always falling at the Master’s feet, imploring forgiveness, and pleading ignorance of the Master’s exact requirements. When the platform was thus made ready for the seventh time, when the same joy was Jetha’s and the same pleading, the Master strained him to his bosom, in an embrace as fervid and close as that in which Nanak held Angad.” Go, my son, as thou hast raised this platform seven times, so seven generations of thine shall receive in their soul, the spirit of Nanak and his high throne in Heaven,” he said.

THE BRIDEGROOM CROWNED

Amardas sent for his two Sons Mohan and Mohri, and for Bhai Budha and other Sikhs. In this shining assembly of disciples, Amardas, having obtained five pice and a cocoanut, got down from his seat, placed Jetha thereon, and set the offerings before him, saying, “Thou art myself. The light of our Master Nanak is in thee.” Jetha was acclaimed by the whole assembly as Ramdas, the Master.

Mohan resented this act of his father, retired in indignant silence to the solitude of his own room, and remained there confined all his life, voluntarily cut off from all society. Amardas then asked his younger son Mohri how he would look upon Ramdas? “Sire, to me, he is Nanak, Angad and thyself, in one!” said Mohri. Amardas, visibly moved by these innocent words, blessed the boy, and said, “Thou art my dutiful good son!” And Ramdas said, “O king of truth! pray give the Master’s honour to Mohri Ji, and grant me the honour of being thy devoted slave for ever and ever!” Amardas said, “I have given thee what was thine, and I have given him what was his. He is my poor good son, thou must take care of him.”

IV - THE FOURTH MASTER - RAMDAS NANAK

RAMDAS AND BABA SRI CHAND

Baba Sri Chand, the eldest son of Nanak I, was the leader of a religious sect of his own. He roamed over the country as a mystic of great repute. During his travels Baba Sri Chand came to Amritsar to meet Ramdas. Seeing Ramdas's long flowing beard, Baba Sri Chand asked huff jocularly why he grew it." To wipe the dust from thy holy feet," replied Ramdas." It is this magic that had made thee so great and me so small," said Baba Sri Chand.

RAMDAS AND AMRITSAR

Ramdas had selected a solitary place shaded by Acacia trees, part of the gift of land made by the Emperor Akbar and at the bidding of Amardas, had laid there the foundation of a new colony of disciples. He left Goindwal for this place, and began digging a huge tank in which he proposed to erect a central temple for the Sikhs. It is the site where now stands the city of Amritsar. The work begun by him was completed by Guru Arjan Dev. It is written that here was discovered a water that healed many diseases. Following the Guru, many wandering Sikhs settled here. To this day, all the inhabitants of Amritsar approach Ramdas in prayer in all their difficulties and distress. So well chosen is the place and so greatly blessed by the residence of the Holy Ones, that Amritsar is not only the place of pilgrimage for the disciples, but an evergrowing centre for the trade and industry of the whole province. Its soil and climate are so different from the surrounding country that it can grow pears of Kashmir and peaches of Quetta along with the spices that grow in sub-montane regions. The whole city is surrounded by gardens of oranges and plantains, worked for profit; indeed today Amritsar is sending its fruits to distant marts like Calcutta.

A fruit-growing, a flower-breeding city of his Temple of Song: *Amrita Sar*, The Lake of Immortality!

RAMDAS AND ARJUN

Ramdas had felt his Beloved in his youngest son Arjun, and such was the prophecy of Amardas also. When Arjun as a baby, would crawl up to the plate from which Guru Amardas took his meals, the Guru would say, "Why so impatient, O little one? Thou, too, shalt eat, from this plate."

Ramdas asked Arjun to go and live at Lahore till he should call him thence. This was a great spiritual pain for Arjun; but he was the soul of obedience, and prepared to go to Lahore. At his departure, his mother Bhani blessed the child; giving him her message of motherly love, which was put to music later, and which we Sikhs, treasure as the tenderest message ever delivered by a Sikh mother to her son:

"My son, let this be the blessing of thy mother; Forget not Him Whose Song renews our soul, and makes it clean of all dust; Whose love is our salvation.

Let this be the blessing of thy mother:

May the Master be merciful to thee, and, by His mercy, mayest thou always feel the Divine filling thy heart!

May His Grace be thy raiment and His Name thy food!

And honour come to thee direct from Him, and bliss without end flow from Him in thy soul;

Mayest thou drink nectar from the cup that is in His Hands, and may the cup be for ever thine.

Let this be the blessing of thy mother:

May no anxieties prey upon thy mind, and may His peace abide with thee!

And mayest thou like a bee abide in the flower of His feet!

My son, let this be the blessing of thy mother:

Mayest thou everyday be closer bound to thy Beloved!

May thy devotion prosper and thy soul shine in its own glory!"

THE DISCIPLE'S TIME OF EXILE

Arjun's exile was like to the exile of Angad from Kartarpur, of Amardas from Khadur and of Ramdas from Goindwal.

From Lahore he wrote his famous epistles to his Master, which were intercepted by his elder brother and thus withheld from the Guru. An epistle marked "3" reached the Master safely, and Arjun was recalled from exile. On his return, his father asked why he put the figure "3" on his very first letter. The truth came to light; and Pirthi Chand, his elder brother, was forced to produce the other letters, which contained songs of supreme value. These were set to music, and great was the rejoicing at Arjun's home-coming.

SONGS OF ARJUN

I

One moment, if I see Thee not, is like a dark age to me.
 When shall I see Thee again, after so many days?
 Poignant is my sorrow as that of the *Chatrik* that cries for the rain-cloud!
 Always thirsty and restless am I, O Beloved Saint, for the sight of Thee!

II

Fair God, how beautiful is Thy face, and how deep and sweet the melody of Thy voice!
 Ages, not days, have gone by, and the *Chatrik* has had no drop of nectar.
 Blessed is the land where Thou dwellest!

III

I pant for Thee, O divine Friend!
 Passes not my night, my eyes know no sleep!
 When shall I see Thee, O Lord?

IV

(On meeting the Master)

Today breaks the morn of fortune, for me;
 I find today my Master, my Saint!
 All-bliss is life; I have found my Beloved with myself!
 No separation now, no pining, I am now for ever at His feet!
 I am now for ever in His service!

THE SON CROWNED

It was on his home-coming from Lahore that Ramdas embraced Arjun, and gave him the throne of Guru Nanak. Ramdas placed the usual offerings before Arjun, and Bhai Budha gave the Tilak of spiritual kingship. Ramdas said, "Arjun has today become the Master of the whole earth; the light proceeds from his throne and lights the worlds."

THE POETRY OF RAMDAS

The poetry of Ramdas flows like a stream of love whose cooling melody yearns for the Beloved, and sings of the magic spell of His glance. It is put in the mouth of the Bride of God, who pines in her longing for one more glimpse of Him, and still one more! The Master's divine music thrills the soul of a whole people, and his song makes everyone pure.

V - THE FIFTH MASTER - ARJUN DEV NANAK

THE BOOK OF THE DISCIPLES

Arjun Dev conceived the idea of enshrining song as the Deity of the new Sikh temple commenced by Guru Ramdas and completed by Arjun Dev. Accordingly, the Guru collected the hymns composed by his four inspired forerunners, and composed many more of his own. He called the collection, "Word of the Master—later *Guru Granth*— and placed it in the Han Mandir as the book of the people. He used to chant the life Mantrams everyday, morn and eve, with the tambura accompanying under the touch of his fingers with his heavenly voice, and the disciples gathering and listening to his divine songs, in wonder and enchantment. Lovely music flowed from under the dome of Hari Mandir and was absorbed by its walls and the waters of the surrounding lake. To our own time, it echoes and re-echoes in that sacred place.

THE TARN TARAN

Arjun Dev built another great temple some twelve miles away from Amritsar, and called it Tarn Taran. The soil and climate of this place also are so blessed that it has a healing effect on bodily sufferers. Tarn Taran is a name which means the temple “whence people swim across the Sea of Ignorance to save many a drowning soul.”

HARI MANDIR

The colony at Amritsar grew everyday, and became the Sikh centre of spiritual humanity. Akbar had already ordered a large plot of land round the colony to be made revenue-free. The Temple attracted the thinkers of that day; there, mystics like Mian Mir, the unknown spiritual ancestors of Inayat Shah and many others met with the greatest of all, Guru Arjun Dev. A close study of the literature created by Moslem saints like Bulleh Shah (the disciple of Inayat Shah), Shah Hussain, and others, reveals the spiritual influence of that age. The first significant departure made by the Moslem saints was that they began to sing in Punjabi, a practice due to the Guru's influence alone. With him began a general renaissance, in which the greatest share was taken by Moslem thinkers—so much so that we find Shah Hussain singing his own version of *Guru Granth*, and the tempestuous song of Bulleh Shah ringing with the music of joy of Han Mandir. But, behind this literary awakening there was a still deeper awakening of the divine idea in the life of the Punjab, as distinguished from the mere academic intellectual assent to Truth.

As of old, the Han Mandir (the Golden Temple) is still held in reverence by the seers and mystics of the Punjab, who alone can appreciate fully the effect of this place and its associations. Only the “living ones” know this secret influence of the Temple. A great Vaishnava Faqir came from Bindraban, and was so impressed by the clear spiritual aura of the Golden Temple that his Dhyanam passed from Krishna to the Master of this temple, and he never left it. A Mohammedan adept residing in the Western Punjab can never pass Amritsar in a railway train without alighting and paying his homage to the Han Mandir. He says, so wonderful is the link between earth and Heaven here, that even now, after the Guru has been personally absent for hundreds of years from his temple, the place still possesses that old enchantment. The “extinguished ones” are rekindled, the broken made whole, so mighty is the remaining effect.

Isolated by a sheet of blue water, with heavenly song resounding day and night, the Temple seems immune from worldly trouble, whose dust and smoke can never touch its pearly surface. All initiates and disciples here feel a solace unknown elsewhere. The other day the French artist M. Jarl spoke to us of the effect of the Golden Temple on him. He said the light seems to come from within the golden dome of the Temple, and it is this inner light that kindles the whole prospect around it. The sky is its roof and the four cardinal points its doors. The sacred waters wash its walls, which stand so firm on the sea of Maya.

There is no doubt that in the days of Arjun Dev, this Temple was the favourite resort of the aspirants to the spiritual life; thither they came to dip their torches in its light, that they might fill the land and its heart with the gleam that M. Jarl saw. The fresh vigour and inspiration that flooded the land, can only be traced to the heart of the Guru. If history has not shown it yet, it is because it is not old enough. Only when the dry details are forgotten does history begin to find the invisible evidence of the work of its real makers in the songs and sayings of the people.

THE SIKH EPOCH

The Sikh was the creation of the mind of the Sacred Masters; he was wholly new. Consequently he was bound to leaven the Hindu and Moslem civilization that lay in ruins before him. He stamped the mind of the age with his image.

THE COMPOSITION OF GURU GRANTH

Arjun Dev saw that interested people were passing compositions of their own as those of the Masters. He had already decided to give an authentic history of the mind of the Master in his song. But the manuscripts of the first three Gurus were in the possession of Mohanji, the son of Guru Amardas, who had cut himself off from all society and would see nobody. Bhai Gur Das tried to get the manuscripts from him but without success; Bhai Budha also was unable to get access to him. As without these manuscripts the task was hopeless, Guru Arjun Dev himself travelled to Goindwal, to endeavour to persuade the recluse. On arriving, he dipped himself in the sacred waters of the river where the great Masters, Amardas and Ramdas, had bathed many times before him and fell into a trance of love as he sat again on the spot where his elders used to sit. In this trance Guru Amardas appeared to him and said, “Blessed is thy purpose of composing *Guru Granth*. Thy song is powerful to melt the very stones into waters.” Arjun Dev, feeling blessed by the Darshanam of the great teacher, proceeded barefoot, ‘tambura’ in hand, to where Mohan dwelt in self-absorption

(“Mohan” means “the inspiring God”). The true king of the people sat in the dust of the street in front of Mohan’s dwelling, and sang these hymns to the accompaniment of the ‘tambura’:

I

O Holy One! Thou hast charmed my soul,
 Thy palaces rise aloft the shining cities of Celestials before my eyes!
 And at the Palace door stands a whole universe to adore thee.
 O Love! Thou dwellest beyond thought,
 The silence of wonder steals on me, as I see thee appearing suddenly in the assembly of saints singing at thy door!
 (This song roused Mohan from his sleep; he opened his window, looked down, said a few bitter words and disappeared again. The Guru sang another hymn.)
 O Merciful One! bestow on Thy humble creatures Thy mercy, and bliss them by rolling down floods of Glory on Thy servants!
 O Formless Beloved! pray, appear before me, and by the beauty of thy countenance fill this moment with Eternity!
 Come from everywhere, O Fascinating One! and satiate me with love!

II

Eternal One, beyond all price are Thy words of passion! Blessed, blessed, are the ears that have heard Thy melody!
 Honey-sweet, honey-sweet is Thy speech!
 O Great Mohan! Thou art renunciation, Thou art samadhi, Thou art bliss.
 Thou hast heard God’s word from His lips, thou art the blessed perfection.
 The secret of love hides in thy bosom.
 I, too, take refuge in His palace at the door whereof all creation awaits His mercy.
 O Holy One! Thou hast made the starry heaven and Thou wrappest Thyself in it.
 (Mohan was appeased, and came down to receive the Guru. The Guru again touched his ‘tambura, and sang.)
 O Beloved! which is the way to Thy presence?
 All see Thee, but few find the way of thy adoration.
 They are made immortal whom Thou inspirest with knowledge of Thyself.
 There is Immortality in a single glance of Thine.
 In Thee is the life everlasting, in Thee is all refuge!
 When I see Thee, O Love! I am all pure.
 There is all wisdom for me in Thy fragrance.
 O Sovereign mine! reign for ever on the throne of my heart; on me for ever bestow Thy commandment and from me for ever accept service!
 (Mohanji delivered the manuscripts to the Guru. The Guru raised the manuscripts to his forehead in deep reverence; then, feeling happy with them in his lap, he again lifted up his voice in song.)
 God bless Thee, Mohina! Mohina! Mohina!
 The race of man is saved!
 God’s Word goes to the people, blessing them and bestowing immortality on them.
 This is the staff on which the old and the miserable, the starved and sick, shall lean in their distress, and obtain solace.
 My house is full of the light of the song of life today!
 People of God! come, assemble, live in this light; dissolve this song in your soul!
 Rejoice and partake to this immortal feast!
 O Beloved! the dead shall rise with life, if Thou castest Thy glance of pleasure on them!
 The disciples wonder at the miracle of Thy handicraft
 As Thou revealest Thyself to them!
 Thus both day and night did Arjun Dev give forth celestial music, and thus did he pour his soul on the joy-astonished land of the Punjab.
 The Hari Mandir at Amritsar is his holy shadow.

ARJUN DEV AND HIS PEOPLE

News would come that pilgrims to Han Mandir were on their way from Kabul or Qandhar or other distant places. The Master would ask his noble consort to prepare a simple repast for Guru Nanak’s children that were coming. Dressed like a peasant in a black woollen blanket, the Master would go out of Amritsar barefooted, his wife accompanying him with a basket containing bread and vegetables; and both would wait on the roadside for the disciples who came along

singing the hymns of the Guru, and growing in number as they approached Amritsar. Arjun Dev would welcome them, as the mother distributed bread and water. Thus served, the disciples would say, "Great is Guru Nanak; great is Guru Arjun whose disciples have so much faith in their hearts, and so much service in their hands."

Akbar came to see the Golden Temple, its architect, and its deity, more than once. It is stated that when Akbar asked the Master, as was his wont, the way to acceptance by God, Arjun said, "The way to Him is through His favour and inspiration. It does not need to pass through the mosque of the Moslem or the shrine of the Hindu. They reach the goal who love." Akbar wished to make a contribution towards the upkeep of the Golden Temple but the Guru declined the offer, on the ground that the temple must be supported by the people. As the Emperor insisted on doing something for the Guru before he left the Golden Temple, Arjun said, "There is a severe famine in the country, and it would be best if thy imperial visit were to be marked by the remission of this year's land revenue to the poor farmers." Akbar gave orders accordingly.

ARJUN DEV AS HUSBAND AND FATHER

Arjun Dev, prophet, poet, composer of music, passionate lover of the people, architect, saviour, was intensely human. He was a loving husband and an affectionate father. Mata Ganga once in his presence expressed a wish that her son should hasten to her from Heaven, he having already been so long a time upon the way. Arjun Dev said to her, "O dear one! your son would come, but he is waiting for the call to go forth from Bhai Budha. It is he who will call your child from Heaven to you, at some auspicious moment when he is in a happy mood." She was to go and ask Bhai Budha to pray for the birth of a son to her. Accordingly, she took offerings and went, attended by a number of female disciples, seated in a bullock cart. As the party approached the abode of Bhai Budha, the ringing of bells, the creaking of cart wheels, and the unusual bustle, caused a flutter in Bhai Budha's cloister. His cows took flight, breaking their ropes. Bhai Budha inquired somewhat angrily, who was flying in such haste thither? The old seer was still ruffled when the aspirant to motherhood placed her offerings before him. He said, "O mother! I am only a grasscutter of the Master's house. I am a slave of his slaves. How can there be anything so compelling in my word?" She returned home and related to Arjun Dev what had happened." *It must be so, O good lady! one day,*" said Arjun Dev, "The saint has foreseen our flight from Amritsar, and it must come to pass. O Good lady! you ought not to have gone to see God's holy man in that way. Do as I tell you. Prepare a simple meal with your own hands, singing the song of Nanak. First mill the flour in your hand-mill, knead it with honeyed milk of Nam, and then take this sacred song-bread to the disciple. Take no dainty dishes with this bread; just a little salt and a few onions in the fashion of the Punjab farmers—this will be the homely meal he loves."

She did so. Bhai Budha, who had received the Divine Gift of Nam from Nanak, was now an old man, with a silver-white flowing beard and all-white locks; but under these snows, his face was still aglow with the Divine, and his deep transparent eyes were brilliant with the fire of Heaven. When the woman appeared with that simple repast for him, the old man began lisping like a child whose feelings are fresh from Heaven, as he began to eat." O Mother! he said, "thy son will be the Master of Masters. He will be the king of his people. He will break the power of the Moghals as I break these onions under my fist. He will be the temporal king of his people. The people will gather round his throne. He will wear two swords, the sword of Heaven to save his disciples from the arms of death, and the sword of Earth to save his people from the Moghal oppression. Mother! thy son will appear as the sun comes on the dark worlds."

Arjun Dev was very fond of the child that came thus from Heaven at the blessing of Bhai Budha. The baby was named Har Gobind. The baby came by a prayer, and Arjun prayed when he was born.

Har Gobind fell ill. The Guru had an anxious time; and, as the child recovered, he melted in a song of thankfulness. We read this song in *Guru Granth*: "Thank God, Har Gobind is well again!" The enemies of the Guru's house tried to poison the child; but their plan was frustrated, and the child was saved by a fortunate incident. On this occasion again, a hymn was sung by Guru Arjun Dev, as we read in *Guru Granth*, expressing his joy at the miracle which saved the child.

The Guru was all prayer. Every little event of his private personal life was the act of Heaven for him. His whole body and soul trembled in his Master's hands as the *Sitar* strings trembled with music in his own. He uttered only living music, whether private or public in life. He poured forth his songs and vitalised all those who came in touch with him by his lyrical power. His inclusion of private hymns, embodying his feelings as a father and a husband, shows how greatly he valued these emotions, esteeming them as divine as any. Nothing in the whole range of the religious

literature of India surpasses these simple hymns in their deep sincerity and intense human interest. For the first time a Teacher of *Brahma Vidya* harmonises the personal and the impersonal in his self-expression.

ARJUN DEV AND HIS BROTHER PIRTHI CHAND

There is a story of the strange reply Ramdas made to a disciple's question as to the nomination of his successor." He who can, by his presence, melt even wooden hearts shall be my successor," said the Guru. The disciple went and sat near Pirthi Chand and heard him chant Japji, and he went and sat near Arjun Dev and heard him sing Japji. He returned and said, "O Master! I pricked the wooden legs of the bedstead on which Pirthi Chand sat reciting Japji with a needle, but the needle broke. Again I pierced with a needle, the wooden legs of the bedstead on which Arjun Dev set reading Japji and this time my needle pierced the wood as if it were wax."

Pirthi Chand never could forget what he regarded as the injury inflicted on him by his father's withholding from him the throne of Nanak. He was always on the look out to injure Arjun Dev; and he often succeeded in inflaming the Moslem priests of the neighbourhood to raise a clamour against the composition of *Guru Granth*. He organized a deputation of the Maulvis to represent to the Emperor Akbar that the book was full of blasphemies against both the Hindu religion and the Mohammedan. Of course, the Emperor, who knew Guru Arjun Dev very well, dismissed the suit of the Moslem priests. But this family-jealousy continued smouldering in the breast of Pirthi Chand and his family.

ARJUN DEV AND HE PRINCE KHUSRO

The Emperor Akbar died a few months after his last visit to the Guru, and Jehangir became Emperor of India. This was a period of political tumult. Prince Khusro, who had been many times to see the Guru with his father, came flying for his life from Jehangir and his ministers, to ask the Guru for pecuniary help which might enable him to return to Kabul. Guru Arjun Dev received the prince very kindly, and, moved by his pitiable condition, gave him five thousand rupees, which would take him safely to Kabul. This private act of kindness was interpreted by the Guru's enemies, headed by Pirthi Chand, as a serious political crime against the then Emperor of India. They informed Chandu, the Hindu Minister of Jehangir, an old enemy of Arjun Dev, who had obeyed the mandate of the people in preference to complying with a request from Chandu that his daughter be accepted as the bride of Har Gobind. It happened thus: Chandu, as it was customary, employed his Brahman priest to find a suitable match for his daughter. The priest came, and offered to betroth her to Har Gobind; but the disciples gathered, and said that the Guru must not consent to this affiance, as Chandu was a traitor.

The Guru saw that his refusal would increase the fire of racial jealousy against his person; but he firmly obeyed the voice of the people, and declined the offer. Chandu, though deeply offended, tried in various ways to make up the difference; but the Guru would not be moved out of his resolve.

Chandu, therefore, stirred up the jealousy of the Court against the Guru. The latest weapon to his hand was supplied by Pirthi Chand and his associates. A friend's act in helping another friend was exaggerated into serious sedition and rebellion against Jehangir; as if the Guru, with the help of Khusro, intended to overthrow Jehangir. At last the machinations of Chandu succeeded in inflaming the Emperor; Guru Arjun Dev was summoned, and appeared before Jehangir at Lahore. Before leaving Amritsar, he had installed his son Har Gobind as his successor, and he took leave of his devoted wife, as if for ever. When the Guru came into the presence of Jehangir, it was evident from his mere appearance that he was no sedition-monger and contemplated no harm. Jehangir, therefore, received him with great consideration. The interviews continued for some days; and Chandu was ceaselessly active, so that at last the Emperor was forced to ask the Master why he helped Khusro against him? He replied, "Khusro was in distress; he appealed for help and the Guru helped him. It was a man helping a brother-man in trouble, and not an aid to rebellion against you, the king. Khusro was flying to Kabul and he has gone there." The Emperor ordered a fine of two lacs to be paid by Arjun, but the Guru firmly said, "The money I have is not mine. It is collected by the people, for the service of the people, and I have no private money out of which to pay you this fine. But even I had, I would not pay any fine, seeing I have done no wrong." It is stated that the composition of *Guru Granth* formed the subject of a second charge framed against him, on the grounds already mentioned. Jehangir, therefore, asked the Guru to alter the hymns so as to bring them into line with orthodox opinion. The Master replied, "I acknowledge no earthly king in this matter. The true King has inspired these hymns, and they are informed with the Spirit of God. I cannot alter the sacred word. It is destined to stand by itself, and needs no support of any other scriptures. The sacred book contains nothing but the song-chants of

the Glory of the Highest; at Whose high door wait a million prophets, from Whom all cometh out, and to Whom all return.” Jehangir, it seems, handed over the person of the Guru to Chandu, on the latter’s promise to recover the fine without unnecessary molestation. But this promise Chandu never meant to keep.

ARJUN DEV THE POET PROPHET AND PEOPLE’S KING

The last days of Arjun Dev can be imagined, now that the character of his captor has been made clear. He was kept prisoner in Chandu’s own house; where, in strictest secrecy, he was made to suffer unthinkable tortures from day to day. Burning sands were poured on his bare body, he was compelled to sit on hot iron sheets. And, as he would take nothing from Chandu’s house and his Sikhs were never allowed to come near him, the Master was starved. In the daily routine of torture, Chandu allowed short intervals when he went and asked the Guru to accept the alliance with his family that had been proposed, and thus to release himself from prison. He made no reply. The Sikhs were eager to pay the ransom and to rescue him, but he had forbidden payment of unjust fines. Mian Mir heard the tale of sorrow, and came to see him when it was late. Mian was indignant on seeing the condition of the Master, and wished to move the Emperor for his release. But the Master calmed his mind and asked him to look up. As Mian Mir looked up, he saw the whole Heaven gathered around his head and the Angels forming a canopy over him with their wings. In strong contrast with his anxious disciples, the Guru was calm, undisturbed, full of ineffable peace. Mian Mir bowed down, and left in silence. Arjun had accepted tortures for his people, who must be made strong to stand for justice, to suffer and to die for truth they love. Mian Mix saw the great idea and kept quiet. At last Chandu made up his mind to kill Arjun Guru by suffocating him in a fresh cow-hide, in which he was to be sewn up, when he asked to have his bath in the river Ravi. He was led out in prisoner’s clothes to the river, whose waters in those days washed the walls of the Lahore fort. The Sikhs saw the Master; who looked at them, still forbidding all action.” Such is the wilt of my God; accept it,” said he; “Move not; stand calm in your injury.” The Master never returned to the prison, the body was given to the river Ravi. He left the earth, singing Japji, as crowds of his disciples stood calm but deeply: afflicted, looking on.

VI - THE SIXTH MASTER - HAR GOBIND NANAK

THE AFFLICTION OF HE SOUL OF THE PEOPLE

Arjun Dev was cruelly tortured to death, to the sore affliction of the soul of the whole people. The devotion they bore to their Master was deep and selfless. While they helplessly witnessed his cruel death, a curse arose from among them, both against the Moghal Empire and against themselves. Now that He had been tortured, of what use was life? Their prospect was annihilation: acceptance of which meant the eventual disappearance from this earth of the type of spiritual humanity created by the Master; resistance to which meant sorrow, suffering, hunger, and death for themselves and their children—but, so great was the love of the people for their true king, that all these ills must be endured. So great was now their indignation, that they felt everything they held dear—religion, song, home, love of child and wife—must be sacrificed, and their love for the Guru redeemed. For the first time in the centuries’ long enslavement of the Indians by the hordes of barbarous invaders from the near West, there was resistance. Guru Har Gobind, driven by the curse and prayer of the people, unsheathed his shining sword, and declared a holy war against the unrighteous Empire of India. The fire that had come leaping from outside into the camp of peace, must be quenched.

Ignorance of the preceding events had led many to believe that Guru Har Gobind waged a war of hatred against the Empire, thus compromising his ideals of spiritual Humanity, which were of a life at peace with all creation. It is commonly forgotten that the Guru’s heroism that appeared in his character, at this juncture, was not a heroism that kills and murders, but the heroism that dies with a glad heart. It is akin to the heroism of the Sati-woman who dresses herself in the most passionate colours when her husband and lover is dead. It certainly seems incongruous that her self-adornment at that moment should be one of joy and not of mourning; yet those beautiful colours are nothing but the symbol of that flame of devotion which will lead her presently to leap into fire that consumes the body. A similar pure resolution came to the whole Sikh people and to their leader, after the cruel death of Guru Arjun Dev. There was the distinction of military uniform, the wearing of two swords, the riding on a charger, the defiance of mighty powers; but how few they were, and was it not all the pathetic preparation of a Sati? This is the spirit of the Guru’s declaration of war; the rest is mere dusty detail. Here out of the roots of life rises a new Bushido, a pure passion for death in love.

As of old, Bhai Budha, the hoary-headed saint, placed before Har Gobind the *Saili* or Ribbon of Renunciation that Nanak wore and gave it to Angad, who gave it to Amardas, who gave it to Ramdas, who gave it to Arjun Dev. Har Gobind said to Bhai Budha, “No, give me two swords to wear instead.” He saluted the *Saili* and put it by. The Master ordered all his men to wear swords, to keep horses, and to make arms: determining to take his disciples through blood and fire, since they wished it. When the command went forth, the disciples were already prepared; and they began bringing offerings of arms—arrows and swords and shields and bows to the Guru. The Sikh people was thenceforward dyed in passionate colours like the Sati-woman, and the whole Sikh world courted death in a spirit similar to the spirit of Yamato of Japan; that is, not proposing to themselves any clear purpose, sacred or otherwise; but merely for the love that would not suffer them to live in inactivity and submission.

Alarmed by the new pomp of Har Gobind’s court a few of the worldly-wise proffered counsel both to Mother Ganga and to old Sikhs like Bhai Budha, that the Master should be persuaded not to adopt a dangerous militancy. Mother Ganga replied, “He is on the throne of Guru Nanak. His ancestors are with him. My son and his Master can do no wrong. All this is as Heaven ordaineth.” Bhai Budha, moved by the same counsellors of peace, again sought the presence of the Guru, to tell him that these warlike preparations would draw the wrath of the whole empire on their heads, and thus annihilate the Sikh nation. In reply, Guru Har Gobind merely looked at Bhai Budha, who bowed down, saying, “Thou canst never err. All is right that thou doest.” The Guru’s mere glance intensified Bhai Budha’s reverence, rejuvenated his faith, and rekindled, the passion of his youth. Bhai Budha, left behind when Guru Har Gobind went from Amritsar, knew no rest; he breathed prayers to the empty air, conjured up the form of the Guru in imagination, and in Han Mandir at his feet, singing love songs.

News of those doings soon reached the Emperor Jehangir. Chandu, the arch-enemy of the Sacred House, was still busy. There was now a good deal of evidence for a charge against Har Gobind, of rebellion. The refusal by Arjun Dev to pay the fine imposed on him, was remembered. Guru Har Gobind was at last summoned by the Emperor to Delhi; He came, and saw, and conquered Delhi by dint of his natural majesty. He began living in Delhi as the Emperor’s guest. Whenever Jehangir went out into camp, there was a separate tent and camping ground for the Guru.

THE FALSE KING AND THE TRUE KING

We treasure a beautiful story of a Sikh of Agra who was a humble grass-cutter. The tents of the two kings being pitched side by side in the fields, the poor Sikh approached Jehangir’s tent with an offering of two copper pice out of his wages, and desired to know where was “the True King” “Whom do you wish to see?” said Jehangir.” I want to see the True King,” said the grass-cutter.” I am the king,” said Jehangir. The grass-cutter placed his offerings before him, bowed down to him, and rose and said, “O True King! save me, thy slave, from this sea of darkness, and take me into thy refuge of light that is All Knowledge.” On this the Emperor told him that he was not the king sought, and that the saviour’s tent was pitched yonder. The grass-cutter hastily took back his offerings, and went running to the Guru.

The queen, Nur Jehan, took a deep interest in the Guru, and had many interviews with him. Also, with the poor frequenting the place, he was in much repute as a comforter. During these days, Jehangir fell ill; and, following the barbarous advice of his Hindu ministers, he invited his astrologers to tell him of his evil stars that brought illness on him. These astrologers were heavily bribed by Chandu, who was always seeking to detach the Emperor from Har Gobind. The astrologers accordingly, prophesied that a holy man of God should go to the Fort of Gwalior and pray for his recovery from there. Chandu then advised the Emperor that Har Gobind was the holiest of men and should be sent to Gwalior. Jehangir requested Har Gobind to go; and though he saw through the plot of his enemies, he left for Gwalior immediately. While Har Gobind was at Gwalior, great was the distress of his Sikhs in Delhi and at Amritsar, who suspected foul play at the part of Chandu. In fact, Chandu did write to Han Das, the Commander of Gwalior fort, urging him to poison the Guru or kill him in any way—and promising a large reward. Han Das was by that time devoted to the Master; so he laid all these letters before him, who smiled and said nothing. The Guru met many other Rajahs who were prisoners in this fort, and made them happy.

When Jehangir at length recovered, he thought of Har Gobind again. Undoubtedly, Nur Jehan, who evinced a disciple-like devotion to the Master, had something to do with his recall from Gwalior. However, the Guru would not go unless the Emperor agreed to set all the prisoners in the fort at liberty. The Emperor at last gave way; and, on the personal security of the Guru, all the prisoners were released. The Guru was hailed at Gwalior as *Bandi Chhor*—the great deliverer who cuts fetters off the prisoners’ feet and sets them free. There remains, in the historic forte at Gwalior, a shrine of the *Bandi Chhor Pir*, worshipped by Hindus and Mussalmans alike, where they have lit a lamp in

memory of the event, and where a Mohammedan Faqir sits in hallowed memory of some great one of whom he knows only the name—*Bandi Chhor*. In the Punjab, in the daily prayers of the Sikhs, Han Gobind is saluted as *Bandi Chhor*. Surely he carried this name from Gwalior to Amritsar!

HAR GOBIND'S RESPONSE TO THE DHYANAM OF HIS DISCIPLES

In Kashmir, there lived a poor old Sikh woman named Bhag Bhani. She was a great saint, and lived in complete dedication to the Guru. In the year when Han Gobind was busy fighting near Amritsar with the forces of Shah Jehan, in a small skirmish, when Shah Jehan was only an heir apparent, this old woman, in her perfect Dhyanam, made a shirt of coarse cloth with yarn spun by her own hands. She stitched it herself; singing all the while, the songs of the Beloved, and deluging the cloth with Dhyanam of love, as it trickled from her eyes in tears of ecstasy." O God! Will my Beloved come and wear it! Will he honour his slave? O, how can he come this way? My Beloved, come to me now! These eyes are now to close for ever. May they once more behold Thy face!" Nameless feelings of love rose and sank in her veins. The garment was ready for the Master. He left the fight, and rode his charger with haste to Kashmir, knocked at her door, and said, "Give me my shirt; good lady!" With tears in his eyes, he donned the shirt of coarse cloth, as she had wept all those days for a glimpse of him.

This response of Han Gobind to his disciples' inmost prayers and Dhyanam was continuous and unflinching. We read of his answer to the Dhyanam of a Mussalman lady, the daughter of a Qazi of Muzang—a suburb of Lahore, which was at that time provincial capital of the Punjab. A woman of great spiritual power, while a girl, she had become versed in mystic lore as it was preached in that neighbourhood by a leader of the Sikh-Moslem school, Mian Mm. Through Mian Mir, many followers of Han Gobind had already paid their homage to them. Wazir Khan, the influential Minister at the court of Emperor Jehangir, was one of the devotees of the Guru. The case of this great Mussalman lady was beset with exceptional difficulties. Her devotion for the Guru knew no bounds; even Mian Mir could not suppress her divine flame, but was forced to help her to find the Guru. By temperament she was the heroic soul, absolutely sincere and unworldly. No amount of prudential advice to conceal her spark of life by burying it deep in her bosom could prevail with her; she would live at his feet or die. She would express her Sikh opinions with the utmost frankness; openly she condemned the hypocrisy of the Mussalman; she praised the Master, and sang of his beauty and his saving love. Finally, she was condemned to death. But her inner gaze was fixed on her Master, and she knew he would come. Han Gobind made a daring response to seek her at night, took her from a window of the Qazi's house, with his own hands, and (like an intrepid lover) carried her off to Amritsar.

Come what may, let the kings be against him, and let the worldly-wise renounce the Master. Let it be ridicule, public shame or even death—the Master must rescue his disciple. Kaulan is her holy Sikh name. The Guru provided her with a separate house; and, while she lived, he extended to her his hospitality and kept her secure, under circumstances of great peril and difficulty, from the injury that comes to such as her from religious fanatics. Every morning the Master would go from the Golden Temple to Kaulan to nourish her soul with the Darshanam for which she pined day and night. The Master was a pilgrim every morning to the temple of her love.

Sam Das, a devout Sikh, built a new house in his village near Ferozepur, and would not occupy it unless the Master came and graced the room prepared for him." Why not write to the Guru to come to us?" said his wife, who was sister to the holy consort of the Guru." Oh, he knows all, what is the use of writing to him, when he hears the prayers of our hearts?" said Sam Das. Thereupon, Har Gobind at Amritsar felt the divine pulling of the love and Dhyanam of his disciple, and went to him.

On this very journey, the Master went right up to P111 Bhit on the borders of Nepal in response to the love of a Sikh saint, *Almast*—the "God-intoxicated" man.

The Sikhs left behind at Amritsar felt very keenly the pang of separation from the Master. Headed by Bhai Budha they commenced a divine service of Dhyanam. Every evening they would light torches and go in procession round the shrine, feeling the Master to be with them. On his return, he told Bhai Budha how this devotion had attracted the Guru to the Golden Temple every evening. He blessed them, saying that the night choir organized by Bhai Budha would abide for ever at Han Mandir, and that he should always be with it. The Sikhs still lead this choir round the Temple in his hallowed memory.

HAR GOBIND AND SHAH JEHAN

Through the kind offices of Nur Jehan, Mian Mm, Wazir Khan, and others, Jehangir was induced to cause no injury to Guru Han Gobind or his Sikhs, in spite of the efforts of Chandu's party. But these had begun to inflame the mind of the heir-apparent Shah Jehan against the Guru, especially after that open skirmish with the hunt party of Shah Jehan near Amritsar. Jehangir died suddenly in Kashniir, and Shah Jehan became Emperor of India. Shah Jehan must fight with the Guru, as the Guru had already openly challenged him. The various engagements between the Imperial forces and the disciples of the Guru, cover the whole life-time of Har Gobind. The Sikhs always fought with a superhuman courage, and the Emperor's armies were worsted in all these affrays. The Guru finally left Amritsar and went to Kartarpur, and, after giving battle there, retired to the submontane parts of the north-eastern Punjab, where his son had already founded a town called Kiratpur. It is near this Kiratpur that Guru Tegh Bahadur later on purchased a site for his residence which he called Anandpur; it provided a solitary retreat free from all outside disturbances.

Engaged in warfare with the Emperor of India, and liable always to be attacked unawares, Guru Har Gobind was never at a loss, never in haste, never afraid of results. The date of the wedding of his daughter, Bibi Viro, coincided with the first battle of Amritsar between the Guru and the Emperor. While the rest of the Guru's family escaped in time, his daughter Viro inadvertently remained on the upper floor of the house, which by nightfall was besieged by the Emperor's troops. Bibi Viro stayed alone undaunted in the house, and kept silent. When she saw a rescue party of the Sikhs coming, she refused to accompany them till they showed her father's rosary. She was then safely conveyed to the place where the rest of the family had taken refuge. While this turmoil was on, the Guru ordered that the wedding of his daughter should be duly celebrated that very night in a village at a distance of about seven miles from Amritsar, which was accordingly done, amid great rejoicings. Only at the bride's departure was the customary pathetic note struck, in the father's farewell message to his daughter. A daughter's marriage, with us in the Punjab, is full of rare pathos—surrounded as we have always been by danger and political turmoil. And the Guru's message to his daughter is full of the tenderest feelings of a father towards his daughter.

THE MASTER AND HIS DISCIPLES

Thus he was, almost simultaneously, celebrating his daughter's marriage and busied with the grim business of fighting a hard battle and running to the rescue of his wounded disciples. Of this very time, it is related that two of his disciples were lying in blood, and that he went to them, wiped their faces, gave them water to drink, and caressed them, crying like a father, "O My Mohan! O My Gopal! Tell me what can I do for you?" They replied, "O Master! the proof that God is, is that you are here. It was our prayer to see you with our eyes now closing for ever." "God bless you my friends," said he, "You have crossed the Ocean of Illusion."

Still yonder at Kartarpur, on the river Beas, where she had been removed for safety, Kaulan lay ill. Her burning soul of love could not stay on earth in separation from her Master. Separated from him, she fell dangerously ill. Har Gobind found time to pay her a visit and, as he sat by the bedside of his heroic disciple, she passed away. Singing in the soft music of her closing eyes, the prayer of thankfulness, she fell asleep in the very arms of God.

There was yet another great soul waiting for him at his village, *Ramdas*, near Amritsar: Bhai Budha who was preparing to leave this earth. Har Gobind hastened to his side. Bhai Budha's whole soul leapt with joy on beholding the Master before beginning his last journey. The Guru said, "Bhai Budha, thou hast seen the last five Masters and lived with them, and thy realization is great. Please give me some instruction." The Bhai replied, "Thou art the sun and I am only a fire-fly. Thou hast, out of thy infinite mercy, come to see me and to help me swim across the Sea of Illusion. Touch me, touch me with thy hands, and bless me, O Master mine! Thou knowest all. Thou art the spiritual and temporal Protector of the holy. Thou art God, we all know; but how thou playest the part of a holy man in these days, only God knows. Sustain me, and let me pass Death's door without suffering. Sustain my son Bhana, too, when I am gone and keep him at thy feet. Help me, O Lord! O Saviour of thy disciples."

"Thou hast already entered the Realms of Immortals, brother!" said the Master, as he placed his hand on the forehead of his old disciple; and Bhai Budha passed on.

Where Har Gobind could not go, he made response in Dhyanam; and, in fact, this response was continuous and unbroken amid all struggles of the outer life. Manohardas, a great saint, the great-grand-son of Amardas, died at Goindwal. The Master plunged into deep prayer for him. As he came out of his samadhi he said, "Mano-Har—stealer of the heart! Triumph! triumph for him! Great saint of God!"

Har Gobind sent an invitation to Anand Rai (*King of Joy*), the son of Mano-Har of Goindwal. Anand Rai came; and Har Gobind put his shoulder under the palanquin on which Anand Rai was riding, and bore him a little distance. Anand Rai alighted, and bowed down saying, "Why dost thou treat me with so great a kindness? I am naught but the dust of thy holy feet. What if the bamboo grass grow very high? It can never equal the fragrance of the sandal-tree."

"Without service of his saints, man is a barren rock," said the Master, "In the service of his saints, he is God."

Har Gobind, though hunted by the imperial hordes and continually liable to sudden dangers from them, was always calm and collected. When Painde Khan, once the trusted general of Har Gobind, whom the latter had brought up from boyhood as his pet cavalier, turned against him, went over to the side of Shah Jehan, and reappeared as leader of a hostile army, the Guru rose early as usual, and sang Japji and Anand songs. As he was chanting hymns and praying, his Sikh generals came in hot haste to inform him of the approach of the Moghal forces. The Guru said, "Be calm. There is nothing to be afraid of. All comes as our Creator wills." Once Painde Khan engaged in a pitched duel with Har Gobind. The ungrateful Painde uttered profane words to the Master, who replied, "Painde Khan, why use such words when the sword is in thy hand, and I give thee full leave to strike first?" Painde Khan, bending low, aimed a sword-blow at the Master, who avoided it. Again Painde Khan struck with similar result. Gobind was trying to play with his old and beloved servant, and, if possible, to awaken in him his original sense of fealty. But Painde Khan grew more and more angry and desperate; his attack became deadly and Gobind dealt a blow under which he fell. From this blow he regained his old sense of discipleship; and, as he lay dying, the Master took him in his arms, thereby readmitting him to grace. The death of Painde Khan is one of the most pathetic scenes in the life of Har Gobind. As he sat shading Painde Khan's face from the sun with his shield, he addressed him lovingly, "—O Painde Khan, thou art a Mussalman, repeat thy Kalma now, for thou art dying." The fully-awakened Painde Khan replied, "O Master! from thy sword has already flowed into my mouth the Elixir of Immortality. Master, thy sword-cut is my Kalma now!"

Har Rai, his grandson, always wore a heavy gown and once as he was passing through Har Gobind's garden, the folds of his flowing gown struck a flower, which fell down, torn from its branch. The Master saw this, and said to Har Rai, "My son! always go about with due care, lest you disturb the slumber of union of some blessed ones, and tear them away from God as thou hast torn this flower from its branch." Har Rai thenceforward, all his life, gathered the folds of his gown in his hand wherever he went.

Har Gobind found in Har Rai the spirit of Nanak; this time in a more subtle and mystic form, and it was at Kiratpur that the Master gave his throne to him and left for his heavenly abode.

It is written by the Dhyani disciples who were present at the time of the departure of Har Gobind Sahib from the earth, that the face of Heaven flushed rose-red and that they heard the soft singing of a million angels in the inner firmament in one spiritual concourse of joy.

The Master, before giving up his body, said, "Mourn not; rejoice in that I am returning to my Home. He who obeys my word is ever dear to me and in the Guru's word is his beatitude. Fill yourselves, O disciples! with the song of His Name, and live immersed in its ever-increasing inebriation divine."

VII - THE SEVENTH MASTER - HAR RAI NANAK

After the passing of Har Gobind a calm ensued, for the Sikhs were, by nature, peace-loving and fond of celestial contemplation, and the Guru's residence was now permanently shifted from Amritsar to Kiratpur—an out of the way, inaccessible place. Besides, Emperor Shah Jehan had seen, during the lifetime of Har Gobind, that it served no good purpose to make the Sikhs his enemies. On the illness of Dara Shikoh, his youngest and most beloved son, the Emperor sent a conciliatory letter to Har Rai, and asked for his blessings. But not many years had passed, when Shah Jehan fell a prisoner into the hands of his son, Aurangzeb, who also killed his brothers and usurped the throne of Delhi. Dara Shikoh fled in fear of him, and sought refuge with the Master, being already imbued with the mystic lore of saints like Sarmad. The Guru received him kindly, and filled him with that solace which no fear of death can disturb. Dara Shikoh was eventually caught and beheaded at Delhi, and Sarmad shared his fate.

Aurangzeb then turned his attention to Har Li; but instead of adopting violent measures for his capture, the Emperor sent him a polite invitation to visit Delhi. Har Rai refused to go to Delhi, but sent his eldest son Ram Rai to represent

him there. Ram Rai effected a compromise with the Emperor, and yielded on many points to the advice of Aurangzeb; with the result that the latter tendered his political patronage, which was accepted by Ram Rai. This news of the moral weakness of Ram Rai reached the Guru, who ordered that his son should never come back to see him." Let him go whither he pleases", said the Master, "he is not my son, when he has compromised the gospel of Guru Nanak."

Har Rai had an exceptional seclusive mind; he loved quiet and did not mix very freely with people other than his disciples. He had military discipline for himself in everything that affected his conscience. As said elsewhere, he never plucked a flower or a leaf in his life; his room was the temple of peace.

One day during a ride, he halted at the door of the cottage of a poor farmer. It was not the hour of the morning at which he usually break-fasted; yet he called out at that door, "Good woman, bring me the bread you have prepared for me." The woman, half wild with joy, brought out some coarse bread, which he ate while still in his saddle. The disciples were astonished at this departure from his iron discipline in such matters, and next day as they rode they brought the meal at the same hour. He laughed, and said, "My friends, it was no hunger that caused me to beg the bread, but the song of love and Dhyanam of which it was made, and which obliged me to go there to accept it. It is seldom I get such bread. I pine for my disciple more than they pine for me. I am pulled by the strings of love that my disciples sometimes snatch from the Hand of God. God is Love."

Har Rai sat love-fettered in one posture from evening till almost daybreak, breaking the usual engagements of the evening. When he found his attendant Sikhs eager to know the cause of this having sat in one posture as if there were fetters on his feet, he said to them, "Brother Sikhs! Brother Gonda of Kabul in a trance fell at the feet of the Master, and love fettered them by his child-like clasp. How could the Guru rise till the disciple rose out of his trance of Dhyanee love?"

VIII - THE EIGHTH MASTER - HAR KRISHAN NANAK

The child Har Krishan, the younger son of Har Rai had developed those mystic signs by which the Master was always recognized. The very Darshanam of Har Krishan healed the sick and comforted the miserable. Har Rai bowed down to this child as to Guru Nanak, and left the earth.

Ram Rai began conspiring against the child Guru at the Imperial Court at Delhi, and finally succeeded in getting him summoned there. Like his father, Har Krishan was averse to seeing Aurangzeb. At Delhi, though he was ordered many times to see the Emperor, he persistently refused to do so. Finally he fell ill in Delhi. This illness of Har Krishan is to us, his disciples, in the nature of a protest.

Har Krishan was a mere boy, they say, when he came to Nanak's throne. But is not genius independent of age? A little later in our history, did not Gobind Singh a boy of nine, occupy this very throne at the time of a miraculous re-creation of a whole people?

When Har Krishan lay ill at Delhi, his august mother, at his bedside, saw that he was thinking of his coming death." O son, why art thou turning thy thoughts away from this earth so soon?" she asked." Be not anxious, mother, for me," said the Guru, "my safety is in His will. I am safe wherever He may take me. Mother, be not anxious; youth or age matters not. Does not Arjun Dev say, 'The Master is the Reaper of His crop; it is His pleasure, and sometimes He reaps it while green and sometimes when golden ripe?' Know, mother; what our God does is best. Has not the Master, Nanak said, 'What pleaseth Him is good?'" "

The family-jealousy was blazing then at its full, and many blood-relations of the Guru were setting themselves up as "Masters". Guru Har Krishan, though very ill, sent for five pice and a cocoanut, and bowed down saying, "Baba Bakale" (*Baba Nanak is at Bakala*). The Boy-master felt his spiritual responsibility for the people, and named the place whence Guru Nanak would come to his disciples once again. None else had the celestial vision that could see as Har Krishan saw. Naming Guru Har Krishan is the cure of all diseases.

IX - THE NINTH MASTER - TEGH BAHADUR NANAK

"*Baba Bakale*" —He is at the village Bakala! Many impostors, distant blood-relations of the Master, proclaimed themselves the new Nanak. But the trained disciples well knew the fragrance of the soul that comes from the true

Beloved. They soon found their Master. So great was the joy, that a disciple, Makhan Shah got on top of a house and cried in ecstasy to the heavens and the earth, “Guru *Ladho!* Guru *Ladho!*” *The Master is found! The Master is found!*

Tegh Bahadur had lived till now in extreme abstraction and in awful solitude. None could go near him, such was his reserve, inaccessible as the high peak of a mountain. His Dhyanam-abstracted look disconcerted people; and they passed him by, called him “Mad Tegha.”

Till now, we have seen that every reincarnation of Nanak that has shown before us was different and yet alike. Tegh Bahadur could not bear the sight of creation without a deep agitation of soul. He could not but suffer from a profound sadness on seeing the helpless destiny of man’s life imprisoned under the “Inverted Bowl” of this blue sky. He could live in the Dhyanam of the Beloved, and nowhere else. So sympathetic, so saddened by the world’s distress was he, that he would have died of sympathy, had he not been put in the centre where shines the light of the Beloved. If God had not caught his mind in the magic net of His own Effulgence, if Tegh Bahadur had not found peace in the spirit of Nanak, his temperament would have led him to be one of those who sacrifice themselves. He would lay down his life to save a poor cow from being led to the slaughterhouse, in order to escape the pain of the great illusion.

Tegh Bahadur always sings the sorrows of created life, and converts them into a vision of Heaven—a joy of self-realization. He finds joy nowhere but in His Nam and praise, and he exhorts everyone to be of that spirit.” Do they not make ropes of wet sand on the river bank, who rely on the riches of this earth? Like a picture painted on waters, like a bubble on the wave is not all this magic of evanescence unsatisfying? O Man! thy supreme vocation is to live in the Beloved!” Tegh Bahadur’s note is Renunciation: he dwells only upon the nearness of his Beloved, and the enlargement of the divine Idea in human life. The pleasures of life are so many pains; but, as Tegh Bahadur says, all realization of truth and its joy springs from these hard pains. Shed your tears for the sorrows of the world, but make them into a rosary for telling the beads of Hari Nam.

Sorrow is your wealth, suffering your gladness of soul, if you are really great as he himself.

Your optimism is austere and ascetic, and never can be reconciled to life but in Him.

Tegh Bahadur’s mind is ever awake. It alone is made for ever free of the drowsiness that the Maya of life induces in everyone.” To forget One and to feel enamoured of another reality, is Maya,” says the Master.” You shall sleep not, O Bride! if you have chosen to wait for the king tonight.” Tegh Bahadur’s emphasis on this aspect of the Dhyanam of the disciple is as great as that of the older Nanak, judging by their songs.” O Brother! Nothing in this world can be thine for ever; therefore think of Him alone, and live retired from the sorrows of life. Plunge yourself again and again into thought, and see what the world contains that can promise aught but the illusions of magic colours, snaring you again and again without purpose. Therefore, turn within and see the truth within yourself.”

Guru Tegh Bahadur was so tender in his being, that he ought not to have been allowed to come in contact with the suffering of the people. His poems are tears shed for them in the silence of his heart. Soft as a raincloud, his songs awakened the dry hearts of men.

“Forget yourselves, O people, but forget not the Beloved. Forget not, in your gifts, the great Giver.” Such is the message for Tegh Bahadur; which, sinking deep in the heart, makes life painful, but delicious. It makes men sleepless but full of the peace of the infinite. Tegh Bahadur’s word bestows on us. a repose-which no death can shake. It is the greatest solace ever uttered of the Sikh martyrs! What reck we of this earthly life? We lay it down for a higher life that put forth its signblossom in the Window of the Soul! Nothing matters. What are fetters to our feet, when we see wings already spread for our soul to fly to the Beloved? What is torture, or death, or wrath of kings, when to our inner ear the angels are already singing victory? What injury can fire do us, or waters, or swords, when we see beings made of light take us in their embrace and support us in a faith that we are His and He is ours and all is made of light and song and joy?”

TEGH BAHADUR AND AMRITSAR

The seat of the Master and the disciples, as we said, had shifted to Kiratpur; and Amritsar was already in the hands of impostors, priests who saw the money to be got by priest-craft at Han Mandir. When the Guru had gone towards the hills, the disciples also departed thither and only priests remained behind. Since the time of Arjun Dev, there had

sprung up a kind of civic administration, which collected the offerings of people at large for the up-keep of the Sikh cities, temples and tanks. Often the administration got into the hands of people other than the disciples, though everyone was eager to call himself a Sikh in those halcyon days. For some time the civic administration worked well; but later the surrounding enemies of the House of the Master came in and enlisted as Masands or collectors of offerings, and made the whole administration inimical to the disciples. They afflicted the true disciples in many ways; and the disciples endured without a sign of murmur all that came from Masands in the name of their Beloved. A full revelation of their ill-doing was made to Gobind Singh in a drama played before him at Anandpur, and it was he who abolished the Masand administration and destroyed the tyrants.

The signs of this tyranny were visible when Tegh Bahadur paid a visit to Han Mandir. The priests shut the doors of the temple against the Master, and he said, "The priests of Aniritsar are men of blind heart that burn in their own lust of greed." But, as the news spread, all Amritsar came out to pour their soul at his feet. The women of the Holy City of Song welcomed him with the Master's song, and went singing all the way with him to the village *Walla*, where he stayed in the lowly abode of a devoted disciple.

Tegh Bahadur could not stay in one place, for the accumulating sorrows of the people grew to be more than he could bear. He was perpetually on tour, meeting his disciples in villages and in lonely jungle-huts. He travelled as far as Dacca and Kamrup in Eastern India burning lamps of human hearts in memory of Guru Nanak, wherever the Master had been before him. At Dhubri, Tegh Bahadur raised a mound. He organized a Sangat in Assam, and illuminated many a family with the light of his face.

BIRTH OF GOBIND RAI

During his travels towards the east, in which his mother and his wife accompanied him, his son Gobind was born. Tegh Bahadur had to leave his wife at Patna when he went to Gobind, the Bala Pritam, the Child-Beloved, was born at Patna in the absence of his father. When the latter returned from his tour in Assam, he lived at Patna for some time; but left them again there, when he with his five disciples journeyed on to Anandpur in the Punjab. He did not wish the mother to travel till her baby had grown old enough to bear the journey to the Punjab. Tegh Bahadur was at Anandpur, and his family were at Patna, where Gobind spent his childhood and part of his boyhood. The parting from Tegh Bahadur was always poignant for his mother and wife, and now for his child also." But such is the call of Heaven", he used to tell them as he left. As we see, after an unusually long absence they had met at Patna to be separated this time for many years.

BALA PRITAM, THE CHILD-BELOVED

The irrepressible spirit of Gobind Singh as a boy are recorded by a true disciple of his in a book called *Bala Pritam*, recently published by the Khalsa Tract Society, Amritsar. It is the result of careful study of the Patna life of Gobind Singh which recalls the analogy of Krishna. At Patna he won all hearts, and became a new centre of Dhyanam for devotees to whom he was able to give the Divine Signs that characterize spiritual genius. He would appear as Rama or as Krishna in response to the wishes and visions of the people of Patna. In the bright disc of the morning sun, seated on the banks of the Ganges, the self-closed eyes of these devotees saw Gobind, the Beloved, standing in the sun and shooting golden arrows from his blue bow.

He used to play tricks upon Patna housewives and the maidens and to overcome them with mirth. Breaking and piercing their earthen pitchers with his arrows he diverted all and delighted himself. Mata Gujri, the grand-mother of Gobind Rai, gave them new pitchers every time.

Raja Fateh Chand Meni and his queen are childless. The disciple Pandit Shiv Dutt points out Gobind to their empty eyes. The King and the Queen think of the merry boy, and pray for a child. One day the boy goes stealthily to their palace, and sees the queen sitting in deep reverie with her eyes closed. He approaches her very quietly, and suddenly throws his little arms around her neck; and, as she opens softly her rapture-red eyes, he looks into them and says, "Mother!" The Gobind's one word "Mother" takes away all her lifelong grief. He fills her heart and that of Fateh Chand with himself. God comes to them as a child, for they want a child!

The whole of Patna was Gobind's. He was the shining spot where people saw God. Gladness came to them when they saw him, conversed with him, touched him, or were playfully teased by him. Gobind Rai displayed infinite

mischievousness which, his mother and grandmother, interpreting it as a sign of coming greatness, ignored. Years afterwards when Bala Pritam was at Anandpur, his disciples of Patna went to him on a holy pilgrimage. The old frail frame of Shiv Dutt accompanied this caravan of disciples, led by Raja Fateh Chand and his queen. The Master came many miles to receive them. Still mischievous, he concealed himself and let the caravan pass; and then, getting behind the palanquins that bore Shiv Dutt, Raja Fateh Chand, and the queen, he startled them with his old Patna whoop; throwing them all into that kind of joyful confusion in which everyone ecstatically forgets himself. Thus did Bala Pritam meet his devotees again.

Tegh Bahadur had but a brief time at Anandpur, where his family from Patna had now joined him. Gobind was about eight years old. During this brief sojourn, he made Anandpur the city of the disciples. It was already their natural fortress when they needed shelter. The kings of the land were then the avowed enemy of the Sikh, who was compelled to be ever ready to lay down his life for the truth. The hymns of Tegh Bahadur were composed to infuse the spirit of fearlessness into disciples, as there were times coming when the Sikhs would be called on to embrace death as a bride. Guru Tegh Bahadur's resolve to die for the cause inspired every Sikh man, woman, and child, once more with willingness to die.

The emperor Aurangzeb had adopted a cruel policy of extermination against the Sikhs, whom he considered to be grave political danger to his centralized Empire. It is well known now how he persecuted the non-Moslem, constantly dreaming of a Moslem Empire in India. Had he succeeded, it would have been one of the greatest historical achievements for the Moslem, and the name of Aurangzeb would be one of the greatest. But he failed to massacre the non-Moslems in numbers sufficient for the attainment of his purpose.

However, the Hindu shrines were thrown down in cities like Benaras and Brindaban in broad daylight, and mosques raised instead. The official sword put to death all those who refused to accept Aurangzeb's political religion. Darkness of pain spread all over the country, and despair filled the house of the non-Moslem. Nothing was held sacred—mother, wife daughter, and cow of the non-Moslem, were considered the rightful property of the Mussalman. To kill a Hindu, "a Kafir" was represented as a religious duty. The Mohammedan law was interpreted to sanction the annihilation of those who refused the authority of Islam. The whole country rose, with one cry, one prayer, and one curse, against the blind tyranny. The Brahmans from Srinagar, Kashmir—the Guru's Kashmir—flocked to Anandpur, bewailing their lot in that high solitude of the Himalayas where the Moslem Governor had nothing but death and torture and shame for them. His fury knew no control and his tyranny no limit. The Master had heard the wail of the people long before they came but now the time had come when he must rise and sacrifice himself to make the people free.

On the day when he was to give his decision, his young son Gobind Rai approached him and enquired, "O Father! why are you so silent today?" He replied, "You know not my child, the state of the people. Their rulers are as wolves, and there is no end to their misery and shame." "But what is the remedy, father?" said the child. "The only remedy, my child, is to offer a God's man as an oblation in this fire; then the people will be secured from this misery," said the father.

"Offer thyself, father, and save the people," said Gobind Rai. The child was right, there was nothing else to do; the Master must sacrifice himself for the people, the son of God must be bled to pour life into the people—such is the ancient mystic law of life.

The Master was again obliged to take leave of his beloved son, his mother, and his disciples; and this time his journey was to a destination whence he would not return to them in that familiar physical shape. The city of Anandpur was by this time all put in order. There was the Master's botanical garden, a never-failing fountain, the academy of disciples, the temple of his praise, where gathered his disciples from far and near, with that joyous hilarity of soul, which was found nowhere else but at his feet. Gobind Rai was to be the Tenth Master as was universally known. The steel of ages past and ages to come shone with blue glint in the aura of the child Gobind. The Dhyanee eyes saw him even as a child, touching heaven with the crest of his turban. He was the Talisman of eternity, that could melt sun and moon and infuse the light into men's hearts.

Even in the presence of Tegh Bahadur, Anandpur shone with Gobind, who had already learnt the arts of archery, sword-playing, and horsemanship. He had learnt how to make poems, at the feet of his father; there were gathered at Anandpur all kinds of experts to equip him with the best possible training in the arts of life. This time it was not the disciple Gobind that had to part from the Master, as it was in the case of the disciples Lehna, Amardas, and Ram Das;

it was the Master that was to go from his disciple. The disciple, Gobind already initiated by the Master into the perfection of Guru Nanak's Dhyanam, and to remain at Anandpur, and the Master had to tear himself away from the Beloved.

The emissaries of Aurangzeb came to Anandpur to summon the Master to Delhi; but he would not go with them, he promised to follow. He had yet to go to see disciples who were thirsting for him, those that lived on his way to Delhi. He took his own time and his own road; it lay through the midst of his disciples, and it lay covered with their flower-offerings. At Agra the Master with five chosen disciples delivered himself to the Emperor's men there awaiting him—he had taken so long in coming that they doubted his promise. He was then taken to Delhi.

The Master was kept in prison at Delhi and tortured there, under the orders of Aurangzeb. But all torture was to him as a mud spray against a mountain wall. Like Arjun Dev, Tegh Bahadur never for a moment took his mind out of the Dhyanam of Reality. Not a thought of curse or retaliation disturbed his peace, not a frown wrinkled his shining brow. As calm as at Anandpur, he maintained a peace of mind that the dissolution of three worlds could not have disturbed. Bhai Mati Das, seeing him in prison, felt deeply agitated, and said, "O Master, permit me to go. I will immediately make the ramparts of Delhi strike against the ramparts of Lahore, in a thunder-stroke, reducing all this Empire to thin powder. Allow me, I will crumble these tyrants like clods of clay in my hand." "O brother," said the Guru, "this is true; but ours is to think of Him. Ours is to live in His will and to be happy in seeing it work. Ours is not to plan out our own defence, seeing that the Beloved receives our injuries in his own heart." Bhai Mati Das fell speechless at the Master's feet. Truly the essence of real power is to live in the supreme peace, come death or torture. The great never complain.

The Master was asked to accept Aurangzeb's political religion, or to die. He chose death. Bhai Mati Das was sawn across at Delhi as if he had been a log of wood. The saw was made to run through his body as he stood erect. The more they pierced Bhai Mati Das with it, the deeper resounded from his flesh the song of Nam; for, after his agitation, he had been embraced by the Guru and thus put in the centre where there is no pain. The other Sikhs left for Anandpur with his messages, his poems, and the offerings of a cocoanut and five pice to Gobind Guru.

Tegh Bahadur was beheaded in Delhi, as he sat under the banyan tree reciting Japji. That banyan tree still stands. The Emperor Aurangzeb had insisted on seeing some miracle of the Master." Cut off my head with your sword and it will not be cut," so had said the Master. A great dust storm swept that day over Delhi, and the sky was blood red. This storm of dust carried off the Empire of Aurangzeb as if it were a dead leaf lying on the road. The Master yet lived.

X - THE TENTH MASTER - GOBIND SINGH NANAK

ANANDPUR OF THE TENTH MASTER

Out of the joy of the Masters have grown the names of our cities, filtering down into the common language of the people! The Sikhs gave to the Punjab thirty-five new words for "Joy". Guru Nanak founded, on the Ravi, the city of the Creator—"Kartarpur". Goindwal is "The city of God". Amritsar means the "pond of Ambrosia", or "Lake of Immortality". Guranditta, son of the Sixth Master, named Kiratpur "city of praise". Anandpur is "the city of divine bliss", founded by Tegh Bahadur. At the martyrdom of Tegh Bahadur there was no sorrow at Anandpur; the new Nanak, Gobind, led the town in celebrating the event with a new purity of joy.

"Tegh Bahadur is gone!
The world says, 'Alas! Alas!'
The heaven rings with hallelujahs!
Welcoming his return home!
The angels sing 'the victor comes home! the victor comes home!'
All victory is in the Dhyam of His Glorious Name!
His disciples and his saints sit still in His supreme Dhyanam!
And in His love is freedom for them!"

Anandpur was made once again, under the divine leadership of Gobind Singh, the City of Immortal Bliss. Nothing was lacking, the former Master had provided everything for his children. He gave all his soul to his people, coming no more in earthly form to them. He knew it; though they did not and could not know of his purpose.

Gobind Singh, too, brought new delight to the Sikh people. He scattered joy and light in an abundance hitherto unknown even in the Sikh life of the past nine generations of this dispensation of divine grace!

Anandpur was a centre of life of the people: spiritual, mental and physical. Around the Master assembled poets and painters, and scholars; and he encouraged the development of art and learning in his people. The disciples were sent to Benaras to learn Sanskrit. He caused many long Sanskrit books to be translated into Hindi. In fact, the disciples had returned to their own line of work, forgetful of the injuries inflicted on them by the kings. There was a tremendous revival of literature and art at Anandpur. We have accounts of this period from the Dhyanam of Bhai Vir Singh ji, in the little brochures published by the Khalsa Tract Society, Amritsar. One of these, *Malin, or the Gardener's Wife*, lifts up the curtain that time had let fall on Anandpur, and allows us to see more of that place and its society than is permitted by any earlier historian.

MALIN, OR THE GARDENER'S WIFE

Mohina and Sohina were once rich people but they had renounced all in love of Nanak. They were accomplished singers, gardeners, flower-breeders and poets. They came in disguise as poor people, and entered Gobind's service in his garden. They never tried to see him as they had once had a sentence pronounced against them by a Sikh—"He will not grant you a glimpse of himself": these words had escaped the lips of the Sikh when he was fatally wounded and dying of thirst, and when he was refused water by Mohina and Sohina who were carrying sacred water to the temple for the worship of their stone deity—for at that time they were idol-worshippers. They had been so haunted by the face of the Sikh that they had returned hurriedly from the sanctuary to give him the very same water, but the Sikh had died meanwhile. His voice rang in their empty souls, "He will not grant you even a glimpse of himself." One day Kesara Singh (*Saffron Singh*), the Guru's gardener, exhibited specimens of their work of plant-breeding and making many a flower bloom out of its season, and named them to the Guru. Nobody else knew anything about them. He looked up to the sky, and repeated in an undertone the words of the dying Sikh." He will not grant you a glimpse of himself." Then he added, "Tell them they cannot see the Master yet." But the Mother afterwards paid them occasional visits in their neat nest-like hut in the garden, and they used to sing the song of the Master to her. Every morning, whatever the season, they sent her a garland of flowers, with which the Mother garlanded the Beloved. One day, a Faqir called Roda Jalali came and begged of the couple for some of their flowers that seemed to him a curiosity at that season. Mohina and Sohina could not part with them; they were sacred. Roda Jalali stole like a cat into the garden at night, and plucked all the flowers with a view to presenting them to the Guru in the morning. Next morning, as the Master was sitting in the assembly of disciples, Roda Jalali presented himself and made an offering of the basket of flowers." Why did you not bring Gold Mohurs as an offering?" said the Master." Faqirs never touch gold," said Jalali." Then a Faqir should come empty handed," said he, "the empty hands of a Faqir are beautiful." "But one must come with an offering," said Jalali. Thereupon the Master made a sign to Bhai Mani Singh to take off Roda Jalali's cap from behind—when lo! a few gold Mohurs fell out of it. Meanwhile the Guru, looking at the flowers, cried like a grieved father, "O Roda! you have not plucked flowers from the bush, but you have torn two souls from God." Saying this, the Master ran barefooted to the hut of Sohina and Mohina. The couple had already fainted amid their despoiled bushes, they seemed near to death. He revived them with his glance, and sat by them, lifting their heads into his lap while the Mother gave them water to drink. Their opening eyes saw those of the Master gazing deeply into them. Thus did Mohina and Sohina enter the path of discipleship.

BHAI NANDLAL AND GHYASSUDIN AT ANANDPUR

Bhai Nandlal had migrated from Kabul to India with his wife and children. Providing them with a house at Multan, Bhai Nandlal entered the imperial service at Agra, becoming Secretary to Bahadur Shah, the son of Aurangzeb. He was a poet, and an Arabic and Persian scholar and he solved many a knotty theological problem in the theology of Al Quran, which were referred to him by the Prince. Once, when every other scholar had failed to satisfy Aurangzeb as to a particular verse in the Quran, Bhai Nandlal's exposition, given to the Prince in private, when repeated to the Emperor, gave him great pleasure. Thus was the scholarship of Bhai Nandlal brought to the notice of the Emperor, who ordered that so able a person should no longer be allowed to remain a Hindu. The news Leaked out; and Bhai Nandlal saw that, to avoid death or apostasy, he must flee. He thought of escaping with his devoted Faqir-follower Ghyassuddin to Anandpur, and taking shelter with the Tenth Master. So with a few valuables they escaped by night from Agra, on two mules. When they reached Anandpur, they saw Gobind Singh sitting in the midst of a happy congregation. Bhai Nandlal and Ghyassuddin offered their homage and took their seats, as the Guru blessed them and

welcomed them. Addressing Ghyassuddin, Gobind said, “Brother Ghyassuddin, to whom dost thou belong?” Ghyassuddin pointed to Bhai Nandlal, and said, “To him, Sire I” At this, one of the disciples wished to correct him; but the Master promptly stopped him, saying, “There is no dispute at all. Brother Nandlal belongs to me, and brother Ghyasuddin belongs to Nandlal; so, O good man! both belong to me.” These words were enough for Bhai Nandlal; he was thenceforward eternally his. By these words, and in these words, the Master gave the gift of Nam to both, and they entered the path of discipleship.

Bhai Nandlal, once he had laid his head at his Master’s feet, never left his presence. The Master was overwhelmingly kind to him, and always addressed him affectionately as “Nand Lala” —Master of joy. He would compose Persian verses in praise of the Guru, and recite them everyday. We have two volumes of these Persian poems.

GOBIND SINGH IN DISGUISE

Gobind Singh often sported with his disciples and had many surprises for them. It was ordained at Anandpur that every disciple should keep a *langar* of his own to feed the pilgrims and passers-by, and the orders were that none should be sent away disappointed. Very early one day, the Master disguised as a common pilgrim, went round all these *langars*, asking for bread. The disciples were busy getting the bread ready, so they could not promise anything till they were fully prepared to receive guests. The Master went from door to door, till he reached Bhai Nandlal’s *langar*. Bhai Nandlal welcomed the guest with a beaming face and brought everything that was in the room: butter, half-kneaded flour, half-cooked pulse, and other vegetables, and placed before the guest.” This is ready and is all for you, but if you permit me, I will prepare them for you, and serve you in the Name of My Master,” said Bhai Nandlal. Next morning, the Guru told everyone that there was but one Temple of Bread at Anandpur, and that was Bhai Nandlal’s.

GOBIND SINGH AND “RENUNCIATION OF THE SANYASI”

A group of Hindu Sanyasis came to Anandpur, and complained to the Master that he was not laying sufficient emphasis on the virtue of Renunciation. He replied, “My disciples are men of renunciation in joy; their bliss is infinite, and no more is needed; all things come to their hands, and they use them as they need. As long as they do not go under illusion (Maya), so long they are free and pure. If one has obtained Self-Realization, of what use, my friends, is Renunciation?” They were for arguing further, when he interrupted them, playfully bidding his Sikhs to put live charcoal on the lids of their Coconut Bowls of Renunciation. And as the lac cementing the joints melted off under fire, the bowls were shaken and gold Mohurs dropped out giving an open proof of their hypocrisy.

The scenes of Gobind Singh’s life at Anandpur are lit by laughter, and joy. He would welcome his disciples with a smile or a touch on the shoulder, and he delighted in surprising them by his play of wit. Anandpur was alive with continual festival: “Every day a new year’s day, and every night a wedding night” !

Gobind Singh is Guru Nanak; but he rides a splendid steed, arms himself with a quiver full of arrows and a mighty bow, has a sword hanging in his belt and a hawk perched on his hand and eyes that sparkle with joy and valour of the soul. His heart is gay because of his uncontainable joy.

THE ANCESTOR OF THE PUNJAB KALALS

There came into the assembly a Kalal, or wine distiller of the Punjab, a member of the most-hated caste. (It is said that the punishment for merely stepping on the bone of a *Kalal* is seven generations in hell. The hatred was of the caste-hatred type; and not hatred for the wine he made, for the Kshatriyas and other castes consumed wine freely even in the Mahabharata times). He stood at a little distance. The Master invited him to come and sit in the assembly on which he hesitated and said that he was a *Kalal*. The Master immediately answered, “No, come in; you are not a *Kalal* but *Guru Ka Lal*,” a ruby of the Master. Such was Gobind’s attitude towards the low castes, and submerged humanity: he loved to lift them, and he did it by his looks. He raised them to the dignity of his own children by his baptism of love. His transmuting touch was the secret.

The Master had called for a cup of water, which was brought to him by a nobleman’s son, a handsome young man with clean white hands. The water was crystal clear, and the cup scrupulously clean; but the Master after taking it in his hand, returned it to the young man without drinking, and said, “My son, it seems your hands have not yet laboured

in the service of the saints.” “No, sir, I have never worked with these hands yet,” said the boy.” Ah! My boy, go and make them pure first in the service of the saints.”

Anandpur was the centre where all castes and creeds and colours met in one joyous crowd; as formerly they met at Kartarpur, Goindwal and Amritsar. Hundreds of thousands jostled to catch a glimpse of the Master.

The Master pondered deeply on the destiny of these people; for this was the last incarnation of Guru Nanak, as he alone knew. What was to become of them?

Henceforth the disciple must be made the vehicle of the spirit of Guru Nanak, with the Word of the Master enshrined in his heart, as the Deity of this Temple. Henceforth they who would thirst for his Presence, must kiss his feet and his body by taking the Word into their souls.

THE CALL OF THE MASTER

Gobind Singh fixed a day for the gathering of all his disciples at Anandpur. When they had gathered from all parts of the country, he rose with the naked steel in his hand and called for a life to be offered to his steel from among their number, if they wished to continue as his disciples. This call caused some terror in the assembly; for they had already forgotten the ways of Guru Nanak, and that this was not the first time in Sikh history that some such call had been made. Guru Nanak had called in the same awful tone, and only Angad had come forward—the others being afraid. Moreover, the disciples knew their present Master only in his loving and sustaining mood; and, as they failed at the time of Guru Nanak, it is not surprising that now they were unable even to guess the meaning of the Master, for whom this was a climacteric moment in which centuries throbbed to new life. The Master called again, “Does any disciple wish to die under my steel?” Only one rose and came forward with his head bent in deep reverence, saying, “Thine it is for ever, Master; under the keen edge of thy steel is the highest bliss.” A tent was pitched on a little mound nearby, and the blessed disciple followed the Master into the tent.

The Master came out again with his flashing sword, saying, “One more disciple to die today!” So did he call five times in all and five Sikhs stepped forward to die.

After a while, out of the tent came the *Beloved Five*, decked in saffron-dyed garments and saffron turbans; altogether a new type, with the Master in their midst looking strangely as one of them. The *Beloved Five* by his favour had the same dress, the same physical appearance, and the same Divine glow, as he. Gobind Rai proceeded to dissolve the song of the Master (God word) in water; and he prepared the Nectar of Knowledge Absolute in the immortal draught in which he had resolved to give himself away to the children of Guru Nanak!

The Nectar was ready as he had just finished the chanting of his Mantram, when the Mother of his disciples came with sugar-crystals and stood waiting before the Master.” Welcome, good lady!” said he, “power without the sweetness of soul means little. Pour the gift into the Nectar, so that our disciples may be blessed not only with power but with the grace of a woman-sweet soul.” And the Mother thereupon sweetened the Nectar.

The Blessed Five were as fully-armed soldiers in appearance, with the tresses of each tied in a *knot of disciple Dharma* gathered on the crown of the head and covered by a graceful turban; and they wore a kind of half-trousers. From within the Master’s tent came out a new incarnation of the disciple, a new face of the Saint-soldier who had accepted death in love. It was a moment of creation whose full fruition requires the lapse of aeons.

He stood up, with the sacred Nectar contained in a steel vessel, to give the blessed abundance of *God-in-Man* away. The disciple from Bir-Asan, kneeling on his left knee, looked up to the Master to receive his eternal light. The Master gazed into the eyes of the disciple, and showered on his face the Nectar, calling him aloud with each shower to sing the Mantram composed by the Master for the occasion: “Wah-Guru Ji Ka Khalsa, Sri Wah-Guru Ji Ki Fateh.” *The Chosen Ones, the King’s servants, the disciples, the Khalsa, belong to the Glorious Master, all triumph be to His name! He is Truth, and Truth triumphs now.*” He did it three times. The knot of Disciple-Dharma, which the Master had just gathered in his own hand, was then anointed by him with the same Nectar. Thenceforward every hair of the disciple’s head was filled with his Nectar; every hair was a tongue which was to sing the Song of the Master. Every hair of the disciple is thus sacred for all time. Thus were the Five Beloveds anointed by the Master, and they were asked to drink the Nectar from the same steel cup in deep draughts of brotherly love.

“You are the Sons of Nanak, the Creator’s own, the chosen ones.
 I name ye the Khalsa.
 Ye are the disciples of Song, and ye shall be the saviours of man.
 Ye shall own no property, but all shall be for the Master.
 Ye shall love man as man, making no distinction of caste or creed.
 Ye shall keep for ever this flame of life lit in you, unflickering, in deep meditation on the One Deathless Being.
 Ye shall bow your heads down to your Master only.
 Ye shall never worship stock, stone, idol or tomb.
 Ye shall always pray in the Dhyanam of your Master.
 Remember always in times of danger or difficulty the Holy Names of the Masters, Nanak, Angad, Amardas, Ramdas,
 Arjun Dev, Har Gobind Sahib, Har Rai Sahib, Har Krishan, Tegh Bahadur.
 I make ye a Rosary of these names; and ye shall not pray each for himself, but all for the whole Khalsa.
 In each of you the whole brotherhood shall be incarnated.
 Ye are my sons, both in flesh and in spirit.”

THE DISCIPLES BAPTISE THE MASTER

After this, Gobind Singh asked his Five Beloved Disciples to prepare again the Nectar as he had prepared it, and to anoint others with it as he had done. The Five sat in a group, and, inspired by the Master, prepared the Nectar in the same way. It was the Master himself who offered first of all to drink the Amritam from the hands of the Beloved Five. From Guru Gobind Rai his name was changed to Guru Gobind Singh. Thereupon, the whole heavens resounded with the joyous ejaculation, “*Sat Sri Akal*” —“the only Reality is He” —the deathless, the timeless Glory? Thousands of Sikhs were anointed on that day with the sacred Word—Amritam of the Master. It was this Amritam that changed the docile, poor, fearful disciples into the leonine name of the new Khalsa: Saint-soldiers, who were taught to salute the God and the Master with a naked sword swung high in air, and to practise the Simian of Mantram of *Wah-Guru*. Arms were thenceforward the symbol of a disciple’s fervour of soul.

This great miracle of creation, done by Gobind Singh, transmuted Anandpur into the centre of a new Saviour-Nation. A contagious spirit of independence arose and spread, and the face of the country changed. Where love is supreme, the heart in which it resides must be clothed in splendour of steel; the flashing sword of love must be the expression, in this dark world, of the light of soul.” I am thine, death is nothing to me. I wear arms, not to kill, but to dazzle with their flash the eyes of cowardly kings, and to blazon in letters of fire, supreme majesty of love over all. I need no kingdoms on this earth; I lust not for shining gold, nor for the beauty of woman. I own nothing. All belongs to Him, the Lord! If he has chosen to adorn my smile of Knowledge Absolute with the flash of His cleaving sword, it is his pleasure. My Religion then is of His Sword.

“Do not misunderstand me. I know the truth, I am made of it, I am in the safe-keeping of the Beloved. His pleasure is my salvation. I have no need to act, for all action has ended for me in His love. But so He wills; and I take the body of flesh to the altar of sacrifice for the sake of suffering humanity, and, rising out of the Master’s heart still half-asleep, I go forward and die for others. With my blood, I will buy them in this world of trade and money-getting, a moral and physical relief. I covet no more but to die naming Him, with His song on my lips and his Nectar flowing out of my mind; fixed on the one purpose, to die for others and to save them from misery! I therefore pray I may die, not in solitude, but in the battlefield; and not for my glory, but for the glory of one Song that is deathless.”

AKALI

The human spirit at Anandpur manifested its joyous spiritual energy in many ways. On everyday that dawned there were new ideas in the very air, and the Khalsa crystallized in many shapes. The Sevapanthis, the Nirmalas, the Sahej-Dharis, set forth new shining resolutions; and, last but not least, came the Akali, who washed himself clean of all earth and earthly life, till absolutely free from the illusion of flesh and immersed in the vision of the Guru. Sevapanthis reserved themselves for the creed of service; later on they formed the first “Red Cross” corps of Gobind Singh, serving friend and foe alike. They carried water on their backs in the battlefield, and held the bowl of mercy to the thirsty lips of the dying. They carried a stock of first aid, and gained special knowledge in surgery and medicine. Nirmalas devoted themselves to learning. They studied Sanskrit and Vedanta, and went about educating the country and spreading the literature that took its rise in Anandpur. Sahej-Dharis, “*Disciples of the vow of moral devotion,*” was a

beautiful name given to the disciples who could not yet stand up to wear the sword of the Khalsa, since wearing the sword meant death and dissolution. They would rather be in the background, the sympathizers, the hidden disciples of the Master.” They also serve who only stand and wait.”

The Akali was the Khalsa with an increased share of the Master’s Amritam in him. He was already immortal; he had shaken off his body; there was no consciousness in him of death, sin, or self. He recked nothing, he heeded nothing. So great was the power of soul in him that he called *Death*—“*ascension to Heaven (Charahi)*.” If he ate raw “grams” he said he was having a “meal of almonds.” He called the silver and the gold coins “husks,” “pieces of broken china.” His arithmetic began with Sawa Lakh (1,25,000). Whenever an Akali entered the city, he said, “The Armies of the Khalsa have arrived”—he never said “I”. When anyone asked, “how many?” he said, “*Sawa Lakh*.” Whenever he wanted anything he did not “beg”, but he said that he had only come to collect “taxes of the Khalsa.”

Some ill-informed writers have depicted the Akali as a kind of human wild boar, because he was sincere to the point of savagery. He was armed from head to foot, “covered with steel”; his flesh was steel, and his eyes shone with the blue fire of destruction if anyone touched him wrongly. But he was the disciple, full of the Nectar of the divine song. If they were to cut him, they would find nothing but *Hari Nam* in his blood and bone. Was it not a marvel that at the call of Gobind Singh, there came a kind of men who soon rid the country of its weakness and won a respect for the Master’s personality that no king could command? “Akali” means deathless or timeless.” Kill me, cut me to pieces, I never die. I am Akali, out of this Door I go, out of that door I come in again. His touch has emancipated me. I am knowledge absolute, I am purity absolute, I am love absolute.”

The Akalis called Emperor Aurangzeb by the curtailed name of “Auranga”; their language turned the world’s glories and greatnesses into objects of contempt. They acknowledged no kings, and perhaps that it is why no Akali could be tolerated in the British Punjab.

Without intending it, no doubt, the present rulers in India, in the ordinary course of their administration, have made the existence of the Akalis in the Punjab of today impossible. For an Akali would allow no laws to interfere with his indigo garments, his infinite self-confidence, his prophetic-like majesty and sincerity combined with the simplicity of a child in his love of his Master.

The creation of the Khalsa in India is the culmination of Guru Nanak’s genius, and the written character of his Word. The Amritam of the Tenth Master completely transmuted the men drawn from low or high castes of India, drawn from the Hindus or the Musalmans. After the Amritam, the Khalsa resembles no parent type of his own. For making the universal nation of man—apart from the characteristics that delimit races and nations—for the evolution of one united family of men on earth, Gobind Singh had shown the way in his Khalsa which he brought out ready-made from his brain, as Jupiter brought out Minerva. In the Khalsa is his type of the universal “super man” dead drunk with the glories and powers of the Infinite, yet sweet as a woman, innocent as a child, the *Bhai* “brother,” of all, “striking fear in naught nor himself afraid of aught.” He has given to him also a form which the great Master dreamt for the future universal man of God belonging to no one country, caste or creed. In the Khalsa there is seen the blending of the whole spiritual character of the man of the past and the future; as if it were a new creation.

Anandpur of the Master: now the Anandpur of the Khalsa! The Khalsa chanted the new life-mantrams with united voice that passed like a thunder rolling over the hills: “Sat Sri Akal.”

The Khalsa chanted the Song of the sword composed by Gobind Singh for their daily invigoration. He is said to have composed this song in adoration of some old Hindu goddess; but he merely employed the words used in Sanskrit literature in praise of an old goddess, adapting them to the praise of Steel. In recent history, under the leadership of Bhai Ram Singh, and inspired by the same old life-mantram, “Wahi-Guru,” there again rose in the Punjab the semblance of the old Khalsa: the Kukas, whom the last generation saw sifting crosslegged in the posture of Yoga meditation, chanting this Song of the Sword, and springing to and fro— still in their sitting posture, like birds—to the accompaniment of their cry: “Sat Sri Akal, Sat Sri Akal.” The original of this at Anandpur may be imagined. Whoever went to Anandpur in those days saw a new world, as if the veil of sky had been lifted at one corner and the celestial life was in sight. For in truth no one could recognize those Figures of Light made by the Master as anything of this earth. Pilgrims, both Hindu and Mussalman, came in singing caravans from all parts of the country to the City of Joy, which resounded day and night with the music of Nam.

HANSA ENTERS THE PATH OF DISCIPLESHIP

The Brochure *Bakshind Mahram* (the Beloved that Forgives), of the Khalsa Tract Society, describes how Hansa (it gives no full names, only the brief ones that the Khalsa adopted), a religious teacher of the Jains, came to the Master seeking for the “hidden light” that illumines the path of life from within. Hansa was a Pandit, a great painter and a leading monk. He brought an offering of a Painting of the sunrise, for Gobind Singh. But the orders were that he should not have an audience of the Master. After a few days, the disciples that took an interest in him, set up his painting in such a place in the garden, that the Guru (who encouraged all kinds of fine art) might see it. Gobind Singh saw it, and said, “The painting is full of light, but the painter’s heart is all dark. He is cruel, very cruel.” Saying this, he went away and said nothing more, indicating thereby to his disciples that he could not grant an audience to Hansa. This remark from the Master astonished the disciple, who had thought well of Hansa. Meanwhile the disciples and Hansa had many discussions in the garden on grave points of philosophy, the Guru’s coldness remaining unexplained. Then, one day a palanquin came to Anandpur, borne by the Guru’s disciples and containing what was little more than a living skeleton—though not long ago a handsome young man. He was lying in a helpless condition in pursuance of his vow of ‘self-purification’ and the Guru had sent for him. This young man, now half dead with the performance of his vows, was once in the same convent with Hansa, as a Jain Brahmachari. Near the same convent, there was a young girl, almost a child, whose parents had presented her to the Jain Temple as an offering in charge of Jain nuns. She and the young man belonged to the same town, where they had played together from their childhood upwards. Both loved each other at an age when they hardly knew what love was; but their guardians had separated them, putting the boy in the temple and the girl in the convent. Hansa was in charge of the temple. For years the young people did not see each other; then, while gathering flowers in the forest, they met for a moment and conversed. This was a great sin according to the rules of the convent and the nunnery. The girl was punished by having her eyes put out. The boy was sent to the hills for a prolonged penance, from which he was rescued by the disciples.

Hansa was responsible for all this. As to the girl only Hansa knew her whereabouts, and he was asked to bring her to Anandpur. After a long search, the blind girl was brought by him to Anandpur. By this time, the great love of the Master, and the nursing of the disciples had brought the young Jain Brahmachari to full health again. He was sitting in the assembly, and the music of praise was in full song as the blind girl entered. The Master looked at her, and she saw the Master. Gobind Singh blessed her and initiated her into the Raja Yoga of Nam. It is written that she recovered her sight and that her face shone with celestial light. The Master’s joy was great, and he ordered that the nuptials of these two disciples be celebrated then and there. Great was the rejoicing of the disciples. Hansa was initiated the same day, and made a “Singh” of the true faith.

Gobind used to go on excursions to various parts of the hills. He was invited by the Rajah of Nahan to stay with him. The Master went and lived by the Jamuna, at a point where stands the temple of Paonta Sahib today—on the other side of the river, at this place, runs the ancient trunk road to Srinagar, marked by Asoka’s famous pillar at Kalsi. He stayed with the Rajah for months, giving full training to his disciples in art of archery and musketry. From here the Master went to Dehra Dun, the residence of the late Ram Rai, to see his widow, Mai Punjab Kaur and to settle her affairs.

PADMA, DAUGHTER OF THE RAJAH OF NAHAN

There was a large gathering of the Hill Rajahs at Riwalsar, where they had invited the Master to see the floating island in the lake of Riwalsar. The Master went with his disciples. The Rajahs had come thither with their queens, each of whom had a private audience of the Master. Padma, the talented daughter of Rajah of Nahan, saw the Guru here, and entered the path of discipleship. Padma’s devotion to the Guru took a fatal turn her tender soul blended with the light she beheld, so that to be separated from it was death; yet Padma must go back to Nahan. The air was thick with rumours that the Hill Rajahs were being compelled by Aurangzeb to fight against the Guru and to annihilate the Khalsa; Padma had heard this from her father, and had already tried her best to avert the danger; but some of the Rajahs were too cowardly to stand against the prestige of Aurangzeb. Nahan was a small estate, and did not count for much, The Rajah of Bilaspur was already jealous of the Guru’s rising power. Padma knew that a war was imminent between the treacherous hosts and the glorious guest of Riwalsar. Before she left, she prayed to the Master that she might not live to see this cruel war against him; and he told Padma’s mother, the Rani of Nahan, that the remaining days of her illustrious daughter were few. So it happened. Padma died soon after he left Riwalsar, and never saw the cruel war waged by the Hill Rajahs against him.

THE HILL RAJAHS, THE TOOLS OF THE MOGHAL EMPIRE

Gobind Singh had come to know of the evil intentions of Aurangzeb and how he was now pitting the Hill Rajahs against him. But nothing would disturb the peace of the City of Joy. The Rajah of Assam, a disciple, came on a pilgrimage; and, amongst many other valuable offerings, he brought a trained elephant named Pershadi for the Master. This elephant had a white stripe from the tip of his trunk all along his back, right to the end of his tail; he was trained to hold a fan in his trunk and wave it, and to do a hundred other feats. The Rajah of Bilaspur, in whose territory lay the city of the Guru, asked him to lend this elephant, but he declined as the Master would not part with a gift brought with so much devotion.

The Khalsa used to go for fuel and grass into the State forests, and many a time there were small skirmishes with the hill men, but the Rajahs never thought of disturbing the Master at Anandpur. They had already tasted the steel of the Guru's disciples, and they thought it best to leave the Khalsa alone.

But then came an unexpected turn of trouble. The Hill Rajahs came with their combined armies to attack the Master when he was on holiday at Paonta, hoping to surprise him and to take him prisoner; and there was fought a most deadly battle between the Guru's chosen few and the Hill Rajahs. The latter were finally routed; but imperial hordes joined with him and there ensued many actions against the Guru, with a like result. Pir Buddhu Shah of Sadhaura came to fight on the Master's side, and in one of these battles many of his followers and two of his sons were killed. Pir Buddhu Shah was a great devotee of the young Guru and carried his glorious image in his inmost Dhyanam.

SAID KHAN ENTERS DISCIPLESHIP

The Master now entrenched himself and his people at Anandpur, which was soon besieged by the combined forces. They were scattered many a time in nightly sallies but reinforcements poured in from Lahore and Sirhind, till Anandpur was blocked, and no provisions, could enter. Many strange things happened during the following months of siege. A new general named Said Khan, brother of the wife of Pir Buddhu Shah, fresh from Ghazni side, was ordered to take command of forces besieging Anandpur. He went to Sadhaura to see his sister; and he found her mourning the death of her two sons, fallen in the opposite cause. Pir Buddhu Shah having returned from the battlefield, Said Khan began a little altercation with him because of his faith in a Kafir. The discussion was brought to an end by Nasiran who, in the midst of her deep sorrow, saw in a trance, the veil of sky torn and in the celestial realms, her two sons—in full angelic effulgence of perfected souls, bringing her immediate peace. She had never seen Gobind Singh; but, in the same realm of trance, she saw the glorious Master on his fiery purple steed riding past her, blessing her and saying, "Daughter, fear not; do not mourn—thy great sons live in the Higher Realms." It was his hand that had torn the veil. On rising from the trance, Nasiran understood what had attracted her husband to the saint of Anandpur; she, too, felt the same attraction now, and agreed with her husband that nothing of his could be kept from the service of such a one." We breathe for the Beloved, we shall willingly die a thousand times to have but one glimpse of Him." Said Khan was the holy transfiguration of his sister, and was greatly perplexed, being under orders to lead the army against the Guru. He left Sadhaura for Anandpur. Even after that initiation into the path of discipleship, Nasiran lived in intense Dhyanam of the Master; she saw him clearly in the fort of Anandpur. The war was raging outside; inside the disciples still raised the music of praise to Heaven, and the limpid current of Nam flooded their souls. Gobind Singh led this joy, fed it from his soul and Nasiran, lived not in her body now, but there at his feet. A day came when she saw him ride on his blue steed into the enemy's camp, right up to general Said Khan. She saw Said Khan lift his gun and aim it at him; but Nasiran standing before Said Khan, shook it, so that the bullet missed its mark. This occurred as she remained at home in her Dhyanam, while, at Anandpur, the Master had gone to Said Khan on horseback all alone, and saw Said Khan level his gun at him as he approached, and miss. By this time, the Guru stood close to him, and said, "Come, Said Khan, let us fight." Said Khan was fresh from Sadhaura, and Nasiran's face was before his eyes as he beheld the Guru." What is all this mystery, Sire? Explain to me," said Said Khan." Bow the head to my stirrup," replied Gobind. As Said Khan placed his head at the foot of the Master he entered the path of discipleship, obtained the seed of Simran. This took place in much less time than it takes to think of it, and lo! the Master was gone. Before one of the enemies could realize what had happened, the Master had returned to his fort. Said Khan told nobody what had happened; he threw away his sword, changed the dress, "became poor," and suddenly left the battlefield for a lonely cave near Kangra, wither the Master had ordered him to go, there to pass his days in Simran.

THE MASTER BESIEGED

Thereupon the disciples began to starve and with them starved their Master, his four sons, his wife, and his aged mother—not to mention his elephant Pershadi and his horses, which wasted away and died. The Master was for remaining in the fort to the last, but his disciples could not bear to see him starve—much less his four little ones. They even wished to compel him to leave Anandpur; but he sternly bade them to leave him to die with them—otherwise he would go, after he had, by written word, disavowed his Master's hold upon them. Forty disciples wrote in reply disowning his leadership, and left him. They went to their homes; but Sikh mothers and Sikh wives alike disclaimed them, and there was no welcome for them anywhere. Then they bitterly repented, and wished to return to the Beloved; but they could not reach Anandpur, besides, by this time he has gone from Anandpur. After they left, an offer was made by the invading force to let the Master and his followers go without any injury to their persons or property, on condition that they vacated the fort. The Guru could hardly believe in this overture; but, in the end, the fort was given up, valuable contents being thrown into the river Sutlej that then washed its walls. Some loads of manuscripts, the literary labour of years, were included in the property that was to accompany the party. They had not gone very far from the fort, however, when the enemy fell upon them. Gujri, the mother of Gobind Singh, and her two grandsons, escaped with a small party; only a Brahman cook was left as their sole attendant who took them to his village.

The mother of the Khalsa fled in another direction, while the Guru with a few Sikhs made towards Ropar. The manuscripts were nearly all destroyed in this affray; only a few translations from Sanskrit books, which now form our *Dasam Granth*, could be saved.

During this flight the Master never allowed the current of Nam in his disciples to ebb; he watched, and saw that fear of death had no effect on it. While fleeing, the Khalsa held its daily *Divans* of His Praise, sang the Word of the Master, and constantly kept itself refreshed with song.

THE SWEETNESS OF DEATH

Chamkor (now in the Tehsil of Ropar, Punjab) had small fortress, which Gobind Singh occupied. He had then with him about forty disciples and his two elder sons Ajit Singh and Jujhar Singh—the former being fifteen years old, and the latter thirteen. But soon the Imperial army, which was in hot pursuit, besieged this fortress also, and there was no way out but to fight and die one by one. The disciples held the fortress a long time, baffling the calculation of the enemy, as the Master kept up an incessant shower of his gold-tipped arrows. The disciples one by one would sally out, waving their swords in the midst of the enemy, and die. Ajit Singh entreated his father to let him also go and die, as his brothers were dying before his eyes.” O father! I feel an intense desire for this death, and the feeling rises supreme in my breast that I must go and fight and share this last honour with my brothers!” The father lovingly embraced the boy, decorated him with sword and shield, dressed him fully as a soldier, and kissed him.” Go, my child! Akal Pursha so wills.” Ajit Singh, rode a horse into the thick of the battle, and waving his sword and crying, “Sat Sri Akal, Sat Sri Akal,” departed for the true *Kartarpur* of Guru Nanak. Gobind Singh saw him go, closed his eyes in prayer and accompanied the soul of Ajit Singh for a little distance beyond death's door till the boy was among the celestials. As the father opened his eyes, he saw the little one Jujhar Singh standing before him with folded hands with the same entreaty on his lips.” Father, I, too, wish to go where my brother has gone.” “You are too young to fight,” said the father.” What is age, father? Have I not drunk my mother's milk, and have I not tasted the sacred Amritam? Bless me, father, and let me go.” Gobind Singh took the little one in his lap, washed his face, dressed him in a beautiful velvet suit embroidered with gold and silver, jut a small belt round his little waist, and gave him a miniature sword. He wound a turban on his head, decorated it with a little crest, and kissed him.” My child,” said he, “We do not belong to this earth. Our ancestors live with the Akal Pursha. You are now going; go and wait for me there.” The child had gone but a little distance when he returned and said he was feeling thirsty. Gobind Singh again said, “Go, my child! There is no water for you on this earth. See yonder, there is the cup of Nectar for you where your brother lies.” This child then, rode the way his brother had gone.

TWO PATHANS HELP THE MASTER

Last of all Gobind Singh had to quit the fortress of Chamkor, and, under cover of night he went whither the road might take him. He had already fasted for days, and this journey on foot utterly exhausted him; so he laid his head on a clod of clay and slept in the open field, having previously plucked and eaten a leaf of *Akk* to sustain himself. As he rose a shepherd saw him, and, recognizing him, wished to raise a cry; but the Master, without hurting him more than was necessary, sealed his two lips with an arrow, and escaped. As he entered the next village. Machhiwara, he was recognized again by his old admirers, Ghani Khan and Nabi Khan, the horse dealers. These faithful friends received

him with great respect, and concealed him in their house—as the Imperial army was still in hot pursuit. He was by this time joined by some of his followers. When the house-search became imminent, Ghani Khan and Nabi Khan disguised him and his followers in indigo-dyed garments as Mussalman Faqirs—throwing their long tresses back—and carried him, thus disguised as *Uch Ka Pir*, through the camp to a more secure part of the country. The commander suspected and interrogated these two men closely; but they proved more than a match for him, and carried the Master safely across.

THE TWO PRINCES BETRAYED

The Brahman cook Gangu, who took Mata Gujri and her two grandsons—Fateh Singh and Zorawar Singh—to his village on their flight from Anandpur, turned traitor and handed them over to the Nawab of Sirhind. The grandmother was kept in a prison-cell separate from her infant charges. The little ones, pale and livid with many day's privation, were produced in the Nawab's court as Princes, with absurd theatricality. The Nawab made a speech, in which he asked them to embrace Aurangzebian Islam or die. In the former case, he promised them all kinds of honours and joys and riches and comforts. The pale faces of the two Princes blushed red at the insult offered. Fateh Singh, the elder, asked the, younger to remain quiet when he himself replied, "We are sons of the Master, Gobind Singh, and grandsons of Tegh Bahadur. The joys of senses are for dogs and asses; sacred Death, good Death, for us." Day after day they were harassed with similar temptations in the court; the Nawab trying to be kind to them, if they would accept Islam. When nothing availed, and the little heroes stood firm as rock, the Nawab called two Pathan youths whose father had been killed in a battle by the arrows of the Guru, and wished to hand the two boys over to them for any vengeance they liked to wreak on them. But the Pathan youths declined to do any injury, to the two infants, saying, "No, sir, we will fight the enemy in the battlefield; but will not, like cowards, slay these two innocents."

After many days, a cruel form of execution was devised by the Nawab. The wall of Sirhind was thrown down for about three yards, these young ones of the Master were made to stand a yard apart from each other, and the order was given to build the wall little by little on their tender limbs; repeating at every foot and half foot of construction, the same alternative—Death or Islam? The Princes stood with their eyes turned upward, seeing their heavenly ancestors come to bear them away and remained calm and speechless until the cruel wall entirely covered them.

Mother Gujri expired in the prison on hearing of the tragic end of her two beloved grandsons. Gobind Singh heard of this heart-breaking tragedy as he was passing across the country near Sirhind. He closed his eyes, and sent to Heaven the prayer embodied in his famous hymn—*The Message of us, the Disciples, to the Beloved*.

"Give him the Beloved, the news of us, the disciples
Without Thee, the luxury of soft raiment and sweet rest is, for us, all pain;
And these high palaces creep toward us like snakes!
The lips of the wine cup cut us like thin-edged poniards.
And dry as dust this jug of wine when Thou art not with us!
The pallet made of pale straw is Heaven for us, if Thou be there!
Burnt be the high palaces if Thou be not there!"

THE FORTY MARTYRS

The forty deserters never saw the Master again; but they did resolutely fight with the enemy, breaking his march on the Guru. They all died in battle, but they succeeded in scattering the enemy forces. The Guru came on the scene, saw that this attack on the enemy was the performance of his old devotees, and went round lifting each of their dead bodies with fatherly affection, wiping their faces, and blessing them. Only one, Bhai Mahan Singh was yet alive, and the Guru took, him in his lap and asked if he had any wish to be fulfilled, any prayers to offer for life or immortality." No, father! I have no wish. I only pray that forty of us may be forgiven, and the ties that were broken once may be reunited so that we may live at Thy Feet." The Master tore the document they had given him at Anandpur, and said, "Dhan Sikhi, Dhan Sikhi, Dhan Sikhi—*How great is the discipleship!*"

LOVE GATHERING AGAIN

During these vicissitudes, the Master halted once in the Lakhi jungle where the disciples gathered round him again in hundreds and thousands. There he composed a very pathetic song; which, even now, brings tears to the eyes of us, his poor disciples.

O! When they heard the call of the Beloved;

They came crying to Him,

So will the scattered herd of buffaloes fly to the long-absent Master on hearing his voice, dropping the half-chew grass from their mouths as they hasten back to him.

THE MYSTIC FIRE

Then he went on with the concourse of his singing disciples and halted at a place called Damdama. He was still dressed in the indigo-dyed garments. One day a fire was lit, and he tore his indigo garments into shreds and burnt them shred by shred in the fire. Thus was the Moghal Empire burnt by him shred by shred.

It was at Damdama that the Khalsa came together again, and Anandpur was reproduced there. The mother of the Khalsa joined the Master. When she arrived, he was sitting in the full assembly of the disciples, who were singing his immortal songs. Addressing him, she said:

“Where are my Four, Sire? Where are my Four?”

He replied:

“What of thy Four, O Mother?

What of thy four?

When lives of the whole people, the Khalsa here?

Gone, gone are thy Four

As sacrifice for the life of these millions more, all thy sons!

O Mother! What if thy Four are gone?”

Gobind Singh wrote here his famous epistle *Zafarnama*, to Aurangzeb. He sent for the original copy of *Granth Sahib* from Kartarpur on the river Beas, but the foolish people there would not part with it; so the Master sat in Dhyanam of the Word, and dictated the whole of it to Bhai Guru Das. *Granth Sahib* had a second birth from the Master, Gobind Singh; and it came out of his soul, as came his Khalsa. In this copy of *Granth Sahib* he changed only one word. *Khulasa* (Freed man) was dictated by the Tenth Guru as *Khalsa* (the King's own). And there was slight variation of one letter in reproducing the whole volume out of his intense Dhyanam.

This is our Sacred Granth which occupies the Throne on which sat Gobind Singh. It is another “*Angad*.” The Tenth Master thus ends in the First, Guru Nanak, again.

ABCHAL NAGAR

After a short stay here, Gobind Singh left for Deccan, where he settled on the banks of the Godawari at a place known as Nander. Soon a city sprang up round him, and he called it Abchal nagar, the City of the Eternal, that Moves Not. The last days of his early life were spent here in all the wondrous glow of Nam-life, as it began at Anandpur; it had been kept undimmed during the disciples' passage through the hatred of the enemies. Anandpur was reproduced here in Deccan again.

The disciple Said Khad came all the way from Kangra hills to see the Master. One day, in full assembly of the disciples, a messenger arrived from the Punjab to Said Khan. Said Khan opened the letter, and passed it on to the Master. It was from his sister, Nasiran; and it was a song, an epic telling how the Emperor's minions ransacked Sadhaura, treating the saint Budhhu Shah as a rebel.

Nasiran wrote:

“Today Shah Sahib is gone to the Heavenly land! And it is now my turn. These eyes have not seen the beloved yet, but they have drunk of his beauty in Dhyanam. There is no sorrow. It is the inner joy blossoming up in the fullness of a willing death! The soldiers are making house-searches today. My turn comes today or tomorrow.

“Second day—Lo, good brother! They have come. I have tied a white handkerchief on my head, and I have slung a kirpan in my belt. I am fully dressed as a true soldier-disciple. Thy sister Nasiran, the Guru’s Nasiran, is glad to die such a death. Lo, Brother! Farewell! But we have already met in Him for ever.”

This messenger had been a long way, searching for Said Khan in the Kangra hills; and then after a long and weary journey he found him a Nander-Abchal Nagar-sitting in the joy-illuminated, the sacred Assembly, lit by the master’s face.

As the letter was read, the Master closed his eyes and blessed his daughter Nasiran.

THE WORD CROWNED

The day came when the Master sent for a cocoanut and five pice, and placing them as an offering before the *Granth Sahib*, he said:

“So does the Akal Pursha ordain,
 The Word is Master now— The song of Nam, the *Guru Granth*.
 All Khalsa should seek the Master in his Word,
 And bow to *Guru Granth* as my successor.”
 Fully attired as a soldier, he mounted his blue horse, and rode away and disappeared behind the Veil.
 Sat Sri Akal
 Sri Wah-i-Guru Ji Ka Khalsa
 Sri Wah-i-Guru Ji Ki Fateh

SECTARIAN GROUPS

NIRANKARIS

The word ‘Nirankari’ means *the worshipper of Nirankar*. *Nirankar* stands for ‘that God who is existent but has no shape or form, who is free from the material form, is Nirgun Braham’. Nirankaris appeared on the scene in the 18th century through the person of Baba Dayal when the common masses were drifting away from the gurmat way of life and when all these un-Sikh practices were eating in to the vitals of the religion. One incident can tell us a lot about the social degradation occurring in those days. This is from the tract ‘ਉਲਟੀ ਚਾਲ’. In those days, when the girl was engaged to someone, the boy's side from then on itself took care of all the expenses of the girl. What the girl's side started doing was horrible rather shameful. The girl used to be engaged to someone for a particular period of time and then broke off from there and used to be engaged somewhere else. All this called for a bold reformer to stem the tide of heresy and to bring back Sikhism on its rails. The Nirankaris came as a *Reformist movement* thereof.

Baba Dayal was born on May 17, 1783 in Peshawar, Pakistan. As a devoted Sahajdhari Sikh, he was a staunch believer in the independent entity of the Sikh faith, with Guru Granth Sahib as its only scripture. It is said that one day while he was meditating, he heard the following: “*You have been sent to take away the ignorance from the minds of people. Through spiritual knowledge, enlighten this pathway. Preach the Nam Simran of Nirankar. You are a true Nirankari.*” Therefore, he started on his mission from then on. He held that all ceremonies in life should be performed with the recitation of the hymns from their holy book that inculcated the worship of the One Formless God – Nirankar – through constant repetition of His Name. He made their slogan as ‘ਜਪ ਧੰਨ ਨਿਰੰਕਾਰ, ਦੇਹਧਾਰੀ ਸਭ ਖੁਆਰ’. With Nirankar always on his lips and he asking others to do the same, he came to be known as a *Nirankari*, and his movement for bringing back people from heresy to the path of Nirankar also acquired the same name.

With the death of his parents in quick succession, he was persuaded by his maternal Uncle Milkha Singh to move to Rawalpindi in 1808 where he started a grocers shop. He soon attracted the attention of the local Sikhs with his honest and truthful dealings and regular attendance at the Bara-dari Gurudwara, known as *Peshawarian di dharamshala*.

An incident unthinkable of in those times added to the reputation of Bhai Dayal as a ‘practical reformer’. He proved that example is always better than precept and is a living proof of the preceptor’s sincerity. In March 1809, once his business took him to the town of Bhera that was then a great market. Here he stayed at the Dharamshala of Sant Budhu Shah of the Sewa Panthi order and developed close relationship with him through his discourses and identical views on Sikhism. Bhai Charan Das Kapur and his wife Bishan Devi, who generally attended the dharamshala, were highly impressed by the religious devotion and personality of Bhai Dayal and offered the hand of their daughter Mul Devi in marriage to him. It was the month of Chaitra that is considered inauspicious for marriages by Brahmins who would not agree to perform the marriage ceremony during the *Nahs or ill-omened days*. However, he had no belief in the sinister aspect of the stars and looked upon it as a superstition deprecated by Sikhism. Sant Budhu Shah endorsed his views and, with his persuasion, Charan Das and his wife agreed for the performance of their daughter’s marriage in the local Gurudwara in the month of Chaitra itself with the recitations of Anand and other hymns from the Guru Granth Sahib, followed by the Sikh prayer, the Ardas of the Khalsa. This marriage is very significant in the history for, its simplicity, freedom from Brahmanical rites, and devotion to the Word of the Gurus.

In addition, the performance of some of the Brahmanical rites and the Sati under the influence of Brahmins and Dogras on the death of Maharaja Ranjit Singh on 27 June 1839 sent out a thrill of horror throughout the country. The same horrid spectacle was seen in November 1840 when his son Maharaja Kharak Singh and grandson Kunwar Nauhail Singh died. Baba Dayal raised a strong voice against it in his congregations and warned the Sikhs against following it.

The radical reforms preached by Baba Dayal were not relished by the priestly class of the Brahmins, most of whose income came from the offering of the people whose ceremonies were guided and presided over by them. Some of the reactionary Sikhs were also opposed to his views under similar influences. Nihal Singh Chhachhi opposed him and a Hindu named Tauru Rai of Peshawarian di dharamshala as well where they all used to get together earlier. In the course of one of the discussions, they told him that while he washed the feet of the humblest of Sikhs, he preached against the worship of Hindu gods and goddesses. This they said, was a sort of blasphemy and they imposed him a fine on behalf of the Hindu society. This resulted in the boycott of him and his Nirankari associates. It did not deter him

from his beliefs. He purchased a piece of land on 3 December 1851, on the bank of the Layi stream to the south west of the city and set up a Gurudwara there, known as the '*Nirankari Darbar*'. With this, the Nirankari movement gained a permanent footing. The followers and admirers of Baba Dayal began their work of reform with great zeal. The manuscript volume of the sacred Guru Granth Sahib of 1748 was also brought from Peshawarian di dharamshala, and in spite of Tauru Singh and Nihal Singh, the reform-minded Sikhs kept on gathering at the new Nirankari Gurudwara in increasing numbers.

Baba Dayal passed away at Rawalpindi at the age of 72 on 29/30 January 1855. The place where his dead body was entrusted in the running waters of the Layi rivulet later came to be known as 'Dayal Sar'. He nominated Baba Darbara Singh, his son as his successor before he left the world. *Baba Darbara Singh* within the six weeks, on 2 March 1855 called for a conference in which he explained the Sikh mariada and gave a practical live demonstration of the Anand marriage ceremony. Hearing of the fame of this movement, Bhai Ram Singh Namdhari of Bhaini visited Baba Darbara Singh in the summer of 1856. The latter explained to him the various Sikh ceremonies, as they should be performed in accordance with the teachings of the Gurus. The Namdhari leader, however, adopted only a part of the Gurmat marriage ceremony to the extent of performing it with the recitation of the Lavan and Anand only. He retained the Brahmanical Vedi, the fire worship Havan etc, perhaps as a compromise with the old Hindu system whose influence was too deep in this part of the country to be easily eradicated. It is proved further when in 1861, he was stopped by the Jathedar of Akal Takht and the Head Granthi of Darbar Sahib, Amritsar from performing a marriage ceremony according to Gurmat in the precincts of Darbar Sahib, Amritsar. They had to perform it outside in the dharamshala of Mahant Dayal.

In spite of all this, Baba Darbara Singh succeeded Baba Dayal in the mission. He greatly strengthened the Nirankari movement by his eloquence and through the establishment of a number of missionary centers known as 'Biras'. The most significant work of Baba Darbara Singh has been the issuance of a *hukamnama* in which he explained, with profuse quotations from the Guru Granth Sahib, how the Sikhs were to order their ceremonial life at the time of birth, engagement, marriage, death and during the regular worship of God. The death of Baba Darbara Singh provided the Brahmanical Hindus and the luke-warm Sikhs patronized by Baba Khem Singh Bedi to intensify their opposition to the Nirankari movement. Nevertheless, their number kept on increasing. According to the census of 1891, they were sixty thousand in number. *Baba Ratan Singh or Baba Ratta* who succeeded him could not be taken for a ride either. He reprimanded the negligent missionaries in his *hukamnama* of 11 April 1873 for their compromising attitude towards the old Brahmanical rites and rituals in contradiction to the Nirankari reform of which they were expected to be the enthusiastic propagators. He also encouraged the establishment of some fifty gurudwaras in the Dhanni and Pothohar areas and introduced therein the holding of annual conferences on fixed dates for the propagation of Sikhism as a separate independent religion in the light of the teachings of Guru Nanak and Guru Gobind Singh. On every alternate Sunday, it was imperative for the leader of the local congregation, 'the biredar', to read the Nirankari rules of conduct to keep the Sangat reminded of their duties and responsibilities.

He was the one who persuaded the Maharaja of Nabha, to help provide a legal status to the Anand marriage. Keeping this as the main consideration, in 1908, Prince Ripudaman Singh presented the Anand Marriage Act in the Imperial Legislature Council. It was later pushed forward by Sardar Sundar Singh Majithia with whose efforts it was passed as the Anand Marriage Act (VII of 1909 on 22 October 1909). *Baba Gurditt Singh* who took his place later, after a lot of consideration decided that Sikh Rahit Mariada should be published after editing, in 1915. He supported the Gurudwara Reform Movement and became a member of the SGPC as well. During his tenure from January 1909 to April 1947, there were two developments of note that happened:

- The first was the creation of a succession of Nirankari organizations- the *Nirankari Balak Jatha* (1922), the *Nirankari Bhujhangi Sevak Jatha* (1923), and especially the *Nirankari Youngmen's Association* (1929) - which represented at least a modification of, if not a departure from, the traditional Nirankari pattern of organization.
- His son Hara Singh along with many of his followers went to Amritsar in 1922 for the kar seva of the sarovar too.

In the annual conferences and the melas of the Nirankaris in Pothohar, Hara Singh represented him and encouraged the Sahajdhari Nirankaris to become Khalsa. He mentioned that tobacco was equally prohibited for them as well.

In the recent years the Nirankaris have established their head quarters at Chandigarh, the foundation stone of which was laid by His Highness Maharaja Yadvindra Singh of Patiala on 2 February 1960. On seeing their growing

popularity and their work for Sikhism, the ‘Sant Nirankaris’ who are not these Nirankaris but are antagonists rather, dressed up as ‘pseudo Nirankaris’ carried out a mass massacre of Sikhs in 1978 on the day of Vaisakhi to create a rift amongst them. Today *Baba Gurbaksh Singh*, the eldest son of Sahib Hara Singh, leads them. *Their Darbar resembles a Gurudwara but the architecture is different, as all the doors face in one direction. Their Nishan Sahib is a red triangle with a green border having blue and red stripes. The red color is a symbol of happiness and change. Blue for purity and immortality, yellow for sacrifice and green for the mother earth.*

These Nirankaris were pure monotheists believing in the unity of God who, as stated in the opening lines of Guru Granth Sahib, is the Creator of the Universe, Self-existent and Formless. They did not believe in the gods and goddesses and had full faith in Guru Granth Sahib, which is their only scripture to be relied upon for guidance in life and performance of ceremonies from birth to death. They recognized no distinctions of caste and creed and of high or low, and observed no untouchability like the Hindus. They performed no Shradha or feeding of priestly Brahmins for the benefit of their dead ancestors or relatives, nor did they recognize good or bad omens or favorable or evil effects of stars on human lives and behavior. Widow remarriage is allowed but polygamy is prohibited. They greet each other with words like, ‘Dhan Nirankar’ and their Ardas begins with the words ‘Adi Sat Nirankar da dhian dhar ke Guru Nanak lei dhyae’. They are pure vegetarians. They are honest and reliable businessmen, looking upon cheating and using false weights as peculiarly heinous crimes. They believed in living upon what they earn by the sweat of their brow and devoted the offerings made to the Guru Granth Sahib on ceremonial and other occasions to religious and charitable purposes. The sewa of parents is mandatory in them.

In spite of all of this, it remained a social reform movement only and could not become the peoples movement because of the following reasons:

- As most of the Sikhs were in Majha and Malwa and Doaba regions where they did not reach out.
- They could not make possible the issue of a hukamnama from Akal Takht, Amritsar neither did they establish any contact with the heads at Amritsar hence failing in spreading their message to them. The hukamnamas regarding the Rahit mariada were issued from their Darbar in Rawalpindi by their Gurus and not by the Sarbat Khalsa and not from Akal Takht. Therefore, these could not impress the Sikh Sangats of the times.
- In Ardas, changed Bhagauti with Nirankar and after Guru Gobind Singh ji, took the names of their Gurus (which is against the Sikh ideology.)
- Mostly they remained Sahajdharis.

They drifted away from the mainstream Sikhism because of points like these only:

- Living as a Sahajdharis and not an Amritdharis.
- Believing in the living Gurus.
- Yet another being, the changes made in the Ardas where these are not supposed to be made. For e.g., the usage of word 'Nirankar' in place of 'Bhagauti' and also of taking the names of their Gurus who lead them till the present times after Guru Gobind Singh ji.
- Greeting each other with words 'Dhan Nirankar'
- Being pure vegetarians.
- Having a different architectural style of Gurdwara building. (as mentioned above)
- Own flag. (as mentioned above)

These should not however be mixed with Sant Nirankaris for the latter have nothing in common with the Nirankari sect of the Sikhs, except the name. They are not even a schism split from it, although the founder, Buta Singh, was once a member of the Nirankari Darbar at Rawalpindi. Upon being asked to sever his connection with the Darbar for his misdemeanor, he raised a group of his own. Avtar Singh, who after partition migrated to Delhi and set up a center there, succeeded him. Over the years, he has recruited a considerable following from among the Sikhs, Hindus, and others. The present leader, Hardev Singh, is his grandson.

NAMDHARIS

The word ‘Namdhari’ means *the devotee of Nam*. They started being called the ‘Kukas’ too as during Nam Simran or Kirtan, they made ecstatic cries or kuks. ‘Kuk’ in Panjabi means *a shout or a scream*. The principal concern of the Namdharis was to spread the true spirit of the faith shorn of empty ritualism that had crept in to it since the beginning of Sikh monarchy. Some people say it came on the scene with Baba Ram Singh ji but according to the historical references Baba Balak Singh ji chose Baba Ram Singh ji as his successor. The followers of *Baba Balak*

Singh ji were known as 'Abhiyasis' as they used to spend most of the time in Nam Simran. Baba Ram Singh ji was born on 3 February 1816 AD in Raiyian village, district Ludhiana. This place is now a days known as '*Bhaini Sahib*'. It is the main center of the Namdhari Sampardai. *Akal bunga* where Ram Singh ji used to do Nam Simran is open for the people to see. He had joined the army regiment during Maharaja Ranjit Singh's time. On his way back sometime, he met Baba Balak Singh ji who seeing his devotion appointed him as his successor. He came back to the army and started preaching Sikhi there. He was sad on seeing the situation of the Sikhs in the army, how they were bending towards the English. He left the army seeing the internal rivalry of the Sikhs, the political conspiracies of the English, the ditching of the Khalsa army by the Sikh Sardars and the moral degradation of the Sikh character.

Coming back to his village according to the belief of 'ਗਬ ਕਾਰ ਦੇ ਵਲ ਤੇ ਦਿਲ ਯਾਰ ਦੇ ਵਲ', he started farming work. He got the repair of the historical Gurudwaras of Muktsar done with his own money. He started holding regular diwans for the Sangats there. He asked the Sangats not to worship at tombs and graves and to venerate the scions of Sodhi and Bedi families who were claiming religious popularity then. Eating flesh was prohibited. Protection to the cow was made a cardinal principal of the Kukas' social ethics. Beggary and parasitism were condemned as evil, and industry and charity applauded.

He asked his followers to breed horses, learn horsemanship and carry clubs in their hands; also to recite Guru Gobind Singh ji's martial poem, Chandi di var daily and asked them to wear a round white turban, white clothes and white wool rosary for Nam Abhiyas around the neck to be recognized in their own identity. A hierarchical structure comprising Subas (governors), Naib Subas (deputy governors) and Jathedars operated within the center at Bhaini Sahib, as also amongst themselves, regular communication by means of their own private postal service was carried out. Special emphasis was laid on the use of Swadeshi, homespun cloth, as against the imported mill-made cloth. Education introduced by the British in English language was to be shunned.

In 1857, he organized Amrit Sanchar where he started with five people who took Amrit. He continued this work for a long time. He established 22 Subas for the spread of Sikhism. In 1861 on Vaisakhi, he organized a diwan at Haridwar and on Maghi at Muktsar. Baba Ram Singh however gave equal status to the banis of Guru Granth Sahib and Dasam Granth. Coming back, he opened a shop of his own till 1872 when the English Govt. arrested him and sent him to Rangun.

The Kuka activity made the government wary and in April 1863 the officials interrogated Baba Ram Singh and his followers at the time of their visit to Amritsar. This was resented by the Kukas who had among their ranks some old soldiers of the Sikh army and who were generally critical of Christian proselytization as well as of the opening of slaughterhouses by the foreign rulers. More than forty Kukas trying to convene a meeting at Tharajvala, in Ferozepur district, were arrested and the deputy commissioner sentenced seven of them to varying terms of imprisonment. The government found further grounds for suspicion in some of the Kukas joining the armies of the Indian princes. It was feared that the objective of such recruits was to get military training and then return to the Panjab to raise a tumult against the British. Since the Kukas were averse to seeking service under the English, some of them had visited Maharaja Ranbir Singh of Kashmir in 1869 and offered to join the state forces. The Maharaja agreed to recruit a new regiment and enlisted 150 Kukas under the command of Suba Hira Singh of Sadhaura, but the force was disbanded two years later under pressure from the British government.

In the early seventies of the 19th century, events moved at a catastrophic pace bringing the career of the Kuka revolution to a dramatic climax. In their zeal for protecting the cow, some Kukas attacked a slaughterhouse in the sacred city of Amritsar on the night of 15 June 1871. Four butchers were killed and three seriously wounded. Seven of the Kukas were apprehended out of whom four paid the extreme penalty of the law. Exactly a month later, a similar incident took place at Raikot, in Ludhiana district, where three butchers were killed. Five Kukas including Giani Ratan Singh, esteemed as a scholar, were awarded death penalty.

Returning from the Maghi fair at Bhaini Sahib in the beginning of 1872, a group of Kukas planned to plunder the armory at Malerkotla, the capital of the princely state. On the way, they attacked the house of the Sikh chief of Malaud to rob it of arms and horses that they needed for their assault on Malerkotla. At Malerkotla, the Kukas, more than a hundred strong, were challenged by police as they scaled the city wall on the morning of 15 January 1872 to enter the treasury. In the fracas that followed, eight policemen and seven Kukas lost their lives. Sixty-eight of the Kukas, including two women, were captured by Mir Niaz Ali, an officer of the Patiala state, at Rar, a nearby village to which they had retired. Under the orders of the British deputy commissioner of Ludhiana, all of them, except the women

prisoners who were made over to Patiala authorities, were executed; 49 were blown off by cannon and one put to the sword on 17 January and the remaining 16 again killed at gun mouth.

Baba Ram Singh was exiled from Panjab along with ten of his Subas, and taken to Allahabad from where he was transferred to Rangoon and detained under the Bengal Act of 1818 . The Subas were sentenced to varying terms of imprisonment. A police post was stationed at Bhaini Sahib, the Kuka headquarters, and the entire setup placed under strict surveillance. Village functionaries, zaildars and nambardars, were ordered to report under penalty of deprivation of office or other punishment. The movement of Kukas was restricted in their own area. The assembly of more than five Kukas was forbidden throughout the Panjab as also carrying in public of axes, iron-knobbed sticks and other weapons.

Despite these repressive measures, the movement was sustained by the mystique that grew around Baba Ram Singh. His followers continued to believe that he would one day reappear among them and lead them to freedom from British rule. A few even made the hazardous journey to Rangun to see him, circumventing the guards, and brought messages from him. In the Panjab, Baba Ram Singh's brother, Budh Singh who now assumed the name of *Hari Singh*, took his place. One of the Subas, Gurcharan Singh and after him Bishan Singh, made secret trips across the borders to make contact with the Russians. Prophecies, in the name of Guru Gobind Singh, were circulated predicting that Russia would invade the Panjab and drive away the British. The Kukas were also active in campaign for the restoration of Maharaja Daleep Singh, the last Sikh sovereign of the Panjab who had been dethroned after the second Anglo-Sikh war. With the turn of the century, the excitement ebbed away. The Kukas retained their religious fervor and evolved over the years as a distinct identity. The process received great stimulus from the personality of *Baba Partap Singh* who succeeded Baba Hari Singh upon his death in 1906 . Kukas emerged, under his leadership, as a cohesive social and religious group. Their numbers increased and they flourished in their chosen trades such as animal husbandry, agriculture and small industry. Baba Partap Singh died in 1959 and was succeeded by *Baba Jagjit Singh*.

Bhaini Sahib, in Ludhiana district in the Panjab, and *Jivan Nagar*, in Hissar district in Haryana, are today the two principal centers of Namdharis, term which is now more commonly used. The Namdharis generally go to their Gurudwaras. They install Guru Granth Sahib in their Gurudwaras, but believe in the living Gurus, Baba Jagjit Singh being their present pontiff. They number around 10 lakhs today. The Namdharis are known for their simple living and rigid code of conduct. However, they have also drifted away from the mainstream Sikhism because of some of the strict rule followings adopted outside the Panthic Rahit Mariada, giving their sect a cult like appearance:

- They all wear white clothes with a white turban and a turquoise band on their waists.
- Their marriages are performed usually in groups on special occasion such as Hola Mohalla.
- They believe in the living Gurus.
- They have their own Gurudwaras and their own organizational structure (as discussed above) within their head quarters.
- Dasam Granth is given an equal status along with Guru Granth Sahib.
- They have taken up sports (hockey, football etc.) as a chosen field to show their excellence in.

The most significant of the divergences concerns the doctrine of the Guru. Whereas the line of personal Gurus ended in 1708 Namdhari doctrine maintains that the succession till continues. This is the cause they are not regarded as the part of the Sikh Panth.

RADHASOAMIS

The word 'Soami' literally means *lord* and 'Radha' means *soul*. Hence, together it means '*Lord of the soul*'. Radha Soamis do not consider themselves as a new religion. It is a Mat according to them. 'Mat' refers to *the path or the teaching*. So, *Radha Soami Mat or Sant Mat means the same thing that is the path that Soami ji and other Saints have shown them*. (According to them, the word 'Saint' has a general meaning of a spiritual person or a holy man; but technically Saint is 'one person who has taken his soul to the Fourth Realm viz. Sat Lok and merged his being in the Absolute Lord, Sat Purush') *They revere the Sikh Gurus and talk and recite their compositions from Guru Granth Sahib as well*. They consider Sainthood as a degree in spirituality. Therefore, according to them *Radha Soami Mat is a school for spiritual enlightenment and realization of reality*.

Shiv Dayal Singh started the Radha Soami Mat. Like other saints, he had also realized his oneness with the Supreme Being or Purush, whom he called Anami or Radha Soami He was born in Panni Gali, Agra, on 25 August 1818 From

his childhood, he started practicing Surat Sabad Yoga, the practice of merging the soul in the divine current of the Supreme Being's melody and power. In January 1861, he publicly started explaining the method of Saints (Sant Mat) to a few people who gathered at this place. This Satsang (or the true association, as they call it) continued for nearly seventeen years, during which period about four thousand persons, men and women, Hindus, Muslims, Jains, Sravagis and a few Christians were initiated by him in to Sant Mat (the path of the Saints), that is, the Radha Soami path, the path of the Supreme Being. Most of these were householders but some (about three hundred) were Sadhus as well.

He only gave the teachings of the previous saints in his own style. The followers of Radha Soami Mat question, did Guru Nanak find the present Sikh religion? or even Guru Gobind Singh? No; for among their followers were people of all religions. Guru Gobind Singh says:

ਜਿਸ ਕੋ ਛੂਟ ਗਯੋ ਭ੍ਰਮ ਓਰ ਕਾ । ਤਿਸ ਆਗੇ ਹਿੰਦੂ ਕਯਾ ਤੁਰਕਾ ।

[The one who hath got rid of the delusions of the mind;

For him what is a Hindu and what is a Muslim, all are the same.]

They say Bhai Nand Lal (Goya), the well-known Persian poet of Guru Gobind Singh's congregation, was a Hindu; and Gani Khan and Nabi Khan, who brought out Guru Gobind Singh as Uch da Pir when he was surrounded by the enemy near Machhiwara or so, were Muslims; even though all these were devoted disciples of Guru Gobind Singh. Did Kabir start the Kabir panth? No, the Kabir panthis of today have gone far away from the teachings of that great saint. Far from founding a new religion, he used to explain his teachings from the writings of Guru Nanak and his successors and of the other previous saints like Kabir Sahib and Tulsi Das. His own writings appeared later in life. It is stated that at first he had no idea of composing any writings of his own; but the Agra people found it difficult to understand the language in which the Granth Sahib was written. On their persistent requests, he eventually acceded to their wishes and put down his teachings in black and white, in clear and simple Hindi words. The outcome of it was a book 'Sar Bachan' in two volumes, poetry and prose. The following are some of the teachings contained in this book:

- Many different new names have been given to God and here even a comparison with Guru Gobind Singh having done the same is made citing that all Saints of such stage do so.
- Anami or God is the cause of all creation. In the beginning there was nothing else but He in Himself, All in All; and nothing had been created. Strictly speaking, we cannot even use the word 'was' because time and space did not exist then; or rather we should say, these " do not exist in that state or level of consciousness." Past, present and future have no meaning there. They are all one. He is the origin of all; and He created three more phases of His own Being in a complete and perfect form, called the three stages of Agam, Alakh and Sat Nam.
- Sabad is the ultimate essence of all reality. It is the Creator, Sustainer and Destroyer of all universes and planes. It is the Life of all lives, the Soul of all souls, the Being of all beings, the absolute, eternal, real essence of existence; omnipresent, omnipotent, omniscient. It is the universal all-pervading form of God. They do not denote this Melody by the word 'it', as 'it' is a conscious being; but as we do not like to call it 'he or she', therefore the word 'it' is used. It is the deep essence of the Highest Supreme Being, the ultimate reality of all gods and goddesses, of all angels and deities, of man, bird and beast, of animate and inanimate forms of creation, of heavenly bodies and ethereal beings, of all things and everything.
- Emphasis has been laid on Surat Sabad (this is also taken as one of the meanings of their Mat's name.) By 'Sabad' he means that transcendent melody which is always coming from the tenth door or third eye. The word, Sabad should not be taken to mean (in this context) any song, hymn, poetical composition, or any other kind of sound that can be heard with the ears.
- It is also mentioned in the book that Kabir Sahib also hinted on this name, and in support of this claim cite the following couplet:
ਕਬੀਰ ਧਾਰਾ ਅਗਮ ਕੀ ਸਤਿਗੁਰੂ ਦੇਈ ਲਖਾਏ ॥ ਉਲਟ ਤਾਹੇ ਸਿਮਰਨ ਕਰੋ, ਸਵਾਮੀ ਸੰਗ ਮਿਲਾਏ ॥
"O, Kabir, the transcendent Dhara (current) hath Satguru made thee realize. Turn it over, and repeat it thou, By adding (the word) Soami to it." The true meaning of Kabir's above couplet would be: "The transcendent current (of Anhad Sabad) hath Satguru made thee contact, O Kabir! Thyself do thou turn over, and practice thou that (Sabad); It will take thee to Soami (the highest Lord)." They believe in this as well. That is, to reach up to God, we have to turn in and see within ourselves.

- The importance of Guru has been insisted upon in this book of teachings. He insists on the importance of a living Guru. As he says that our love for saints of the past is more of admiration than of intense love. It is one-sided, and therefore cannot develop and produce the effect of true love and real devotion, which is transcendent knowledge and union with God. For that, we need a living contemporary Guru. Also true love is reciprocal and may kill our egoism. He also says that a true Guru may or may not write a book but is equal to God. The devoted disciple should say that the highest God that he knows is his Guru; and but for him, he knows no other God. He preaches that one should not forget that Guru is man as well as God, both at once. The Guru has merged himself in Sat Nam and become one with Him. However, at the same time, he retains his separate existence. To please one's Guru is to please God.
- Will has also been talked about in this book. Will is Guru's Mauj. Our effort and Guru's grace depend on Mauj. In addition, a true successor to a perfect Guru is technically called a Gurmukh. He is one with his Guru and is consequently a perfect Saint.
- It is mentioned in the book not to attach any significance to the Samadhs (mausoleums) and the relics of the past saints.
- It talks of four kinds of service- with wealth, with body, with mind and with soul.
- It is also mentioned that if the soul of a disciple has not gone in at all (not even up to the third eye or tenth door), then too, after death, if he is greatly devoted to his Guru and if his Guru is a perfect saint, he need not be born again into the world but can be taken up, through devotion at the inner stages, to Sat Lok Anami or Radha Soami Dham by his Master or Guru, in his Radiant Form and Sabad Essence. The real shape of the soul can be seen only by the inner spiritual eye, and not by the external eyes, nor can it be known by intellect or thinking and reasoning.

After Soami ji as he was called, there were four men who worked as Gurus. They were:

- Seth Partap Singh, who held his Satsang in the Radha Soami Bagh, about three miles from Agra town.
- Rai Salig Ram, who started his Satsang at Pipal Mandi inside Agra.
- Baba Garib Das, who settled in Delhi near Sarai Rohilla, and
- Baba Jaimal Singh, who made his dera near Beas in Panjab.

Later, a council was formed at Agra by some followers of the Radha Soami faith, to have control over different groups of its followers. Such councils were made only to manage the property and accounts of its organization; but not to dictate to saints and Gurus on spiritual matters. If any members of any council ever tried or do try to interfere in the spiritual work of such masters, it would only portray their own ignorance and folly.

The first three Gurus passed away without appointing their successor. Therefore, their lines of Gurus ended with them. Only Baba Jaimal Singh, who was considered a Param Sant appointed during his life time, a successor, Maharaj Sawan Singh ji, who was also a Param Sant and a real, true, perfect Sant Satguru, inwardly one with the highest being of God, Sat Purush Radha Soami (according to their belief). They believe that the previous Guru only, before his departure from the world can appoint a true Guru.

There are other deras of Radha Soamis also, one is in Sirsa, and one in Ferozepur but these are totally separate entities and the devotees of one place do not go the other place at all.

Due to them taking direction and guidance from Guru Granth Sahib (as well), a link was seen to call the Radha Soamis as a sect of Sikhism. However, it is seen as they do with the compositions of the other saints as well that only some portions are expounded upon, which fit to their advantage. However, they are very much different from the mainstream Sikhism; some of the major points of difference are being mentioned below:

- Compositions of many prominent saints of the olden times are discussed and taken direction from in a Sant Mat.
- Guru Granth Sahib is not their 'Guru.'
- Believe in the living Guru.

- Although their Gurus keep a Sikh appearance with turban and beard, it is not impressed upon the devotees or the followers to do so.
- They do not believe in the Khande ki Pahul ceremony of initiation in to the Khalsa brotherhood rather have their own, different Nam-giving ceremonies.
- Do not believe in the Guru Panth.
- Are strict vegetarians.

To conclude the description regarding the factions, we can say that the Udasis, Seva Panthis, Nirmalas, Nirankaris, Namdharis etc. have contributed to Sikhism. These small streams and the rivulets by embracing and imbibing in the vast river of Sikhism have played a big role at one time. Though their contribution in no way be undermined but with passage of time, because most of these have diverged themselves from Gurmat ideology and way of life, they have lost their importance and therefore have been excommunicated from the main stream.

NIRMALAS

The term “Nirmal” is the synonym of the word “Khalas”. The use of this word is made of, since ancient Times in the Indian Granths. The lexicographic meanings are pure, filthiness, clean. Nirmala is the name the Sikh sect primarily engaged in the religious study and preaching. Mainly two thoughts are prevalent regarding the origin of the Nirmala Panth; they are:

- It originated at the time of Guru Nanak Sahib.
- It came into existence during Guru Gobind Singh’s era.

The first thought complies with the thought of the scholars of the Nirmala sect. The famous Nirmala scholar Giani Gian Singh has given evidences to prove his thought. The 127 bachans included in the Guru Granth Sahib related to the word Nirmala is one of them. He and the other scholars, Mahant Ganesha Singh and Mahant Dyal Singh use the testimony from Bhai Gurdas’s Var to prove their thought:

ਬਾਪਿਉ ਲਹਿਣਾ ਜੀਵਦੈ ਗੁਰਿਆਈ ਸਿਰ ਛਤਰ ਫਿਰਾਇਆ ।
ਮਰਿਆ ਸਿਕਾ ਜਗਤ ਵਿਚ ਨਾਨਕ ਨਿਰਮਲ ਪੰਥ ਚਲਾਇਆ ।

Non-Nirmala scholars consider it to be originated during the times of Guru Gobind Singh. Their viewpoint is that wherever the word “Nirmal” exists in the Guru Granth Sahib it is not the sole indicator for their Panth, rather the indication is towards the entire Sikh Panth, the Panth that Bhai Gurdas refers to as Nirmal Panth.

Guru Gobind Singh wanted his Sikhs to be trained in both soldierly arts and to possess intellectual minds. During his stay at Paonta Sahib, on the bank of River Yamuna, from 1685 to 1688 CE, he had engaged a number of scholars to translate Sanskrit classics into current Braj and Panjabi, in order to bring them within the easy reach of the less educated folk. He once asked one of these scholars, Pandit Raghunath, to teach Sanskrit to the Sikhs. The latter politely excused himself on the plea that Sanskrit was *deva bhasha*, ‘the language of Gods’ and could not be taught to the Shudras. So, Guru Sahib sent five of his Sikhs (Ram Singh, Karam Singh, Ganda Singh, Bir Singh, and Sobha Singh) to Varanasi, the center of Hindu learning, dressed up as upper-class students. (This claim of the Nirmalas is also challenged by some Sikhs who say that Guru Gobind Singh could have hired any other scholar for teaching the ordinary literature to the Sikhs. He need not have to send people in disguise.)

However, these Sikhs worked diligently for several years and returned to Anandpur as accomplished scholars of classical Indian theology and philosophy. In view of their piety and their sophisticated manner, they and their students came to be known as 'Nirmalas', who later split into a separate sect. So, these Nirmalas form the learned class of people in the Sikh panth. Though, as such no fact is available from which it becomes evident that the Nirmal panth existed before the time of Guru Gobind Singh. In the form of organization it came into being at the time of tenth Nanak.

The Nirmalas believe in the ten Gurus and Guru Granth Sahib but taking Khande ki Pahul is neither compulsory nor common in them. Along with Guru Granth Sahib they do believe in the physical Guru as well, who generally is a Mahant of a particular dera. So, in this way the Guru-disciple tradition runs in the Nirmalas and all the disciples are related as Guru-bhais. On the death of the Guru, the most eligible disciple gets the throne. As a distinguishing mark of

the sect they don at least one of the garment in ochre color. Otherwise they have been found to have three kinds of outfits:

- Ones who wear ochre color clothes and the loincloth. These types of saints usually have their deras outside Panjab in Haridwar, Prayag, Kashi etc., that is, at most of the Hindu sacred religious places. It can be said that their environment influences their choice of clothes.
 - Ones who wear white clothes; their dress is not much different from the mainstream Sikhs.
- Ones who wear white clothes but with ochre turban.

The second and the third type usually stay in Panjab and are very staunch followers of Rahit Mariada. The Nirmalas generally practice celibacy and are devoted to the scriptural and philosophical study, but by tradition, they are inclined towards the classical Hindu philosophy, especially that of Vedanta. They consider Vedas as supreme. *They believe that Gurbani is just the gist of the Vedas in the simple desi language.* Vedas is the hukam of parmatma that doesn't change, only the language changes with times. Sanskrit also started being considered as the language of gods. They also say that Gurbani doesn't degrade or contradict Vedas.

Each of them is first made to go through Gurbani in Gurmukhi script. After this, they analyze the Sanskrit scriptures and that also mostly in the Gurmukhi script. *It is compulsory for them to spread Gurmat and spread of any other religion is prohibited for them.* But they do the comparative analysis. This is done to present the supreme authority of Gurmat only. For this, they study the other religious granths as well. *Since they have been mostly Vedanti, they have given the color of Vedas to Gurbani interpretation as well by the usage of the vedanti words, the vedanti language etc. They also do multi-meaning translations of a single verse of Gurbani.*

All nirmalas adorn hair. No one can enter in to this panth with cut hair. Except for those who wear ochre colored clothes, it is required by them to take Amrit. This they take from their Guru only and due to so many personal gurus, some sub-sects have also emerged in them ranging from 17-33 in number. Theirs have been a great contribution in the spread of Sikhi. *They are the only ones who did Gurmat prachar in a very organized manner.* Since they took Amrit, they believed that it becomes their duty to spread it further as well. And they understood the psychology of those times so well that they utilized it to spread it further. They went to villages and by becoming involved in their daily matters, started talking to them. They were helping the kids as well with their education, as there were only Muslim or high-class Hindu schools and the common Hindu child could not go to the school, so they started teaching them free. Gurmat and Gurmukhi were what they taught and because of this those children themselves came forward for taking Amrit. *In those days doctors etc. were considered the form of god* and the Nirmalas used it to their advantage. *Just for this, they learned the techniques of medicine, only to spread Sikhism.*

They also went to different Hindu centers just for the spread of Sikhism; met different people, held discussions with them just like the Gurus did. They do consider Nam Jap as the supreme way but also at an equal level hold knowledge as the way to liberation. *They keep on saying that there is no liberation without knowledge.* They have been spreading education through schools, the missionary councils, religious documents, debates, travels of the Ramta dal (the wandering groups), the Ramat Akharas, religious books, etc. and also from historical guru places, deras, mathas, etc. They have also produced a lot of Pathis as well who do pure and melodious recitation of Bani.

They did use Vedas for the interpretation of Gurbani. The common masses could not understand the difference in them and unknowingly offered themselves to the Guru. In 1831 CE in the Kumbh mela for the first time, they put the *Khanda* of Guru Granth Sahib ji, called '*dharam dhuja*'. They have also been participating in the Sikh festivals. In 1858-59 CE and in 1864-65 CE at Hazur Sahib, in 1862 CE at the Anandpur Sahib Hola Mohalla, in 1964-65 CE at the Amritsar Diwali, in 1962 CE at Patna Sahib, in 1866 CE at Muktsar. They used to hold Diwans to preach and spread the message of Sikhi at these places during such occasions. Till 1855 CE, they kept on saying no to the lands and properties offered to them but then they realized that they couldn't do without an organized organization. So, they accepted the help being offered to them. They held Amrit sanchars as well up till the places like Maharashtra, Uttar Pradesh, Jammu and Kashmir, and Nepal. Etc. *After the establishment of 'Panchayati Akharas', they had enough money of which they bought lands, shops etc. Also, they started the financing business to raise more funds. But they used to put a condition on the person they financed that they have to live a Sikhi life and spread the message of Sikhi across as well.*

Not much of literature is available on them. Also, *they believe that one should not sell Gurbani*, based especially on this Gurbani tuk, iDRg iqnw kw jIivAw ij iliK iliK vycih nwau (1245). *They do not even give it free readily to just any person as they hold it sacred and do not give unless they are satisfied.* In spite of all this work, their numbers never increased in Panjab. After Anandpur was evacuated in 1705 CE, the Nirmala preachers went to different places outside Panjab and established the centers of learning, the 'Akharas' (AKwVy) that exist even today from where Sikhi is being preached. As *the Singh Sabha movement went against them* in making people believe that any kind of Hindu influence is not right for Sikhism and should not be tolerated at any cost, their enthusiasm died down and thenceforth their importance as a significant part of Sikh society. So, in 1918 CE, like the Udasis, they also established separate Akharas.

Under Bhai Tota Singh ji, Ram Singh ji, Matab Singh ji's influence, Maharaja Narendra Singh ji Patialapati, Maharaja Bharpur Singh ji Nabhapati and Maharaja Sarup Singh ji Jindpati (Sangrur) made Akharas for the Nirmalas known as 'Dharam dhuja' (Drm Dujw). Bhai Matab Singh ji was appointed its first Mahant. Initially they were also doing oral preaching but from the 19th century, the 'tikas' (translations) of the Bani, the Gurmat Sidhant Nirnay, the Guru Granth Kosh, the Prayaya, the stiks, the Guru history writings etc. started coming out. Although with time, they got involved in the mahantgiri and the akharas and the preaching of Gurmat didn't remain their main motive, there came some new things in the interpretation of Gurbani as mentioned above.

UDASIS

The term 'Udasi' has been derived from the Sanskrit word *Udas* that refers to a person who keeps himself away from the materialistic world. According to Sitaram Chaturvedi, "that person who neither takes nor gives, neither loose temper nor remain contented, neither engross in the worldliness nor remains away from it, is called a Udasi who is like a lotus in water". According to Bhai Kahn Singh the meaning of the term is sadness or ascetic but Pandit Tara Chand Narotam denies that it is not ascetic. According to Macauliffe, Guru Nanak Sahib once narrated the meaning of Udasi to an ascetic as one whom making use of worldly things, do not engross in them and always concentrate on the name of Lord. The code of conduct and the lifestyle of the Udasi are known as *Udas Matta*.

In the Sikh literature the word Udasi has been related with the travels of Guru Nanak Sahib that have been given the name of 'Udasiya'. In the words of Bhai Gurdas the travels (Udasiya) of Guru Nanak Sahib were to emendate the earth:

ਬਾਬੇ ਭੇਖ ਬਣਾਇਆ ਉਦਾਸੀ ਕੀ ਰੀਤਿ ਚਲਾਈ । ਚੜਿਆ ਸੋਧਣ ਧਰਤਿ ਲੁਕਾਈ ।

The modern scholar of Udasi faction Swami Gangeshwarnand after relating the history of the faction to the four sons of Brahma – Sanak, Sanand, Sanatan and Sanat Kumar considers that in the form of institute, the elder son of Guru Nanak Sahib, Baba Sri Chand, established the Udasi institution. Bhai Gurdas writes:

ਬਾਲਜਤੀ ਹੈ ਸਿਰੀਚੰਦ ਬਾਬਾਣਾ ਦੇਹਰਾ ਚਲਾਇਆ ।

The Udasi scholars of the ancient tradition believe Guru Nanak Patshah and Baba Sri Chand as having established the sect. According to Sant Rain, the first preceptor of the Udasi sect was Guru Nanak. According to the history of Panjab and Sikh tradition, Baba Sri Chand established the Udasi faction and the elder son of Guru Hargobind Sahib, Baba Gurditta ji became the disciple of Baba Sri Chand. Baba Gurditta ji gave the charge for spreading of Udasi faith to four of his disciples. Later on, in comparison with the *Dasnami Sanyasis*, Udasis also established their *Dasnami Akhare*. Four *dhunaas* (centers of Udasi sect) on the name of the four disciples of Bhai Gurditta ji and six *bakhshishs*. The four *dhunaas* were: Balu Hasna, Almast, Phul Shah, and Goind or Govind ji. They all were from Kashmir area and Balu Hasna and Almast were the Gour Brahmins. So, they brought their cultures and philosophies also in the Udasi sect. The six *bakhshishs* were: Suthre Shahi, Sangat Sahibiye, Jit Makiye, Bakht Maliye, Bhagat Bhagwaniye, and Mihan Shahiye. These six *bakhshishs* were established with the blessings (Bakhshish) of sixth, seventh, ninth and tenth Nanaks and therefore came to be called as *bakhshishs*'. The Sadhus of these *dhunaas* and *bakhshishs* established thousands of deras, akharas, or center for preaching Gurbani. One can say that Baba Sri Chand started it, Baba Gurditta ji expanded it and also these got support from Gurus as is evident from *bakhshishs*.

Though the religious scripture of all of them is Guru Granth Sahib, they believe that the Udasi sect is based on the five elements of *Brahm, Maya, Sat, Gyan* and *Sadacharan*. And the attributes of Brahm are that it is timeless (Akal), transcendent (Nirgun), imperceptible and is present in each and every particle. Maya as in the Advaita is believed to be

the another name of Brahm only. But they do believe in the devotional worship and feeling and pay importance to the 'Surat-Sabad da Mel'. They also hold the Guru and the Sat Sangat as significant and important in one's spiritual upliftment. Also, there are some 50 lines in a religious writing related to Baba Sri Chand called 'Matra Baba Sri Chand ji ki' which are given to those when they convert anybody to Sikhism as a Gur Mantra.

Before the Singh Sabha and Gurdwara Reform movements, Prakash of Guru Granth Sahib and recitation of Gurbani was performed in these deras and Guru Nanak Sahib was considered as their spiritual guide but after the Singh Sabha movement the Udasi mahants separated themselves from Guru Ghar by establishing the idols of Baba Sri Chand, installed Hindu scriptures along side Guru Granth Sahib for their selfish ends. They wanted to save their seats, properties and Gurdwaras so that these were not considered under the Gurudwara Act. They adopted the style of living as that of the Sanyasis and the same was true in the case of names. The ancient Sanyasis use the word 'Das' e.g. Nirban Das in their names, the present ones started keeping the names as Sanyasis did. For instance Swami Gangeshwarnand type of names are kept now. In this way there exists history of Udasi sect as initially related with the Guru Ghar and then their segregation from there. However, in 1926 CE as per the case filed by them, the High court gave its verdict and declared that the Udasis were not Sikhs.

As mentioned above the ancient Sadhus of the sect followed the code of conduct of Gurmat, they recited Bani, prepared Pothis of Bani and spreading of Gurmat ideology was their main aim. Much of the literature connected with the Gurmat was available at their deras. At the time of their segregation with the Gurmat, the literature relating to it was also removed from there. At Udasi deras Sanskrit language, Vedant, Grammar and Vedic education was taught and in one form these deras were considered as the education centers in the ancient times. But it is a matter of regret that we hardly find any literature today that was written and preserved in these deras except for some tikas of Sadhu Anandghan that throw light on the Udasi explanation system. Most of it was purposely destroyed by the mahants in fear that the availability of literature would prove danger in the way of their political and materialistic self-interests.

The outfit of Udasis consisted of deep red robe with a black woolen cord in the neck, a tumba (a musical instrument comprising of the shell of gourd and gut-cord) in the hand and a long cap on the head. Earlier they never shaved off their hair and beard but now we see many with matted hair, with shaven heads, with ashes on their naked bodies and in saffron colored clothes. There are three types of Udasis found today:

First, those who lead a householders' life. They generally wear ochre colored clothes and are mahants of one or the other seat.

Second, those who do not adopt the householder's life. They wear saffron clothes and coronate only an eligible disciple on their seat.

Third, the 'Nirvana Sadhus' who just wear a loincloth. They apply ashes on their body and keep matted hair.

Swami Gangeshwarnand classifies them into three categories: Muni, Rishi, and Sewak. These are also called *Sadhus*, *Jigyasu* and *Sewak* respectively. The instruction system of all of these is different. They used to practice celibacy earlier but now we find them married as well. According to 'Udasi Mat Darpan', the ones who get married are called *Udasi Sants* and the ones who don't are called *Udasi Sadhus*. Since the Udasis preached outside Panjab, it was obvious that the culture of those places would affect the language, the style and the ideology of the Udasis. *Sadhukari language, which was understood*, at most of the places in the country then, was used by most of them. Their ideology shows the influence of the Vedas, the Shastras, the Simiritis, the Purans, etc. The pauranic mythology had come in their preaching from the angle of arousing people's interest in their preaching and therefore the worship of gods and goddesses or at least respect for them entered their faction. They have started considering the Vedas as the Supreme Authority and Sanskrit as the language of gods.

The importance of Gurbani was told in between the Vedic lines and in the common man's language it was understood as being Vedas only. The Udasis started the research of these Vedas and the Shastras, the material for which was easily available at places. In this way, they accepted the color of the Ved Shastras. *And along with the age-old wisdom, the philosophy and the religion of Vedas, they started matching Gurbani, Gurmat and the Sikh way of living. They presented Guru Nanak Patshah and Baba Sri Chand as their Adi Gurus* and did not pay much attention and emphasis on the lives of the successive Gurus. The emphasis was only on Guru Nanak Bani. However, they did present the Udasi way of living as the path to liberation. The Hindu rites and rituals, the sacred places or the tirthas, the sacred dates, the fasts, etc. all came to be included in their ideology. They utilized all these colors for the interpretation of Gurbani and *in fact showed Gurbani as the supporter or the upholder of these thoughts too.*

They did give importance to Nam Bhagti but while preaching Gurmat, they used exactly the Hindu ideology regarding the concept of the Parmatma, the jiv, the jagat, the karam, the avagavan, the mukti, etc. With time, the pure and the original Gurmat started decreasing and the colors of the Vedic ideology came to be added in their preaching, teachings and interpretations. These Udasi Akharas still exist in many parts of the country.

Mahatma Pritam Das, a revered figure among the Udasi sect, once thought that the Sadhus of Gurmat have problems of living and eating in the tirtha melas, i.e. during the celebrations at sacred places, so some such arrangements are made so that the problem gets solved. He prompted Nanak Chand, the uncle of the Vazir (Chandu Lal) to Hyderabad's Nizam who gave him seven lakh rupees. He kept the money in Prayag in front of the Sadhus. They planned to make separate Akharas to overcome such problems and in sammat 1836 established "Panchayati Akhara". In the Akhara, Guru Granth Sahib was installed as the Supreme Authority and on the tabiya, four mahants – Ganga Ram, Kutsath Brahm, Arup Brahm and Atal Brahm were established. A lot many things as the tents, the chandanis, the daris, the carpets, the horses, the camels, the carts, the utensils for the langar, the musical instruments, etc. were purchased. The arrangements are such that nothing falls short at any time. Their head office is at Prayag but its branches are at Khankal, Kanshi, etc.

In sammat 1896, on some issue, a problem arose between the 'Panchayati Akhara' and the 'Sangat Sahibiye', Bhai Pheru's Sampradai's sadhus Santokh Das, Hari Narayan Das, Sur Das etc. So, together they made a *Sri Gur Naya Akhara Udasin*, whom people call *small udasin akhara*. Its head office is at *Khankal* and there are many beautiful houses at all the tirthas. The arrangements are just like 'Panchayati Akharas'. Some others were also established later on, like in 1838 S. the Santokhdas Akhara in Amritsar, the Sangal Akhara in 1843 S. the Nirvan Sar in 1850 S. etc. Though these are called Akharas but these are just Sadhu deras.

Udasi faction is one of the oldest factions of the Sikh institutions that have contributed incomparably for the Khalsa Panth mainly from three aspects:

The first aspect is that, they spread the messages of Guru Nanak Patshah all over India and even world. They had deras at many places in India. They also went out of India, to Afghanistan and established Dharamshalas in Russia. Udasi Sants, who were the hermits and were free of household worries and courageously took step to leave homes and go at far off places for spread of the faith. Baba Sri Chand himself went till Kabal Kandhar. A temple in Baku Javala in Russia had the following lines written in Gurmukhi script which is an evidence to prove that Udasi Sadhus went there:

“ੴ ਸਤਿਨਾਮੁ ਕਰਤਾ ਪੁਰਖੁ ਨਿਰਭਉ ਨਿਰਵੈਰ ਅਕਾਲ ਮੂਰਤਿ ਅਜੂਨੀ ਸੈਭੰ ਗੁਰਪ੍ਰਸਾਦਿ । ਵਾਹਿਗੁਰੂ ਜੀ ਸਹਾਇ । ਬਾਬਾ ਏ ਦਾਸ ਦਾ ਚੇਲਾ ਮੇਲਾ ਰਾਮ, ਤਿਸਕਾ ਚੇਲਾ ਕਰਤਾ ਰਾਮ (ਭਗਤਾ ਰਾਮ) ਉਦਾਸੀ ਜਵਾਲਾ ਮੈ ਧਰਮ ਕੀ ਜਗਾ ਬਨਾਇ ਗਿਆ । ਵਾਹਿਗੁਰੂ ।”

- The second aspect is that, when in the 18th century the invaders were paying large amount as cost of Sikh heads and were busy trying to eliminate them, the Sikhs lived in jungles and it was difficult for them to look after the places of worship. At that time of difficulty, Udasi Sants took the service of the religious places in their hands and in this way spread the message of the Divine.
- The third aspect is that, Guru Nanak Sahib, during his travels influenced many people by spreading his message at quite far off places. After that the establishment of Manjis and Sangats kept them united with the Guru Ghar. When Guru Gobind Singh created Khalsa, the people who were unable to take Amrit, the Udasis kept them joined with the Guru Ghar. In this way, they performed the job of uniting the Singhs and the Sahajdhari Sikhs and kept the light of Sikhi principles alighted.

Besides these three aspects, we find some tikas on *Jap, Aarti, Onkar, Sidh Gosht, Anand, and Asa ki Var*. An evidence is also found that the Udasis got the Birs of Guru Granth Sahib, Panj Granthis and Janamsakhis written and distributed at places where they had deras. But with the passage of time, some bad elements entered the sect. They started making misuse of the huge amount of money, which was presented, at these places. And during the Sikh Reform Movement they took hold over the places of worship and declared themselves as Hindus. In this way they went far away from the Sikhi and presently have become almost the part of the Hindu society.

SEVA PANTHIS

The establishment of the history of the Seva Panth is related with the blessings with the Ninth and the Tenth Nanaks on the unique disciple, Bhai Kanahiya ji. It becomes evident from the study of the history of the Seva Panth that the basic structure of the sect was formed during the last decades of the 17th century and beginning of the 18th century. The solitary persons like Bhai Seva Ram, Bhai Addan Shah and Bhai Sehaj Ram laid the dress code, code of conduct and important rules and regulations for the Seva Panth. Under these rules and regulations they started working tremendously by forming group for the larger interest and welfare of the society.

As is explicit from their name the uttermost duty of the Seva Panthis has been *servicing the humanity*. Besides serving, they lay emphasis on *Nam Bani, Katha Kirtan, compassion, humility, labor, renunciation of women etc.* are their main characteristics. They never think of capturing the enemy through the use of weapons. Through service of humanity they win the heart of others and consider this to be their victory. Whosoever used to come to their sect, they preached *Service, Simran, Katha, Kirtan, Patience and Contentment*. The consequence of it was that the sect produced many devotees who worked for the welfare of the society. They could even sacrifice their life for Guru Ghar. They believe in the truthful conduct as the thing over anything else. In place of intellect, they talk of and hold spirituality as high, in place of doubt, they talk of belief and in place of just ideas, actual deeds. They do not consider themselves as the Guru of the seat they possess and call themselves and each other as 'Bhai'. The eligible person gets the succession. In the coronation ceremony, which is a simple process, the preceding 'Bhai' keeps a broom and a bronze bowl in front of the successive 'Bhai'. The broom is an emblem of cleanliness and humbleness and bowl of seva.

As mentioned before Bhai Kanahiya ji is considered to be the forerunner of the sect though no such historical evidence exists. He was born with an attribute of Seva. He used to feel contented by helping the needy and poor. When he met Guru Tegbahadur, he was pleased and started serving the horses by making them drink water. Guru Sahib felt very happy on seeing his interest for performing *Nishkam Seva*. After Ninth Guru, he went to Anandpur Sahib to serve water in the Langar in Guru Gobind Singh's court. The other known personalities of the sect are Bhai Seva Ram and Bhai Addan Shah who too served the community by establishing Dharamshalas at various places and preaching Gurmat. Their religious scripture is Guru Granth Sahib but in the deras of Seva Panthis the Katha of Paras Bhag (Kimiaye Saadat Translation), Mansavi Maulana Rumi and Yog Vashist has been often performed. In this way it seems that the influence of Sufi and Hindu thought has been on their minds. With the passage of time, Sufi influence diminished and Vedanti influence took place but the main axis has been Gurbani.

Although, Seva Panthis can be a Keshadhari or Sahajdhari but they have complete faith on ten Guru Sahiban and Guru Granth Sahib. Sahajdharis, too, considered themselves as Sikhs of Guru. They do not have any different faith or philosophy but regarding some matters related to life, their thought differ from that of Sikh faith, e.g., renunciation of family life to the extent of jealousy. Initially most of them were Sahajdharis but later on under the influence of Baba Sahib Singh ji of Una, started taking Amrit. Now a days, we can find all types of Seva Panthis: the Amritdharis, the Keshadhari and the Sahajdharis. The main persuasion of the Seva Panthis is as follows: -

Seva: As mentioned before, seva is the main quality of the Seva Panthis whether it is for humanity or for the animals. They feel contented by helping the needy and poor. Lot of evidence regarding construction of wells and ponds, establishment of Dharamshalas for travelers including their service, arrangement of medicines for the sick etc. is found. They never discriminated between castes while serving.

Daya (compassion): From the life history of Seva Panthis, one finds that they are very tender and compassionate by heart. They can't bear anyone's grief. One finds many sakhis related to Seva Panthis compassionate nature.

Non-Violence: Seva Panthis believes in non-violence. Prof. Pritam Singh has quoted Seva Panthis to be tender, compassionate, animate protectors, non-violent etc.

Nam Simran and Katha-Kirtan in congregation: The remembrance of the name of God, performing Katha and Kirtan in congregation is very important for Seva Panthis. They consider getting up during Amrit Vela and to be present in congregation at that time as very important above all jobs.

Labor: Performing labor is considered very important among Seva Panthis. They are against eating by borrowing or making misuse of religious money. The main occupations of Seva Panthis are matting or weeding fiber, stitching,

weeding grass but any other occupation was also not considered bad. They believe in earning up to the extent the daily requirements and not to involve deeply into it. They do not believe in saving. They consider honesty to be the basic element in earning.

Renunciation of Women and family life: Seva Panthi Sadhus think of family life to be the storehouse of distress. They regard women as lowly and degrade them like Nath Yogis. That is why they live a life of celibacy. According to them only that person who is free from personal bonds or entanglements can serve humanity whole-heartedly and can't attain the objective to achieve Gobind. This principle of theirs is against the Gurmat ideology as women are highly revered in Gurmat. But now with the change in education system the trend is changing.

Tolerance: Seva Panthis contains lot of tolerating power. They never protest against oppression or coercion. Instead they serve them considering them to be the form of Gobind.

Self-Control: In the matters of eating, wearing and talking, they are very disciplined. They feel very bad when any tragedy occurs; they refrain themselves from speaking. In ordinary circumstances also they consider excessive talking to be bad. They consider eating up to the extent to satisfy hunger.

The contribution of Seva Panthis stands unparalleled. They along with Seva, preached as well in the educational centers in West Panjab especially Sindh and no one has done as much as they did in the area. Individuals like Bhai Addan Shah, Tehal Das, Garu, Dukh Bhalan, Hazari Ram etc. have created good writings. Bhai Seva Ram student of Bhai Sehaj Ram have created mystical writings as:

- *Parchian Bhai Kanahiya ji*
- *Sakhian Bhai Addan Sahib ji*
- *Pothi Asavarina*
- *Parchi Bhai Addan Shah ji ki*
- *Parchi Bhai Seva Ram ji di*

Their interest has been always in presenting the parchian, the sakhian, the bachans etc. of their sect or the Sufi fakirs only. Besides these they spread the message of Gurbani, Gurmukh Sadachar or conduct and Gurmat way of life.

While the Udasi and Nirmala Sants concentrated on teaching Sanskrit, Seva Panthis stressed on teaching Gurmukhi Script so that the Gurbani could be learnt. Seva Panthi Sant Amir Singh ji continuously for sixty years (1894 to 1954) at Satovali Gali Amritsar taught the Taksali meanings of Guru Granth Sahib. The writing of Pothis and editing them was performed before the introduction of press. In the present times they have concentrated on opening of the schools and colleges to promote Gurmat and other education

The contribution of Seva Panthis in the field of education is quite appreciable. In the darbar of Bhai Addan Shah scholar sadhus were revered. The translation of *Kimiaye Saadat* of Iman Gazali, Masnavi Maulana Rumi and Yog Vashist were done at that time. The contribution of this sect has also been to attach the Sahajdharis with Guru Granth Sahib. While the Udasi and Nirmala activities were more outside Panjab, Seva Panthis lead the Sangat mainly in the undistributed Panjab. Before partition the Seva Panthis spread in the areas like Jhang, Shahpura, Sargodha etc., that is, the West Panjab but after partition they came to areas like Patiala, Jagadhari, etc. At present Seva Panthis have many deras in the sub-continent.

CREATION AND PURPOSE OF THE KHALSA

Professor Puran Singh

"For ages the doors of true spirituality were locked for the people;
The great Guru (Nanak) flung them open to all the four castes"
Bhai Gurdas.

"The Sikh has no sect, his commune is his path. Guru Nanak : I am seeking the Man of God (Gurmukh). Our Master (Nanak) tilled land, weeded the wheat crops, and he and his disciples together went and sang and harvested them. Nanak renounces the monastic vagaries of the old Brahminical thought and celebrates the Divine Realisation at once in ploughing, in riding, in home life and in the desert. The Gurus created sweet homes in the Punjab, and in the Khalsa, a freed commune of the Comrades. They were called Brothers (Bhai). Individuals stood as representative symbols of the Khalsa Commune. Their prayers were not individualistic, but communistic. Save O, Lord, the Khalsa (the plural commune) wherever the Khalsa be. Even the individual Sikh was called the Khalsa."

The War and The Sikh Spirit

Recall the last two decades of the 17th Century and the beginning of the 18th Century when we, the Sikhs, in the Punjab, under the command of Guru Gobind Singh, rose to die.

"Our Master, Guru Gobind Singh, called us to death and extinction, for he felt that it was no use living at all without the sense and light of liberty in us. Guru Gobind Singh gave such a vital and martial timbre even to our prayers that we, for the first time in the history of India, saw that the great love, to which our Master was calling, was not a prayer of the crushed people, but a prayer of the victorious as Guru Nanak, the First True King, had called us not to love the Beautiful God-Person of Nature and Creation, but to be so beautiful as to be loved by Him."

"To the terrified slaves of this country, Guru Gobind Singh said : Rise and fight and die fighting on horseback. This is an oceanic burst of the same glow of life, and this too is of Him. It is more glorious to die than to live as miserable wretches. He poured into our veins that life which could not love without song and freedom. We rose as individuals and as masses shouting for liberty and victory. He gave us freedom of the soul, and we cried for the freedom of our life. We died for it, never mind, if we never got it. Touched by his inspiration, we could no more remain slaves."

"The songs of peace in Guru Granth were being sung as usual at Anandpur, the seat of our Master, but he had a large drum specially made to send forth his Song of the Sword. He called it the Ranjit Nagaada, the Victory Drum. It was of an enormous size. At Anandpur, Guru Gobind Singh stood by the side of his drum, contemplating the liberty of his people. There is a complete change in the colour and shape of the gathering of the disciples around him. A new nation came fully armed at Anandpur. The Sikh history shows how they fought, but it was all a poetic action. It was waged in the songs of the Great Guru to inspire his people. The War had commenced in the Gurus poems. His impassioned lyrics of war, the Battle of Bhangani in Chandi-Charitra, sound in our ears still. Life rooted in Truth was allowed by Guru Gobind Singh to take the new course of the flood and the storm. Beat, beat drums, sound, blow bugles, blow, echoes the war spirit of the Khalsa. The war-like tones and that clash of steel and that spiritual impatience to die, which we find in the pages of our history has to be appreciated. Surely, no historical accounts show us the poetic genius of Guru Gobind Singh, manifested and enlarged in those wars which were waged, as he says, without any rhyme or reason against him by the enemies of his thought and ideal. The low-statured Hindu kings and the Moghuls could not endure Guru Gobind Singh being hailed as the True King of the people."

"Our mothers and sisters have been voluntary nurses in these poetic wars of Guru Gobind Singh and after. The saints enlisted as ordinary soldiers in love of Him. And our saints who chanted songs were the first in the world to organise a society similar in purpose to the present-day Red Cross Society. They did go inside the camps of friends and foes alike, serving the wounded."

"Our Master, Guru Gobind Singh has not been understood in the land of his birth by such Hindu poets of poetic spirituality as Rabindra Nath Tagore and by such men of action as Gandhi, because both of them are too much of the old Hindu." "Not that we for ourselves mind this ignorant depreciation of our Liberator by these eminent Hindus, but that, by so doing, they show their own effeteness and bankruptcy of spirit. Incidentally, it also shows how they lost their country

through such vague inanities. Without the cleaving sword, Guru Gobind Singh found no way to get out of these maya-meshes of the Hindu stupor and stupidities. It is with peculiar satisfaction, therefore, that we turn away from our country to find our Gurus ideals being celebrated and voiced forth in distant Japan where the spirit of Bushido, the Flash of Sword, mingles with the Nirvanic Peace of the Buddha both in life and art, and in the well-balanced artistic consciousness of Japan. And still farther away we hear it in the chants of Democracy in the America of Walt Whitmans visions. We, too, do not believe in the Democracy of vote, but in the Democracy of the enlarged vision of man."

"To cultivate one thought or one feeling, a man needs his whole life. It is in appreciation of this fact that the great inspired beings sing in spite of all grossness around them."

"Our Guru Gobind Singh saw that there was no other way to breathe life into the dead masses of the Punjab, but by arming them and beating drums, and flashing sabres in the glare of the sun. Dead ye are, rise to die, perchance to catch the spark of life in the battlefields ! Guru Hargobind Singh roamed, as the sun did set on the battlefield of Amritsar, wiping blood from the faces of his wounded disciples, nursing them and pouring into their soul his comfort and blessings. Guru Gobind Singh joined the Muktsar battlefield like the divine father of his children giving them his soul."

"We, the Sikhs, had our resurrection en masse at the Masters word, sung in our ears on the battlefields. The war gave us the fiery baptism of God's warm blood. We died. And that is how our master said we should live. There is no other door to everlasting life but through death, like this, through love, and obedience like this. Very little life is in the ego of man; all is there in the shining sun of his soul. He knew all about the nature of after-death; He led us on." "Our Guru in communion with the cosmic processes concentrated his consciousness on the problem of making man alive, natural and free."

"We the Sikhs, dedicated soldiers of the Master, are already on the march on the open road with the chants of our Master. And these chants pour life into us."

"It is difficult to translate our chants, but one may be given in original here to indicate the power that is in its very sound, and how these very lilt wage a war in their solemn enthusiasm :

*kbag, kband, bihandang khal dal khandung
ati run mandang barbandang,
bhuj dand askhandang tej parchandang,
jot amandang bhan prabhang
sukh santang kamang durmat Darnang
kil bikeh barnung, us sarnang
jai jai jag karan srist aubarang
mum prati parang jai tegung.*

(The Songs of the Sword) Guru Gobind Singh."

"In the chants of our master, the cannons boom, the arrows fly, the swords clash, and the very repetition of his chants makes us fly like flames, crying liberty, liberty, liberty. So did not we at Anandpur declare the armed age."

"The Khalsa is a newcomer, fresh from the eternity into the world. The eyes of the Khalsa glow with the vision of the Invisible. The millions on the other side of the River of Life mingle their voices, and the Khalsa is truly one in many. When he runs, he is in trance. On the bed of thorns, he lies on roses. Outside is immaterial; it is the aim of life that matters. The Khalsa is he who has found the centre of life and has enshrined God in the temple of his heart. The Khalsa looks at the world from a supreme height, blessing all, helping all, loving all, with his beautiful looks from the inner self of all life."

"The Khalsa in ordinary life proves himself a loving husband, a kind father, a noble friend, a selfless saint, and a brave soldier to defend the honour of the weak."

"The world with all its gay gardens is to the Khalsa but a camping ground. The Khalsa holds the present life to be but a camp life. Death has no sting for him. If a child is born, he is a Gurus soldier come, and when he dies, its a Gurus soldier gone. The Khalsa sees and believes all as good; nothing is amiss. It is, therefore, when he prays, that he speaks in accents of steel, flint, fire and lightning that move the Heavens with him."

"The tent of the Khalsa is a temple. The Khalsa is the Dharamshala for all. The Khalsa gives a drink, a repast and a hymn of the Guru to all who pass by. The Khalsa has his own language whose flame-words reflect the inner glory of our National Realisation, and of that joy which is supreme in its conquest over the sorrows of the world."

"A whole new idiom has been evolved by the Khalsa to describe the ordinary and commonplace things of life. This is, indeed, camp language, and authenticates the Sikh soldiers love of life and his boundless optimism. A single soldier styles himself as sawa lakh or a hundred thousand and a quarter. When he has run out of his food or rations, he says, the kitchen is tipsy with joy ! The lame, in this language, are called beautiful-footed, the blind the sun-eyed, for they all are Jewels of the Guru !"

"Alas, the Khalsa too is getting under the self-hypnotism of being something, doing something, and is thus degenerating into a common man ! Instead of the old tent life it is the life of the palace that pleases him. This world is getting daily into mud, and unless something happens to restore to him his true faith in God and the Guru-finding expression in every thought and action, a type, wondrous in its grandeur and expression would be gone."

"But this is not the real Khalsa that is decaying. That is the Khalsa there which is ever coming into blossom."

"Guru Gobind ordains that all prayers should be uttered by first saluting Him with a drawn naked sword, in the camp language of the Khalsa."

"When we read in the Japji our Masters picturing the universe as a procession, in the form of a choir of singers coming through ages, and in the Sukhmani as the whole creation in procession passing."

"Our Masters called us Panth, a path or a road. The Sikh is a path."

"The following poem is descriptive of the Khalsa as he was born in Punjab :
Great were the times,
enthusiasm flowed out of human heart like a sea.
And truly that coming of the Khalsa is the coming of a new nation on earth.

An historian of the Sikh period says :
Khalsa came ready-made from the brain of Guru Gobind Singh.
A nation announcing itself.
I myself make the only growth by which I can be appreciated,
I reject none, accept all, then reproduce all in my own forms.
A breed whose proof is in time and deeds.
What we are we are, nativity is answer enough to objections.
We wield ourselves as a weapon is wielded,
We are powerful and tremendous in ourselves,
We are executive in ourselves, we are sufficient in the variety of ourselves.
We are the most beautiful to ourselves, and in ourselves,
We stand self-poised in the middle, branching thence over the world."

The Great Truth

"In conclusion, let me declare, that the religion of Guru Nanak is not these miserable ethics, these ideas of good and bad and nobility, these conventions of purity and impurity, these wayside no-truths and half-truths to which the inspired cling with such stupid and universal tenacity, not those steps to perfection counted like the rungs of a ladder, not those catalogues of dos and donts, not those hotch-potch, foolish theologies of the human race, to those human qualities that these unregenerated animals in various multi-coloured faces have been holding in great esteem so long, and still hug close to their prejudices, not those great wastes of human energy and feeling involved in institutionalizing personal charities, in fact, nothing of what men and women think so far is religion."

"The religion of Guru Nanak is one thing needful to the soul of the individual, as well as the soul of groups of individuals. Nature is God. It is personal and alive with feeling. It is a reservoir of inexhaustible life, inspiration and love."

"Acceptance, amazement, spirituality of things are Guru Nanaks exact words. Religion is function of life as it is driven to function."

Excerpts from Walt Whitman and the Sikh inspiration.

AUTHENTICITY OF KARTARPURI BIR

Daljit Singh

Introduction

It is Guru Arjun Dev who made the important and sagacious decision to compile the Aad Granth as the Sikh scripture so that the spiritual and ideological identity of the Sikh Religion and Panth is established. An additional reason for the Guru to undertake the task was that it had come to his notice that persons outside the Panth were writing devotional hymns and giving them currency as the production of the Gurus. It is a settled and accepted tradition that the Fifth Guru compiled the Aad Granth with Bhai Gurdas as the scribe; and that the original Aad Granth is present with the Sodhis at Kartarpur. After the study of this Bir by Dr Jodh Singh and the publication of his book, *Kartarpuri Bir De Darshan*, it was considered that the authenticity of the Bir had been firmly established; but some oblique and incorrect observations by McLeod tended to throw doubt on its authenticity. It was, therefore, considered necessary to make a detailed study of the issue after a close examination of the Bir at Kartarpur. This article comprises the result of that examination.

Custody

After its preparation, the Bir was installed at Harimandar Sahib, Amritsar, on Bhadon Sudhi Ist Samat 1661. The tradition and historical writings are unanimous that from Amritsar the Aad Granth was shifted to Kartarpur when the family of the Sixth Guru moved to that place. It is accepted that the original Aad Granth remained with the family of Dhirmal, the great grandson of the Guru, and his descendants at Kartarpur, even after the Gurus had shifted from there. Historical writings are also clear that during the time of the Ninth and Tenth Gurus, the Aad Granth was with the successors of Dhirmal. For, many copies of the Aad Granth, in which the bani (hymns) of the Ninth Guru had been recorded in the time of the Ninth or the Tenth Guru, show that those had been corrected by comparison with the Granth of the Fifth Guru. [1] It is not in doubt that all through the subsequent period, the Aad Granth at Kartarpur remained the Granth of reference for authenticating the bani of the Gurus and the bhagats. [2] And, it remained in the custody of the Sodhis of Kartarpur. After 1708 A. D., the Sikhs passed through an extremely difficult time. In that period, the question of the change of the custody of the Aad Granth could not arise. After Ranjit Singh came into power, he procured the Granth for himself and kept it with him as a national treasure of the Sikhs. After the British conquest of the Punjab, the Bir passed into the hands of the Indian Government. Thereafter, the Bir became the subject of a civil suit and it was restored to the descendants of Dhirmal. Therefore, its custody first with the Sodhis of Kartarpur, then with Ranjit Singh, and again with the Kartarpur family, is an important piece of evidence. Because, the presence and recovery of a manuscript, document, or book from its natural and proper custody and environment is a relevant and weighty factor in showing its originality.

Claim of Originality Undisputed

We are not aware of any other copy of Aad Granth on behalf of which any claim of originality has ever been made. In India where there is an unfortunate tendency to make false claims about the presence of sacred places, scriptures, documents, manuscripts, etc., the singular absence of any claim of originality for any other Bir, is a very remarkable fact to show that the authenticity of the Kartarpuri Bir has never been in doubt. Before we record the internal evidence showing the authenticity of the Bir, we shall indicate the method adopted in writing the Kartarpuri Bir.

Method of Writing

The knowledge of this method is necessary for understanding why the original Aad Granth has certain unusual features and incongruities and why those could never occur in a Granth which had been copied from the original or another Granth. The bani of Aad Granth has been classified rag-wise, and in each rag the bani has been recorded Guru-wise, bhagat bani being at the end. A particular sequence in regard to shabads, saloks, ashtpadis, chhants, vars has been observed. In bhagat bani, the bani of Kabir comes first, then of Namdev, and thereafter of bhagat Ravi Das and others. In order to eliminate any chance of interpolation the couplets or verses (padas) have been numbered. In addition, the shabads, saloks, etc., of a particular Guru or rag have also been numbered serially. Further, reference of these numbers of shabads is given in the table of contents, along with the quotation of the first words of each hymn. Hence, there cannot be any chance of interpolation without it being detected. The scribe had also to devise a method by which the

task could be accomplished easily and speedily. It is important to understand that while the bani was being recorded in the Granth, the work of collection of bani of the first four Gurus and the bhagats was also going on simultaneously. Therefore, the scribe had to take care of two things, first, that an adequate number of leaves were allotted to a particular rag, and within a rag to each Guru or bhagat, so as to enable the scribe to write within the allotted space the related bani anticipated to be available. Secondly, the bani under each rag was being written simultaneously, and, while the bani of one Guru, bhagat, or author was being collected, it was also being sorted out and recorded separately at appropriate places under each rag in accordance with the set scheme that had been devised. There being a single scribe for this gigantic task, sometimes this anticipation went wrong and many of the incongruities, as we shall see, are due to wrong anticipation, or late collection of bani. We also find that the numbering of the leaves of the book had been done in advance. The pages of the Kartarpuri Bir show two things. If the book is opened, the number of the page stands given only to the page on the left hand side; the page facing on the right hand side is deemed to be a part of it. We might call the page on the left 15/1, and the one on the right 15/2. However, in the Kartarpuri Bir, the number given to the page on the left is 15 and not 15/1. Secondly, after making a rough guess about the bani likely to be available for each section or rag, one or more clusters or bunches of eight or sixteen leaves each, numbered in advance, were allotted for each rag or section of the bani. And, as and when the bani, or part of it, of a particular rag, section, Guru, or bhagat was available, it was sorted out and copied out at the appropriate place in the concerned packets or sections, in proper sequence. In addition, totals of padas, shabads, or shaloks of each Guru or the totals of the shabads of each rag are also serially given. We shall hereafter record pieces of internal evidence into two parts : (i) those that are individually conclusive, and (ii) those that are, coupled with other evidence, conclusive in showing the authenticity of the Bir.

Individually Conclusive Factors: (1) The Japu of Guru Nanak was recorded by the Fourth Guru. In all the handwritten Birs the practice was to record either the words “Japu Nisan”, or “Copy of the Copy of the Japu recorded by Guru Ram Das.” If the Bir was a third copy of the original Bir of the Fifth Guru, it would say “Copy of the copy of the copy of the Japu recorded by Guru Ram Das.” As the Fourth Guru was the person who collected and wrote the Japu, and the Fifth Guru was the first person to compile Aad Granth and copy Japu therein, in the Kartarpuri Bir alone it is written “Copy of the Japu recorded in the hand of Guru Ram Das.” No other Bir records these words, for, Bhai Gurdas was the first person to copy the Japu from the collection and writing by the Fourth Guru.

(2) Secondly, in this Bir at page 45, the dates of the demise of the first four Gurus alone are with the same pen and ink and in the hand of the original scribe of the Bir. The date of the demise of the Fifth Guru is in the hand of the original scribe but with a different pen and shade of ink. No other Bir fulfils this test. It is also very significant that while writing the dates of the demise of the first four Gurus, the day of the week is not mentioned. But in the case of the Fifth Guru, apart from the date, the day of the week is also mentioned though the scribe is the same. This shows clearly that the date of the demise of the Fifth Guru was written by Bhai Gurdas on a later day, otherwise had all the five dates been written at one time, either the day would have been mentioned in all the case or been absent from all the five entries.

(3) Thirdly, the words “Sudh” or “Sudh Keeche” (“It is correct” or “correct it”) appear at so many places in the Bir. These are supposed to be in the hand of the Fifth Guru since these are in a different hand and not in the hand of the scribe of the Bir, and the handwriting of these marginal observations resembles the handwriting of the Nishan of the Fifth Guru in the Bir. These words appear in other handwritten Birs as well. But those are in the same hand as of the scribe of the concerned Bir, showing that the Bir is a copy and not the original.

(4) The historical writings of Bhai Santokh Singh, Bhai Gurdas, Gur Bilas Chhevin Patshahi and others, [3] and the tradition assert that the Fifth Guru completed the Aad Granth in Bhadon Samat, 1661. The Kartarpuri Bir is the only Bir which records that it was completed in Bhadon, 1661 “Samat 1661 Miti Bhadon Vadi ekam I pothi likh pouhnche.” There is no handwritten Bir the record of which claims the same to have been completed on Bhadon Samat, 1661 or near about. In fact, this dated volume being the earliest, it is a good piece of evidence not only to show the authenticity of the Kartarpuri Bir but also to fix the date of the preparation of the Bir by the Fifth Guru.

(5) We have explained the method of allotment of clusters of papers for a rag or a proposed section of the Granth. For the expeditious completion of the work, the adoption of this method was natural and necessary, especially when the work of copying the collection of bani from different sources was going on side by side. This prior allotment of pages for a section had to be very liberal, so as to ensure that the available bani should not exceed the allotted space, nor thereby upset the entire system and sequence of rags and sections. But, evidently, this liberal allotment of leaves,

based on rough anticipation of the bani likely to be available, was, in practice, bound to lead to a large number of pages remaining blank between different sections of the Aad Granth. And, this is what has actually happened in the case of the Kartarpuri Bir. The total numbered leaves of the Kartarpuri Bir are 974, comprising 1948 pages. Of these pages, 453 are entirely blank, hundreds of other pages are partly blank, and, considering that a fully utilized page accommodates 24 lines, the total space available on these partly blank pages comes up to another 133 full pages. Thus, of the total 1948 pages of this volume, the space of 586 of them remained unused. It is evident that this state of affairs could only arise in the originally written Aad Granth; it could never have happened in an Aad Granth which had been copied from the original. It is a fact that none of the writers like Jodh Singh, Harbhajan Singh and others, who have seen numerous handwritten Birs, state that any of the old handwritten Birs contains any blank pages or spaces. Obviously, in a copy, the very question of hundreds of pages being left blank does not arise, especially when it is copied by a single scribe. Because, in such a case the copyist has the entire material, ready and in proper sequence, before him for copying. The Banno Bir, which is supposed to be a copy of it, has only 467 folios. It is, therefore, out of question that the Kartarpuri Bir with 974 folios could be a copy of a Granth which had material that could be accommodated in about 467 folios. Generally, all the old handwritten Birs, including the Kartarpuri Bir, are in one hand. Therefore, this internal evidence in the Kartarpuri Bir is both incontrovertible and singly conclusive to show its originality.

(6) There are many shabads of bani which have originally been written twice but later this duplication has either been erased by hartal (a chemical used in those days to remove the writing), or scored out with the observation in the margin that the shabad was a duplication. In a copied Bir this duplication could never arise. This could happen only in the original in which case either the scribe himself or the compiler has on revision found the error and got the same removed by scoring out the duplicate shabad or shalok. This duplication has happened at pages 96/2, 186/2, 483/1, 511/1, 550/2, 836/1, 943/2, etc. Thus these duplications, too, are conclusive to prove its authenticity.

(7) There is another set of corrected incongruities which shows conclusively the authenticity of Kartarpuri Bir. At page 778/1 there is a marginal note that shalok No. 22 of Mahila 1 which is recorded at page 799 and is correct should be read there at that page after shalok No. 21. It is also indicated at page 778/1 that shalok "Maru Mahila 3" "Agam Agochar Ve-Parwaha" which is there on this page should be read at page 788. Further, at page 788 there is a corresponding note that the 23rd shalok of Mahila 3 Agam Agochar Ve Parwaha which is at page 778 should be read there. At page 799/2 Maru Mahila 1, the shalok of which the correct place is at page 778, after shalok No. 21 of Mahila I, stands recorded. Now, these inadvertent incongruities are such as could not be rectified except by cross-references, especially as shalok of Mahila 3 is long and could not be accommodated in the margin at page 788, nor could Maru Mahila 1 at page 799/2 be accommodated at page 778 and scored out at page 799/2. In the Tatkara (contents of shaloks and shabads), too, these incongruities are reflected but rectified. At page 16/1 of the Tatkara, the first lines of all the shaloks of Mahila are written with their serial numbers 1 to 21. But in the margin, against shalok No. 21 of Mahila 1, the first line of shalok Kudrat Karnekar Aparar of Mahila 1, is vertically recorded. Its number is noted as No. 22 and page 799.

Further, at page 16/1 of the Tatkara, since in the text shalok of Mahila 3 Agam Agochar Ve-Parwaha actually, but incongruously, starts at page 778 immediately after shalok No. 21 of Mahila 1, its reference number and the first line of the shabad are recorded in the beginning, but its number is correctly given as shalok No. 23 of Mahila 3. Again, at this page 16/1 after the number and the first line of shalok No. 22 of Mahila 3, the number and line is of shalok 24 of Mahila 3. This is so because in the actual text shalok No. 23 of Mahila 3 comes between shalok 21 of Mahila 1 and shalok No. 1 of Mahila 3 at page 778 and not between shalok Nos. 22 and 24 of Mahila 3 at page 788. Another important feature of page 16/1 of the Tatkara is that the original shalok numberings of the first 23 shaloks of Mahila 3 on this page have been rubbed with hartal and thereafter these very 23 shaloks have been re-numbered, the first one as 23 and the remaining 22 numbers as 1 to 22. This clearly shows that originally the incongruity in the placement of shaloks 23 of Mahila 3 and shalok No. 22 of Mahila 1, that occurred in the text, was, actually reflected in the Tatkara by the scribe. But, when the out-of-sequence placements of these shaloks were later detected, the incongruities in the text were rectified by giving cross-references in the margin of the text at the appropriate pages, and, the errors in the Tatkara were corrected by rubbing with hartal the numbers of the first 23 shaloks of Mahila 3 and re-numbering them as numbers 23 and 1 to 22 of Mahila 3, and, in the case of, shalok No. 22 of Mahila 1, by writing its page and number correctly in the margin of page 16/1.

We have detailed these connected sets of corrections in the text and the Tatkara because these incongruities could happen only at the time of the original writing and never in the case of copying from the original text compiled by the

Fifth Guru. It is also important to mention that on examination, no other Bir has revealed this set of incongruities at pages 778, 788 and 799 of the text and in the corresponding portions of the Tatkara. By itself this set of corrections alone is conclusive in proving the authenticity of the Kartarpuri Bir.

(8) Here we shall record a number of other corrected mistakes which in their character, implication and importance are similar to the ones described above.

(a) At page 804/2 it is recorded in the margin that instead of the 21st Pauri, 22nd has been written. Correspondingly on page 805/1 there is a note in the margin that the Pauri there should be sung and written as 21th Pauri. This error of sequence could never occur in a copy.

(b) There are numerous instances where shabads, shaloks and a part of bani have been written in the margin, evidently, because in each case the bani appears to have been found or collected later on and there being no place on the relevant page it had to be recorded in the margin. In some cases the bani has been given the proper serial number and the numbers of the subsequent bani re-numbered. But, in some cases, numbers following them have remained uncorrected and the bani in the margin has been given the same number as to the shalok or shabad after which it has to be read. These incongruities are so large in number and the bani has been written in the margin at so many places that all this could happen only in the original, either because of the late collection of bani or because the scribe, Bhai Gurdas, had not recorded it in its right sequence. For example, at pages 154/2, 252/1, 364/1, 694/1, 945, 182, 946,1, 148/2, 374/2, etc. additional bani has been written in the margins. At pages 940/1, 940/2, etc., the bani recorded in the margins has been given the same number as borne by one of the shabads on the page. Again, on pages 251/1, 265/2, 266/2, 399/2, 252/1, 499/2, 689/2, 690/1, 842/2, 841/2, etc., portions of the bani have been written in the margin and a mark given at the relevant place on the page to show where the marginal portion should be read.

(c) We know that at the end of each shabad or shalok the total of Pads, the total of shabads of each Guru, total of shabads of each rag, etc., have been recorded. The number of Mahila is also invariably given in addition. But, in the Kartarpuri Bir in scores of cases the number, totals, etc. were missed originally but were written later in small letters either in between or above the lines or in the margins, e. g. this has happened at pages 154/2, 164/2, 174/1, 240/2, 257/1, 267/1, 269/1, 270/1, 270/2, 399/1, 455/2, 802/2, etc. Apart from that, in quite a large number of cases, these totals have not been given or given incompletely. This incongruity and its rectification as mentioned above are very common. There is a very clear reason for this feature of the Kartarpuri Bir. As the job of collection of bani and its recording was being done simultaneously, the scribe was never sure whether more shabads or bani of a Guru, requiring precedence of sequence over the shabads of bani already written, would or would not be available. As such, he had, as a necessary precaution and in order to avoid repeated scoring out and alterations of the totals, to leave the work of totalling to a later date. Therefore, this task of recording the totals had to be done as one of the last jobs to be completed. Perforce, the totals had to be squeezed in between or above the lines in small sized figures or in the margins. But such a position, too, could never arise in a copied Granth where the numbering would be complete and form a part of the line itself. The scribe could never fail to copy or record them in appropriate lines, even if in the original the numberings had been missing or been recorded in between or above the lines. In other handwritten Birs these incongruities do not occur. Even in the Banno Bir, totals are given in the lines themselves. Hence this feature of the Kartarpuri Bir, especially the large number in which these incongruities or omissions appear, proves its authenticity and originality.

(d) There is another kind of discrepancy in serial-wise numbering. On a number of pages the bani or the shabad has been scored out or removed by the use of hartal. But, the old serial numbering has remained uncorrected, e. g., this has happened at pages 186/2, 970/1. In some cases, the incongruity even stands reflected in the Tatkara, because as the numbering has remained uncorrected in the Granth, it could evidently not be corrected in the Tatkara which records only the state of numbering or sequence in the Granth, e. g. mention of shalok number 94/1 in the Tatkara at page 7 has been scored out, and the numbering of subsequent references stands uncorrected. The large number of cancellations and uncorrected numberings in this Bir prove its originality since such a state could never occur in a copy.

(e) As noted already, within the bani of a rag or section, the sequence of shabads or shaloks is Guruwise. After it, normally comes the bani of Kabir, Namdev, Ravidas and then other bhagats. But, the sources of the bani of bhagat Kabir and other bhagats being quite scattered, its collection and selection for incorporation in the Granth must have taken quite long, since the same involved in the case of each part a scrutiny and decision by the Guru himself. The

result was that in many instances the bani of bhagat Kabir appears in between, and that also not at one place, or after the recorded bani of bhagat Namdev. It might be argued that such an abnormal sequence being in the original, it would also be there in a copy of it; therefore, the Kartarpuri Bir, cannot claim any originality on this account. But, it is significant that the bani of bhagat Kabir, which is not in proper sequence has, evidently, been written on different occasions. This is clear from the fact that though the writing of these hymns is by the same scribe, in each case the writing differs in the size and shape of letters and the shade of ink. Had the Kartarpuri Bir been a copy, these differences in the shades of ink and the size of the letters that are there, could not have occurred, even though the break in sequence would have been there, because of the corresponding break being present in the original, e. g. at pages 842/2, 810/1 and 863/2, though the scribe is the same, the shades of ink and size of writing are different even in the case of the bani of the same bhagat or Guru. Therefore, while variations in sequence can be explained, variations in pens, shades of ink, and size of letters of the bani of the same bhagat cannot be explained in a continuous writing, except on the assumption that the Kartarpuri Bir is the original and these variations occurred because of the variant timings of collection, selection and recording of the bani of a particular bhagat. Besides, because of this noncontinuous writing of bhagat bani, the totals of the shabads of a bhagat have not been given as has been done in other cases. The fact is that in the Kartarpuri Bir, the bani of bhagat Kabir, and even some other bani, when found and selected later on have not at many places been recorded in the normal serial sequence of the Bir. But, these hymns have been written wherever space was available and even in the margin or between the bani of other bhagats, e. g. at pages 885/2, 945/1. But, the shades of ink and pens used for such bani are different showing clearly variant times of its original collection and recording in the Kartarpuri Bir.

(f) Another feature of the Kartarpuri Bir is the large number of pages where the original writing has been obliterated by hartal and later at those very places bani has been written. Sometimes the space accommodating a whole shabad or hymn has been cleaned with hartal and new bani written at the place e. g. at pages 840/1, 870/2, 966/1, 966/2. Had the Kartarpuri Bir been a copy of the original, such a large number of places requiring the need of scoring out or rubbing or cleaning with hartal could never have arisen.

(g) Another significant feature of the Kartarpuri Bir is that at numerous places the headings and words like Ek Onkar or the Mahila, or name of the rag are written, but below these headings there is no bani or shabad and the place is blank. This is so at pages 279/2, 297/2, 248/1, 528/1, 520/2, 348/1, 468/2, 607/2, 617/1, 621/2. This writing of the heading like Mahila, rag etc., by the scribe clearly indicates that it was thought that the bani of that Guru or bhagat would be available for being written there, but actually it was either not available or not approved by the Fifth Guru. In a mere copy of the Aad Granth, such a thing could never happen, because where the original has no bani the question of recording the heading of a shabad or bani could never arise. Such recording of headings only, without being followed by related bani, is not present in any other handwritten Bir. It is also significant to mention that almost all these headings relate to the Fifth Guru who was alive at that time, e. g. pages 297/2, 248/1, 348/1, 418/2, 469/2, 528/1, 530/2, 607/2, 610/2, 617/1, and 621/2. Presumably, Bhai Gurdas' anticipation was that more shabads of the Guru were likely to be available under those Rags. This is also an important proof to show the originality of the Kartarpuri Bir. Because in a copy the occurrence of all these extra or lone headings, involving wrong anticipation, relating mostly to the Fifth or the living Guru could not arise.

(9) Other Important Factors: (a) The originality of the Kartarpuri Bir is also established by the Nishan or mark of the Fifth Guru. This mark, in those days meant, according to the accepted practice and tradition, the writing of the Mul Mantra of the Japuji in the hand of the Guru, the Fifth Guru in this case. This Nishan appears on page 29/1 of the Bir. As a mark of adoration, the page has been profusely decorated. The presence of the Nishan of the Fifth Guru is also noted in the Tatkara.

(b) At page 415/1 in the margin are written the words "The shabad is right." This shabad does not find mention in the Tatkara. But, this observation in the margin shows that for this Bir, there was a supervisor or editor, other than the scribe, who alone could record such an observation of approval regarding the shabad on the page. This observation shows the original character of the Kartarpuri Bir. Otherwise, if the Bir had been copied from another Bir, the question of such an observation by the scribe or some other person would not arise.

(c) In the Tatkara of shabads only the references of shabads 1 to 58 of Ramkali Mahila 5 are given. But, on page 681/2 of the Bir, which starts with shabad 59 of Ramkali Mahila 5 and ends with shabad 60 of Ramkali Mahila 5, two additional shabads of the Fifth Guru are written. Both these shabads are in a different hand from that of the scribe and their reference in the Tatkara of shabads is missing. This means that these two shabads were added or got added there

by the editor or the compiler. Here again, the absence of the reference of these two shabads in the Tatkara and their text being in a different hand from that of the original scribe suggest that this feature could be only in the original and not in a copy. Because in a copy all the 1 to 60 shabads would normally be in the same hand. Similarly, Ramkali Mahila 5 Chhand No. 21 has no reference in the Tatkara, but the Chhand is present at its proper place, though it is in a different hand. This, too, supports the earlier inference drawn in the case of shabads 59 and 60. In both cases, the bani being of the Fifth Guru, it is very likely that he created it after 1604 A. D. and got it added at the appropriate places in the Aad Granth later on. The position is similar in the case of Basant ki Var composed by the Fifth Guru. This Var is recorded on page 854/2 in the middle of this page. But, there is no reference of this Var in the Tatkara, showing that the Fifth Guru composed it and got it included after Bhadon 1604 A. D. Hence, it could not find mention in the Tatkara that stood already completed. It is significant that in all other handwritten Birs, including the Banno Bir, reference of the Var is present in the Tatkara.

(d) At page 540 of the Bir the Nishan of the Sixth Guru is present. Its presence is also mentioned in the Tatkara. In the circumstances of the case, this is a very significant and natural thing to do. During the time of the Fifth Guru it had become abundantly clear that Guru Hargobind would succeed him. In fact, from the very start the Sixth Guru was associated with the task of the collection of the bani and preparation of the scripture. Some writers have even suggested that some of the dhunnies were got recorded by the Sixth Guru. They derive this inference from the fact that it is in the Kartarpuri Bir alone that we observe that the dhunnies of some Vars are recorded in a different hand or in small letters in between or above the normal written lines. In other copies of the Granth, including the Banno Bir, these have been written in the lines and in the same manner as the bani itself. It evidently suggests that in the Kartarpuri Bir the dhunnies were written on some later date, and presumably at the instance of the Sixth Guru.

Conclusion from Internal Evidence

We have detailed above the various pieces and types of internal evidence most of which are individually and incontrovertibly conclusive in proving that the Kartarpuri Bir is the original Aad Granth compiled by the Fifth Guru in 1604 A. D. The other pieces of evidence we have recorded are cumulatively, or coupled with the other evidence, equally conclusive in proving the authenticity of the Kartarpuri Bir to be the original production of the Fifth Guru.

Examination of Criticism by McLeod

Before we deal with the criticism of McLeod, let us record the present position and academic findings about the Banno Bir. This Bir is at present with the successors of Bhai Banno at Kanpur. It has been carefully seen by Bhai Mahan Singh, who examined the Kartarpuri Bir as well as a team of scholars from the Guru Nanak Dev University, Amritsar, Prof. Pritam Singh, who has written a paper on the subject, and Principal Harbhajan Singh of Sikh Missionary College, Amritsar. All of them have concluded that this Bir was recorded in Samat 1699 (thirty eight years after the preparation of the Bir by the Fifth Guru) and this is the year written in the Bir itself. Secondly, in this Bir the controversial shabad, "Ranjhunara gao Sakhi", is clearly a later interpolation because it is written in very small letters in a different shade of ink from the original writing of the Bir. These two conclusions about the Banno Bir are academically accepted and are not in doubt.

We now record the criticism by McLeod. He writes:

"First, there is the universal agreement that the important differences distinguishing the Kartarpur manuscript from the Banno version consist exclusively of material included in the latter which is not to be found in the former. Secondly, there is the testimony of those who have inspected the Kartarpuri manuscript concerning the obliteration of portions of its text."

"A third factor is the presence in the standard printed editions of two fragments, corresponding to two of the three additional Banno hymns. In Ramkali rag there occurs a single couplet where there should apparently be a complete hymn. The remainder of the hymns in the same section indicate that the couplet must be either the first two lines of a chhant, or a shalok introducing a chhant. The second fragment corresponds to the Sur Das hymn in Sarang rag. In this instance the standard printed text contains only the first line. There seemed to be only one possible reason for the appearance of these two fragments. The bulk of the hymn in each case must have been deleted, leaving a small remainder which was faithfully copied into the standard printed text."

“A fourth point seemed to clinch the issue. The Banno text of the missing portions indicated good reasons for later deletion, particularly in the case of the Ramkali hymn by Guru Arjun. This hymn describes the puberty rites conducted by Guru Arjun at the initiation of his son Hargobind. The rites follow a standard Hindu pattern and in the third stanza there is a reference to the manner in which the boy's head was shaved. This feature is an obvious contradiction to the later prohibition of hair cutting. When the prohibition became mandatory, not merely for Jat Sikhs but also those of other castes, the reference in the hymn could only be regarded as intolerable.”

“Finally, there was ample evidence that others had already formed the same suspicions concerning the Kartarpur manuscript and were seeking alternative explanations. One writer has declared that the present Kartarpur manuscript is a Banno version, adding that the original manuscript of the Aad Granth must have been lost. Another has suggested that the present manuscript must be a first draft, subsequently amended by the Guru himself. Their evident uneasiness strengthened a hypothesis which already seemed firmly founded.”

“By this time the hypothesis will have become obvious. The conclusion which seemed to be emerging with increasing assurance was that the widely disseminated Banno version must represent the original text; and that the Kartarpur manuscript must be a shortened version of the same text. A few portions must have been deleted because they could not be reconciled with beliefs subsequently accepted by the Panth. This much appeared to be well established and another point could be added as a possibility. It seemed likely that the amendments had originally been made by omitting the problem passage from later manuscripts rather than by deleting them from the Kartarpur manuscript. These later manuscripts reflected the distinctive pattern of Khalsa belief. The omission of the problem passage together with the addition of compositions by Guru Tegh Bahadur constituted the Damdama version of the Aad Granth. Later still, portions of the Kartarpur manuscript (the original manuscript written by Bhai Gurdas) were rather ineptly obliterated in order to bring the two versions into line.” [4]

It appears that McLeod is unaware of the work done by Sahib Singh who disbelieves the Banno story and the statements of Mahan Singh and others who have recorded the two findings mentioned earlier. For, had it been known to him, he would certainly have tried to verify the factual position by an examination of the Banno Bir. And this, evidently, he never did. Nor has he, it appears, examined the Kartarpuri Bir. Whether or not McLeod was aware of the views of Sahib Singh about the Banno story and of Mahan Singh and others about the year of completion of the Banno Bir, is not our present concern. It is now well established that the Banno Bir was prepared not earlier than 1699 and the Banno story is a myth. As such, the very basis of the argument about the Kartarpuri Bir being a copy of the Banno Bir is knocked out. McLeod's argument that the additional bani of Surdas and Ramkali Mahila 5 that was present in the Banno Bir, had been copied in the Kartarpuri Bir, but deleted later on is equally baseless. For, we have seen that in both these cases the additional bani in the Banno Bir is either an interpolation or a later writing; and these verses, which are not present in the Kartarpuri Bir, had neither been copied there nor deleted. Therefore, McLeod's other arguments that the Kartarpuri Bir, which according to him had been copied from the Banno Bir, contained the so-called puberty hymn (additional 8 verses), but being incongruous with the later Khalsa belief was deleted, is also factually incorrect and fallacious. Kartarpuri Bir which was prepared in 1604 A. D. could not be copied from the Banno Bir prepared in 1642 A. D. ; nor was the puberty hymn originally present even in the Banno Bir of samat 1699, it being a clear later interpolation. In fact, it was never recorded in the Kartarpuri Bir. Therefore, the question of its deletion from the Kartarpuri Bir could not arise. Every student of the Kartarpuri Bir knows that it has the largest number of blank pages and deletions. These two facts are one of the strongest points in favour of its originality. Apart from the fact that the Banno Bir was prepared 38 years after the Kartarpuri Bir, it is ridiculous that a copyist given the task of copying the Banno Bir comprising 467 folios, or any Bir with such material as could be accommodated on about 465 leaves, would copy it out on 974 folios. McLeod knows, since he is aware of the work of Jodh Singh, and has even quoted it, that in the case of the puberty hymn and bhagat Surdas verses, there is no deletion in the Kartarpuri Bir (as also seen by us). Yet, knowing all this, he has, on the one hand, tried to build the argument about deletion on the basis of the use of hartal elsewhere, and, on the other hand, has made the equally misleading argument of the deletion of the puberty hymn from the Kartarpuri Bir because of the later Khalsa beliefs.

Here it is also pertinent to state that McLeod's suggestion that the so-called Ramkali hymn was deleted from the Kartarpuri Bir because of later Khalsa beliefs displays his ignorance both of the history of the Sikhs and of the Dhirmalias. The latter became a splinter group and they went to the extent of making a murderous assault on the Ninth Guru. They never recognized him or the Tenth Master as Guru. As such, there was no love lost between the Khalsa, a creation of the Tenth Guru, whom the Mughals wanted to destroy, and the Dhirmalias who were Pro-Establishment. Therefore, there is not the remotest possibility that the Dhirmalias would ever tamper with the Bir in their possession

in order to oblige the Khalsa, and bring it in accord with the Rahit or symbols prescribed by the Tenth Guru. Rather, their avowed hostility towards the Khalsa would prompt them to highlight the hymn if it had ever existed in that Bir. On the other hand, the Banno people formed a part of the main-stream of the Sikhs and if Sikhs would have been interested in a deletion, they might have done that in their Bir. But, nothing of the sort happened in that Bir. McLeod's conjecture about the deletion of the so-called puberty hymn because of the Khalsa beliefs is, thus, not only impossible, but is also controverted even by the very facts and circumstances of the situation as it existed then.

Besides, we find that Principal Harbhajan Singh who made a detailed survey of the handwritten Birs in the Sikh Reference Library, Golden Temple, Amritsar, (since destroyed in the Blue Star Attack) and some other Birs, writes that in numerous of the old handwritten Birs he examined, this additional bani was no where present. He gives details of it in his book: *Gurbani Sampadan Nirne*. A statement about some of them is as follows:

“1. Bir No. 97 in the Sikh Reference Library: It was produced in Samat 1739 (1682 A. D.), some two decades before the creation of the Khalsa, and bears the Nishan of the Ninth Guru. It has no additional bani as is contained in the Banno Bir. 2. Pindi Lala (Gujrat) Wali Bir: It was produced in Samat 1732 (1675 A. D.). It bears the Nishan of Ninth Guru, but, unlike the Banno Bir, it contains no additional bani. 3. Bir No. 14 in the Sikh Reference Library: It was completed in Samat 1748 (1691 A. D.). It contains no additional bani as is present in the Banno Bir. 4. Bir written by Pakhar Mal Dhillon, grandson of Chaudhri Langahia Dhillon, a known devout Sikh of the Fifth Guru: It was written, in Samat 1745 (1668 A. D.). Unlike the Banno Bir, it contains no additional bani.” [5]

At Berkeley, McLeod raised two points: “One is the obscurity which envelops a significant period of the text's actual history. The other is the presence within the manuscript of numerous deletions.” [6] On the issue of deletions we have already found that these large number of deletions are a good proof of its originality, especially when there is no other Bir with deletions in such a large number and when at most of those places where bani has been written again by the same scribe, showing thereby that the writing rubbed off was not correct or approved by the Guru. Actually, it stands established that not only was the Banno Bir prepared in Samat 1699, but the puberty hymn itself was clearly a later interpolation even in the Banno Bir of 1699. McLeod has been lamenting his frustration in not being able to serve academic interests, because he was not allowed necessary access to the Kartarpuri Bir. He even went to the extent of recording that non-availability of Kartarpuri Bir to him suggested that there was something to conceal therein. [7] But one wonders why his academic keenness never led him to see the Banno Bir, which was available all these years for his examination. Had he cared to see, he would have found that the year of its production was Samat 1699. Does all this not suggest that his motives in making unwarranted statements were quite different and unbecoming a scholar.

In view of the above, it is clear that the suggestion about the Kartarpuri Bir being non-authentic or its being a copy of the Banno Bir is both baseless and untenable.

On the second issue about the custody of the Kartarpuri Bir, the doubts of McLeod are equally without any basis. Here, too, the position had been made clear by Mahan Singh. The historical writings show that Bidhi Chand and other Sikhs were very well aware of the great value of the Bir. They held it in the highest esteem. Actually, this was the real reason that Bidhi Chand and others, despite the wishes of the Guru, initially failed to return the Bir to the Dhirmalias towards whom they were hostile for their having attacked the Ninth Guru to kill him. Therefore, for understandable reasons, when again directed by the Guru to return the Bir, they were reluctant to meet the Dhirmalias face to face. And all they did was that they deposited the Bir at a safe place and sent a message to the Dhirmalias to pick it up, and this they did. [8] Further, there is little doubt that when the Tenth Guru at Anandpur Sahib wanted to prepare the Damdami version, it was to the Dhirmalias that he sent the message for loan of the Bir of the Fifth Guru. [9] So, whatever be the facts of the earlier part of the story, at the time of the Tenth Guru, the original authentic Bir was certainly with the Dhirmalias. After that, the Bir always remained in safe hands. Had the Bir been lost, it is impossible to imagine that Ranjit Singh who had waged a war for obtaining a horse, would not be aware of it and recover this venerable treasure, or that he would be satisfied with a spurious version of the original Bir.

Here it is not our purpose to ascertain whether McLeod made his observations out of sheer ignorance of the available facts and materials, or of his anxiety to suppress known but awkward facts, or of his conscious or unconscious bias because of his thirteen years of working and association with a Christian Mission in Punjab. But in either case, it does little credit to his credibility as a scholar to suggest tampering with a Scripture without having examined it or the connected literature on the issue. In view of the above, we conclude that McLeod's criticism is factually incorrect, and untenable, and even less than responsible.

An observation was made by McLeod that in order to remove scholarly doubts, access to the Kartarpuri Bir would need to be allowed and “the alternative may well be a growing conviction that there is something to hide.” The Kartarpuri Bir is private property and we do not hold any brief for its custodians. True, the Sodhis of Kartarpur while they do not permit access to every person who claims to be a scholar, yet, by all standards, their policy to allow access to the Kartarpuri Bir has been very liberal. In fact, during the current century there has been an extremely profuse exposure of the Kartarpuri Bir before genuine scholars and theologians. In the twenties, Master Isher Singh of the Sikh Vidyala, Tarn Taran, sent a team of scholars, who for many months made a detailed page by page and line by line study in order to prepare a standard version of Guru Granth Sahib. Second, is an equally major attempt of the S. G. P. C. to prepare a meticulously accurate version of Guru Granth Sahib from the Kartarpuri Bir. A team consisting of two scholars, namely, Giani Piara Singh Sukhi and Sant Harbhajan Singh Nirmla worked from day to day for six months at Kartarpur. In addition, other scholars also regularly visited Kartarpur so as to supervise the work of the team. Leaf by leaf comparison of an unbound Bir of Guru Granth Sahib was made with the Kartarpuri Bir. Every variation in the unbound Bir was corrected in accordance with the Kartarpuri Bir. Thereafter, calligraphists prepared another faultless copy of the Granth. This having been done, printing blocks of this new version were made. A committee of scholars was again appointed to verify and approve the corrected version. Actually, about 733 variations, major or minor, were found in the old printed version and these were all corrected. Finally, a faultlessly accurate version of Guru Granth Sahib copied from the Kartarpuri Bir was approved and printed through the Punjabi Press, Hall Bazar, Amritsar. These versions have been printed a number of times and these printed copies of the Kartarpuri Bir are there for every scholar to see and study. Dr Jodh Singh's rejoinder recorded after the publication of McLeod's lectures states that the printed version today tallies completely with the Kartarpuri Bir. Apart from that, many times groups of scholars, individual scholars, both foreign and Indian, have been allowed access to the Kartarpuri Bir. Many reports of the committees of scholars who examined the Kartarpuri Bir for general and specific purposes are available. Jodh Singh's *Kartarpuri Bir De Darshan* is a detailed page by page record of the Kartarpuri Bir giving an account of every feature on each page, including variations in words, spellings, lagmatras, use of hartal, blank spaces, size of margins, obliteration by use of hartal, over-writing on hartal, scoring-out, writing in-between lines, above the lines and in the margins, variations in the size of letters, handwriting, ink, etc., etc. . Among individual records of examination, these notes by Jodh Singh (recorded by Giani Mahan Singh) are the most detailed and give a scrupulously accurate picture of the Kartarpuri Bir. In this background, it would be both unfair and incorrect to blame the custodians of the Bir that they have barred scholarly study or exposure to genuine scholars. The difficulty is that wild conjectures of some scholars like G. B. Singh and others have raised the suspicions of the custodians of the Bir. At present the Kartarpuri Bir is the property of the Dhir Mal family, and no one can be blamed if the custodians want to be sure of the bonafides of a scholar before allowing him access to it for a study of the Kartarpuri Bir. Their exercise of such discretion is natural, understandable and unobjectionable. But, McLeod continued with his misleading and incorrect statements. In a lecture at Berkeley published in 1978 he said, “The earliest representing nearest approach to Guru Arjun's dictation would be Banno, the second an intermediate recension bearing the actual marks of a later revision through the excision of unacceptable material would be Kartarpuri.” [10] In 1989, he published his book *The Sikhs*, in which he wrote, “This comparison suggests that the Banno recension may actually represent the original text by Bhai Gurdas”, but he adds, “if this is indeed the case, the original version has subsequently been amended by obliterating occasional portions of the text.” [11] Four Sikh organisations, the Institute of Sikh Studies, Chandigarh, the Council of Sikh Affairs, Chandigarh, the Academy of Sikh Religion and Culture, Patiala, and the Khalsa Diwan, Ludhiana, wrote to the Toronto University complaining about the misconduct of McLeod in making wrong statements about the Sikh Scripture, especially when he had made no serious effort to examine the Banno Bir or the Kartarpuri Bir. Probably, in response to these allegations against him, McLeod published a letter in the *India Abroad*, dated 14 December 1990, saying that he had abandoned his doubts about the Kartarpuri Bir after reading Jodh Singh's book, *Kartarpuri Bir de Darshan*. Since McLeod had made all his incorrect statements of 1975, 1978 and 1989 after accepting knowledge of Jodh Singh's book in his publication of 1975, Dr Dharmi of New York published all the statements of McLeod suggesting that the letter of McLeod in the *India Abroad* was another misstatement by him. All this indicates the level of scholarship, motivation and ethics at which McLeod has been working.

So far as the Kartarpuri Bir is concerned, it has since been examined by G. S. Mann of the Columbia University, USA, [12] and Pashaura Singh of the Toronto University, Canada, [13] and both of them have testified to its authenticity.

In sum, our analysis and examination of the Bir, the available material on the subject, and the statements of various authors lead us to the conclusion that the Kartarpuri Bir is incontrovertibly the authentic Aad Granth prepared by the Fifth Guru.

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GURU GRANTH SAHIB

Sikhi

Sikhi, literally, the Sikh way or faith, emerged in the context of the Muslim-Hindu confrontation in South Asia, an encounter comprised of seekers of reconciliatory truth. This period was also marked by vivid and moving devotion to God. Whereas spiritual figures such as Kabir and Dadu left behind no organized movement, Guru Nanak's own profound experience of Vahguru organized a revolution to perpetuate his vision of the Divine. Guru Nanak did not attempt to merge Hinduism and Islam, and furthermore, denied the rituals and doctrinal conversions of these existing religions. He simply insisted on the Identification with the Truth (*sati namu*) and emphasized the absolute unity and sovereignty of the Divine, the creator of all that is. Thus, everything is dependent on the Will. Vahguru does not become present in this world, but makes the Will and the Way known. In Sikhi, the Will and the Way are revealed via the hymns of Guru Granth Sahib. In discerning this, remembrance (*simran*) on wisdom (*sabad*) becomes of paramount importance.

The Sikh faith is a revelatory religion. Its bedrock is the revelation that came to Guru Nanak and his nine succeeding Gurus who conveyed it in simple and melodious verses to suffering humanity. The Word of the Gurus became the bond between the Gurus and their Sikhs. Guru Arjan, the fifth Guru, took the sagacious step of compiling the first recension of the Guru Granth Sahib, sometimes known as the *Adi Granth* (*Adi* implying the first Granth, the second being the *Guru Granth Sahib*). The *Adi Granth* became the sole authentic source of the Guru's Word and the object of supreme veneration. About a century later, Guru Gobind Singh, following the *Vaisakhi* of 1699, declared the *Khalsa* to be the Guru. The Tenth Nanak incorporated in *Adi Granth* the hymns of the ninth Guru, Guru Tegbahadur, and apotheosized the *Adi Granth* as the *Guru Granth Sahib*. From here onwards came the phrase *Granth – Panth*, i.e., the *Guru Granth Sahib* represents the soul of the Guru and *Guru Khalsa Panth* represents the body of the Guru.

GURU GRANTH SAHIB

Traditionally, there are three extant versions of the *Guru Granth Sahib*: the *Kartarpuri* version or the *Adi Granth* (1948 pages) dictated to Bhai Gurdas by Guru Arjan; the *Banno* version created by Bhai Banno without the consent of Guru Arjan; and the *Damdama* version (1430 pages) dictated to Bhai Mani Singh by Guru Gobind Singh from memory. The current recensions of the *Guru Granth Sahib* are based on the copies of the *Damdama* version. Let's explore the detailed structure of the *Guru Granth Sahib* incorporating its content, format, arrangement, order, and contributors.

CONTENT AND FORMAT

a) Total number of pages

1. Index: Opening words of each *sabad* under appropriate *Rag* (musical measures) headings and their pagination.
2. 1430 total pages (the index is not included in this total page number – actual page numbering begins with *Mul Mantr* on page 1).

b) Pre-Rag Bani (pages 1- 13) – (*Japu* is not in musical measure)

<u>Bani</u>	<u>Page</u>
1. <i>Japu</i>	1
2. <i>So Daru</i>	8
3. <i>So Purakhu</i>	10
4. <i>Sohila</i>	12

c) Rag Bani (pages 14 – 1353) – in 31 different Rags (musical measures)

<u>Rag</u>	<u>Page</u>	<u>Rag</u>	<u>Page</u>
1. <i>Siri</i>	14	17. <i>Gaund</i>	859
2. <i>Majh</i>	94	18. <i>Ramkali</i>	876
3. <i>Gauri</i>	151	19. <i>Nat Naraian</i>	975

4. Asa	347	20. Maligaura	984
5. Gujri	489	21. Maru	989
6. Devgandhari	527	22. Tukhari	1107
7. Bihagara	537	23. Kedara	1118
8. Vadhansu	557	24. Bhairau	1125
9. Sorathi	595	25. Basantu	1168
10. Dhanasari	660	26. Sarang	1197
11. Jaitsari	696	27. Malar	1254
12. Todi	711	28. Kanra	1294
13. Bairari	719	29. Kalian	1319
14. Tilang	721	30. Prabhati	1327
15. Suhi	728	31. Jaijavanti	1352
16. Bilavalu	795		

d) Post-Rag Bani (pages 1353 – 1430)

<u>Bani</u>	<u>Page</u>	<u>Bani</u>	<u>Page</u>
1. Salok Sahaskriti	1353	8. Savaye Sri Mukh Bakya	1385
2. Gatha	1360	9. Savaye Bhatan de	1389
3. Phunhe	1361	10. Slok Varan te Vadhik	1410
4. Chaubole	1363	11. Mundavani Mahala 5	1429
5. Salok Kabir	1364	12. Rag Mala	1429
6. Salok Farid	1377		

BANI ARRANGEMENT (ORDER) IN RAG

- a) **Guru Bani** - Contributions of Nanak I, II, III, IV, V, and IX appear in a systematic arrangement; typically: Sabads, Astpadis, Chants, and Vars. Some distinct banis (*Lambiam Baniam*) are inserted into the typical structure. In each division (sabads or astpadis) compositions are arranged in chronological order: Gurus, Devout Sikhs, and Bhagats. Not all contributing Gurus composed hymns in all 31 Rags. There are no sabads by Guru Angad; only Saloks appear added to the pauris of various Vars.

<u>Rag</u>	<u>Arrangement and Order</u>
1. <i>Siri</i>	<i>Sabad-Astpadis-Pahire-Chant-Vanjara-Var</i>
2. Majh	Sabad-Astpadis- <i>BarahMah-DinRaini-Var</i>
3. Gauri	Sabad-Astpadis(Karhale)-Chant- <i>BavanAkhri-Sukhmani-Thiti-Var</i> (2)
4. Asa	Sabad-Astpadis(Birhare)- <i>Pati-Chant-Var</i>
5. Gujri	Sabad-Astpadis- <i>Var</i> (2)
6. Devgandhari	Sabad
7. Bihagara	Sabad-Chant- <i>Var</i>
8. Vadhansu	Sabad-Astpadis-Chant(Ghoriam)- <i>Alahniam-Var</i>
9. Sorath	Sabad-Astpadis- <i>Var</i>
10. Dhanasari	Sabad-Astpadis-Chant
11. Jaitsri	Sabad-Chant- <i>Var</i>
12. Todi	Sabad
13. Bairari	Sabad
14. Tilang	Sabad-Astpadis
15. Suhi	Sabad-Astpadis(Kuchaji, Suchaji & Gunvanti)-Chant- <i>Var</i>
16. Bilawal	Sabad-Astpadis- <i>Thiti-VarSat-Chant-Var</i>
17. Gaund	Sabad-Astpadis
18. Ramkali	Sabad-Astpadis- <i>Anand-Sadu-Chant-Oankaru-SidhGosti-Var</i> (3)
19. Nat Naraiian	Sabad-Astpadis
20. Maligaura	Sabad
21. Maru	Sabad-Astpadis- <i>Solhe-Var</i> (2)
22. Tukhari	Chant(<i>BarahMah</i>)
23. Kedara	Sabad-Chant

24. Bhairau	Sabad-Astpadis
25. Basantu	Sabad-Astpadis-Var
26. Sarang	Sabad-Astpadis-Chant-Var
27. Malar	Sabad-Astpadis-Chant-Var
28. Kanra	Sabad-Astpadis-Chant-Var
29. Kalian	Sabad-Astpadis
30. Prabhati	Sabad-Astpadis
31. Jaijvanti	Sabad

Formation of Vars - Guru Arjan added saloks of the first four Nanaks and Bhagat Kabir to various Vars, which were originally composed only in the form of pauris. In addition, the Vars with saloks composed by Nanak V contain only his saloks. The saloks in the Vars either support or in some manner complement the idea conveyed in the related pauri. There are 22 Vars within the Guru Granth Sahib, out of which 2 are without saloks: Sata and Balvand's in Rag Ramkali and Guru Arjan's in Rag Basant. The saloks, by various Gurus, included in the Vars are in no particular chronological order. Usually, the pauris are the compositions of the Guru noted in the heading of the Var (i.e., GGS 83 - "ਸਿਰੀਰਾਗ ਕੀ ਵਾਰ ਮਹਲਾ ੪"). The pauris in SiriRag ki Var are those of Guru Ramdas. However, there are exceptions:

In Gauri ki Var by Nanak IV, pauris 27-31 (p. 315-17) are by Nanak I and are noted accordingly.

In Sarang ki Var by Nanak IV, the 35th pauri (p. 1251) is by Nanak V and is noted as such.

In Malar ki Var by Nanak I, the 27th pauri (p. 291) is by Nanak V and is noted as such.

Most believe Guru Arjan added the appropriate folk tune to various Vars, while a few contend that Guru Hargobind later added these. The tunes are indicated at the beginning of the Var, for example in Asa ki Var, the title indicates it in the following form: "ਟੁੰਡੇ ਅਸਰਾਜੇ ਕੀ ਧੁਨੀ" (GGS 462).

b) Bani of devout Sikhs

Baba Sunder – One composition in Rag Ramkali between the Astpadis and the Chants.

Sata and Balvand – One Var in Rag Ramkali after 2 Vars composed by the Gurus.

c) **Bhagat Bani** – In each Rag, the hymns of the Bhagats are included at the end of all other compositions (usually Vars). Guru Arjan included selected hymns of 15 Bhagats in Guru Granth Sahib under the appropriate Rag as composed by the Bhagats. In addition, the Bhagat Bani does not necessarily appear in chronological order by time. The hymns of Bhagat Kabir appear first followed by Bhagat Namdev's. Besides this, there doesn't appear to be any particular order of arrangement. Hymns of the following Bhagats are included:

1. Kabir	6. Namdev	11. Ravidas
2. Ramanand	7. Jaidev	12. Trilochan
3. Dhanna	8. Sain	13. Pipa
4. Bhikan	9. Sadhana	14. Parmanand
5. Surdas	10. Beni	15. Farid

NUMBERING PROCESS (ਅੰਕਣ ਵਿਧੀ)

Numbers are used in two ways to ensure that nothing is added or deleted from the Guru Granth Sahib. These numbers are referred to as 'anks'. First, each sabad, astpadi, etc. is divided into 'bandhs'. Normally a 'bandh' is two lines, although a 'bandh' may occasionally have more lines depending on the poetic meter. One type of 'ank' is used to count the number of 'bandhs' within a sabad, astpadi, etc. The second type of 'ank' is used to count the number of sabads, astpadis, etc. by a particular author. This number denotes the current total of sabads or astpadis by a particular author within a particular Rag. Below are examples from Siri Rag:

a) Sabads, Astpadis, Chants & Lambiam Baniam

	<u>Page</u>	<u>Mahala (Guru)</u>	<u>Ank</u>
i.	14-26 (੧੪-੨੬)	Mahala 1 (ਮਹਲਾ ੧)	4/33 (੪/੩੩)

4 'bandhs' in the last sabad of this section and a total of 33 sabads by Guru Nanak

- ii. 26-39 (੨੬-੩੯) Mahala 3 (ਮਹਲਾ ੩) 4/31/64 (੪/੩੧/੬੪)
4 'bandhs' in the last sabad of this section, total 31 sabads by Guru Amardas and a total of 64 sabads altogether (33 of Guru Nanak & 31 of Guru Amardas).
- iii. 39-42 (੩੯-੪੨) Mahala 4 (ਮਹਲਾ ੪) 4/33/31/6/70 (੪/੩੩/੩੧/੬/੭੦)
4 'bandhs' in the last section, 33 sabads by Guru Nanak, 31 by Guru Amardas, 6 by Guru Ramdas for a total of 70 sabads altogether (64 + 6 by Guru Ramdas = 70).
- iv. 42-53 (੪੨-੫੩) Mahala 5 (ਮਹਲਾ ੫) 4/30/100 (੪/੩੦/੧੦੦)
4 'bandhs' in the last sabad of this section, 30 total sabads by Guru Arjan for a combined total of 100 (70 + 30 = 100).

b) **Vars** - The format of the Vars for the most part is saloks followed by a pauri, which form one unit. The pauris are numbered continuously; the numbering of the saloks begins fresh at the beginning of the next pauri. Following is an example of the 20th and 21st pauris from SiriRag ki Var (p. 83-91):

ਸਲੋਕ ਮ:੧ ॥ ਕੁਬੁਧਿ ਡੂਮਣੀ ਕੁਦਇਆ ਕਸਾਇਣਿ ਪਰ ਨਿੰਦਾ ਘਟ ਚੂਹੜੀ ਮੁਠੀ ਕ੍ਰੋਧਿ ਚੰਡਾਲਿ ॥ ਕਾਰੀ ਕਵੀ ਕਿਆ ਥੀਐ ਜਾਂ ਚਾਰੇ ਬੈਠੀਆ ਨਾਲਿ ॥ ਸਚੁ ਸੰਜਮੁ ਕਰਣੀ ਕਾਰਾਂ ਨਾਵਣੁ ਨਾਉ ਜਪੇਰੀ ॥ ਨਾਨਕ ਅਗੈ ਉਤਮ ਸੇਈ ਜਿ ਪਾਪਾਂ ਪੰਦਿ ਨ ਦੇਰੀ ॥ ੧ ॥ ਮ:੧ ॥ ਕਿਆ ਹੰਸੁ ਕਿਆ ਬਗੁਲਾ ਜਾ ਕਉ ਨਦਰਿ ਕਰੋਇ ॥ ਜੇ ਤਿਸੁ ਭਾਵੈ ਨਾਨਕਾ ਕਾਗਹੁ ਹੰਸ ਕਰੋਇ ॥ ੨ ॥ ਪਉੜੀ ॥ ਕੀਤਾ ਲੋੜੀਐ ਕੰਮੁ ਸੁ ਹਰਿ ਪਹਿ ਆਖੀਐ ॥ ਕਾਰਜੁ ਦੇਇ ਸਵਾਰਿ ਸਤਿਗੁਰੁ ਸਚੁ ਸਾਖੀਐ ॥ ਸੰਤਾ ਸੰਗਿ ਨਿਧਾਨੁ ਅੰਮ੍ਰਿਤੁ ਚਾਖੀਐ ॥ ਭੈ ਭੰਜਨ ਮਿਹਰਵਾਨ ਦਾਸ ਕੀ ਰਾਖੀਐ ॥ ਨਾਨਕ ਹਰਿ ਗੁਣ ਗਾਇ ਅਲਖੁ ਪ੍ਰਭੁ ਲਾਖੀਐ ॥ ੨੦ ॥ ਸਲੋਕ ਮ:੩ ॥ ਜੀਉ ਪਿੰਡੁ ਸਭੁ ਤਿਸ ਦਾ ਸਭਸੈ ਦੇਇ ਅਧਾਰੁ ॥ ਨਾਨਕ ਗੁਰਮੁਖਿ ਸੇਵਿਐ ਸਦਾ ਸਦਾ ਦਾਤਾਰੁ ॥ ਹਉ ਬਲਿਹਾਰੀ ਤਿਨ ਕਉ ਜਿਨਿ ਧਿਆਇਆ ਹਰਿ ਨਿਰੰਕਾਰ ॥ ਓਨਾ ਕੇ ਮੁਖ ਸਦ ਉਜਲੇ ਓਨਾ ਨੋ ਸਭੁ ਜਗਤੁ ਕਰੇ ਨਮਸਕਾਰ ॥ ੧ ॥ ਮ:੩ ॥ ਸਤਿਗੁਰੁ ਮਿਲਿਐ ਉਲਟੀ ਭਈ ਨਵ ਨਿਧਿ ਖਰਚਿਉ ਖਾਉ ॥ ਅਠਾਰਹ ਸਿਧੀ ਪਿਛੈ ਲਗੀਆ ਫਿਰਨਿ ਨਿਜ ਘਰਿ ਵਸੈ ਨਿਜ ਥਾਇ ॥ ਅਨਹਦ ਧੁਨੀ ਸਦ ਵਜਦੇ ਉਨਮਨਿ ਹਰ ਲਿਵ ਲਾਇ ॥ ਨਾਨਕ ਹਰਿ ਭਗਤਿ ਤਿਨਾ ਕੈ ਮਨਿ ਵਸੈ ਜਿਨ ਮਸਤਕਿ ਲਿਖਿਆ ਧੁਰਿ ਪਾਇ ॥ ੨ ॥ ਪਉੜੀ ॥ ਹਉ ਢਾਢੀ ਹਰਿ ਪ੍ਰਭੁ ਖਸਮ ਕਾ ਹਰਿ ਕੈ ਦਰ ਆਇਆ ॥ ਹਰਿ ਅੰਦਰਿ ਸੁਣੀ ਪੁਕਾਰ ਢਾਢੀ ਮੁਖਿ ਲਾਇਆ ॥ ਹਰਿ ਪੁਛਿਆ ਢਾਢੀ ਸਦਿ ਕੈ ਕਿਤੁ ਅਰਥ ਤੂੰ ਆਇਆ ॥ ਨਿਤ ਦੇਵਹੁ ਦਾਨੁ ਦਇਆਲ ਪ੍ਰਭੁ ਹਰਿ ਨਾਮੁ ਧਿਆਇਆ ॥ ਹਰ ਦਾਤੈ ਹਰਿ ਨਾਮੁ ਜਪਾਇਆ ਨਾਨਕੁ ਪੈਨਾਇਆ ॥ ੨੧ ॥

SABAD FORMAT

Sabads will typically have a heading, which includes: a mangala caran, the Rag, poetic meter and author. Usually the sabads contain one Rahau, however, several sabads have more than one Rahau line and some have no Rahau. In addition, throughout the Guru Granth Sahib there are various types of headings and in some cases, in Bhagat Bani for example, there is often no heading. The following is an example only for illustrative purposes:

a) Heading (ਸੂਚਕ ਸਿਰਲੇਖ)

ੴ ਸਤਿ ਗੁਰ ਪ੍ਰਸਾਦਿ ॥ ਰਾਗੁ ਸਿਰੀਰਾਗੁ ਮਹਲਾ ੧ ਘਰੁ ੧ ॥ ਅਸਟਪਦੀਆਂ ॥ (ਪ. ੪੩)

- ੴ ਸਤਿ ਗੁਰ ਪ੍ਰਸਾਦਿ - 'mangala caran' in poetry refers to the words of praise of one's teacher or guru. In the Guru Granth Sahib this is the mangala caran of the Guru, Guru Granth Sahib, and not of the individual composition.
- ਰਾਗੁ ਸਿਰੀਰਾਗੁ - indicates the Rag hymns are composed in.
- ਮਹਲਾ ੧ - indicates the contributor of the hymns is the first embodiment, Guru Nanak. The correct pronunciation for this is '**Mahala Pahila**' and not '**Mahala Ik or one**'.
- ਘਰ ੧ - indicates the location of the rhythm (ਤਾਲ) and also denotes the pitch and variations of notes. In the Guru Granth Sahib, houses (ਘਰ) 1 – 17 are used.
- ਅਸਟਪਦੀਆਂ - indicates the poetic meter of the hymns.

b) **Rahau** – There are examples of 1, 2, 3, 4 and 6 Rahaus in various sabads within Guru Granth Sahib. Vanjara, a composition in Rag Siri by Guru Amardas contains 6 Rahaus. The Rahau lines are always numbered as ॥੧॥,

regardless of the number of Rahaus within a sabad. While reciting kirtan, it is recommended to repeat the Rahau line since it contains the central idea of the sabad. If there is more than one Rahau line in a sabad than it presents a different idea. For example, if a sabad contains 3 Rahau lines then Guru Sahib is conveying three different ideas. There are also some sabads in the Guru Granth Sahib that contain the following format:

- *Two Rahaus* - the first Rahau is in the form of a question and the second Rahau is the answer.
- *Three Rahaus* - the first Rahau suggests the motivation. The second Rahau describes the worldly person's limitation and the third Rahau gives the suggestion for overcoming the limitation.

RAGMALA

Literally a rosary of Rags or musical measures, Rigmala is the title of a composition of twelve verses, running into sixty lines, appended to the Guru Granth Sahib after the Mundavani, i.e., the epilogue as a table or index of Rags. There being no indication of authorship in the title Rigmala has been the subject of divisiveness; more so the point whether it should form part of the recitation of the Guru Granth Sahib in its entirety. The composition doesn't appear to be an integral part of the theme of the Guru Granth Sahib and it seems to have little musicological or instructional significance. Yet it is a part of the original volume, the *Kartarpuri Bir* prepared by Guru Arjan. The Rahit Mariada, Sikh code of conduct (issued under the authority of the Panth and published by the Shiromani Gurdwara Parbandhak Committee, Amritsar) recommends that the reading of the Guru Granth Sahib should be concluded with Mundavani or Rigmala, but in no case should the Guru Granth Sahib be calligraphed or printed without this composition.

STRUCTURAL FORM

Every sabad in the Guru Granth Sahib follows a metrical scheme, as well as, a rhythmic arrangement. Listed below are several different types of poetic measures that are found in the Guru Granth Sahib. Most of these structures originate either from the Sanskrit/Indian system or from the Arabic/Persian system. However, the Gurus went far beyond the structural limitations and rigid disciplines enslaving these poetic forms under the old systems. They certainly used the poetic forms familiar to the time, but in their hands these forms came alive, gaining a new and fresh identity. They turned these forms into a distinct medium of spiritual communication including transcending the very structural forms themselves.

a) Sabad – The name used to refer to Guru's bani. It is not a poetic meter. In Gurbani, Sabad represents the 'Voice of the Master', or the Word revealed. All forms of verse included in Guru Granth Sahib (padas, astpadis, Chants, etc.) are sabad. The following are some examples of poetic meters, which are technically referred to as a sabad:

- i. **Padda/Chand (ਪਦਾ/ਚੰਦ)**: generic name for poetic meter in which a sabad is composed. It may consist of 1-5 verses/lines called tuks, i.e., ik-tuka -1 line, do-tuke - two lines, etc.
- ii. **Dupde (ਦੁਪਦੇ)** – sabad of two stanzas
- iii. **Tipde (ਤਿਪਦੇ)** – sabad with three stanzas
- iv. **Chaupade (ਚਉਪਦੇ)** – sabad of four stanzas
- v. **Panchpade (ਪੰਚਪਦੇ)** – sabad of five stanzas
- vi. **Chepade (ਛੈਪਦੇ)** – sabad of six stanzas

b) Chant (ਚੰਤ) – The use of this poetic form is available in many different Rags (Gaurhi, Asa, Vadhans, Dhanasari, Bilawal, Tukhari, etc.) within the Guru Granth Sahib. Chants are a form of folk poetry claiming their origin from the Sanskriti Chand. Chants are songs chanted in a long and drawn out manner (ਲੰਮੀ ਹੋਕ) by women at the time of marriage. Chants usually consist of 4 stanzas of 6 lines each. Through this theme and poetic form, the Gurus have shown the Human Soul's (bride) anticipated longing to meet with her husband (Vahguru). The Chants composed by the Gurus are not restricted to 4 stanzas. Examples of 5 or 7 stanzas can also be found. The tune (long and drawn out) to these Chants is similar to that of folk poetry, in that the last word usually ends with 'o' or 'ye' (i.e. Balram Jio, Sheliho, Sutariye). Chants are to be chanted in chronological order. In this technique of dividing the intro and the body, no Rahao is found.

c) Astpadi (ਅਸਟਪਦੀ) – From Sanskrit astapada, astapad or astapadi, is a poetic composition comprising ast or eight

padas or stanzas. No specific rhyme scheme, measure, or burden is prescribed for it, but all eight stanzas must be in the same meter and measure. Lines in each stanza are generally rhymed. In the Guru Granth Sahib, there are astpadis composed in different musical measures (Rags) and meters. For instance, Guru Nanak has written astpadis in Gauri and Maru Rag; those under Rag Gauri are in the Chaupai meter and those under Maru in the Nishani meter. All the twenty-four astpadis, which constitute Guru Arjan's Sukhmani are in Chaupai meter and Gauri Rag. Although each of the eight stanzas in an astpadi of Sukhmani comprises ten verses, the number of verses in a stanza elsewhere in the Guru Granth Sahib is anywhere from two to four lines.

d) Solhe (ਸੋਲਹੇ) – Typically a sabad of 16 stanzas of 3 lines each, but this is not always the case. This form can only be found in Rag Maru, written by Guru Nanak, Guru Amardas, Guru Ramdas, and Guru Arjan.

e) Salok (ਸਲੋਕ) – Compositions of this form can be found throughout Guru Nanak's bani. It is a popular poetic form originating from the Sanskrit tradition, in which the word itself stands for praise, laudation, etc. It is a small and brief composition of praise in the form of Chands. In the language of the Sants (prakriti and aprambhasha) saloks are also referred to as *Doha* or *dohra*. The usage of this word became popular with the Bhagats, Naths, and Sufis. The Gurus employed both saloks and dohas throughout Gurbani, however, did not conform to the strict formation and grammatical disciplines of this poetic form as prescribed in the Sanskriti tradition. Therefore, there is no set Chand form of the saloks found in Gurbani. There are various types of saloks consisting of 1, 2, and 3 lines, etc. The number of lines used depends on how many are required to convey a particular idea or thought.

f) Chaubole (ਚਉਬੋਲੇ) – Literally meaning the 'utterance of four persons' (Samman, Moosan, Jamal, and Patang), it is a form of a Chand. It also refers to a poetic form in which 4 separate languages are used. In the Guru Granth Sahib this alternative meaning doesn't appear to be used. Guru Arjan has written 11 saloks using this title where love of the Supreme is highlighted.

g) Pauri (ਪਉੜੀ) - Literally meaning a 'rung of a ladder', it is a poetic form employed by the Gurus in the most powerful manner. This is a distinct form of poetry in which ideas are divulged step by step, as in the form of a ladder. Guru Nanak has used this poetic form in compositions such as *Japji*, *Siddh Gosht*, *Oankar*, *Bavan Akhri*, *Patti*, etc. In addition, this form is also found in the Vars of the Gurus.

h) Phunhe (ਫੁਨਹੇ) – A Sanskriti word meaning 'again', it is a poetic meter in which a particular term or phrase occurs repeatedly in each Chand. It usually consists of 4 lines with 21 words in each line. In Hindi this is also known as *Arril*. In the Guru Granth Sahib, however, it is the title of a composition by Guru Arjan comprised of 23 quatrains. The repeated word in this composition is 'Harihan', meaning Vahguru.

i) Kafi (ਕਾਫੀ) – An Arabic word, which literally stands for the leader, the enlightener, and one who fulfils the need. Some claim it is in fact a Ragini. In the Sufi tradition, in moments of fervent mystical experience, the Sufis would sing songs of their beloved over and over again. Thus, this form became popularly known as Kafi. Whatever its origin, the Gurus took this form and elevated it to the realm of spiritual height. Under this heading, Guru Nanak, Guru Arjan, and Guru Tegbahadur have written many hymns. The theme of these hymns is the transient nature of this manifest world and the attachment to it, which leads to the slavery of the soul rather than its liberation.

j) Savaye (ਸਵਯੇ) – A Hindi Chand, which may or may not be metrical. It is a particular stanza form containing four lines; however, compositions of all sorts use this name. The Bhats used various forms such as *kaibith*, *sortha*, and *chulna*, however, they included all these under the caption of Savaye in the Guru Granth Sahib. This form is usually used in praise.

k) Var (ਵਾਰ) – The word Var comes from the Sanskrit word Vari (ਵਾਰੀ), meaning 'the brave' and Vairi (ਵੈਰੀ), meaning 'the enemy'. In other words, Var refers to one side striking and the other side defending the attack. In the Punjabi language, the word Var has several different meanings such as: to strike, to attack, war, to surround in a war situation, to stop, to defend, to sacrifice, repetition, to close a door, day of the week, to praise, etc. Var is a well-known form of Punjabi poetry as well. Because of its popularity among the common folk and its authenticity, Guru Nanak, along with other Gurus, often utilized it as a medium to convey their message. Even though this poetic form is included in and identified with folk songs, it still stands out independently and maintains its own importance. Bards

(ਢਾਡੀ) usually performed these Vars. Generally, these Vars dealt with themes related to battles and dynastic feuds, issues of honor fought at the point of the sword, and of romantic love.

The Gurus employed this particular form, as opposed to Kisse (ਕਿੱਸੇ) or Jangname (ਜੰਗਨਾਮੇ). In a typical Kissa, the theme is of man against society and if man doesn't get what he wants, namely his beloved, then he rejects all of society. In a Jangnama, there is description and details of a battle, one side either wins or loses and there is finality. In a Var, however, the battle between the opposing forces is endless. Even after one side has conquered the other, the fight still continues. The theme in the Vars of the Gurus is to take the worldly, social perspectives and utilize them in a manner that they can be used to understand the nature of spiritual experience. In this manner, through spiritual experience, the battle with worldly attachment, Maya, and the five *vikars* (kaam, krodh, lobh, moh and ahankar) ensues. The Var relays the internal conflict and confrontation between the attributes of a Gurmukh and a Manmukh. Through this insight of the spiritual doctrine, guidance is given to the individual. Typically, Vars are composed in the form of Pauris. During the compilation of the Guru Granth Sahib, Guru Arjan added saloks of the first four Gurus to the Pauris of the Vars (those not composed by him) and later Guru Hargobind is said to have added a regional tune to each Var.

LITERARY FORMS

In the confinement of the Vedas and Upanishads were words and experiences alien to the common man. The Brahmin, the sole interpreter of these Granths, manipulated and held hostage their content to his liking, leaving the masses writhing in spiritual frustration and dissatisfaction. Guru Nanak's glorious arrival meant freedom for these long held hostages of a stale religious tradition. Guru Nanak came and only then was the thirst of these dry and parched beings quenched. He gave to them the Word directly in terms and experiences familiar to them. Because his method was one of supreme Love, he kept nothing for himself ensuring equal access to his experiences to all people. Out of this Love, where necessary, he used humor, chastisement, examples, analogies, and metaphors all relevant to the experience of those listening. He was completely in touch with his audience, whether it be a mother, a father, a housewife, a husband, a farmer, a Pundit, a Qazi, a sidh, a yogi, a king, a thief, etc. He used their customs, their rituals, their words, and their folk songs not for mere poetic purposes but rather so, they could understand the true meaning of their existence and bloom in the experience of their own divine essence. The following are some examples of this approach from the Guru Granth Sahib:

a) Alahnian (ਅਲਾਹਣੀਆਂ) – A dirge (mournful song) wailingly sung in chorus by women mourning the death of a relation. Etymologically, the word means an utterance in praise (of the departed person). The sorrowful singing of alahnian is part of the mourning custom of *siapa* - women assemble at the house of the dead person and cry aloud beating their breasts while standing or they sit together and wail. They weep bitterly and sing alahnian in the most depressing tones. The village barbrass (*nain*) or *mirasan* starts the alahni by singing aloud the first line of the dirge eulogizing the dead person, followed by the group in chorus. The *siapa* goes on continually for a number of days until the last ceremonies are held; as the relatives of the deceased come from far and near, more and more women join in the heart rending wail each day. Alahni is also a popular Panjabi poetic folk form employed by Guru Nanak in his bani. Five of his sabads in the Guru Granth Sahib in Rag Vadhans are entitled Alahnian. In these hymns, the sovereignty of God's Will is proclaimed. By implication, the customs of *siapa* and alahnian are deprecated. One must not surrender to wailing and excessive sadness, but learn to accept what the Almighty has ordained - death is inevitable. Through Nam Simran, the Gurmukh discards the fear of death. Instead of crying and wailing at the death and loss of a relation, one should sit together with others and sing the praise of the Almighty and learn to bow before His will.

b) Anjuli (ਅੰਜੁਲੀ) – A ceremony of ancestor or devi/devta worship (ਪਿਤਰੀ) in which offerings are made with cupped hands filled with water or three grains of rice. The hymns of Guru Arjan reject the ritual of anjuli and teach man to willingly accept Vahguru's hukam.

c) Aarti (ਆਰਤੀ) – A form of idol worship where a plate containing oil lamps is circled, in a vertical circular motion, in front of the idol: four times around the idol's feet, 2 times in front of its belly button, once in front of its face, and seven times around its entire body. The number of oil lamps can range from 1 to 100. In his composition under this title in Rag Dhanasari, Guru Nanak denounces this ritual and reveals the true Aarti - praise of the Creator, which His creation is always engaged in.

d) Barah Maha (ਬਾਰਹ ਮਾਹਾ) – A form of folk poetry in which the emotions and yearnings of the human heart are expressed in terms of the changing moods of Nature over the twelve months of the year. In this form of poetry, the mood of Nature in each particular month (of the Indian calendar) depict the inner agony of the human heart, which in most cases is a woman separated from her spouse or lover. The tradition of Barah Maha poetry is traceable to classical epochs. In Sanskrit, the Barah Maha had the form of shad rtu Varnan, i.e., description of the six seasons (shad = six; rtu = season; Varnan = description). The mode was commonly employed to depict the moods of the love-stricken woman in separation and it became an established vogue in medieval Indian poetry. Guru Nanak in Rag Tukhari and Guru Arjan in Rag Majh used this theme of love poetry and turned it into that of spiritual import. The pangs of the bride depict the situation of the human soul's separation from the Divine Soul. Whereas in the literary folk poetry the bride must wait until the twelfth month to unite with her spouse and end her pain. The Gurus show how the human soul can unite with its Divine lover, not only in each month, but every single moment.

e) Bavan Akhari (ਬਾਵਨ ਆਖਰੀ) – A poem constructed upon fifty-two (bavan) letters (akhars) of the alphabet. In this form of poetry, each verse begins serially with a letter of the alphabet. The origin of the genre is traced to ancient Sanskrit literature. Since the Devnagri alphabet comprises fifty-two (bavan in Hindi) letters (33 consonants, 16 vowels and 3 compounds), such compositions came to be called bavan akhari or bavan aksari. Notwithstanding this system of names, no such composition consists exactly of fifty-two stanzas as few stanzas will open with a vowel, and compounds are generally left out of this scheme of poetry. Sometimes a letter is used to begin more than one stanza. There are two compositions with this title in the Guru Granth Sahib, both under Rag Gauri. One of them is by Guru Arjan. The other by Kabir dates chronologically prior to Guru Arjan's, however, Kabir's language is Sadh Bhasha inscribed in the Guru Granth Sahib in Gurmukhi characters. Communion with the Supreme Being and the path leading to it form the principal theme. The letters, says Kabir, expressing the spiritual bliss of communion with the Supreme Reality are not the fifty-two letters which are used in relation to mundane affairs: spiritual experience falls outside their realm.

f) Dakhne (ਡਖਣੇ) – The title of sixty-nine saloks by Guru Arjan incorporated in his Var in Rag Maru. Dakhne is not the name of any language but of a style of song-verse of that region. These are songs or saloks that camel-riders would sing in turn in a long drawn out manner to make certain that one person would stay awake and keep watch. As the Rajasthani songs sung by camel-riders are called 'Karhale', in this region of Multan, these songs are called Dhakhne. The central theme of these verses in the Guru Granth Sahib is the intense longing of the human spirit for the all-pervading Supreme Spirit. First, the beauty of the Beloved is depicted; second, the intensity of longing for Him is described; third, the Guru leading the individual to their Beloved is shown and fourth, some of the obstacles which bar union between the two are relayed.

g) Din-Rain (ਦਿਨ ਰੈਣ) – (din + rain) Day and night, is the title of a single 4-stanza hymn by Guru Arjan in Rag Majh. The composition evidently follows the vogue of inscribing verses to kal-karma (process of time) embracing forms such as baramaha (twelve months of the year), thiti (lunar dates) and vaar (days of the week). Writing in the first person and in conversational style mixed with soliloquy, Guru Arjan expresses the soul's yearning for union with Vahiguru. He also pays homage to those who remember Him day and night.

h) Gatha (ਗਥਾ) – In Sanskrit this word stands for a religious verse, which is of non-Vedic origin. In Prakrit (language of the Sants) and Buddhist traditions, the term signifies a verse, a line of poetry, song, stanza, or aphorism. The Brahmins rejected this form because it did not fit into the Sanskrit grammar or discipline. The Brahmin pundits considered this an adulterated, impure, and erroneous form and therefore did not use it. Guru Arjan composed 24 saloks under this title. In reference to this form, he said that the language of Gatha was difficult and only those of rare caliber were capable of understanding it, thus challenging the conceit of the Brahmins. The central theme in these verses is the praise of God and the importance of devotion to Him. These verses are a discourse on "the Name of God, which serves as an arrow to pierce 'the five enemies' and to efface pride."

i) Ghorian (ਘੋੜੀਆਂ) – Hymns by Guru Ramdas in Rag Vadhans in the Guru Granth Sahib. The word 'ghorian' in Panjabi is the plural form of ghori, a mare. In Panjabi folk poetry, these types of lyrical songs are sung on the occasion of marriage. Panjabi marriages consist of a series of ceremonies performed at different stages of the festivity. In one of these ceremonies, the bridegroom mounts a handsomely decorated mare to go to the house of the bride where a reception awaits. The sisters of the bridegroom feed the mare with crushed gram from a plate and embellish the mare

with bridle strings. They sing the songs of ghorī and other girls and women join them in chorus as the bridegroom climbs on the back of the mare. The ghorian hymns, composed by Guru Ramdas, are lyrics of exquisite beauty, woven around images and symbols appropriate to the occasion of marriage, in particular to the ceremony of ghorī. These hymns depict human life as a precious opportunity to be united with God, just as marriage is the opportunity to be united with the bride. The human body is the mare trying to reach the ultimate goal, the Almighty. The mind must be harnessed, conquered, and controlled, just as the saddle and bridle control the mare and direct it to its intended path.

j) Karhale (ਕਰਹਲੇ) - A Sindhi word meaning a camel. In the hymns composed by Guru Ramdas in Rag Gaurī Purabi, the term applies to the human mind, which keeps wandering restlessly like the camel roaming from one place to another. The mind, like the camel, is stubborn and wanders away from home to alien realms. Turning away from the Reality, it engrosses itself in ego and Maya. The ultimate aim is to obtain proximity to God and the way to achieve this is to round up the wandering man (mind) and wash away his ‘dirt’ of haumai. This is possible only through the guidance of the Guru.

k) Kuchaji, Suchaji, and Gunwanti (ਕੁਚਜੀ, ਸੁਚਜੀ, ਗੁਣਵੰਤੀ) – Titles under which Guru Nanak composed verses in Rag Sūhī. Kuchaji literally means an awkward or ill-mannered woman. In this composition, speaking in the first person the woman repents for being an undeserving bride of Vahguru. She realizes that she is full of faults and unredeemed by any virtue. She has been lured by material gifts, remaining completely oblivious of the Giver. What is worse, she has been conscious of her faults and shortcomings. Suchaji, as opposed to Kuchaji, is a woman of good manner and accomplishment. Guru Sahib also uses this metaphor to convey the conception of a true devotee. The true devotee, Suchaji, remains constant in her love. Such a devotee surrenders herself completely to the will of God; her faith remains unshaken under all circumstances. Gunwanti literally is a woman of becoming qualities. Gunwanti follows Guru Nanak’s compositions of Kuchaji and Suchaji. Guru Arjan also composed hymns under these three titles. They are uttered in the first person and sum up the qualities characteristic of a true and pious Sikh. These qualities are humility and reverence for those who are true Sikhs of the Guru and desire for the company of those who can lead them to the true Guru.

l) Lavan (ਲਾਵਾਂ) – The title traditionally given to a short four-stanza composition by Guru Ramdas included under Rag Sūhī in the Guru Granth Sahib. The word ‘lavan’ also refers to the marriage ceremony in Indian tradition. In this composition, Guru Arjan depicts the human soul as a bride whose marriage (union) with her husband (Vahguru) is the ultimate goal of her human life. The four quartets depict the four stages of human consciousness seeking realization. It begins with man’s endeavor to simultaneously advance in both the spiritual and social planes.

1. To achieve this man is advised to live under the guidance of the Guru.
2. It is under Guru’s guidance that man will be led to cultivating in his mind an intense longing for Vahguru and detachment from the world.
3. He now revels in the company of the good and the holy.
4. As love for the Almighty is awakened in the human heart and man’s grip on human values of life tightens, he gains proximity to his essence and becomes one with it.

m) Oankar (ੴਕਾਰੁ) – A form of poetry in which the letters of the alphabet are utilized. Guru Nanak took this form of poetry to a new dimension by using it to convey a spiritual message. One such composition of his under this category is Oankar, consisting of fifty-four Chands in Rag Ramkali Dakhni. In this composition, Guru Nanak speaks true direction to the learned man, namely the pandit. In the Rahao line, he speaks directly to him saying: “ਸੁਣਿ ਪਾਠੇ ਕਿਆ ਲਿਖਹੁ ਜੰਜਾਲਾ ॥ ਲਿਖੁ ਰਾਮ ਨਾਮ ਗੁਰਮੁਖਿ ਗੋਪਾਲਾ ॥੧॥ ਰਹਾਉ ॥” Guru says to him that what he has written is incorrect/incomplete and what he is teaching will ultimately only lead his students astray. The true writing is that of Vahguru’s name. The true lesson is to imbibe oneself in the colors of the True Name. The best teacher is one who himself engages in remembering the Almighty and passes this knowledge on to his students.

n) Patti (ਪਟੀ) – Literally a wooden tablet on which children learn to write the alphabet, is the name given to two hymns in the Guru Granth Sahib. These hymns are composed in the form of an acrostic, a poem in which the first and/or last letters of lines form a word or words, employing letters of the Gurmukhi alphabet. Patti by Guru Nanak, titled Rag Asa Mahala 1 Patti Likhi, comprises thirty-five stanzas. Each stanza is introduced with a letter of the Gurmukhi alphabet. From stanza nine to thirty-three, the order followed is exactly that of the current Gurmukhi

alphabet; elsewhere there are deviations. Patti by Guru Amardas follows Guru Nanak's in the Guru Granth Sahib. It comprises eighteen stanzas, besides a couplet, titled Rahao. In these compositions, Guru tells that one should engage in the efforts of attaining the True knowledge.

o) Pahrai (ਪਹਰੈ) – Title under which four hymns have been composed – 2 by Guru Nanak and 1 each by Guru Ramdas and Guru Arjan – recorded consecutively in the Siri Rag of the Guru Granth Sahib. In the earlier era, the measurements and divisions of time were: Nimakh (ਨਿਮਖ) (blink of an eye), Visa (ਵਿਸਾ), Chasa (ਚੱਸਾ), Pal (ਪਲ), Ghari (ਘੜੀ) approximately (24 minutes), Pahar (ਪਹਰ), and Din Rat (ਦਿਨ ਰਾਤ) where:

15 Nimakhs = 1 Visa	15 Visa = 1 Chasa	3 Chasa = 1 Pal
60 Pal = 1 Ghari	8 Gharian = 1 Pahar (3 hrs)	8 Pahars = 1 day & night (24hrs)

In Gurbani, Pahare are referred to the four Pahars of the night. These Pahars are used to show the following stages of life:

- (1) Embryonic (in the womb) (ਗਰਭ ਅਵਸਥਾ)
- (2) Childhood (ਬਾਲ ਅਵਸਥਾ)
- (3) Youth (ਜੋਬਨ)
- (4) Old age (ਬਿਰਧ)

Man is implored to avoid getting entangled in the web of worldly affairs throughout these stages of life and instead concentrate on the Name of the Eternal. Guru Sahib uses the metaphor of the Vanjara, a traveling salesman who sets out to make profit selling his goods. Just as the Vanjara must make his deals wisely and ensure his means are honest while seeking success, the human soul must traverse this journey of life always mindful of the Creator and with whom union is his ultimate purpose. This is the true bargain for the trader (human soul). But the trader generally stumbles at each stage, called Pehar of the night, and must overcome these obstacles. Thus, the frailties to which man is subject to as he obtains his life's purpose are set forth in these compositions.

p) Ruti (ਰੁਤੀ) – A composition by Guru Arjan in Rag Ramkali in the Guru Granth Sahib comprising eight six-line stanzas preceded by two saloks, each of two lines. Ruti is the plural form of the word 'rut', or season. The saloks briefly introduce the theme, while the stanzas, called Chants here, elaborate on the theme. Generally, the hymn portrays the intense urge in man to meet the Supreme Being. The yearning intensifies from season to season. In Indian tradition, the year is divided into six seasons:

Vasant (spring)	Grisma (summer)	Varsa (rainy season)
Sarad or Patjhar (autumn)	Sisir (the dewy season)	Hemant (winter)

Vasant (Panjabi Basant) occurs from mid-March to mid-May, Grisma or Grikham from mid-May to mid-July, and so on. The Chants in Ruti describe a woman's (seeker's) longing for her spouse (Akal-Purakh).

q) Sadu (ਸਦੁ) – In the Hindu tradition, upon the death of an individual there is an elaborate series of events and ceremonies that take place. These include the dead body being placed on the floor with a small wick lamp placed on the palm of its hand with the belief that the soul has to travel a long distance in the dark, requiring light to help find the way. Dough is placed in leaf-plates next to the body and the Brahmin gargles with water facing the sun. All of this is done with the intention that the departed soul will have sufficient nourishment on its journey that supposedly takes 360 days. In an effort to scare away the soul that apparently lingers around the body after death, halfway to the cremation grounds a small clay utensil is broken and the eldest son let's out a shrilling wail. The Brahmin recites a few choice mantras and after cremation the ashes are floated into the river Ganga. If the ashes of the deceased are not thrown into this river, it is believed the soul will not move forward. The soul lingers around the familial house for thirteen days after physical death. So relatives come during this time to stay at the house and provide comfort to the family. Each morning the eldest son lets out a scream hoping to scare the soul away. After the veda-mantars have been recited, an appropriate number of wicks are lighted to guide the soul on its 360 day journey. Each year, the family makes a pilgrimage to the temple of Chanicher devta and lights a lamp there. On this day and on the anniversary date thereafter, the Brahmin is fed and given other items such as blankets so that they will eventually reach their loved one.

This is also a form of folk poetry. The term 'Sadh' means an invocation, call, or cry. Originally, it was used to denote

songs addressed by a lover to his beloved expressing his heart's anguish. With the passage of time, it turned into a dirge sung in love and adoration of the dead. Sundar, a great-grandson of Guru Amardas, captures the advice the Guru gave to his followers and family members just before he passed away in this six-stanza verse in Rag Ramkali. Guru Amardas tells them not to weep and wail for him or to perform the customary mourning rites, since death is an opportunity to unite with the Supreme and not a time for lamentation.

r) Sohila (ਸੋਹਿਲਾ) – In the Panjabi folk tradition, once a wedding date is fixed, usually a few days prior to the actual wedding, women from the girl's side get together on one evening and sing wedding songs called *Sohillerre*. Some of these songs tell of the bride's approaching separation from her parents, siblings, and friends and some songs are of blessings of happiness for her, for when she departs to go to her husband's home. In his composition Sohila in Rag Gaurhi, Guru uses this theme to portray the likeness of the human being to that of the bride-to-be. Like the girl, the human being must eventually depart from what is familiar (this world) when death, the date and time of which, like the wedding day, has already been determined, arrives and she must join her husband (Akal-Purakh). A Sikh, thus, sings Sohila every night before retiring in anticipation of the day of Union with their Beloved.

s) Sidh Gosti (ਸਿਧ ਗੋਸਟਿ) – A dialogue between the Sidhs and Guru Nanak, either in the mountains and/or at Achal Batala. The Sidhs try to win Guru Nanak into their fold by taking part in a debate in the format of questions and answers. They ask questions to test and trick Guru Nanak but are unsuccessful. They insist that the method to cross this worldly ocean is by concentrating the mind on things that are far away from this world. In rebuttal of their technique, Guru Nanak tells them that to traverse this world without drowning they must imitate the lotus that maintains its beauty and purity by floating atop and thriving in its foul environment.

t) Thiti (ਥਿਤੀ) – According to the traditional Indian calendar, thiti denotes a day or a date of the lunar cycle of the month. In Brahminical ritualism, certain lunar days acquired sanctity for being associated with some deity or incarnation of god/goddess and began to be observed as especially auspicious. The Thiti hymns composed by Guru Nanak, Guru Arjan, and Bhagat Kabir in the Guru Granth Sahib discount the notion of one particular day being more propitious than another. All days are auspicious if devoted to remembering Vahguru and to good deeds.

u) Vanjara (ਵਣਜਾਰਾ) – From Sanskrit, 'vanij' means merchant or trader. During medieval times Vanjaras formed a class of traveling traders and carriers of merchandise. At the beginning of each day, they would pick up goods and sell them throughout the day wandering through the streets and singing out loud so that people would know they were in the street. At the end of the day, they would return the unsold items to the owner, retaining a percentage of their sales and handing over the remaining funds. Guru Nanak and other Gurus, whose compositions form part of the Guru Granth Sahib, have often used the term vanjara to refer to man who has come into this world with capital advanced to him by the sahu, the financier, i.e. God. They call him vanjara mitra (O, my merchant friend!) and exhort him to put his borrowed capital to good use and earn merit.

v) Var Sat (ਵਾਰ ਸਤ) – 'Seven Days of the Week' is the title of two compositions in the Guru Granth Sahib. One is by Guru Amardas in Rag Bilawal and the other by Bhagat Kabir in Rag Gauri titled Kabir Jiu Ke 7. Here again, the notion of one time being more auspicious than another is denounced. Emphasis is placed on solely remembering Vahguru at all times. All days devoted to meditation on and repetition of His Name are reckoned auspicious. None of the days of the week are made auspicious or inauspicious by the influence of the planets/deities governing them. Guru Amardas exhorts men to discard superstition and illusion, austerities and penances.

THE AESTHETIC FORMS

Each word, phrase, line, and verse is evidence of the aesthetic beauty contained within the Guru Granth Sahib. These aesthetic forms were used to convey a message. The Gurus were not necessarily writing for themselves (to fulfill some poetic impulse) but rather directly for their audiences. They intimately understood the psyche of those with whom they were speaking. They understood the experiences, emotional states, and social, political and religious environment of their audience. Therefore, they explained their message in ways and methods with which their listeners already had a close emotional rapport. They used familiar tunes and rhythms so that what they shared was not foreign or unrelatable to their audiences. The images they created, the pictures they painted, the analogies, the similes, the metaphors, and the examples they used were a part of the common man's everyday experience. When the common person read the Guru's Word he could identify with it and relate it to various aspects of his life, making it easier to comprehend the

intended message. The Gurus used examples from all spheres of life: nature, culture, and human relationships. The Sikh Gurus did what no other can claim. They brought about revolutionary change through these innovative literary methods and thus infused a new spirit into the common man. Below are some examples of the different types of aesthetic forms that can be found within the Guru Granth Sahib.

Figurative Expression (ਅਲੰਕਾਰ)

(1) **Alliteration (ਸ਼ਬਦ ਅਲੰਕਾਰ)** – This is the most popular form, the occurrence of the same phonetic sound at the start of words. The sounds are close and repeated to form a melodious expression, which is easy to remember, for example:

ਸੂਰ ਸਰੁ ਸੋਸਿ ਲੈ ਸੋਮ ਸਰੁਪੋਖਿ ਲੈ ਜੁਗਤਿ ਕਰਿ ਮਰਤੁ ਸੁ ਸਨਬੰਧੁ ਕੀਜੈ ॥ (ਮ: ੧, ਪੰਨਾ ੯੯੧)

[Burn off the mainsprings of Passion, and strengthen the attributes of Truth: this verily, is the inhalation and exhalation of breath; and let poise be the holding of the breadth.]

ਗਗਨ ਗੰਭੀਰੁ ਗਗਨੰਤਰਿ ਵਾਸੁ ॥ (ਮ: ੧, ਪੰਨਾ ੯੩੨)

[Our All-pervading God is Infinite, Eternal and Self-dependent.]

ਪਾਰਸੁ ਪਰਸਿ ਪਰਮ ਪਦੁ ਪਾਵੈ ॥ (ਮ: ੧, ਪੰਨਾ ੪੧੧)

[By the touch of the philosopher's Stone, one attains the Supreme Bliss.]

(2) **Meaningful (ਅਰਥ ਅਲੰਕਾਰ)** – The most commonly used expressions in this category are of praise and are metaphoric.

i) **Expressions of Praise (ਉਪਮਾ ਅਲੰਕਾਰ)** – In the form of simile, where one thing is compared to another. For example:

ਧਨੁ ਜੋਬਨੁ ਅਰੁ ਫੁਲੜਾ ਨਾਠੀਅੜੇ ਦਿਨ ਚਾਰਿ ॥

ਪਬਣਿ ਕੇਰੇ ਪਤ ਜਿਉ ਢਲਿ ਢੁਲਿ ਜੁਮਣਹਾਰ ॥

(ਮ: ੧, ਪੰਨਾ ੨੩)

[Wealth, the beauty of youth and flowers are guests for only a few days.

Like the leaves of the water lily, they wither and fade and finally die.]

ii) **Metaphorical expression (ਰੂਪਕ ਅਲੰਕਾਰ)** – The application of a word or phrase to something that it does not apply to literally. This form is beautifully used throughout Gurbani. For example Guru Nanak uses the items used in a prayer, Aarti, to describe the Creation:

ਗਗਨ ਮੈ ਥਾਲੁ ਰਵਿ ਚੰਦੁ ਦੀਪਕ ਬਨੇ ਤਾਰਿਕਾ ਮੰਡਲ ਜਨਕ ਮੋਤੀ ॥ (ਮ: ੧, ਪੰਨਾ ੬੬੩)

[The sky is a plate, the sun and moon the oil lamps and the stars the pearls.]

(3) **Expressions of Analogy (ਦ੍ਰਿਸ਼ਟਾਂਤ ਅਲੰਕਾਰ)** – In this form one thing is compared to another to make its meaning more lucid. For example Guru Sahib tells of the suddenness of death in the following manner:

ਭਾਈ ਰੇ ਇਉ ਸਿਰਿ ਜਾਣਹੁ ਕਾਲੁ ॥

ਜਿਉ ਮਛੀ ਤਿਉ ਮਾਣਸਾ ਪਵੈ ਅਚਿੰਤਾ ਜਾਲੁ ॥

(ਮ: ੧, ਪੰਨਾ ੫੫)

[O my brothers, just like this, see death hovering over your own heads!

Just like this fish; unaware, the noose of death descends upon them.]

(4) **Expressions of logic (ਕਾਵਯਲਿੰਗ ਅਲੰਕਾਰ)** – This form is used when the method, the meaning is confirmed or substantiated. For example:

ਅਸੰਖ ਜੋਗ ਮਨਿ ਰਹਹਿ ਉਦਾਸ ॥ ਅਸੰਖ ਭਗਤ ਗੁਣ ਗਿਆਨ ਵੀਚਾਰ ॥

ਅਸੰਖ ਸਤੀ ਅਸੰਖ ਦਾਤਾਰ ॥ ਅਸੰਖ ਸੂਰ ਮੁਹ ਭਖ ਸਾਰ ॥ ਅਸੰਖ ਮੋਨਿ ਲਿਵ ਲਾਇ ਤਾਰ ॥ (ਮ: ੧, ੩-੪)

[There are countless Yogis, whose minds remain detached from the world. There are countless devotees contemplate the Wisdom and Virtues of the Lord. There are countless the holy, countless the givers. There are

countless heroic spiritual warriors, who bear the brunt of the attack in battle. There are countless who silently meditate on His Love.]

(5) Critical or Sarcastic expressions (ਵਕ੍ਰੋਕਤੀ ਅਲੰਕਾਰ) – Here the form appears to be one of sarcasm or criticism. However, the underlying meaning or message behind the surface is quite deep. For example:

ਤੂੰ ਸੁਣਿ ਹਰਣਾ ਕਾਲਿਆ ਕੀ ਵਾੜੀਐ ਰਾਤਾ ਰਾਮ ॥
ਬਿਖੁ ਫਲੁ ਮੀਠਾ ਚਾਰਿ ਦਿਨ ਫਿਰਿ ਹੋਵੈ ਤਾਤਾ ਰਾਮ ॥ (ਮ: ੧, ਪੰਨਾ ੪੩੮)

[O black deer, listen: why are you so attached to the orchard of passion?
The fruit of sin is sweet for only a few days, and then it grows hot and bitter.]

(6) Active expressions (ਸਿੱਖਲਾਮੂਲਕ ਅਲੰਕਾਰ) –

ਸੁਣਿਆ ਮੰਨਿਆ ਮਨਿ ਕੀਤਾ ਭਾਉ ॥ ਅੰਤਰਗਤਿ ਤੀਰਥਿ ਮਲਿ ਨਾਉ ॥ (ਮ: ੧, ਪੰਨਾ ੪)

[Listening and obeying with love and humility in your mind,
cleanse yourself with the Name, at the sacred shrine deep within.]

(7) Confrontational or Contradictory Expressions (ਵਿਰੋਧਮੂਲਕ ਅਲੰਕਾਰ) – These appear as such on the surface; however, at a deeper level the contradiction doesn't actually exist.

ਸਾਗਰ ਮਹਿ ਬੂੰਦ ਬੂੰਦ ਮਹਿ ਸਾਗਰੁ, ਕਵਣੁ ਬੂਝੈ ਬਿਧਿ ਜਾਣੈ ॥” (ਮ: ੧, ਪੰਨਾ ੮੭੮)

[The drop is in the ocean, and the ocean is in the drop.
Who understands, and knows this.]

THE COMMUNICATION METHOD

Language - Familiarity with the languages of the world can often shed light on understanding the development and relevance of one's own language. Today, in all there exist roughly 4,000 languages, all of which can be divided into thirteen or fourteen different categorical families. The largest linguistic family is that of the Indo-Aryan family. This particular family contains languages popular in the Northern Hemisphere of India including Panjabi, Sindhi, Gujrati, Marathi, Hindi, Bihari, Orriya, Bengali, Assami, etc. It also includes such languages as Pushto from Afghanistan, Persian from Iran, and the European languages: English, French, German, and Russian. These modern day languages evolved over centuries into their current form. Therefore, when we set forth to understand Gurbani, it is imperative that we understand the historical influences that had an effect on the evolution of the language(s) and culture of the land of the Sikh Gurus. It helps to understand, even if at a very superficial level, why the Gurus communicate in the different languages (or a mixture thereof) rather than one standard language.

This land of the Gurus, the Northwest frontier of Panjab (the region now both in Pakistan and India), experienced many invasions throughout the centuries. Indologists are not agreed on the age of Indian civilization except that it is among the oldest in the world and that its cradle was in the Panjab. The generally accepted view is that quite a sophisticated people occupied this land and cities flourished in this region up to 2500 - 1500 BCE. These people were eventually destroyed by invaders, known as the Aryans, who began to infiltrate Panjab about fifteen centuries before the birth of Christ. The Aryans, who were tall and fair, drove out the darker skinned inhabitants and occupied most of the Northern Hemisphere of India. The newcomers were a pastoral people with a religion and a language of their own. Both of these further developed in the land of their domicile. It was in the Panjab that Vedic Hinduism evolved, and many works of Sanskrit literature written. Other races followed the Aryans; the Persians under Darius invaded this region in 521-485 BCE. In 326 BCE, Greek armies under Alexander the Great crossed the Indus and swept as far as the Beas. The Bactrian invader, Menander, extinguished the Indian Maurya, who ruled after the death of Alexander the Great. The Bactrians were followed by many Scythian tribes. When the dust settled, the Indian Guptas took over and were able to block out the foreign invaders. By 500 CE, however, the pressure from Central Asia became too great and once more the gates were forced open to let in the Mongoloid Huns. The Huns were subdued and expelled by Vardhana, whose son, Harsha, was the last great Indian ruler of the Panjab. After Harsha's death in 647 CE, Vardhana's empire disintegrated and races living across the Sulaiman and Hindu Kush mountains began to pour in. The new incoming conquerors belonged to diverse tribes but all belonged to one faith - Islam. In 1001 CE came

Mahmud of Ghazni. Thereafter, the Afghans came like the waves of an incoming tide, each column advancing inland. The Ghaznis were followed by other Afghan tribes: the Ghoris, Tughlaks, Surs, and Lodhis. Between the successions of Afghan invasions came the terrible visitation in 1398 by the Mongol, Taimur. A hundred years later, Babar, one of Taimur's descendants, started dreaming of an empire in India and made it a reality by setting up the most powerful and long-lived dynasty in the history of India.

What is certainly clear is the Panjab, being the main gateway into India, was fated to be the perpetual field of battle and the first home to all the conquerors. Few invaders, if any, brought wives with them, and most of those who settled in their conquered domains acquired local women. Thus the blood of many conquering races came to mingle and many alien languages - Arabic, Persian, Pushto, and Turkish - came to be spoken in the land.

Languages do not change their form overnight; it takes centuries for a language to adopt a recognizably different form. Each foreign invasion must surely have activated a change in the development of the existing languages of the land. Although there is some disagreement among scholars as to the exact timings of the existence of certain languages, that there was in fact a process of evolution of the language(s) of the land is generally agreed upon. The earliest known language in the Indo-Aryan family is Vedic, in which the Vedas are composed, spanning the period from 1500 - 500 BCE. Its next phase is Sanskrit, which ceased to be the spoken language of the masses by the sixth century BCE, however extensive literature in Sanskrit was produced up to the eleventh and twelfth centuries. From 500 BCE to the beginning of the Christian era, the language once again transformed to Pali, another predominant language. From the beginning of the Christian era to about 500 CE, a number of newly developed languages came under the heading Prakrit, such as: Maharashtri, Magdhi, and Ardh-Magdhi. From 500 - 1000 CE, all existing languages came under the heading Aprambasha. It is from the Aprambasha languages that Panjabi, Hindi, and other new Indo-Aryan languages developed around the 11th century CE.

Keeping the above in mind, the language the Gurus composed their hymns in is not in any one standard language. Their objective was not to produce a complex literary work in the discipline of any standardized or primary language (i.e., the Vedas), which only a limited section of the society could comprehend. Their message was to be universal and applicable to people from all walks of life. The languages they used are a clear indication of this idea. Most of the compositions of the contributors of the Guru Granth Sahib are in what is known as 'Sadh Bhasha', which consists of one dominant language with words from other regional languages that become part of that language over time. For example, one form of Sadh Basha is where the Panjabi language is dominant, while words from Sanskrit, Pali, Braj, or Persian also become incorporated into the language. Sadh Bhasha had many different forms depending on the region and its dominant language.

In view of factors such as language, religion, culture and the various thought systems of the audience, the message the Gurus conveyed using language and vocabulary also had an emotional rapport with it. The focus was on communicating the Revealed message for the spiritual and social upliftment of the listener.

The language of the Gurus, Gurbani, came about at a time when modern Indo-Aryan languages were in their early developmental stage. These new languages were discarding their old attributes and acquiring new characteristics. For this reason, we can see hints of the older languages like Aprambasha and Prakrit in Gurbani, along with examples from the modern languages such as Panjabi and Braj.

As already mentioned, Gurbani is mostly in 'Sadh Bhasha' followed by Panjabi. In addition, there are also compositions in Braj, Lehandi, and other languages such as Sahaskriti and Gatha. It is important to note that 'Sadh Bhasha' was widely understood in the Northern Hemisphere of India. So compositions of various forms in different 'Sadh Bhashas' can be found composed by the same Guru or Bhagat. Further, when it is said that a certain composition of Guru Nanak or any of the other contributors is in Panjabi, Braj, etc. it does not necessarily mean that it is in the standard form of that language. The following are some examples of the different languages in the Guru Granth Sahib:

a) Sadh Bhasha – Since there was no standard form of 'Sadh Bhasha', the vocabulary and idiom used depended on the individual Guru or Bhagat. For example there is a vast difference between the 'Sadh Bhasha' of the compositions, *Oankar* and *Sidh Gosti*, in comparison to the 'Sadh Bhasha' of *Sukhmani* and Guru Nanak's sabad '*Gagan menh Thal ...*'.

ਕਰਉ ਬੇਨੰਤੀ ਸੁਣਹੁ ਮੇਰੇ ਮੀਤਾ ਸੰਤ ਟਹਲ ਕੀ ਬੋਲਾ ॥

ਈਹਾ ਖਾਟਿ ਚਲਹੁ ਹਰਿ ਲਾਹਾ ਆਗੈ ਬਸਨੁ ਸੁਹੇਲਾ ॥੧॥
ਅਉਧ ਘਟੈ ਦਿਨਸੁ ਰੈਣਾਰੇ ॥ ਮਨ ਗੁਰ ਮਿਲਿ ਕਾਜ ਸਵਾਰੇ ॥ਰਹਾਉ॥ (ਮ: ੫, ਪੰਨਾ ੧੩)

ਅਉਖਧ ਮੰਤ੍ਰ ਮੂਲੁ ਮਨ ਏਕੈ ਜੇ ਕਰਿ ਦ੍ਰਿੜੁ ਚਿਤੁ ਕੀਜੈ ਰੇ ॥
ਜਨਮ ਜਨਮ ਕੇ ਪਾਪ ਕਰਮ ਕੇ ਕਾਟਨਹਾਰਾ ਲੀਜੈ ਰੇ ॥੧॥ (ਮ: ੧, ਪੰਨਾ ੧੫੬)

ਜਨਨੀ ਜਾਨਤ ਸੁਤੁ ਬਡਾ ਹੋਤੁ ਹੈ ਇਤਨਾ ਕੁ ਨ ਜਾਨੈ ਜਿ ਦਿਨ ਦਿਨ ਅਵਧ ਘਟਤੁ ਹੈ ॥
ਮੋਰ ਮੋਰ ਕਰਿ ਅਧਿਕ ਲਾਡੁ ਧਰਿ ਪੇਖਤ ਹੀ ਜਮ ਰਾਉ ਹਸੈ ॥੧॥
ਐਸਾ ਤੈਂ ਜਗੁ ਭਰਮਿ ਲਾਇਆ ॥ ਕੈਸੇ ਬੂਝੈ ਜਬ ਮੋਹਿਆ ਹੈ ਮਾਇਆ ॥੧॥ ਰਹਾਉ ॥
ਕਹਤ ਕਬੀਰ ਛੋਡਿ ਬਿਖਿਆ ਰਸ ਇਤੁ ਸੰਗਤਿ ਨਿਹਚਉ ਮਰਣਾ ॥
ਰਮਈਆ ਜਪਹੁ ਪ੍ਰਾਣੀ ਅਨਤ ਜੀਵਣ ਬਾਣੀ ਇਨ ਬਿਧਿ ਭਵ ਸਾਗਰੁ ਤਰਣਾ ॥੨॥ (ਕਬੀਰ, ਪੰਨਾ ੯੧-੨)

ਆਨੀਲੇ ਕਾਗਦੁ ਕਾਟੀਲੇ ਗੂਡੀ ਆਕਾਸ ਮਧੇ ਭਰਮੀਅਲੇ ॥
ਪੰਚ ਜਨਾ ਸਿਉ ਬਾਤ ਬਤਉਆ ਚੀਤੁ ਸੁ ਡੋਰੀ ਰਾਖੀਅਲੇ ॥ ੧॥
ਮਨ ਰਾਮਨਾਮਾ ਬੋਧੀਅਲੇ ॥ ਜੈਸੇ ਕਨਿਕ ਕਲਾ ਚਿਤੁ ਮਾਂਡੀਅਲੇ ॥੧॥ ਰਹਾਉ ॥ (ਨਾਮਦੇਵ, ਪੰਨਾ ੯੨੨)

ਗੋਪਾਲ ਤੇਰਾ ਆਰਤਾ ॥
ਜੋ ਜਨ ਤੁਮਰੀ ਭਗਤਿ ਕਰੰਤੋ ਤਿਨ ਕੇ ਕਾਜ ਸਵਾਰਤਾ ॥੧॥ ਰਹਾਉ ॥
ਦਾਲਿ ਸੀਧਾ ਮਾਗਉ ਘੀਉ ॥ ਹਮਰਾ ਖੁਸੀ ਕਰੈ ਨਿਤ ਜੀਉ ॥
ਪਨੀਆ ਛਾਦਨੁ ਨੀਕਾ ॥ ਅਨਾਜੁ ਮਗਉ ਮਤ ਸੀ ਕਾ ॥੧॥
ਗਉ ਭੈਸ ਮਗਉ ਲਾਵੇਰੀ ॥ ਇਕ ਤਾਜਨਿ ਤੁਰੀ ਚੰਗੇਰੀ ॥
ਘਰ ਕੀ ਗੀਹਨਿ ਚੰਗੀ ॥ ਜਨੁ ਧੰਨਾ ਲੇਵੈ ਮੰਗੀ ॥੨॥੪॥ (ਧੰਨਾ, ਪੰਨਾ ੬੯੫)

In the above examples, Bhagat Namdev uses Marathi words such as ‘ਆਨੀਲੇ,’ ‘ਕਾਦੀਲੇ,’ and ‘ਰਾਕੀਅਲੇ,’ whereas Bhagat Kabir uses words such as ‘ਹੋਤੁ ਹੈ’ and ‘ਘਟਤੁ ਹੈ’ which are representative of Northern Hindi, while Bhagat Dhana uses Panjabi words such as ‘ਲਾਵੇਰੀ,’ ‘ਚੰਗੇਰੀ,’ and ‘ਚੰਗੀ.’

b) Panjabi – In Guru Granth Sahib many compositions have been written in Panjabi, including most of the compositions where folk forms of poetry have been used to explain Guru’s message (various Vars, *Barah Mahn*, *Alahnian*, *Ghorian*, *Sat Vaar*, *Thiti*, *Ruti*). All of the Gurus composed hymns in Panjabi. All of Guru Angad’s compositions are in Panjabi. Below are a few examples:

ਕਹੁ ਨਾਨਕ ਹਰਿ ਭਜੁ ਮਨਾ ਜਿਹ ਬਿਧਿ ਜਲ ਕਉ ਮੀਨੁ ॥੧॥ (ਮ: ੯, ਪੰਨਾ ੧੪੨੬)

ਲਬੁ ਕੁਤਾ ਕੂੜੁ ਚੂਹੜਾ ਠਗਿ ਖਾਧਾ ਮੁਰਦਾਰੁ ।
ਪਰ ਨਿੰਦਾ ਪਰ ਮਲੁ ਮੁਖ ਸੁਧੀ ਅਗਨਿ ਕ੍ਰੋਧੁ ਚੰਡਾਲੁ ॥
ਰਸ ਕਸ ਆਪੁ ਸਲਾਹਣਾ ਏ ਕਰਮ ਮੇਰੇ ਕਰਤਾਰੁ ॥੧॥
ਬਾਬਾ ਬੋਲੀਐ ਪਤਿ ਹੋਇ ॥
ਊਤਮ ਸੇ ਦਰਿ ਊਤਮ ਕਹੀਅਹਿ ਨੀਚ ਕਰਮ ਬਹਿ ਰੋਇ ॥੧॥ ਰਹਾਉ॥ (ਮ: ੧, ਪੰਨਾ ੧੫)

ਚਾਕਰ ਲਗੈ ਚਾਕਰੀ ਨਾਲੇ ਗਾਰਬੁ ਵਾਦੁ ॥
ਗਲਾ ਕਰੇ ਘਣੇਰੀਆ ਖਸਮ ਨਾ ਪਾਏ ਸਾਦੁ ॥
ਆਪੁ ਗਵਾਇ ਸੇਵਾ ਕਰੇ ਤਾ ਕਿਛੁ ਪਾਏ ਮਾਨੁ ॥
ਨਾਨਕ ਜਿਸ ਨੋ ਲਗਾ ਤਿਸੁ ਮਿਲੈ ਲਗਾ ਸੋ ਪਰਵਾਨੁ ॥ (ਮ: ੨, ਪੰਨਾ ੪੨੪)

ਏ ਮਨ ਪਿਆਰਿਆ ਤੂ ਸਦਾ ਸਚੁ ਸਮਾਲੇ ॥
 ਏਹੁ ਕੁਟੰਬੁ ਤੂ ਜਿ ਦੇਖਦਾ ਚਲੈ ਨਾਹੀ ਤੇਰੈ ਨਾਲੇ ॥
 ਸਾਥਿ ਤੇਰੈ ਚਲੈ ਨਾਹੀ ਤਿਸੁ ਨਾਲਿ ਕਿਉ ਚਿਤੁ ਲਾਈਐ ॥
 ਐਸਾ ਕੰਮੁ ਮੂਲੇ ਨ ਕੀਚੈ ਜਿਤੁ ਅੰਤਿ ਪਛੋਤਾਈਐ
 ਸਤਿਗੁਰੁ ਕਾ ਉਪਦੇਸ ਸੁਣਿ ਤੂ ਹੋਵੈ ਤੇਰੈ ਨਾਲੇ ॥
 ਕਹੈ ਨਾਨਕੁ ਮਨ ਪਿਆਰੇ ਤੂ ਸਦਾ ਸਚੁ ਸਮਾਲੇ ॥ ੧੧॥

(ਮ: ੩, ਪੰਨਾ ੯੧੮)

ਤੇਰਾ ਕੀਤਾ ਜਾਤੇ ਨਾਹੀ ਮੈਨੋ ਜੋਗੁ ਕੀਤੇਈ ॥
 ਮੈ ਨਿਰਗੁਣਿਆਰੇ ਕੇ ਗੁਣੁ ਨਾਹੀ ਆਪੇ ਤਰਸੁ ਪਇਓਈ ॥
 ਤਰਸੁ ਪਇਆ ਮਿਹਰਾਮਤਿ ਹੋਈ ਸਤਿਗੁਰੁ ਸਜਣੁ ਮਿਲਿਆ ॥
 ਨਾਨਕ ਨਾਮੁ ਮਿਲੈ ਤਾਂ ਜੀਵਾਂ ਤਨੁ ਮਨੁ ਥੀਵੈ ਹਰਿਆ ॥

(ਮ: ੫, ਪੰਨਾ ੧੪੨੯)

c) **Lehindi** – A language that falls under the category of Aprambhasha. Lehindi is a mixture of Pothehari, Multani, and Jhaangi, and is probably the closest to Sanskrit out of the Aprambhasha languages. Although there is a subtle influence of Lehindi in some of the compositions of the first three of the Gurus, the most visible examples are in the compositions by Sheikh Farid and Guru Arjan. Most of the compositions by Sheikh Farid are in Lehindi, with an emphasis on Multani mixed with Panjabi. Guru Arjan's composition under Dhakhne is also in Lehindi with a large emphasis in Multani. Below are some examples:

ਦਿਲਹੁ ਮੁਹਬਤਿ ਜਿੰਨੁ ਸੇਈ ਸਚਿਆ ॥ ਜਿਨੁ ਮਨਿ ਹੋਰੁ ਮੁਖਿ ਹੋਰੁ ਸਿ ਕਾਂਢੇ ਕਚਿਆ ॥੧॥
 ਰਤੇ ਇਸਕ ਖੁਦਾਇ ਰੰਗਿ ਦੀਦਾਰ ਕੇ ॥ ਵਿਸਰਿਆ ਜਿਨੁ ਨਾਮੁ ਤੇ ਭੁਇ ਭਾਰੁ ਥੀਏ ॥੧॥ ਰਹਾਉ ॥
 ਆਪਿ ਲੀਏ ਲੜਿ ਲਾਇ ਦਰਿ ਦਰਵੇਸ ਸੇ ॥ ਤਿਨ ਧੰਨੁ ਜਣੇਦੀ ਮਾਉ ਆਏ ਸਫਲੁ ਸੇ ॥੨॥
 ਪਰਵਰਦਗਾਰ ਅਪਾਰ ਅਗਮ ਬੇਅੰਤ ਤੂ ॥ ਜਿਨ੍ਹਾ ਪਛਾਤਾ ਸਚੁ ਚੁੰਮਾ ਪੈਰ ਮੂੰ ॥੩॥
 ਤੇਰੀ ਪਨਹ ਖੁਦਾਇ ਤੂ ਬਖਸੰਦਗੀ ॥ ਸੇਖ ਫਰੀਦੈ ਬੈਰ ਦੀਜੈ ਬੰਦਗੀ ॥੪॥

(ਫਰੀਦ, ਪੰਨਾ ੪੮੮)

ਨੀਹੁ ਮਹਿੰਜਾ ਤਉ ਨਾਲਿ ਬਿਆ ਨੇਹ ਕੂੜਾਵੇ ਡੇਖੁ ॥
 ਕਪੜ ਭੋਗ ਡਰਾਵਣੇ ਜਿਚਰੁ ਪਿਰੀ ਨਾ ਡੇਖੁ ॥੨॥

(ਮ: ੫, ਪੰਨਾ ੧੦੯੪)

d) **Braj Bhasha** – This was spoken in the Northwestern Hemisphere of India, including Panjab, Uttar Pradesh, and Madhpradesh and is similar to the modern Hindi language. All of Guru Tegbahadur's hymns are in this language. Bhagat Ramanand also has a few compositions in Braj mixed with Sadh Bhasha. Here are a few examples:

ਗੁਨ ਗੋਬਿੰਦ ਗਾਇਓ ਨਹੀ ਜਨਮੁ ਅਕਾਰਥ ਕੀਨੁ ॥

(ਮ: ੯, ਪੰਨਾ ੧੪੬੨)

ਮਨ ਰੇ ਕਉਨੁ ਕੁਮਤਿ ਤੈ ਲੀਨੀ ॥
 ਪਰ ਦਾਰਾ ਨਿੰਦਿਆ ਰਸ ਰਚਿਓ ਰਾਮ ਭਗਤਿ ਨਹਿ ਕੀਨੀ ॥੧॥ ਰਹਾਉ ॥
 ਮੁਕਤਿ ਪੰਥੁ ਜਾਨਿਓ ਤੈ ਨਾਹਨਿ ਧਨ ਜੋਰਨ ਕਉ ਧਾਇਆ ॥
 ਅੰਤਿ ਸੰਗ ਕਾਹੂ ਨਹੀ ਦੀਨਾ ਬਿਰਥਾ ਆਪੁ ਬੰਧਾਇਆ ॥੧॥

(ਮ: ੯, ਪੰਨਾ ੬੩੨)

ਕਤ ਜਾਇਐ ਰੇ ਘਰ ਲਾਗੇ ਰੰਗੁ ॥
 ਮੇਰਾ ਚਿਤੁ ਨਾ ਚਲੈ ਮਨੁ ਭਾਇਓ ਪੰਗੁ ॥੧॥ ਰਹਾਉ ॥

(ਰਾਮਾਨੰਦ, ਪੰਨਾ ੧੧੯੫)

e) **Sanskrit** – Both sabads by Bhagat Jaidev in the Guru Granth Sahib are in this language. The following is an example:

ਪਰਮਾਦਿ ਪੁਰਖਮਨੋਪਿਮੰ ਸਤਿ ਆਦਿ ਭਾਵ ਰਤੰ ॥
 ਪਰਮਦਭੁਤੰ ਪਰਕ੍ਰਿਤਿ ਪਰੰ ਜਦਿਚਿੰਤਿ ਸਰਬ ਗਤੰ ॥ ੧॥
 ਕੇਵਲ ਰਾਮ ਨਾਮ ਮਨੋਰਮ ॥ ਬਦਿ ਅੰਮ੍ਰਿਤ ਤਤ ਮਇਅੰ ॥

ਨ ਦਨੋਤਿ ਜਸਮਰਣੇਨ ਜਨਮ ਜਰਾਧਿ ਮਰਣ ਭਇਅੰ ॥੧॥ ਰਹਾਉ ॥

(ਜੈਦੇਵ, ਪੰਨਾ ੫੨੬)

f) **Persian** – An example from Guru Nanak's composition:

ਯਕ ਅਰਜ ਗੁਫਤਮ ਪੇਸਿ ਤੋ ਦਰ ਗੋਸ ਕੁਨ ਕਰਤਾਰ॥

ਹਕਾ ਕਬੀਰ ਕਰੀਮ ਤੂ ਬੇਐਬ ਪਰਵਦਗਾਰ ॥੧॥

ਦੁਨੀਆ ਮੁਕਾਮੇ ਫਾਨੀ ਤਹਕੀਕ ਦਿਲ ਦਾਨੀ ॥

ਮਮ ਸਰ ਮੂਇ ਅਜਰਾਈਲ ਗਿਰਫਤਰ ਦਿਲ ਹੇਚਿ ਨ ਦਾਨੀ ॥੧॥ ਰਹਾਉ ॥

(ਮ: ੧, ਪੰਨਾ ੨੨੧)

g) **Sahaskriti** – A mixture of Sanskrit, Pali, and Prakrit along with Panjabi and Braj. Guru Arjan gave this mixture the name Sahaskriti. Under the heading 'Salok Sahaskriti', there are compositions by both Guru Nanak and Guru Arjan. In addition, every salok prior to the pauri in Jaitsri Ki Var is in this language. Some examples include:

ਪੜਿ ਪੁਸਤਕ ਸੰਧਿਆ ਬਾਦੰ ॥ ਸਿਲ ਪੂਜਸਿ ਬਗੁਲ ਸਮਾਧੰ ॥

ਮੁਖਿ ਬੁਠ ਬਿਭੂਖਣ ਸਾਰੰ ॥ ਤ੍ਰੈਪਾਲ ਤਿਹਾਲ ਬਿਚਾਰੰ ॥

ਗਲਿ ਮਾਲਾ ਤਿਲਕੁ ਲਿਲਾਟੰ ॥ ਦੁਇ ਧੋਤੀ ਬਸਤੁ ਕਪਾਟੰ ॥

ਜੇ ਜਾਣਸਿ ਬ੍ਰਹਮੰ ਕਰਮੰ ॥ ਸਭਿ ਫੋਕਟ ਨਿਸਚਉ ਕਰਮੰ ॥

ਕਹੁ ਨਾਨਕ ਨਿਹਚਉ ਧਿਆਵੈ ॥ ਵਿਣੁ ਸਤਿਗੁਰ ਵਾਟ ਨ ਪਾਵੈ ॥੨॥

(ਮ: ੧, ਪੰਨਾ ੪੨੦)

ਨਹ ਚਿੰਤਾ ਮਾਤ ਪਿਤ ਭ੍ਰਾਤਰ ਨਹ ਚਿੰਤਾ ਕਛੁ ਲੋਕਕਹ ॥

ਨਹ ਚਿੰਤਾ ਬਨਿਤਾ ਸੁਤ ਮੀਤਰ ਪ੍ਰਵਿਰਤਿ ਮਾਇਆ ਸਨਬੰਧਨਹ ॥

ਦਇਆਲ ਏਕ ਭਗਵਾਨ ਪੁਰਖਹ ਨਾਨਕ ਸਰਬ ਜੀਅ ਪ੍ਰਤਿਪਾਲਕਹ ॥੧੫॥

(ਮ: ੫, ਪੰਨਾ ੧੩੫੫)

h) **Gatha** – This language is the same as Sahaskriti with minor differences. Guru Arjan has composed 24 saloks under this heading. According to some scholars, Gatha is a language that was rejected by the Brahmins as inferior to Sanskrit. Guru Arjan states within his composition under this heading that Gatha is a difficult language and only those with rare caliber are capable of understanding it.

ਗਾਥਾ ਗੂੜ ਅਪਾਰੰ ਸਮਝਣੰ ਬਿਰਲਾ ਜਨਹ ॥

ਸੰਸਾਰ ਕਾਮ ਤਜਣੰ ਨਾਨਕ ਗੋਬਿੰਦ ਰਮਣੰ ਸਾਧ ਸੰਗਮਹ ॥ ੧੦॥

(ਮ: ੫, ਪੰਨਾ ੧੩੬੦)

THE SIKH RAJ

Sirdar Kapur Singh

The learned author of *The Hindu Polity* makes the following observation, at the conclusion of his book:

But when there was a Hindu revival in the time of Sivaji and the Sikhs, the Sikhs as a polity failed, because they could not connect themselves with the Past. They followed a system which prevailed around them and established a polity of one man's rule. Guru Govinda wanted to remedy it, but the attempt brought out no man's rule. It was the Padshahi, the Moghul form, in success and in defeat, in rise and in fall. [1]

It is necessary to examine this observation so as to clarify certain implications of our main thesis. The problem of the origin, distribution and exercise of power is the basic question of polity and goes to the very roots of human civilization. This question, therefore, has naturally engaged the attention of the ancient Hindu thinkers, which is the Past and the background of the Sikhs and the Sikh doctrines.

In the *Rgveda*, the monarchy appears as the only and the normal form of government. In the *Aitreyabrahmana* supplement of the *Rgveda*, it is asserted that the Law can never overpower lawlessness except through a monarch:

The devas, the gods and asuras, the antigods, were at war. . . . and the asuras were victorious; they defeated the devas. The devas said, 'it is on account of our having no king that asuras defeat us. Let us have a king. To this all agreed. [2]

Do these *devas* and *asuras* represent the invading Indo-Aryan and aboriginal Dravidians of Harappa and Mohenjodaro respectively in the second millennium B. C. ? Did the Rgevedic Aryan borrow the institution of monarchy from their non-Aryan adversaries of northwestern India, and did they abandon their original republican tradition owing to the exigencies of war? Whatever the truth in these speculations, a thousands years' later, *Mahabharata* is quite clear that the republic or non-kingly forms of government are improper and unvedic. [3] In the third century B. C., Magesthenese recorded it as the accepted opinion that monarchy was the original and was prior to the republican form of Government in India. [4]

In ancient India, whether Hindu, Buddhist or Jain, all appeared to be unanimous that though kingly form of government is the most approved and desirable form of government, all the same it was an unfortunate necessity and in 'silver' ages of the past, a government itself was wholly unnecessary; "*na tatra raja rajendra na dando na ca dandikah, svadharmenaiva dharmajnaste raksanti parasparam*" [5] which means that 'in the earlier ages, there was no king and no state apparatus, no penal code and no one to administer it, for, everyone faithfully performed his duties and obligations.' Kingship came into existence to preserve, as much as was possible, of the golden age, in a period of all-out decline and degeneration in the current iron age' (*Aitreyabrahmana*, i. 14, *Taittiriyanisad*, i. 5). These earlier texts visualise the king as merely a war-leader, such as Indra is portrayed in the *Rgveda*, to protect and preserve the pure-race, the aryaans from external attacks, but later on, it would appear that, apprehension of lawlessness and fear of anarchy, *arajakata*, that is non-government chaos, preoccupied the minds of the sacerdotal theorists. The legend in *Mahabharata* (*Santiparva*, xii. 67) informs us that in the ages gone by, once upon a time, men met to keep the peace and to expel evil-doers. The agreement was, however, more honored in breach than in observance, as students of political affairs know only too well, as the normal human situation, and so men waited upon the Creator of the world, Brahma, who then ordained Manu as the first King, a good-hearted soul. He, however, declined the assignment on the true enough ground that government, politics and politicking involved much evil and sin, but the people overcame Manu's honest scruples by promising him a share of their crops and herds and also of whatever religious merit they might earn.

This is the origin of the theory of the divine king who derives his authority primarily from the Creator-god, Brahma, but who also bases his prerogatives on human consent that authorizes him to levy taxes.

There is another story in the *Mahabharata* (*Santiparva*, xii. 59) according to which not lawlessness and social chaos but religious decline, irregular performance of sacrificial ceremonies, Yajna, threatening the cosmic order and existence of the gods themselves that obliged Brahma to compose the basic text on Polity, where upon the gods approached the Preserver of the Universe, Visnu, who then, out of his own mind, *sankalpa*, created a miraculous and supernatural being to rule over men and to ensure that the latter performed their religious duties duly.

This *Mahabharata* story further tells that the first king was Virajas, who in fullness of time was succeeded by a self-willed, progressive-minded king, Vena, who promulgated a new Hindu Code, so to speak, legalising inter-caste marriages, thus inaugurating social chaos, *sankaravarana*, and this king Vena was then summarily destroyed by his priestly counselors, the *rishis*.

This is the origin of the fundamental Hindu right of the people to revolt against the State.

The points of this *Mahabharata* legend are clear, (1) the king is a divine figure nominated by gods in heaven and he does not derive any part of his authority from the consent of the people, (2) this king is the servant of the gods and he owes no obligation to men, his duty being to maintain religion and the social order sanctioned by it, and (3) the people may revolt against and destroy him if the king does not serve the gods well and faithfully.

The other polarity of the doctrine of the origin of kingship is enshrined in the Buddhist legend (*Digh-nikaya*, III. pp. 92-3) as the 'Mahamat's Doctrine' according to which 'the Hon'ble chosen one', the king, was elected at an enormous gathering of the people at a time when private property and family were being subject to all kinds of arbitrary ceilings, and unnatural interference in natural generation, *santansanyam*, and the king was appointed to maintain freedoms of lawfully acquired property and normal propagation of progeny and as his fees for performing these duties he was to be entitled to levy taxes in cash and kind.

This is the earliest version of Rousseau's doctrine of Social Contract, making the king as a mere servant of the people.

The earthly *Arthasastra*, however, tells us that the divine-king theory as well as the civil-servant theory might both be pressed into the service of political propaganda. At one place, *Arthasastra* (xiii,1) advises the king to instruct his Public Relation agents to make it known that the king is divine, while at another place (X. 3) the king is told to say before his troops that he is a paid servant, just as they are, of the state.

In this legendary background a picture emerges from pre-Christian centuries onwards, after the raid of Alexander into the Indian satrapy of the Persian empire, and the establishment of the Mauryan empire, in which the republican form of government, to the existence of which the Greek writers and the Buddhist chronicles bear ample testimony, almost disappears from India for the coming two and a half millennia and monarchy becomes the only accepted and prevalent form of government, till the establishment of the Republic of the Union of India in 1950. Obviously, it was this hoary Hindu tradition to which Maharaja Ranjit Singh tried to link the destinies of the Sikh nation and not to "the Padshahi, the Moghul form", as Dr. Jayaswal erroneously thinks, and as we shall see, the Sikh polity failed or received a temporary setback, precisely because of Maharaja Ranjit Singh's desire to 'connect the Sikhs with the Past', in disregard of the clear injunctions of Guru Gobind Singh to the Khalsa,

to march to securer stability and more enduring prosperity by renouncing Brahmanic traditions and the leadership of the priestly Brahmins, which is a pre-requisite of the Divine aid to the Cause of the Khalsa. [6]

For, "the only essential tenets of Hinduism are recognition of the Brahman caste and divine authority of the Vedas. Those who publicly deny these doctrines as the Buddhists, Jains, and the Sikhs have done, put themselves outside the pale." [7] It was the desire of this one strong man, Maharaja Ranjit Singh, who imposed it upon an unwilling nation, to revert to the pale of Hinduism, that forced the Sikhs to try the fatal experiment of Hindu monarchy which resulted in the failure of the Sikh polity in the first half of the 19th century.

This monarchy as the form of government, declared and accepted as the only proper form of government for the Hindus was, as we have seen, accorded divine sanction, as, in the *Manavadharma-sastra* it is laid down that, "God Himself created the King to protect people from lawlessness." [8]

Since the King ruled by divine right, he was a god, unamenable to the control or opinions of the people, as for as theory goes and, therefore, "Even an infant King must not be despised, as though a mere mortal, for, he is a great god in human form." [9]

The king, to be formally invested with godhead, must, however, be anointed with the *abhiseka* ceremony by the Brahmin priest, for, an unanointed king is an unlawful king whom the gods do not favor. An unanointed king is a term

of contempt in Hindu politics, and it is declared that, “Such barbarous customs are the hallmark of dirty westerners and foreigners.” [10]

So far as Hindu king is subject to the control and influence of God Almighty and His Brahmins only, the earthly *Arthashastra* of Kautiliya decrees, somewhat inaccurately, that “A single wheel cannot turn and so government is possible only with assistance. Therefore, a king should appoint ministers and listen to their advice.” [11]

This is the eternal triangle of Hindu monarchy, the god-king, the priestly Brahmins, and the ministers by royal choice. Here is a king who has no legislative powers and whose function it is to uphold the social structure of *varnasramadharm* as laid down in the Brahmanic sacred texts, whose formal installation is dependent upon the approval and good will of the hereditary priestly class of Brahmins, and who is constantly surrounded by a clique of ministers of his own creation, who tend to usurp his powers and replace him. This Hindu polity ensures a static, conservative society which abhors social progress and change as intrinsically un-desirable and dangerous, for *Manavadharmasastra* bids a citizen to—” walk in that path of good and virtuous people which his father and grandfather followed; while he walks in that, he will not suffer harm.” [12]

It further ensures that this Society is upheld by an autocratic king, who rules not only by divine right but as a divine being, answerable to no mortal on earth as far as the theory goes. As a necessary consequence, this form of government ensures the intellectual leadership of the Hindu Society to the priestly Brahmins, who are, ex hypothesi, committed to the *varnasramadharm*, the fourfold economic-political structure of the Hindu social pyramid. The concept of human, man-made, legislation, as an instrument of social change, social justice or amelioration of human inequalities, simply cannot arise in this polity, for, as Henry Ward Beecher has rightly said, “Laws and Institutions are constantly tending to gravitate. Like clocks they must be occasionally cleansed, and wound up and set to true time.” And this leads to another, equally grave, consequence. The continuity and stability of State depends upon a permanent, well-trained and loyal Civil Service, and a permanent Civil Service stems out of the concept of impersonal law and the rules to which this law gives birth, the day-to-day implementation of which is the function of such a Civil Service. The concept of the impersonal law alone can give birth and validity to the modern concept of ‘State’. In an autocracy, there is no rule of law, but the rule of the fiat, and it is the whim and the will of the ruler which is paramount and supreme. If there is no rule of law, there is no State, but only the personal domain of an individual, which is born with every new ruler and dies away with him. In such a polity, there can be no permanent Civil Service, but only a team of personal minions and there can be no loyalty to any supra-individual state, which does not exist. All is personal favor and personal loyalty, preferment and courtier-ship, fiat and whim, presided over by a paranoic individual, under the delusion that he is a god, subject to the control of no man on earth but, in practice, a prisoner of the priestly Brahmins and his own creation, the ministers.

True enough, there is no proper concept of ‘State’ understood or recognized in Hindu polity. There is the concept *raja*, the king, and the concept of *rajya* ‘the kingdom’ or, more accurately, ‘that which pertains to a king’. True, it was recognized that there are seven *prakritis* or characteristics of a kingdom and this is the maximum approximation to the western concept of ‘State’ in Hindu polity, a concept of a State in an embryonic form, by no means even remotely comparable to the Platonic or Hegelian ‘State’. In a text on Hindu polity, called *Sukraniti*, a vastly more developed concept of ‘State’ is given, derived from the formula of the Seven *Prakritis*, but it has now been finally established that *Sukraniti* is a composition of the 19th century by a Brahmin, who was well-acquainted with the government Regulations of the East India Company and the Marathas administration. Government, in Hindu polity is extension of the king and the king’s duty is to protect social order which is fixed and predetermined. This the king does through *danda*, punishment and coercion, for, as it is put in the *Manavadharmasastra* tersely, “a sinless and straight man is hard to find.” (VII. 38). There is a mystical nexus between the *raja* and his *rajya*, the king being the microcosm of his kingdom. A righteous king not only produces good citizens but also good crops, the right weather, peace and prosperity: *raja kalasya karnam*, as *Sukraniti* puts it, ‘the king causes the times to be what they are’. This idea is unambiguously expressed in the Greek inscription of Asoka discovered in 1957, at Kandhar, in the Kabul Valley : Now, owing to the piety of the King, everything prospers throughout the world. [13]

It is not exactly a cause and effect relationship but something mystical and extra-rational that conceives of the king and his kingdom as an integral unity. And both must live and perish together as is the case with the body and the soul.

This is the whole weakness and tragedy of the Hindu polity, the Hindu theory of monarchy, a stateless kingdom, a lawless government, without a permanent Civil Service and a polity, grounded in a triangle of king, Brahmins and

ministers, with inherent seeds of self-destruction. This is the key to the recurrent impermanence of all great kingdoms of ancient and medieval India, the Maurya empire, the Gupta empire, the Harsha empire, the Pala kingdom of Bengal and Bihar, the Pratiharas of Kanyakubja, the Kalchuris of Tripuri, the Chalukyas of Gujarat, the Senas of Bengal, the Pallavas of Kanci, the Chaulukyas of Kanci and Vengi, Rastrakutas of Mankheta, Cholas and Hoyaslas of Tanjore, Yadavas of Devgiri, Kaktiyas of Warangal, Pandvas of Madurai, the Vijyanagar empire, and the modern Maratha empire and the Sikh empire. It is the same story again and again; the god-king dies, is defeated or disappears otherwise; there is no state, no corpus of secular law, no legislating organ, no permanent Civil Service there to ensure continuity, and chaos follows in the wake of brilliant achievements of individuals, and decay supervenes after remarkable peaks of civilisation and culture reached. More often than not, a minister succeeds in obtaining complete control of a kingdom and the king becomes a denizen of the land of the dead, or a mere puppet. This happened more than once in ancient India, as in the middle of the 4th century B. C. Mahapadma Nanda, the emperor of Magadha, was a virtual puppet in the hands of his minister, Chanakya, who later on helped Chandragupta to found the Mauryan empire; this happened in the Vijyanagar empire, where the aged Ram Raj who lost the battle of Talikota (1565), was not the legal king, but the hereditary minister of the insignificant Sadasiva; this happened in the Maratha state, where the descendants of Sivaji were completely eclipsed by the peswas, and the same thing happened in Nepal till only recently. It was precisely this eternal trend of the Hindu polity which so heartlessly destroyed the Sikh empire through low conspiracy, vile treachery, and rank betrayal, in the vain hope of replacing the descendants of Maharaja Ranjit Singh by the descendants of minister Dhyani Singh Dogra.

And, what about the Islamic polity, the mughal pattern of administration, which our learned critic, Jayaswal, tells us, Maharaja Ranjit Singh followed that led to one-man rule?

A *hadith* of the Prophet tells us that ‘king is the shadow of God on earth.’ [14] A Persian manuscript [15] of twelfth century informs that, ‘if there were no king, men will devour each other.’ On the authority of Alchemy of Felicity [16] by famous Al-Ghazzali, (1058-1111) we learn that ‘king is the heart of the organism of the State’. Mujjaddad, the famous Indian Muslim theologian, a contemporary of Akbar and Jehangir asserts in his letters [17] that, ‘king is the soul and people the religious frame.’

What does all this language of images and symbols mean in simple words? It means that the ideal of an Islamic state is not self-government by the people but the observance of the laws of the Qur’an and the traditions of the Prophet. The begetter of the idea of the Islamic state of Pakistan, now transformed somewhat unislamically into the Islamic Republic of Pakistan, has tersely summed up the ideal of an Islamic State, by exhorting its citizens: “Repudiate democracy and representative forms of Government and become efficient law-abiding slaves of the Islamic State.” [18]

In an Islamic State the ruler is the administrator of laws laid down by God Himself and the ‘Ulema, the theologians, consider themselves to be the persons best qualified to explain those laws. The Caliph, the Sultan or the Amir, is merely the executive officer whose task it is to see that the divine rules, as interpreted by the theologians, are duly observed. These are the fundamental features of an Islamic State and its feudal or agrarian economic framework is a mere superstructure, a secondary character of this state.

What had Ranjit Singh’s Government in common with such an Islamic State except that its military organization, its fiscal system and its structure of feudal levies and agrarian laws were similar to those of the prevailing Mughal pattern, which ‘blemish’ was shared by the Marathi Pad-Padshahi also in equal measure?

But this tradition of Hindu polity of monarchy, or the Muslim polity of Islamic State, are not the only traditions familiar to Hindus. As we have suggested earlier, there are reasons to believe that this tradition was alien to the early Indo-Aryans and they apparently accepted it subsequently, when they came in contact with the Mohenjodaro civilization and peoples who along with other ancient contemporary civilization of the second and third millennia B. C. had a universal tradition of god-kings. We consider it as alien to the pristine Indo-Aryan tradition, for it is not supported by any reference in the earliest and the main corpus of the *Rgveda* and it finds mention only in its supplemental corpus and in the later Vedas, in particular, the *Atharva*, which is admittedly “the least ancient and which shows marked Semitic influence.” [19] Though undoubtedly a repository of much that is ancient and pristine, while the earliest and the main corpus of the *Rgveda* suggests and adumbrates another and republican tradition of organization and exercise of power. Further, this tradition of monarchy in Hindu polity, stoutly upheld by the Hindu thinkers in the historic period, is strangely reminiscent of the similar, identical and older tradition of the civilizations

of Sumer, Assyria and Babylonia which were, if not anterior to, certainly contemporaneous with the Mohenjodaro civilization. This Mohenjodaro civilization which, under the military shock of the Indo-Aryans, deliquesced into Hinduism and Hindu civilization, [20] was not, as was believed a few years ago, confined to the Indus Valley and the Punjab alone, but extended over the most part of Northern India, as archaeological excavations undertaken during 1950-51 and more recently, reveal and this great civilization was in constant commerce and contact with its mighty contemporaneous civilizations and peoples across the Persian gulf.

It is in this context that the now famous Code of Hammurabi, acquires a lively significance for us while considering the Hindu polity. Hammurabi was the king of Babylonia during 2123-1081 B. C., about four thousand years ago. He promulgated a Code of Laws in his dominions, a copy of which came to light in 1902 when this Code engraved on a diorite cylinder that had been carried from Babylon to Elam in about 1100 B. C. as a war trophy, was unearthed at Susa. [21] One side of this cylinder shows the king, Hammurabi, receiving the Laws from the God on High, the Sun-God, Shamas, Himself. The prologue on the other side of this cylinder says:

When the lofty Anu, King of the Annaki and Bel, Lord of Heaven and Earth, He who determines the destiny of the land, committed the rule of all Mankind to Marduk. . . . When they proclaimed the lofty name of Babylon, when they made it famous among the quarters of the world and in its midst established an everlasting kingdom whose foundations were firm as heaven and earth—at that time Anu and Bel called me, Hammurabi, the exalted prince, the worshipper of the gods, to cause justice to prevail in the land, to destroy the wicked and the evil, to prevent the strong oppressing the weak.

Is not the doctrine of divinely appointed god-king, as laid down in our *Manavadharmasastra*, '*raksarthamasya sarvasya rajanam-sarjata prabhuh*' [22], almost a paraphrase of parts of this prologue contained in the Code of Hammurabi? And, is not the functional claim of Hammurabi made in this Code strangely reminiscent of the functional purpose of the Divine Incarnations, as laid down in the Bhagavadgita : *paritranaaya sadhunam vinasaya ca duskrtam, dharma sansthapnarthaya sam bhavami yuge yuge*. [23]

This Code of Hammurabi contains 285 laws, all secular in character, arranged almost scientifically, under the headings of Personal property, Real estate, Trade and Business, the Family, Injuries, Labour, etc., and the prototypes of these laws were the Sumerian laws which during the days of Hammurabi, were already two thousands years old.

This is the Hindu polity, and this is “the Past” with which Maharaja Ranjit Singh attempted to connect the political destiny of the Sikhs, which resulted in the failure of the Sikh polity and consequent enslavement of the Sikh people, a condition to which Guru Gobind Singh had specifically bidden them, never to submit. This “Past” is, in important essentials, is the same as “the Moghul Padshahi,” the Islamic monarchy, because the origin of both is the same, the ancient semitic civilizations of Sumer, Assyria, Babylon, Egypt, and the civilisation of Mohenjodaro. In the Islamic monarchy, the king assumes the status of Mohammed’s apostle instead of that of god, though by no means less exalted, as is apparent from the claim, which the Moghul emperors validly made for themselves, of being the *Zilli-Ilahi*, the Shadow of God, on earth. The laws of the static conservative society which a muslim monarch is required to uphold are derived from the Qur’an and the *hadith*, instead of the Vedas and the *dharmasastras*, and the hereditary intellectual leadership of the Brahmins is replaced by the arrogant and presumptuous prerogatives of the ‘Ulema. Likewise, the Islamic monarch has his ministers, selected and appointed by royal arbitration, whose functions are excellently and truly summed up by Sadi, the Persian didactic poet (1184-1282), in the famous quip to the effect that a minister’s “loyal duty is to say, ‘Sire, look, how beautifully shine the moon and the stars’, whenever His Majesty, the King, asserts at midday, ‘It is night’ [24]. Such ministers, whether of Hindu monarchy, Maratha Pad-padshahi, Mughal Badshah, or a Sikh Maharaja, can hardly be anything but obsequious courtiers to, and surreptitious intriguers against the very monarch, who creates them, and they cannot, as a rule, provide any real assistance or check and counter-balance to the will and wishes of their king.

The long glorious history of the Hindu kingdoms, the illustrious and long story of the Muslim monarchies, and the sad solitary tale of a Sikh kingdom, broadly support the analysis of this theory of monarchy.

What was the pristine Indo-Aryan or, more correctly, Aryan tradition of polity at which we have hinted, a few pages *supra*, and which tradition flourished amongst Aryans of Greece and the Aryan settlements of northern India till, in the latter case, it was destroyed completely under the impact of monarchical *ekraja* systems and Huna invasions by the 5th century and which tradition, in the former case, after many vicissitudes, has flowered into the republican democracy of

the United States of America and the constitutional monarchy of Great Britain ? For, it is to this star of tradition and polity that Guru Gobind Singh has hitched the wagon of the Khalsa, and through them of the Hindu race and the whole mankind, for their sure progress on the road to unlimited prosperity, happiness, freedom and spiritual expansion.

The idea of a *samiti* or a Folk-assembly is adumbrated in the *Rgveda* itself, where there is a prayer for “a common assembly and a common policy.” [25] In the later *Atharvaveda* there is a reference to the continuity of this tradition, where “a general session of this, the folk-assemblies” [26] is spoken of. The same Atharva declares this *samiti*, the Sikh equivalent of which is the *sangat*, as “a daughter of God,” [27] i.e. eternal or *sui generis* sovereign. It is this doctrine which the Sikh Gurus revived when they declared that “the Guru’s sovereignty is full, of twenty measures, but that of the *sangat*, as the mouth-piece of the people, is of overriding paramountcy, of twenty-one measures.” [28] The Sikh doctrine of the *sui generis* and inalienable sovereignty of the Khalsa perfected by Guru Gobind Singh, stems out of, and is grounded in, this pristine Aryan tradition of polity. The same hymn of the *Atharva* refers to the ‘common Assembly’ of the *Rgveda* as *sabha*, adumbrating the principle of collegial representation, when every citizen’s personal representation, becomes impracticable.” The *samiti* and the *sabha* are the two daughters of the *prajapati*, god,” [29] it declares, implying that the principal of indirect representation in no way detracts from the sovereign character and authority of the representative *sabha*. This representative Assembly of the People, is given the name of *narista* in the same hymn. [30] *Sayana* the medieval commentator of the Vedas, in his *Sayanabhasya*, explains this term, *narista* to mean that which is final and cannot be violated, “*narista*”, he says, “from its inviolability, the same is derived.” [31] The *samiti* and the *sabha* consist of, or, are representative of the whole People, *visah*, [32] and there is no disfranchised secondary citizenship, slaves or *zimmis*, inferior citizens of the Islamic law, in this pristine Aryan polity. This representative Assembly of the People, the *sabha*, though sovereign, is still subject to certain eternal principal of good conscience and *bonafides* and through transgressing these principles the Assembly loses its representative and sovereign character. This dictum is preserved in a Buddhist Pali Jataka which says that

the Assembly which has no well-meaning and honest members, is no Assembly, the members who do not speak and act bonafides, are no honest members, and the honest and well-meaning members are those who are not swayed by bias or favor and who speak out truthfully and fearlessly. [33]

These are the roots out of which the main doctrine of the Sikh polity grow. These doctrines constitute a septinate of the following order:

- (1) The *sangat*, meaning, the local folk assembly of direct representation.
- (2) The *Panth*, which is the whole Commonwealth represented by the Peoples’ Assembly of indirect representation.
- (3) The *Khalsa*, which postulates the *sui generis*, inalienable sovereignty of the People.
- (4) The condominium of *Guru Granth* and *Panth*, which implies that the exercise of power is always subject to *bonafides* and good conscience.
- (5) The *Panjpiaras* which is the doctrine of collegial leadership in the direction of State policies. [34]
- (6) The *Gurmata* which is the symbol and form of the authority of the Collective Will of the people duly formulated.
- (7) The *Sarbat Khalsa* doctrine of completely equalitarian free democracy.

Did a republican polity ever function in India, of which any credible evidence is available? And did the Sikhs ever attempt to put principles of their polity into practice?

The answers to both these queries are in the affirmative.

In 330 B. C. Alexander, the Macedonian, defeated Darius III, the last of the Achaemenids, and entered on a campaign to subdue the whole of the Persian empire of which the Gandhara and the Hindush, the present Pakhutunistan and the West Punjab of Pakistan, were satrapies or provinces. After a long campaign in Bactria, the Oxus region Alexander crossed Hindu Kush to occupy the Kabul region. He crossed Indus in the spring of 328 B. C. after the king of Taksasila, Ambhi, had submitted to him, and he crossed Jhelum in the winter of the same year to defeat Paurava, the local chief, by a strategy which would render him a war criminal in the eyes of the International conventions or laws of those days, for, it was an accepted Aryan convention not to attack the enemy at night, and never without a forewarning, both of which conventions, the chivalrous Paurava took it for granted, would be observed by the enemy in this case, but which the world-conquering Greek hero violated at the first opportunity to win an un-Aryan victory over his Oriental adversary. It is interesting to recall here that only a year earlier, at the battle of Arbela, in 331 B. C. Alexander had spurned the suggestion of Parmenio to surprise the hosts of Darius by night attack, saying, “No, I will

not steal a victory.” Obviously, the tradition of Europeans to relax their morals on crossing the Suez into Indian Ocean is of ancient origin. Justly did Vrahmihira, the astronomer, whom Indian writers [35] place in the second century before Christ, while European writers [36] in the 6th century bemoan in his *pancasidhantika* that “although the Greeks are well advanced in the sciences, they are otherwise uncivilized”. [37]

After this victory, Alexander advanced farther east, meeting with stiff resistance from small republics and local militias, till at the western banks of the river Beas, his soldiers lost heart, and the conqueror was obliged to beat a retreat, across the Punjab and down the Indus, throughout meeting with stiff opposition from local republics and tribal democracies. Before he could reach his homeland, Alexander, though he survived Hindu military attacks, was finally overpowered by the febriculous toxin-injected in nocturnal un-Aryan raids into his European veins by Hindu mosquitoes of the anopheline caste, as a consequence of which he died of high fever at Babylon, in 323 B. C. and the last of his generals, Endamus, was obliged to vacate the overrun portions of north western India in 317. B. C. When in 305 B. C. Seleucus Nicator, another general of Alexander, once again tried to reassert Greek dominion over this north western India, he met with such a severe defeat at the hands of Chandragupta Maurya, ‘Sandrocottus’ of Plutarch, that Seleucus had to cede Kabul valley and give the hand of his daughter in marriage, as terms of the peace treaty to the victor. It was an ambassador of Seleucus, Megasthenes, at the Mauryan court at Patliaputra, who wrote a detailed account of India, the first eyewitness record of a foreign traveller, which gives such valuable information about the social and political conditions of the country in the 3rd century B. C. Though no manuscript of Megasthenes’s description of India has survived, many Greek and Latin authors had made use of it, from which Megasthenes’s *Indica* has been reconstructed.

Megasthenes definitely states that two forms of government, monarchical and republican, were then prevalent in India.

They report everything to the king where the people have a king and to the magistrates where the people are self-governed. [38]

One such republican people, referred to by Greek writers, are the forefathers of the modern Majhails, the back-bone of the Sikh people, who, just before Alexander’s raid, had inflicted a defeat on the valiant Paurava, and who, though hopelessly outnumbered by the Greeks, fought Alexander by the *sakata-vyuha*, or ‘waggon-formation,’ which the Greek phalanx could not pierce, and who refused to submit formally. The Greek writers call them “Kathians” and describe them as a nation, residing to the east of Hydraotes or the river Ravi, the present districts of Lahore and Amritsar of the West Pakistan and Indian Punjab, respectively.

The Kathians themselves enjoyed the highest reputation for courage and skill in the art of war. [39]

It will be recalled that the descendants of the “Kathians,” the Majhail Sikhs, were the leaders of the Sikh mass of about 30,000 unorganized men, women and children at village Kup, near Malerkotla, in the Indian Punjab, who were surprised and attacked by the 100,000 strong veteran Afghan horsemen of Ahmad Shah Abdali, on the grey raw morning of 5th February, 1762, killing over 15,000 Sikh women and children, mostly in the first onrush, and as many men more in the next few days of the Sikhs’ retreat towards Barnala in the Patiala District. In this carnage, called the ‘Great Holocaust’, *wadda ghalughara* in Sikh history, the Sikhs defended themselves by means of the same *sakata-vyuha* with which they had met the equally overwhelming numerical odds of the Greek invaders, and once, though literally decimated to a man, they refused to submit. The capital city of these “Kathians” is mentioned by the Greek writers as “Sankala,” which most probably occupied the site at which the Sikh Gurus built Amritsar at the end of the 16th century. To the west of this Majhail republic, adjoining their territory, was a republic state of the “Sophytes,” whom Dr. Sylvain Levi has identified with the Sambhutis [40] whose territory extended upto the Salt Range, the frontier of the territory of Paurava. Their cities

were governed by laws in the highest degree salutary. . . . and their political system was one to admire. [41]

It was from this region that the ancestors of Maharaja Ranjit Singh arose to help build the foundations of the Sikh Commonwealth which the Maharaja converted into a monarchy. Two city states are further mentioned as republics, on the west Beas, but their names, unfortunately are not given. [42] When the army of Alexander reached Beas, he received intelligence that across the river there was the territory of a republic, which was

exceedingly fertile and the inhabitants [of which] were good agriculturists, brave in war and living under an excellent system of internal government. [43]

The territory of this republic extended, it would seem, upto Jamuna, beyond which was the empire of Mahapadma Nanda. The citizens of this trans-Beas republic, had, according to Arrian, elephants of superior size and courage and in greater numbers, and so the Greek invaders “now began to lose heart,” and “positively asserted that they would follow no further.” [44] The citizens of this republic were the forefathers of the Sikhs who founded the cis-Sutlej Sikh states in the 18th century, which endured upto 1956, when they were finally merged in the state of Punjab of the Indian Union.

Thus Alexander retreated. On his retreat, upto Baluchistan, almost all the people Alexander met, were republican. The most powerful republics amongst these people are mentioned as “Oxydrakai” and “Malloi” the Kshudrakas and Mallavas. Their cities were along the river Chenab, and their capital was on the river Ravi, probably, at the site now occupied by Lahore. These two republics in a confederacy, mustered, according to Curtis, [45] 100,000, soldiers to block the retreat of Alexander, whereupon,

the Macedonians lost their heart at the prospect of meeting this army. . . . When the Macedonians found that they had still on hand a fresh war in which the most warlike nation in all India would be the antagonists, they were struck with an unexpected terror, and began again to upbraid the King in the language of sedition. [46]

It was, while assaulting this capital city or some other city of this confederacy that Alexander almost lost his life. Greek writers assert that this confederacy was defeated, but Patanjali in his Mahabhashya shows the Ksudrakas as emerging out victorious. [47] These ksudrakas and Mallavas are, undoubtedly, the ancestors of most of the Majhismis of the Sikhs of the 18th century, who, as we shall presently show, organised themselves on the basis of republican polity, before they were absorbed into the Sikh empire of Maharaja Ranjit Singh. Next republic mentioned by the Greeks is “Sambastai.”

They were a people inferior to none in India, either for numbers or for bravery, and their form of government was democratic. [48]

Alexander made peace with them. The next “independent nation” which Alexander encountered were the “Xathroi”, or Khattris. Most of Sindhi sahajdhari Sikhs, now settled throughout India, and particularly in the Bombay area, are the modern descendants of these republican people. Another republic mentioned by the Greek writers is, “Musicani”, which, from the scanty information given, is difficult to identify now. Their realm is described as “most opulent in India”. [49] It is said about “the Musicani” that they took their meals in a common kitchen, a practice revived by the Sikh Gurus, in the well-known institution, Guru-ka-langar. The institution of Guru-ka-langar, (langar Sanskrit, analgrha, meaning ‘fire-place’ (kitchen) which was used by the Sikh Gurus as a powerful lever for equalitarian uplift of the people, by demolishing caste-barriers and the economic apartheid of *varnasramadharm*, is a pristine Aryan institution, non-Brahmanic, but having Vedic sanction. A reference to the community kitchen, a sort of Guru-ka-langar, occurs in the Atharvaveda, [50] which says, “Identical shall be your drink, in common shall be your share of food.” These “Musicani,” whoever they were, are certainly the spiritual, if not endemic, progenitors of those, now a Sikh people. Another city republic, called “the country of the Brachmins”, is mentioned by the Greek writers. [51] “These philosophers”, bewails Plutarch, [52] “gave Alexander, no less trouble” than others. To the south of this ‘city of brachimns’ was the republican state of “Patala”. ‘Patala’ has been identified with Haidarabad Sind, whose ancient name, Patalpuri, is still remembered. Before Alexander arrived, the whole population of this republic migrated to avoid submission.

This seems to be an ancient tradition of republican Aryan freemen, to prefer migration to submission. It is recorded in the *Jataks* and the *Mahabharata* that the citizens of the Vrsni republic migrated from Mathura to Dwarka to avoid submission to Jarasandha. ‘Sibis’ of the Punjab migrated to Rajputana and some of them migrated to Kangra hills in the area now called, Dada Siba, under similar circumstances. The Mallavas of the Punjab, migrated to Malwa in central India under the impact of White Huna invasion, and later on established powerful states there, as Agnikula Rajputs. The Powars or Parmars, a branch of these Agnikula Rajputs founded the Malwa state, with its capital at Dhar, whose most powerful king was Bhoja (1018-1060), not to be confused with his namesake of Kannauja. Bhoja was a scholar of legendary repute, and a patron of learning having the reputation of an ideal Hindu monarch. He is the author of numerous works on astronomy, architecture and poetry and he adorned his capital, Dhar, with many fine buildings,

one of which was a Sanskrit college, now a mosque, and the great irrigation lake at Bhojpuri, measuring 250 square miles in area, which he constructed and which was breached by Muslims in the 14th century, and has never been repaired since, was a remarkable feat of engineering. When Dhar was overrun by Muslim invaders in the fourteenth century the whole population of the ruling Powars, original Mallavas of Alexander's time, migrated towards Punjab, their original habitat and established their headquarters at village, Kangar in the Patiala region, to which place Guru Gobind Singh, repaired in 1706 to write a letter of admonition to emperor Aurangzib, inviting the emperor for personal interview there and assuring him of a safe conduct and a friendly reception [53].

These people are now known as Dharwar or Dhaliwal Jats, and are found in Patiala, Ludhiana and Amritsar Districts mostly. The veteran General, Akali Phula Singh of Nowshera fame, was one of those whose ancestors had thus emigrated from Dhar. It was the same spirit and tradition of republican independence, which impelled the Sikhs of the West Punjab, along with their endemic Hindu groups, to choose instinctive migration from Pakistan in 1947, while no such reaction was evinced by the Indo-Mongol East Bengal Hindus.

During the pre-Christian era, the Greek invaders throughout the major portion of the Punjab and Sindh, encountered only two of three monarchical systems of government which, in all probability, were elective monarchies, and all others, scores of them, were republican.

This story of political organisation in northwestern India in ancient times, revealed by foreign observers, finds some corroboratory support in ancient Sanskrit literature as well.

Panini, the illustrious Professor of Grammar at the Taksasila University, modern Taxila, is placed by European scholars at the close of the 6th century B. C. on the basis of political data found in his *Astadhyayi* Grammar. Without doubt, this Grammar is one of the greatest intellectual achievements of any ancient civilisation and it is the most elaborate and scientific grammar composed by any one in the world, before the 19th century. But it is so terse, that without a preliminary study, it is difficult to follow without the aid of a suitable commentary. Later Indian grammars are mostly commentaries on Panini, the most famous of which is the *Mahabhashya* of Patanjali of about three centuries later and *Kasikavritti* of Jayaditya and Vaman of thousand years later (6th century A. D.). Panini says "that the word *sangha* is in the meaning of *gana*." [54] *Gana* means numbers, the people, the majority of them. That is why Kasikavritti explains, "*Sangha* is in the meaning of *gana*; why, because it is the majority which is the essence of *sangha*." [55] That *gana* means a republican government becomes quite clear from *Mahabharata* where Yudhishtra puts the question to Bhishma:

I desire to hear O wise and sagacious teacher, how the *ganas* achieve prosperity and how they counteract the enemy sabotage, and how they are victorious, gain alliances and expand, Disunity apparently is the root cause of their ruin, and their greatest weakness, I think, is to keep the resolutions of the state secret, on account of their large numbers. [56]

There is no manner of doubt that these republics or *sangha* were in existence in the north western India, as Panini himself enumerates these republics by name, in which are included the Ksudrakas and the Mallavas encountered by Alexander. [57] Some of these republics, Panini describes as *ayudhyajivinis*, in which all able-bodied citizens bear arms. Earlier, we have noticed that the Greek writers found the Ksudrakas and Mallavas as being famous for their military skill. Do we, here, have the prototype of the Khalsa of Guru Gobind Singh, whose members are required to bear arms and to acquire skill in them with a view to protect and maintain their political independence and way of life? [58]

Another point Panini while enumerating the *sanghas*, adds that they are situated in the *vahika* land. The *kasikavritti* explains that the Ksudrakas and Mallavas of Greek fame were *vahika sanghas*. [59] Mahabharata explains that the *vahika* land is 'away from the Himalayas' [60], i.e. does not include the mountainous Himachal Pradesh.

This *vahika* land is precisely the Sikh Homeland, the land of origin of Sikhism, and the republican roots of the Sikh polity sprout out of those hoary republican traditions of the race to which Guru Gobind Singh belonged. The territories of the Sikh Raj under Maharaja Ranjit Singh comprised this *vahika* land and the sub-mountain Himalayan lands of Jammu and Kangra, in addition to the exotic Kashmir Valley and the Little Tibet. The Bonapartist political policy of Maharaja Ranjit Singh, as we shall see presently, was beset with mutually contradictory trends of the republican temper of the *vahika* [61] land and the autocratic monarchical proclivities of the Himalayan *trigartas*, Jammu and Kangra, and the Sikh empire eventually blew up in 1849 by the incendiary powder of this mutual ideological conflict

between the policies and aims of the republican Khalsa Army and the despotic monarchical trends and aims of the civil apparatus of the Government under the exclusive control of the hill dogras, Dhyan Singh and Gulab Singh.

These *ganas* or republics were, by no means exclusively confined to the *vahika* land though the *vahika* land may be said to be the traditional birthplace and homeland of republicanism in ancient India. In the ancient Hindu literature *ganas* functioning in other parts of India are also frequently mentioned into the details of which it is not necessary to go here. These republics struck their own coins, some of which have been unearthed during the present century, and are now preserved in museums and private collections. These coins are struck in the name of the *gana* and not any individual, which fact provides a further link between these ancient political institutions and the Sikh political tradition. These coins bear heraldic legends in the then current Indian script of the pre-Christian era, and declaim in the following strain : “Victory to the *gana* of *Arjunayans*”, “Victory to the *Yaudheya-gana*.” [62] The Sikh greetings, coined and made current by Guru Gobind Singh, “The Khalsa is of God, Victory to God”, apparently has this ancient republican slogan as its prototypal idea and impulse.

Guru Gobind Singh’s “light passed into the Great Light”, *joti-jot-samae*, on the 8th October 1708, the preceding midnight. A little earlier he had dispatched Banda Singh Bahadur to the Punjab to establish the Sikh Raj, with detailed instructions on the strategy to be followed [63] and the pattern of the government to be established. [64] Precisely two years after demise of Guru Gobind Singh, in November 1710, the Sikhs, thus making the imperial rule of Delhi untenable over the whole of India. The coin which they struck, as a symbol of their sovereignty, bore the following heraldic legend.

This coin is struck as token of Our sovereignty Here and Hereafter.

This divine bounty flows from the central doctrine of Nanak (teghi- nanak), and the Victory and Felicity is the gift of Guru Gobind Singh, the King of Kings, the true Master. [65]

An official Seal of Sovereignty was also adopted and introduced, to the effect that,

“The ever expanding prosperity, the strength of arms, and continuous victory and common weal

Are all guaranteed to mankind by Guru Gobind Singh, the Nanak. [66]

It was an ancient tradition of the republics of the pristine Aryan polity to have an official heraldic legend and a seal, called *laksnam* and *ankam* respectively, as is implied by Panini. [67] After a brief spell of sovereignty of five years the Sikhs faced a fifty years’ persecution. pogroms and systematic genocide campaigns of the Mughal and Afghan tyrants, till in 1760, they again proclaimed their formal sovereignty at Lahore under the leadership of Jassa Singh Ahluwalia, and they adopted the legend of the official Seal of Banda Singh Bahadur, as their heraldic legend as well as the official seal citation, *laksnam* and *ankam*, both. For five years after this, the Sikhs had to face another genocide pogrom and campaign of the redoubtable Ahmad Shah Abdali, after which, in 1765, they reoccupied Lahore, and formally reasserted their sovereignty, again sticking to the ancient pristine Aryan tradition and the precepts of Guru Gobind Singh of republicanism, and adopting the identical legends for coins and the official seal, first introduced by Banda Singh Bahadur, in 1710.

This position and this tradition, was first compromised by Maharaja Ranjit Singh, gradually, progressively and purposely.

For almost twenty-five years, the general governance of the Sikh Raj at the capital of Lahore remained entrusted in the hands of a triumvirate of Sikh captains, and in the meantime, the Sikhs continued the struggle for liberating the whole of the Punjab, from the Jamuna to the Indus, from the yoke of foreigners and their collaborators and culturally foreign elements, and every captain jathedar or sirdar, who thus freed and liberated a territory for the Sikh Raj, had it entered in the records which were maintained by the Custodian-General at Akal Takht, Amritsar, in separate files, which in Arabic is *misl* (*misl* in Punjabi) till the time that the Sikh Raj would be duly regularized and established with a constitution based on the principles of Sikh polity. This is the origin of the Sikh *misls* or, confederacies, as they are somewhat loosely called. There were twelve such *misls*, autonomous Sikh militias, in charge of territories, each with a definite clear objective of conquest and preliminary consolidation before itself, it being tacitly understood throughout

that the ultimate aim was to establish the Sikh Raj in the land based upon the true principles of Sikh polity in accordance with the ancient precedents, and the precepts of Guru Gobind Singh. [68]

This tacit understanding is explicit in every Sirdar personally reporting the details of the area liberated by his militia, twice a year, to the Custodian-General at the Akal Takht, and in having the fact duly recorded in the Commonwealth Files, *the misls*; and he reported also, on the interim pattern of government which he set up in the territory under his militia's temporary control. Sir George Campbell, a foreign observer, giving eyewitness account, testifies that the internal government of Phulkian *misl*, out of whose territories subsequently stemmed the ruling states of Patiala, Nabha and Jind,

was much more than a mere village, a municipal government; it was diplomatically recognised as a state and had its own administration and state justice. . . . There was no chief or hereditary ruler; the state was governed by its panchas or representative elders . . . Mehraj continued a completely independent, self governing republic down to my own time. [69]

The same writer generally testifies that,

the Sikh system is very much like that out of which the German system sprang. They formed misls or confederacies. Twelve misls were recognized in early days. Each *misl* elected its own supreme chief and sub-chief, and every horseman had his rights and his share in the common conquests. The combined misls formed the Khalsa or the Sikh Commonwealth. Just as in Germany, the tendency was to an elective supreme chief who had very little power and whose place was not hereditary. [70]

What is this doctrine of *panca* which is enumerated in the very first pages of the Guru Granth, the *Japu* of Guru Nanak, which doctrine was given the form of the basic principle of Sikh organization and polity, the *panjpiaras*, by Guru Gobind Singh ?

Literally, the expression, *panca* means five. The number 5, is basic to the decimal system of enumeration, a gift believed to be, of Hindu genius to the world. It represents the five fingers of the human hand, including its master tool, the thumb, which has made homo-sapiens superior to the apes in technic-skill. The fingers of both the human hands add up to 10, which is the ultimate number. 5, as one term of this system of computation, is the number of the Hindu arithmetic, now adopted by the whole world. The Babylonian system of counting by 12's and 60's, which has been the basis of Indian coinage, weights and measures from times immemorial, till quite recently, when it has been replaced by the original Hindu system of decimals, is also derived from the number, 5, as one term of this system of computation. The number 12, the other term, represents the twelve months of the solar year, or twelve zodiacs of the sky, and the number 60, is obtained by multiplying it with 5. The other normative number 16, which forms the basis of old Indian coinage, is simply the square of 4, that is, 4x4, 'four' representing the four quarters of the Space and the perfect number of Hindu numerology. The expression, *pancha*, occurs in the *Atharvaveda* itself, where in a hymn, referring to election of a representative chief by the people, it is said:

The people elect you to exercise power, the whole people of five directions, *pradesah panca*, whose is the glory, for ever and for ever. [71]

The 'people of five directions' means all the people of the four directions of the compass and those who represent them at the centre, the venue of the Assembly. In the similar election hymns of the Atharva the expression *pancha*, frequently occurs as indicative of the whole assembly. In classical Sanskrit, however, this word, *panca*, has acquired a secondary meaning, that of 'moral intellect', *srestabuddhi*, and also one who is endowed with this 'moral intellect', integrity and conscience. The expression *panca* which occurs in the *Japu* of Guru Nanak, has to be interpreted in this context and background, where the text says:

The *panca* is the true doctrine.

The *panca* are supreme.

The *panca* must be recognised in the organisation of power, (literally in the courts of kings.)

The *panca* alone are fit to occupy seats of supreme authority for exercise of power.

The guiding light of the *panca* is their common objective of divine guidance. [72]

It was in exegesis of this text of the Guru Granth, apparently, that Guru Gobind Singh, while glorifying the *panjpiaras*, declared,
I am ever present, unseen, in the collective deliberations of the *panca*, and there is no higher guidance on earth, besides. [73]

It was in 1799 that Ranjit Singh, the Sirdar of the *Sukracakia-misl*, occupied Lahore, through fifth column activities and evicted the Sikh triumvirate from the control of the city and the neighboring territory. In 1801, on the Baisakhi day, he had the pre-requisite ancient ceremony of Hindu monarchy, *abhiseka* performed and he assumed the un-Sikh title of Maharaja. His native peasant shrewdness, however, warned him that he was sabotaging the very bases of the Sikh polity, and apart from choosing the Baisakhi day for his coronation, therefore, he had other spectacular Sikh ceremonies performed by the revered Bedi Sahib Singh of Una to consecrate his sabotage, and he declared, which declaration and camouflage he scrupulously maintained throughout his life, that he was to be styled and addressed as His Majesty the Maharaja, only by the non-Sikhs, the Hindus, the Muslims and others, but under no circumstances, by the Sikhs, for the Sikhs, he was always, a simple, *Singh Sahib*, an honorable member of the Khalsa. Within a few years of his coronation, he reduced into desuetude the supreme authority of the Sikh polity, the *gurmata*, and entrusted the control of the government of his expanding territories to a cabinet of his own choice, in accordance with the ancient Hindu monarchical tradition but *qua* his own person, in whom he had gathered all the power and authority of the state in accordance with the un-Sikh, Hindu doctrine, he never claimed independence from the *gurmata*. On one occasion, when the Custodian-General of the Akal Takht took exception to a certain conduct of his in private life, he readily and humbly bared his back for receiving public flogging as chastisement for his un-Sikh like moral failing, as the humblest member of the Khalsa would. Gradually, he replaced the original Sikh patent of Banda Singh Bahadur on his coins and royal seals, with the cryptic, *Akalsahaya*, “May God help,” without making it clear as to for whom the help of God was being officially invoked, for the Khalsa or for his Majesty, the Maharaja Ranjit Singh, and in the latter half of his reign, when he became securer in his position, he had the heraldic device of the *pipal*, *ficus religiosa* leaf minted on his coinage, to give his kingdom and dynasty a truly Brahmanic basis, divorced from the mores of Sikh polity. The royal “Daily Diaries” of the closing years of his reign are full of uninteresting and boring details of lavish and indiscriminate alms-givings to Brahmins, a duty which every Hindu monarch is enjoined to perform scrupulously and without fail in the ancient Hindu texts. Since the expansion, consolidation and protection of his empire throughout remained wholly dependent upon the arms of the Khalsa and the Sikh Army, he never styled his government as anything but the *Sirkar-i-Khalsa*, the Khalsa Commonwealth. Anybody who saw through the game, was demurrer or opposed to these un-Sikh trends of his policy, was tactfully, but without fail, eliminated from all effective voice in the councils of his government. Accordingly, General Hari Singh Nalwa, Baba Sahib Singh Bedi of Una, and Jathedar Phula Singh Akali, were kicked up or away or made otherwise ineffective. The antagonism inherent between his policy and aims, and the true principles and traditions of the Sikh polity, obliged him to debar virtually the employment of Sikhs in superior civil posts of his government, which were reserved for Muslims and Hindus only, as a rule. In pursuance of this policy of his, he raised the alien hill Dogras, Dhyansingh, Khushal Singh and Gulab Singh, almost from the gutter to positions of supreme authority in the civil apparatus of his government, and Teja Singh, an insignificant Brahmin of the Gangetic Doab, and Lal Singh, another Brahmin from Gandhara valley, were granted such influence which eventually raised them to the supreme command of the Sikh Army, and thus he dug his own grave, the grave of his descendants, and paved the way to the eventual enslavement of the Sikh people.

Once the true basis and the republican foundations of the *Sirkar-i-Khalsa* were thus well knocked out, the way was cleared for personal ambitions and intrigues in complete disregard of public interest or national good. The Dogras, the hill-aliens, indulged in low suicidal conspiracies to destroy and barter away the state in order to secure their own pre-eminence in the hill territories of the Sikh realm. The Chiefs of the state shamelessly placed their personal and family interests above the interests and safety of the state. The successors of Ranjit Singh themselves concentrated their entire individual energies to secure and strengthen their own illusory regal status even at the cost of the state’s territorial integrity.

Only the Sikh Army, the military arm of the Khalsa remained true to the Sikh polity approved and sanctified by the Gurus and they kept their faith and preserved their integrity up to the last. They could not save the Sikh state but in their defeat they upheld the eternal torch of true Sikh polity ensuring its emergence in the future on a securer and firmer basis.

Maharaja Kharak Singh the weak and gentlemanly successor of Ranjit Singh was slandered with the accusation that he wanted the *Sirkar-i-Khalsa* to be reduced to vassalage of the British East India Company and thus his promising son,

Prince Naunihal Singh, was permanently estranged from his father by documentary forgeries purporting to be diplomatic communications between Kharak Singh and the Governor General at Calcutta and under these circumstances he was finished through slow poisoning. Prince Naunihal Singh died or was murdered under dramatically suspicious circumstances the same day and thus Rani Chand Kaur, the widow of Kharak Singh became the Queen Regent of the State.

On the 20th July (1841) Clark reported the opinion of Dhean Singh that his endeavors do not afford any promise of stability of the government at Lahore. The doubts that the raja expresses of the intentions of British government excite little corresponding sentiments in the Khalsa. They are more under the influence of a feeling of rancor towards him than of enmity to the British government. As it is usually understood amongst them that the British government rejected an offer of the half of Punjab from Chand Kaur to interfere to set her up as a Sovereign, they believe that the British government desire the adjustment of their internal distractions. They would like to get rid of the hill rajas first, after that they might not be disinclined for a rupture with the British government.” [74]

Queen-Regent Chand Kaur was soon murdered in the palace by her maid servants under circumstances that squarely fix the blame on the “hill rajas”, Dhyan Singh in particular, and,

on the 20th January (1842) Shere Singh obtained possession of the (Lahore) fort and on the 27th finally succeeded to the throne. The anarchy in Lahore continuing, it was thought right to have a British force ready to help Shere Singh—in all 10,000 men under Major-General Lumley. Mr. Clark having informed the Governor General that he had a communication with a confidential advisor of Shere Singh with respect to affording of the aid of British of the troops on the condition of cession to the British of the Lahore territories to the north of Sutlej and the payment of 40 lakhs of rupees. [75]

Next year Sher Singh was publicly murdered by regicide committed by his Sandhanwalia kinsmen recently returned to Lahore from under the protection and hospitality of the British officers and thus Rani Jindan, a young widow of Ranjit Singh became the Queen Regent with Dalip Singh, the infant son of Ranjit Singh, placed on the throne,

The Ranee (Jindan) now reviews the troops unveiled and dressed as a dancing woman which pleases the old and gratifies the young but her irregularities are so monstrously indecent that the troops have held her horse and advised her to be more chaste or they would no longer style her the Mother of all the Sikhs. [76]

and further,

It appears to be true by Broadfoot’s report that at one moment the plan of the Ranee was to have urged the troops to move against the English to force our interference, to disavow the act of the troops and to trust that we should restore their Government after we had destroyed the army on the basis of Lord Auckland’s subsidiary arrangement of 1844. [77]

What about the Chiefs of the Realm?

These Chiefs are mostly adventurers, with a few exceptions and their desperate condition desire the destruction of the army and their restoration to power. [78]

It was in this atmosphere and background that Rani Jindan brought over Raja Gulab Singh, the Dogra Chief from Jammu to preside over the final dissolution of the Sirkar-i-Khalsa and the independence of a sovereign Punjab and Gulab Singh was well qualified for this job.

The man whom I have to deal with, Gulab Singh, is the greatest rascal in Asia. [79]

All these ‘pillars of the Sikh State, the Sirkar-i-Khalsa, were each pulling in directions opposite to each other, but they were united in one aim, their treacherous and perfidious desire to destroy the only true, genuine and loyal, standard-bearer of the Khalsa, that was the Sikh Army. The contemporary state records, both of the Sikh state as well as the diplomatic documents of the East India Company, make no secret of the compulsive desire of the perfidious Dogras to achieve what they referred to as, *Tadaruk-i-Sikhan*, literally, ‘repulsion of the Sikh people’, but in its contextual meanings, ‘destruction of the fighting machine of the Sirkar-i-Khalsa, ‘atomisation of the collectivity of the Sikh

nation', or as the modern diplomatic euphemism would put it, 'final solution of the Sikh problem'. Only such a destruction of the backbone of the Sikh power could remove obstacles that stood in the way of establishing institution of Hindu monarchy, primacy of personal and family ambitions over the requirements of public interests and uncompromising hostility to the genuine Sikh impulses aiming at a social revolution that would lead to the emergence of an equalitarian, forward-looking and just social order. Perceiving the true nature of these anti-Sikh trends being persistently fostered by the civil apparatus of the Sirkar-i-Khalsa, by the successors of Ranjit Singh and the perfidious Dogras, the Sikh Army during the closing months of 1845 :

under the designation belonging to the Sikh Sect, before Ranjit Singh became a monarch, viz., Khalsa Ji da Panth, the Khalsa Panth, they assumed the Government (of the State). [80]

And

They sent letters, bearing the seal inscribed merely with the name of God (Ekonkar Waheguru Ji ki Fateh) to all civil authorities and military leaders and nobles and grandees of the Sikh Darbar (the royal court), requiring their presence and obedience. [81]

It is on record that no person or no authority of the state either demurred or hesitated in rendering loyal obedience, such was the obvious justice and correctness of the position that thus emerged, namely, the sovereignty of the people as led by the Khalsa in repudiation of the monarchical claims of the successors of Ranjit Singh, the dynastic interests of the feudal and vested cliques and low, ignoble compulsive urges of the individual to assert himself in opposition to the social good and collective interests.

It was at this critical juncture of the evolution of Sikh polity that the evil, that is, the external and foreign influences in affairs of men and government, the hubris of History, intervened to stifle the true Sikh political impulse. The British Governor General at Calcutta conveyed, in no uncertain terms, to the Sikh Darbar or the Royal Court, through formal diplomatic channels that the Hon'ble British East India Company would refuse to accord diplomatic recognition to any form of government at Lahore except a monarchical Government. After Waterloo, the British statesmen in particular and the European statesmen in general, were firmly persuaded that monarchy was an enduring institution of divine sanction and that the first postulate of all political organization was, the rule of 'legitimacy' which regulated the succession of state authority from one monarch to another.

It was thus that the genuine impulse of the Sikh polity was frustrated in its natural development and almost snuffed out.

The true standard-bearer of the Sikh polity as taught by the Sikh Gurus, which was the Khalsa Army, thus found itself between the devil and the deep sea, the anti-Sikh social impulses of the Sikh Darbar and the British menace to the existence and viability of the Sirkar-i-Khalsa the political instrument which the Sikh people had forged for achieving the Sikh social aims of creating a just egalitarian, forward-looking, open and plural society as an exemplar for the future World Society. They were well-aware that the evil men of the Lahore Darbar were plotting to cause their destruction by hurling them against the British and then stabbing them in the back.

Had the shrewd Committees of the armies (the Khalsa pancayats) observed no military preparation on the part of the English, they would not have heeded the insidious exhortations of such mercenary men as Lal Singh and Tej Singh (to march against the English). [82]

But the Sikh army knew that the British were plotting to destroy the Sirkar-i-khalsa and sovereignty of the Punjab as they knew that the Lahore Darbar was plotting to destroy the Sikh Army.

The resolve of their rulers anyhow and by whatever means, to destroy them was known even by the Sikh army itself; but such had been the stern discipline of the Pancha. . . . such the real belief that the intentions of the British were aggressive. . . . and such their devotion to their mystic faith that one single dogged determination filled the bosom of each soldier, the word went round, 'We will go to sacrifice' (*panth lai shahidi*). [83]

The whole of this tragedy of history, this resistless, over-powering maelstrom of destruction, of singular banefulness for the historical evolution of this region of the world, finds its seed-bed in the split psyche of Ranjit Singh.

Ranjit Singh's true character as a spiritually mis-shapen sikh became more than evident when at his death bed he put the arm of his 'heir-apparent' into the hands of the perfidious Dogra Dhyan Singh, for safeguarding his dynasty, completely forgetting that the Sirkar-i-Khalsa was a creation of the Khalsa arms and could not otherwise be maintained except through the cooperation and devotion of the Khalsa, and he displayed no realization whatever of the fatal implication of the Dogra power which he had planted amidst the Khalsa as a counter-check, so he thought, to the latter. Nor did he seem to recollect the basic tenet of Sikhism at his last hours on earth, that God, the Guru--Akal Purkh, alone is the dispenser of life and goods and that the sovereignty, the Raj, is the prerogative and responsibility of His Khalsa, to which dynasties and cliques are irreverent irrelevancies. The banal and farcical character of these proceedings was grotesquely highlighted by Dhyan Singh when he pretended to go through the movements of trying to immolate himself at the funeral pile of his erstwhile sovereign and the next morning embarked upon the conspiracy to destroy the entire line of Ranjit Singh's descendants to clear the way for putting his son, Hira Singh, on the throne of the Punjab. It was this Hira Singh, guided by the evil genius of Pandit Jalla, with whom the much maligned Khalsa Army had to join issues in a mortal combat, which ultimately led to the destruction of that most remarkable body of men in arms that the human History has ever known, the Khalsa Army, and the enslavement of the Sikh people, within a period of ten years after the demise of Ranjit Singh. On this "sensual and debauched" [84] Hira Singh, was conferred "the title of the Blessed Son, of Good Fortune and Lofty Dignity—Farzand-i-khas, by Ranjit Singh in a re-script issued under his personal seal in Gurmukhi and endorsed by his Secretariat at a Lahore on 21st Baisakhi, Samvat 1892 (April 1835), and in the same re-script Pandit Jalla, a gambler and a debauch, a person of "extremely cruel and immoral character" [85] is described as, "the God-Man,—the brahmasarup Pandit Jalla, the special confidant of Raja Hira Singh."

It is puerile to argue that he endeavoured to consolidate the Sikh Commonwealth by absorbing the 'unruly' Sikh misls, for, in fact, he sabotaged the natural development of the whole Sikh polity, behind which lay the traditions of the people, of many millenia past, and which was purified and sanctified by the Sikh Gurus themselves. Given suitable opportunities, these traditions and instincts of the Sikh people were bound to flower into a political system akin to that developed by the Anglo-Saxon communities in Great Britain and the United States of America, and there was no question of a permanent chaos, of "no man's rule," as Dr. Jayaswal suggests in the paragraph quoted in the beginning of this chapter, and this "no man's rule" is certainly not inherent in the polity approved by Guru Gobind Singh, as the learned doctor hints.

The very basis of true democracy and republicanism is the dignity of individual as an end in itself and as the ultimate source of all civic and political power. It is this aspect of the Sikh character and demeanor which strikes his country men and some other unsympathetic observers as somehow anarchistic, generative of "no-man's rule." But, in fact, it is the self-respect, the awareness of his own ultimate significance in the Creation of God, which imparts to a Sikh of Guru Gobind Singh that olympian air and independence which fits ill with any totalitarian or autocratic monarchical system of organization of power.

The Sikh soldiers are the finest men I have seen in Asia, bold and daring republicans. [86]

It is to this trait of character, that, there occurs a reference, with regard to the citizens of the ancient Vaishali republic, in the ancient Buddhist *Lalitvistara*, that, they,

do not recognize anybody as low, middle, high or elder amongst them, and every one of them says, 'I am subject to none,' 'I am a king'. [87]

Monarchy of the Hindu pattern was not an answer to this attitude, spirit and character of the Sikhs but the democratic republican government of Guru Gobind Singh's precepts, with collegial leadership and responsibility, securely resting on the individual and national spirit of Sikh discipline. For, the concept of Panth, which is the cornerstone of Sikh polity, is the most effective check conceivable, against the individualism of the great cats of the jungle and the colorless collectivism of the bee-hive or the ant-hill.

That this polity with the postulates which support it, has astounding inner strength was made evident when the well-trained mercenaries of the Gangetic Doab and British soldiers seasoned in Peninsular wars of Europe invaded the cis-Sutlej territory of the Sikh empire after the demise of Maharaja Ranjit Singh, led by the brave British veterans of Waterloo fame, 'backed by the might and prestige of the greatest expanding empire' of the 19th century, [88] and

clashed with the Sikh soldiers, whose supplies of arms and rations had been cut off by a treacherous civil government at Lahore under dogra Gulab Singh and whose son-Sikh generals had treacherously sold their tactical plans and their lives to the crafty enemy. In the battle of Mudki, on the 18th December, 1845, the Sikh army was considered as loser, simply because their titular General, traitors Lal Singh Brahmin, after issuing attack orders, himself ran away with the munition stores, in accordance with a plan previously approved and agreed to, by the enemy. In the battle of Pherushahar, on 21st December, 1845, although the Generals Lal Singh and Teja Singh shamelessly repeated their tactics of three days earlier, the Sikh soldiers, who had gone without food rations and who had been deprived of their reserve munitions through treachery, inflicted such heavy and crushing losses on the enemy that according to the admissions made by Sir Robert Cust himself in his Log Book entry, dated the 22nd December, 1845, the British command had formally [89] decided to “surrender un-conditionally” before the Sikh army. It was again the ignominious sabotage and treachery of Lal Singh and Teja Singh which saved the British Indian empire the next morning when they deceived and persuaded the fresh reinforcements of the Sikh army to refrain from pressing the previous evening’s advantage by attacking the badly beaten enemy. Before the Sabhraon battle of 10th February, 1846, the civil government at Lahore, through its head-executive, Gulab Singh dogra had already entered into secret entente-cordiale with the enemy that the Sikh civil government would render all possible help and aid to the enemy to inflict a defeat on the Sikh Army, with a view to facilitate occupation of Lahore by the British forces. [90] The Sikh soldiers, led by the retired General Sham Singh of Attari, fought the battle of Sabhraon in full knowledge of their predicament, “to save the honour of their motherland, to preserve its independence and in so doing to win or die, as free men should” [91], incidentally, a sentiment almost foreign and unknown to Indians and other Asiatic peoples in the first half of the 19th century. The ill-equipped, ill-fed and in gloriously-betrayed sikh soldiers fought the enemy with such bravery and ferocity that the enemy had to make hurried special contacts with Generals Lal Singh and Teja Singh to save the situation for them, who readily obliged by retreating with munitions, guns and the battalions of dogra and Gorkha soldiers, across the Satluj, from where they trained a formidable battery of guns at the back of the fighting Sikh Army, after destroying the boat bridge on the river. Thus, the sure defeat of the enemy was converted into years of occupation of Lahore by the British and consolidation of their hold on the country. When the remnants of Sikh soldiers, without any backing from their state, challenged in battle the British army at Chillianwala on 13th January, 1849, the rout of the British was so decisive and complete that even patriotic British historians are obliged to admit that they were defeated. The great grand father of the writer of these lines, who fought in this battle, used to narrate that the Sikhs, for full twelve hours persued the scattered British soldiers in all directions, who when overtaken would fall on their knees to beg for mercy, saying “ham tumhara gai” (I am like unto a defenseless cow to you), on the sight of a Sikh soldiers. [92]

This spirit and this strength is inherent in the postulates on which Sikh polity is based and it would have changed the history of India, of the British empire, and consequently of the whole world, in the beginning of the 19th century, but for the intransigence, cupidity and ideological immaturity of one man, who, became Maharaja Ranjit Singh, with the sobriquet, “Lion of the Punjab” appropriated to himself, though it naturally and in all fairness should have thus distinguished all of them, who are the *singhs* of Guru Gobind Singh.

These postulates are three, which sharply separate them from their Hindu ancestors. The significance of the individual is the first, the equality of individual, the second, and the validity of the socio-economic life as the proper context for the highest spiritual activity is the third. The Sikh republic democratic tradition is grounded in these postulates which ensure national strength and health.

In Hinduism and Buddhism. both, one of the basic metaphysical concepts is, most of which basic concepts Sikhism commonly shares with them, though as rule, after reinterpreting them differently, that the fact of individuation is an evil *perse*, and *nirvana* or *mukti* is just another name of its destruction. The stress of whole of the religious discipline and activity here is at the dissipation of individuality of which the personality is the flower. Nirvana is the extinction of personality in Buddhism; and to a Hindu, the birth and growth of personality is another name for *samsara*, the chain of transmigration, the supreme evil which every Hindu must fight to destroy. Thus, in the whole of Hindu thought and attitude, the individuality or personality has no value intrinsically, it has secondary significance only, in the social context, as a limb of other secondary group-formations, such as, family, marriage-unit and the *varnashrama*, the caste-class, for the benefit of which group-formations and individual must sacrifice himself and may freely be sacrificed. This conceptual reasoning is really the basis of the concept of Hegelian State, which in recent times has given birth to totalitarian systems of political thought. It is this concept which also supports the doctrine and the institution of an autocratic divine Hindu monarch. The Sikh idea on the subject of individuality is in the main, in consonance with the Hindu notion that the individual is not a fixed entity living a single isolated, once-for-all, life on earth as the Western

thought postulates. An individual is neither wholly himself by himself nor is he whole by himself. Thus, Sikhism is one with Hinduism in not accepting such an individual entity as the mainspring of political and religious traditions, as does the West. But here the stress is shifted in Sikhism. An individual is not an evil mirage to be destroyed and disregarded, but the very foundation on which the whole of human religious activity is to be built, and the full development of which is, in fact, the *summum bonum*, the *mukti*, the *liberation*. It is liberation from its limitations and sickness, and it is not its dissipation or destruction,

The individuality is a chronic disease no doubt, but its principle of health is also inherent in it [93]

is declared in the *Guru Granth*. God Himself is viewed as Person in the Sikh thought, as is laid down in the opening formula in the *Guru Granth*. The *mukti* is not by thwarting or dissolution of personality but by its development, by its growth through struggle with evil in the socio-political context." Live a life of endeavor and enterprise and thus produce and earn your living, for, this is the happy way of life." [94] Thus, the concept of the Rights of Man, which has played such a dynamic part in the modern growth of democratic political thought in Europe, finds a warm, full-blooded and sympathetic echo in the Sikh heart, while to the Hindu mind and attitude, it is no more than a vanity and illusion.

The second postulate is the equality of man in which the Sikh democratic republican tradition is securely grounded. The Hindu concept of karma, the Law of Universal Causation, is accepted by the Sikhs, as both axiomatic and demonstrable in the deep down recesses of human heart." This Law is there in the deepest recesses of human heart." [95] But to the Hindu social classes and the economic apartheid of the *Varnaashram dharma* is the visible expression of the Law of karma, and, therefore, social classes and inequalities are eternal and God-ordained. Sikhism repudiates this nexus between the karma and social inequalities based on iniquities. Karma expresses itself, according to Sikhism, not in, the so-called, pre-determined individual's significance and place in human society, but in his gifts and powers and the consequences, social and personal, to which these gifts and powers inevitably lead.

Hearken, my soul, to this deep truth,
The human birth is by karma,
And the joys and sorrows that flow from it should be accepted as such. [96]

Thus, though men are not equal in ability, they are entitled to equal judgment and value, and social equality. Another consequence of their interpretation of the Law of Karma is the Hindu evaluation of women. Although she is treated with great tenderness and reverence in the Hindu texts, throughout the ages, her social position has always been inferior and subordinate to man in Hindu Society. According to the best Smritis, she is always a minor at law.

As a girl, she was under the tutelage of her parents, as an adult, of her husband, and as a widow, of her sons. Even under the liberal rules of Buddhism, a nun, however, advanced in the faith, was always subordinate to the youngest novice among the brethren. Early law books assess a woman's wergild as equivalent to that of a shudra, whatever her class. [97]

This inferior social status of women is also regarded as a visible expression of the Law of Karma by Hinduism. As, however, the Greeks discovered by experience, as was evidenced in the Islamic society, equality cannot endure for long if it is confined only to the male half of the society. Sikhism, as already shown, not only repudiates this nexus between karma and the social status of woman, but declares her 'as the very essence of social coherence and progress' and condemns any suggestion of 'relegating her to an inferior status in any manner', whatsoever. [98] This ideological position of the Sikhs is another source of vitality and strength for their democratic republican traditions and polity.

The third postulate of Sikhism, which sharply distinguishes them from their Hindu brethren, is their attitude to the material universe and the socio-political activity which is grounded in it. Sikhism accepts the concepts of the *samsara* and *maya*, but interprets them otherwise. Sikhism agrees that the universe, as revealed through physical senses, the *sensibilia*, and as molded into perceptual entities and patterns is not in accord with the fundamental Reality and that the universe so revealed is appearances as contrasted with the Reality. Besides, Sikhism, in agreement with Hinduism, repudiates the scientific determinism of Western scientific outlook which postulates that, real is that which is capable of invoking sensori-motor reactions in man. Sikhism however, is not world-renouncing like Hinduism and it does not look upon the material universe as a mere dream and insignificant phantom, a play of the gods in their imagination, of no abiding interest to a serious-minded person. Sikhism accords to the material universe the same essence of reality as

belongs to ultimately Real, though not the same immaculation and intensity.” All that has been created by the Real is real.” [99] The Reality is not somewhere away and apart from the material universe but is revealed to man through a change of mode of his perception. [100] The transformation of this mode of perception is the sole purpose of religious discipline. It follows, therefore, according to Sikhism, that there is no true and genuine religious activity except in the socio-political context.

The ultimate Reality is present in the human socio-political activity; endeavor to realize this through an understanding of the Testament of the Guru. [101]

It is out of this divergence of Sikh thought from the Hindu thought that the urgency and extroversion of the Sikh Character springs, in sharp contrast to the supreme unconcern and self-absorption of the Hindu.

This is the basic question:

O, man what have you done, after taking human birth on earth ? [102]

The human life on earth is a rare opportunity; it cannot be repeated very often. [103]

The night is wasted in sleep and the day in eating; this human life is precious like a jewel but is given away for a mere conchshell. [104]

Another attitude of Sikhism, though not basically peculiar to Sikhism in contradistinction to Hinduism, being more a matter of stress, is faith in reason, as the only reliable guide in human affairs, and this stress is a necessary corollary of the Sikh view of Reality and the ontological status of empirical knowledge. It is a basic ingredient of the Sikh attitude to life, as laid down by Guru Gobind Singh, that he, a Sikh, “must cultivate fortitude and patience and make reason as his guide in all matters.” [105] This respect for, and reliance on, reason, makes the Sikhs peculiarly fit for politico-democratic activities, and renders them instinctively sympathetic to the modern democratic tradition.

The Constitution Act of India promulgated in 1950, indeed, seems to have taken silent cognizance of these basic resistances embedded in the Hindu thought and soul, to the democratic idea and political set up, and it is based on the postulates of Sikhism, as contrasted with those of Hinduism.

But the really important question is this: Will the Hindu soul, unless it accepts the teachings of the Sikh Gurus without reservation, sincerely accept and adapt itself to the basic postulates of the Indian Constitution?

In what way may this question be answered? By applying the following three tests, in the main:

- (1) Do those who come into power through the electoral democratic device, in their day to day functioning, regard themselves as the instruments of the Will of the people, concretized in the impersonal legislation and rules, or do they regard themselves as repositories of power in their own personal rights?
- (2) Do the judicial organs of the state, apply and implement the law of the land as instruments of the spirit and letter of the law itself or, as the famous phrase says, they are ‘corrupt with the hope of promotion and awe-struck by the frown of power?’
- (3) Do the public and the Press readily react to and fearlessly protest against despotic and corrupt attitudes and acts of commission and omission of the executive and judicial authorities, or do they obsequiously accept them as manifestations of the basic nature of the State power, as ordained by gods, and therefore, outside the day to day concern and vigilance of the citizens?

Unambiguous answers to these three question alone can make it clear whether Indians are yet ready and fit for the Sikh Raj, or whether the ancient Hindu soul of autocracy and tyranny is reasserting itself, surreptitiously, for the Prince of Darkness himself cannot conceive of a worse despotism than that camouflaged as democracy and a more terrible tyranny than that clothed in law. [106]

How does this Sikh Raj fit into the two world-contending political systems of today, the Totalitarianism and the Democratic liberalism? For, a polity is nothing unless practical and germane to the live problems of mankind. Totalitarian systems, we might say, are those, which repudiate the liberal and rational tradition in favor of an attitude of mind, the main ingredients of which are

- (a) distrust of reason,
- (b) denial of possibility of universal judgments on morals and politics,
- (c) denial of the idea that the individual has any rights, except those which he enjoys at the pleasure of the group to which he belongs, and
- (d) denial that the national state has any duties or obligations towards other states.

These ideas, par excellence, find a concrete expression in the Communist State, the theoretical aims of which favor a Universal State, founded on social equality and rigid social justice achieved through regulation of all human activities in such a manner as to produce the maximum social good. The opposite picture to this Communist utopia is furnished by the Democratic liberalism, which dreams of a World Society in which individual freedom is at its maximum, and in which the social good comes about through the release of personal energies. Such a World Society would find its logical constitutional expression in a Universal Federal State and a universal Customs Union.

Whether the doctrine of Totalitarianism, which encompasses Fascism, Nazism, Leninism, Stalinism and Maoism is a logical development of Marxian thought and Hegelian philosophy is not a matter which is strictly relevant here, though it is difficult to reconcile Marx's temperament which was essentially humanistic and which implicitly recognized the worth of individual personality, with the totalitarian reality which uses the goal of Marxian apocalypse for securing absolute power for individuals or groups of individuals, a power to be exercised for its own sake. The crucial point is whether the inner autonomy of the individual should be destroyed so that the last semblance of human dignity is erased and man is reduced to a mere cipher, in the name of the amorphous chimera of the classless society or, it should be given the freest scope to enlarge itself so that its resistances to, and contradictions with, the social good may gradually but surely disappear.

From what we have said in the foregoing pages, there should become recognizable the guidelines by which it can be judged which pattern of political organization, as it develops gradually in its various stages of evolution, is fit to receive recognition and accord by the Sikh polity.

[1] K. P. Jayaswal, Hindu Polity, p. 351.

[2] devasura va ashu lokeshu samaytant. . . . tansttoasur aatayehnu | deva akshru vannajatya vai to jayanti rajan karvamha eti tathti || --Aitreyabrahmana I. 4.

[3] narajkeshu rastreshu vastavehmiti vaidkam || --Santiparvam (Kumbhkoram recension). Mahabhart 66. 5 .

[4] McCrindle, Ancient India as described by Magasthenes and Arrian, pp. 38-40.

[5] na tatr raja rajendre na dando na ch dandikai | asavdharmennaiv dharamgiaste rakshanti parasparam ||

--Bhishma Parvam, Mahabhart 66. 5

[6] jab lag rahe khalsa niara, tab lag tej diyo mey saraa. --Khalsa Rahitnameh, X.

[7] Charles Eliot, Sir, Hinduism and Buddhism, I,p. 40.

[8] ohrajko hi lokeasisansard to vidru te bheyato | raksharasye sarvase rajanmasrajatprabhuya ||

--Manu Smriti, VII. 3.

[9] baloappi navmantayo manushe eti bharmipai | mahto devta hamosha naropen tishriti ||

--Ibid., VII. 8.

[10] bhavishentoh yavna dhamamrtai kamtaoarthe | jaiv madurcha bhishiptaste bhavishyati naradhipay ||

--Vayupurana (Pargiter), p . 56.

[11] sahai sadhyam rajtwam chakremekam ba vartate | kurvit sachivanstasmateshaman ch rshurnuyanmatam ||

--Arthashastra, 1. 7. 15.

[12] yehnase pita yata yehn yata pitamaha | ten yaysatam marg tengachentrishyate ||

--Manavadharmashastra, iv. 178.

[13] (Un Editio Billingu Graeco-Aramaico di Ashoka'. Serie Orientale Roma, XXXI, Rome, 1958.)

[14] raja prithvi uppar rabb da parchchava hai.

السُّلْطَانُ نِظَالُ اللَّهِ فِي الْأَرْضِ

[15] aadaab allarab va ass-sujaat

آداب الحرب والشجاعة

[16] keemiaaye suadat

کیمیائے سعادت

[17] maktoobat sujada alifsanee

مکتوباتِ مجددِ آلف ثانی

[18] loktantar toe doorr reh, pakke kar vale islamic tantar da gulaam hoe ja.

گریز از طغیانِ جمہوری غلامِ پختہ کارے شو۔

[19] kal meh bedd atharban hooa, nao khudayi aloh bheya.

--Var Asa, M-1, GGS, p. 470.

[20] "But were our knowledge less one-sided, we might see that it would be more correct to describe Indian religion as Dravidian religion stimulated and modified by the ideas of Aryan invaders, for the greatest deities of Hinduism, Krishna, Shiva, Rama, Durga, and some of its most essential doctrines, such as, metempsychosis and divine incarnations, are either totally unknown to Veda, or obscurely adumbrated in it. The chief characteristics of mature Indian religion are characteristics of an area, not of race, and they are not characteristics of religion in Persia, Greece or other Aryan lands." --Charles Eliot, Sir, *Hinduism and Buddhism*, I, p. xv.

[21] This world-famous Code of Hammurabi is now in the Louvre, Paris.

[22] Lord Krishna briefs Arjuna that God has created the king for the protection of all the people and that He seeks birth in every Yuga for the protection of the good and destruction of the evil, with a view to establish the Rule of Dharma on this Earth. --Bhagavadgita, IV 8.

[23] Lord Krishna briefs Arjuna that God has created the king for the protection of all the people and that He seeks birth in every Yuga for the protection of the good and destruction of the evil, with a view to establish the Rule of Dharma on this Earth. --Bhagavadgita, IV 8.

[24]

اگر شاہ روز را گوید شب است این
باید گفت اینک ماه ویرین

--Muslih-ud-din sadī, *Gulistan*.

[25] samano mantre smitih samani samanam maneh sah chitratmedham | --Rgveda X 191. 3.

The expression sangrama, in this text, literally means, inter-village gathering i.e. a representative session of all constituents of the realm. Since such general sessions were, as a rule, convened only for deliberating over some extreme natural emergency, such as war, the expression, sangrama, has acquired, 'war' as its secondary meaning.

[26] ye grama yadranyam ya sabha adhi bhumayam, ye sangramasamittahasteshu charu vdemate | --Atharvaveda, XII,1. 561.

[27] Atharva, VII. 12.

[28] Guru bees bisve, Sangat ikis beesve.

This dictum repeatedly occurs in the Sikh literature from the earliest times, as the basic principle of organization and exercise of power in the Sikh society.

[29] sabha ch ma samtikchavtam prajapterdohitrao samvidane | --Atharvaveda, vii. 12. 1.

[30] vidh te sabhe naam narista naam va artrao || Ibid., 12. 2.

[31] narista ahinsita prairna(i) bhveya | --Sayanabhasa

[32] vishastva sarvam vachhantu ma tavdrantramdhi bhrashat || --Rigveda X. 173.

[33] na sa sabha yath na santi santo na bhannati dhamam | ragam ch dosam ch pahaye moham dhamam bhannanta ch bhavanti santo || --Jatak, V. 509.

[34] "The collegiality of leadership," said Lenin, "means that all party matters are accomplished by all party members directly or through representatives, who all are subject to the same rules." —Quoted in the Paper issued by the U. S. State Department, published in *The New York Times*, dated June 10, 1956 (p. 6-9) purporting to be the text of the speech delivered on February 25, 1956, by Mr. Khrushchev, First Secretary of the Communist Party of the Soviet Union, to the Twentieth Congress.

[35] B. S. Rao, Life of Varahamihra.

[36] A. L. Basham, The Wonder that was India, p. 490.

[37] malaichchhah(i) yavnaasteshu shastramidam satyam | ruchhivat tehaapi poojantey punarvedvit eij(i) ||

[38] McCrindle, Magasthenese and Arrian. xii.

[39] Arrain, Anabasis, V. 22, p. 115.

[40] Journal Asiatique, viii. 15, p. 237 ff.

[41] Diodorus, xvii, 91.

[42] Arrian, v. 24.

[43] Ibid., v. 25.

[44] McCrindle, Invasion of India by Alexander, p. 121.

[45] Curtis. ix. 5.

[46] Op cit, p. 234.

[47] ekaki bhi kshudrkaijitam | Patanjali, 3. 52.

[48] McCrindle, Invasion of India by Alexander, p. 252.

[49] Idem, Ancient as described in Classical Literature, p. 41.

[50] samani parpa sah voananbhaga samane yokatre sah vo yunjim | samyacho agri saparyataye namimevabhita || -- Atharvaveda III 30. 6.

[51] Diodorus, xvii, 103.

[52] Plutarch, Alexander, LIX.

[53]

کہ تشریف در قصبہ کانگر کند
ذ ذرہ دریں راہ خطرہ تراست
بیاتا سخن خود زبانی کنیم
وزاں پس ملاقات ماہم شود
ہمہ قوم بیواڑ حکیم مرادست
بروئے شما ہمہ زبانی کنیم

-- Zafarnameh 58-60.

The Dhaliwal Jats still commemorate Kangar as their foundation back in Punjab by paying the first gift to the hereditary geneologist of Kangar, at marriages etc. on the ground that "it is the first halting place on the way back home". (eY' gfbk o[gfJnk eKrV e/ fwok;h dk, eKrV gfbk w[ekw j?). Even this cis-Satluj part of the Punjab, which only till recently was described in official records as "Jungletract", was rechristened as Malwa by these returning immigrants.

[54] sanghe havo gann prashansye: III. 3. 86.

[55] gann pranshansye kim | sanghat | Kasika, p. 214.

[56] gnanavrtimichchhami shritum matimtavarn | yatha ganna prachand na bhdante ch bharat | orinsch virjigashante sahrde prapnuvinte ch | bhedmulo vinashehi gnnanamo palakhshe | mantram savrannam du vahunamiti me mat(i) | -- Santiparvan, Mahabharta, 107, 6-8.

[57] Panini, V, III, 116-17.

[58] It is interesting that in the first half of the 19th century, when the expanding British power in India made an objective appraisal of the basic character of the Sikh Raj in the Panjab, as reflected in its fundamental organ, the Khalsa Army, it concluded that the Sikh Raj was a “war-like republic.” In a letter written from Kasur, dated Feb. 1848 Sir Henry Hardinge, the British Governor General, observed :” If I can arrange to make Gulab Singh and the Hill tribes independent including Kashmir, I shall have weakened this war-like republic.” Quoted by Ganda Singh in his Correspondence, Anglo-Sikh Wars, p. 105, fn.

[59] vahokeshu ya ayudhjivi sanghastdvachitam. . . kshaodrave malva | p. 455-56.

[60] Karanaparva Mahabharata, XLIV, 6.

[61] The word vahika still exists in the Punjabi language and the peasants of the Panjab call themselves vahikas but in the secondary sense of the word, a cultivator, owner of land (tkjhe, tkjheko). The original meaning of vahika(SK) is, “the land of rivers”, from the verb veh to flow, from which is derived, vahini meaning, a river. The Punjab and the Indus Valley have, from times immemorial been known as ‘the land of rivers.’

[62] A. Cunningham, *Coins of Ancient India*, pp. 77-79. Plates, VI. VII; V. C. Smith, Catalogue of Coins in the Indian Museum, i, pp. 166-170.

[63] See Gurpratap Suraj Granth, III, ii, 6,15.

[64] The Guru had enjoined on Banda Singh Bahadur “to remain pure in conduct and never to touch another man’s wife; to be true in word and deed ; to look upon himself as a servant of Khalsa, who would be the Guru in future, and to act always on the advice of the five (representative) Sikhs” - Teja Singh & Ganda Singh, *A Short History of the Sikhs*, I, p. 80.

[65]

سیکھ زہ پرورد و عالم تیغ نانک و اصحاب است -
فتح گویند سیکھ شاہ شاہان فضل تچا صاحب است -

[66]

دیگ و تیغ و فتح و نفرت بید رنگ -
یافت از نانک گورد گویند سیکھ -

[67] --IV. 7. 127. Kashikavritti (Comments) p. 350.

[68] L. Griffin, *Rajas of the Punjab*, 1870, p. 16; James Browne, *History of the Origin and Progress of the Sikhs*, as quoted by Ganda Singh and Teja Singh in *Early European Accounts of the Sikhs*, p. 61.

[69] George Campbel, *Memoirs of My Indian Career*, I, p. 42-43.

[70] Ibid.

[71] --Atharva, III. 4. 2.

[72] panch parvan panch pardhan; panche paveh dargeh mann; panche sohe dar rajan; pancha ka gur ek dhiyaan. -- Japu, SGGs, p. 3.

[73] panchan meh nitt bartat hoe mei panch mileh veh peeranpeet. --Gurpratapsurya, III(I) vi, 41-42.

[74] Ellenborough Papers, Private Correspondence of Ellenborough with the Queen, 30/12, II(i).

[75] Ibid.

[76] Hardinge to Ellenborough from Agra dt. 23rd Oct., 1845, (Public Record office, London).

[77] Hardinge to Ellenborough (Private), Calcutta, 3rd June, 1845, op. cit.

[78] Ibid.

[79] *Hardinge Family Papers*, Penhurst, Kent (Hardinge to his wife) Camp Lahore, 2nd March, 1845.

[80] Broad foot to Currie, (Sep. 22, 1845), 167/34, Punjab Government Records, Lahore.

[81] *Kingdom of the Punjab*, p. 409.

[82] J. D. Cunningham, *History of the Sikhs*, p. 299.

[83] Hugh Pearse, *Memoirs of Alexander Gardner*, p. 265-66.

[84] Charles Francis, Massy, Col. *Chiefs and Families of Note in the Punjab*, I, p. 314. and Lepel, H. Griffin, *The Rajas of the Punjab*, p. 262.

[85] Nur Ahmad. Chisti Maulvi. *Tahqiqat-i-Chisti*, p. 783.

[86] Hardinge to Ellenborough (Private), Calcutta, 19th March, 1846, *Hardinge Family Papers*, Penhurst, Kent (England).

[87] *Lalitvistara III*. (Now edited and translated by Rajendar Lal Mitra, in *Bibliotheca Indica* 1896-98).

It was this tradition and spirit which re-appeared out of the subconscious racial mind of the people, in the 18th century during the Sikh resurgence in the Punjab, when every Sikh made the claim, aham mir, aham mir, as his prototype the Vaisalian had made some 2500 years ago, aham raja aham rajeti. This phase of Sikh resurgence is known to Sikh chroniclers, distortedly described by them as hanne hanne miri i.e., in every horse saddle a king. Mir is the Turkish equivalent of Sanskrit, raja. It must always be remembered, however, that this aham mir claim by the Sikhs, has at no state of their history, refused to submit to, and dared to defy, the collective will of the Panth duly formulated.

[88] kehat matak ab panth ke oopar, jhuk nahee nandak saree, lashkar bharee. --Matak, *Jangnamah Singhan to Firangian* (ed.) Piara Singh Padam), Chhand 26, p. 90.

[89] "News came from the Governor-General that our attack of yesterday had failed, that affairs were desperate, that all the state papers were to be destroyed. . . This was kept secret by Mr. Curie, and we were concerting measures to make an unconditional surrender. . ."

--Sir Robert Cust. N, *Linguistic and Oriental Essays*, VI,48.

[90] The "understanding" with Gulab Singh was that "the Sikh army should be attacked by the English and that when beaten it should be openly abandoned by its own Government; and further that the passage of Sutlej should be unopposed and the roads to the capital laid open to the victors."

--Cunningham, *A History of the Sikhs*, p. 32.

[91] pagga dareeya dee rakho laaj yaro, muth meetee see eys Panjab dee jee, enha khol ditta sara pajj yaro, Shah Muhammad marr ke maro ithe, kade raj na hoye muhtaj yaro.

--Shah Muhammad (1780-1862), *Jangnama Singhan te Firangian*, "Chhand' 87, p. 77.

[92] "Chillianwala was not a victory. When the news of Chilianwala reached England, the nation was stricken with profound emotion. A long series of military successes had ill-fitted it to hear with composure of British guns and British standards taken and of British cavalry flying before the enemy. . ."

Adams, *Episodes of Anglo-Indian History*, p. 228-29.

[93] homai deeragh rog hai daroo bhi is mahe. --Var Asa M-1, GGS, p. 466.

[94] udam karendia jio too kamavdia sukh bhunch --Ibid., p. 522.

[95] hukam rajai chalana nanak likhia nall --Ibid., p. 1.

[96] too sun kirat karuma poorab kamaiya, sirr sirr sukh sahunsa seh su tu bhala --Tukhari, M-1, SGGS, p. 1107.

[97] A. L. Bashman, *Wonder That was India*, p. 177.

[98] soe kyo manda akhiye jit jamme rajan, bhando hee bhand opajeh bhande bajh na koe --Var Asa, M-1, GGS, p. 473.

[99] aap sat kiya sabh sat--Sukhmani, M 5, GGS, p. 294.

[100] bujanhar koe sat sabh hoe--Sukhmani, M-5, GGS, p. 285.

[101] vich sangat har prabh varatda bujho shabad vichar--Kanare ki Var, M-4, GGS, p. 1314.

[102] ey sareera meriya iss jag meh ayeke kiya tudh karam kamaye --Ramkali M 3, SGGS, p. 921.

[103] Kabir manas janam dulumb hai hoe na bare barr--Sloka Kabir, Ibid., p. 1366.

[104] renn gavayee soye ke divas gavaye khayee, heere jessa janam hai kaudee badale jaye --Ibid., p. 156.

[105] dheeraj dham banaye ihe so deepak jiyo ojiare --Krsnavatar, DG, p. 570.

[106] For, "What constitutes a State?

Not high raised battlements, or labored mound,
Thick wall or moated gate,
Nor, cities fair, with spires and turrets crown's,
No, men, high minded men,
With powers as far above dull beasts endued
in forest, brake or den,
As beasts excel cold rocks and brambles rude. . . .
Men who their duties know,
But know their rights, and knowing dare maintain,
Prevent the long aimed bow,
And crush the tyrant, while they rend the chain."

--Alcaeus, *The State*, (c. 660 B. C.), as adopted by Sir William James

SPIRIT OF THE SIKH - FOREWORD

Puran Singh

I

Guru Nanak embodied in himself a revolution—religious, social and political. The years from A. D.

1469 until 1708 saw in the world of the Punjab the unique succession of the Ten Masters whose lives gave a pattern for the ideal type of man.

Upanishads and the other Hindu philosophical systems that had possessed the soul of the race for centuries taught an impersonal Real, the Para-Brahman, though the common man continued to believe in superstitions of various kinds and in a thousand unreal deities which claimed the people's worship. That metaphysical Para-Brahman being unrealizable, unapproachable by the human senses, incomprehensible to the human mind, remained but an academic god, a theoretical concept; so the people had to invent gods to live by, thus imperceptibly becoming the victims of these unreal gods and slaves of their political and religious superiors.

Guru Nanak invokes the highest Person, Purusha, which had become wholly divine in his first hymn of *Japji*. It is remarkable that he invokes no concept god. He calls forth the Great One Cosmic Spirit of the Universe, who is Person and Guru, and is a Personal God, who is Word-embodied (*Sat Nām*), creative personality (*Karta Purakh*), devoid of the sense of fear, of hatred, whose form is timeless, eternal; born of the Spirit. He has the power to impart the sparks of true life of the Spirit. Guru Nanak was not understood, since the whole country was steeped in religious ignorance and superstition—ultimately he bowed down to his disciple Angad, and installed him as the Guru; all did then understand what was meant, and began worshipping the Guru in Guru Angad. The Guru thus enshrines the holy word, which Guru Nanak calls forth in the first hymn of *Japji*.

The ardent spirit of devotion to the Guru, the highest man-personality, the Nam-entity breathes the spirituality of Guru Nanak, with which he has made the Sikh inspiration forever life-giving.¹ As Bhai Gurdas says, "With Guru Nanak the sense of true spirituality dawns in India and the world." So simple as this was the beginning of this religious revolution brought about by Guru Nanak, that it cannot be seen till the human world has travelled a long way yet to perfection. The Guru called his disciples a *panth*, (a path) and it was no more a sect. It is the common road for all humanity to perfection.

This revolution in the religious world was manifested also by a corresponding revolution in society. A reconstruction followed. The individual was made so happy that he willingly shed his ego-centred individuality. Selfishness was washed into unselfishness by his great love, in the great gladness of life so realized.

Every disciple is to bow down to the Guru: it is self-surrender complete and unconditional. The secret of social being lies in this surrender of opinions, principles and idiosyncrasies. In this realization of individualism as socialism, caste was abolished. Geographical limits separating man from man were eliminated by all being bound in one love, in one humanity.

No man or society that has risen from the dead into the life of the spirit can tolerate political subjugation or social slavery to unjust laws or rules. Politics, in the sense of fighting against all social injustice, all tyranny, all wrong taxation of the poor, all subjugation of man to man were the 'politics' of the Guru. Without freedom no true religion or art can flourish anywhere. Human love, too, degenerates if freedom fails.

Liberty is the very breath of true culture. The Sikhs raised by the Guru fought for freedom. They were defeated, they might be defeated again; all attempts at liberty generally end in defeat. But their very fighting for liberty is the mark of the new soul consciousness that the Guru had awakened in them.

A living inspiration came to the common daily life of the people. Labourer and king alike were intoxicated with the person of the Guru. Hearts were kindled with divine passion, and all men and women were fired with a new sense of freedom. It is remarkable that the Gurus' minds were 'modern' in outlook and they abhorred the outworn forms of religiosity—the mere mechanical formalities and hoary theological hypocrisies which go by the name of religious orthodoxy. They called for the natural simple life of deep spontaneity imbued with sympathy and informed of the

mystery of creation. The Beloved is beautiful. Beauty is Truth—when it is carried into the shape of the Personal God out of the Divine Spirit of creation—that is the theme of their song.

Their idealism is broad-based on the magic realism of the Creator: Their joy is the blossoming of their infinite pain in sympathy with life. The pure and easy breathing of the Spirit of God is their religion. It is the life of a well-blown flower living in the great expanse of sunlight or moonlight, elevated above all pain of goodness. The Guru-man is the personal God round whom humanity is to revolve from life to life, from mystery to mystery. The study of the wisdom and the lives of the Gurus, therefore, cannot but be essential for all the seekers of the creative originality of human thought, of the secrets of making God out of man.

Like some common, uncouth labourer I have but hewn a track towards the door of the Guru in the following pages. The fitful chances by which these pages were written from time to time necessarily involved some repetition of ideas in different contexts, but I hope the shape of the Guru's ideal will be visible in the crowded clouds of hopes and visions that hang over the page.²

II

The history of the Sikh spirit, in which lies the true and only right interpretation of the Guru's Word, is still a sealed book. The secret love of the people for the Guru is buried in their bosoms, and so far it has been transmitted only as a holy passion from generation to generation. It is that invisible faith which flourishes in the shade. For the people the person of the Guru is the only fact of the soul. I love Him, I die for him. Why ask me why? I love. He loves me. That is all. Our history? This much. How he was put in a cradle and rocked, how he talked as a child and as a boy; what games he played; how he looked when young; how he looked sitting on the ground, or discoursed; what words fell from his lips; what replies he gave to questions; how his glances dispelled doubts; the stories of his inspiring faith, of sowing heroism in others, all little details of his life which our poets like Bhai Santokh Singh and Bhai Vir Singh³ have gathered for us, all this is our history. We are never tired of listening to its endless repetition, now laughing, now weeping, now longing to see him, to hear about him. This is what we call history, which whenever read, strikes sparks of love in our soul. Through a flood of tears of love we see our Gurus. The frail clay mounds and mud walls of our Gurudwaras encase immortal memories: perishable materials glow for us with imperishable visitors. We see them in our soul.

Much is in sprouting and more in the seed, and all is in the Guru who made us so to love freedom as to prefer death and dissolution to slavery of the soul. Better wholesale ruination than the extinction of the Guru's Lamp of Love, lit in the shrine of our hearts. This burning love for freedom in the Sikh soul is bound to make life on this earth full of perils, and any unjust kings and despotic potentates against him; and so it has ever been.

III

If you wish to know the Sikh, love him. There is a gleam under the shock of hay, such as Moses beheld at Sinai. The Sikh body politic is a heap of immense matter in which still scintillates the spirit. The hair of the Sikh distinguishes him and his unique love. In Brahmanical India the spirit itself would have died without those who have worn this rather unkempt exterior. And those of Brahmanical India who might desire life, and having got the life spark to maintain it, have similarly to isolate themselves.

“Profound, O Vaccha, is this doctrine: recondite and difficult of comprehension, excellent and not to be reached by mere reasoning, subtle and intelligent only to the wise, it is a hard doctrine to learn for you who belong to another sect, another faith, another persuasion, another discipline and sit at the feet of another teacher.” Thus the Buddha.

Happily, Sikh history is not written in the kind of style favoured of the modern historian. The whole story is fully revealed in the heart of a living man. As Dr. Ananda Coomaraswamy says, history is treated by the Oriental more as an art than as a science, and it is an impossible hope to put Sikh history—emotional, poetic, and wholly personal—in a modern critical style without depriving it of value; for the holy Gurus of Sikhism wrote no autobiographies except their songs.

As the true history of the modern democratic ideal is writ in Walt Whitman's *Leaves of Grass*, so Sikh history lies to some extent and will continue to do so still more in the future, in the lyrics that the Sikhs have sung unbidden in the

abundance of their love of the Guru. Sikh history will ever be in the uncut, uncouth, wild, burning words of poet-labourers and artisan singers. The names of the ten Gurus inspire us with life and love, and we sing their praises and live and die in a sweet, soft, continuous inebriation. He brought us here, He takes us away. Pain and pleasure are His gifts, dispensations of His love. Thinking of Him, we pass through life. When called by Him, we give up breath. What pleases our God is the best. Such is our scale of values. The command of the Guru is the duly moral act. He is beautiful. He is truth and He fascinates our souls. We live remembering Him and ploughing and sweating and labouring and toiling, as He told us. This is for us the only way to transcend the physical and be spiritual. Such is His will, such His pleasure. He is verily, verily our personal God. This indeed is the *motif* of Sikh history, poetry and life. And the Guru has saved us from the evils of mere man-worship, because His vision is of the Infinite and his association is of the living God—personalities of invisible spiritual Realms. There is no void in the ecstatic consciousness of the true discipline. It is peopled with the celestials.

How mean and small in contrast is the new demand on the Sikh chroniclers, (on poets like Santokh Singh, who by their writings can ingrain in the soul of a people this feeling, this personal feeling, which constitutes all the vital history of the Sikh (and the Guru) to give prosaic, impersonal accounts of the lives of the Gurus, other than those we possess in every heart and in every home now. It is leaving the soul behind and clutching at shadows. And why? Because some disputatious scribe or historian suggested that Guru Nanak never went to Mecca and Baghdad! Because to a Muslim writer of that hopeless muddle, it might be detracting something from the glorious accuracy of their history to admit what is now a fact of our soul. We Sikhs possess this as absolute knowledge of the soul, that Guru Nanak made Shah Bahlol of Baghdad his Sikh (disciple). We know also that the Guru went to Mecca and told the Muslims there that God's House, as they call Mecca, is everywhere. If now, a Muslim scribe asserts that this was not so, let him keep his historical prejudice to preserve his pride. But for a believing Sikh no further proof is necessary. Intellectual analysis is never right, perception by the soul is never wrong.

Impersonal events, as isolated facts so much prized by the curious historian are poor orphans, they would certainly die of exposure if these accurate historians were not to indulge in little passions of their own. But the historian is always as poor and accurately inaccurate as his so-called facts. True fiction of our kind is certainly more elevating. What do we know really? Kings and other actors of history are but empty names and dates, and false exteriors. Our wholly wrong opinions are formed about them at too great a distance of time. As a matter of fact, it would not have been at all possible to know the real and inner men even if we had been sitting by their sides and living with them. How much more difficult it is to make accurate records of the actions of the soul—consciousness of the great makers of man!

Historical criticism, aiming at literal accuracy and exactness, comes riding on a tempest to a clumsy old end of hopeless inaccuracy. The historian is right in abstracting general humanities of olden times which were exactly as they are now. Stories are true histories; man always has been like himself. Every period grows wiser after the event—seldom before, because history gathers in and reveals itself quietly and in confidence to every individual in his soul and sensations. Closely-written pages with foot-notes and references cannot nourish the soul of a people.

IV

The *Khalsa* is the ideal, future international state of man: it is an absolute monarchy of the kingdom of heaven for each and every man—the absolute democracy, distribution of bread and raiment of the kingdom of labour on this earth—all in one. It is democracy of feeling all on this physical plane of life, where most misery is due to man's callousness to man. It is brotherhood of the soul, where intensity of feeling burns out all differences.

In the realms of the soul, each is to have his own measure of the Guru's joy and sorrow and love and feeling and spiritual delight, according to his individual capacity. This will constitute the measure of the real aristocracy of each one's genius; but bread and raiment, the barest necessities of the physical body shall, in this kingdom of love for the Guru, never be denied to any one. If the Guru's ideal state, or even an approach to it, is ever made by man, no one will thenceforward die of hunger or go naked. Death cannot be prevented, innate differences cannot be destroyed; but physical privation will be prevented here on this earth by man himself. Let mountains be high, flowers small and grass low, but all shall be clothed with the beauty of God and fed with His abundance. The true vindication of the *Khalsa* commonwealth and its ideals as announced by Guru Gobind Singh, have yet to appear in terms of the practice of those ideals by those having faith in the Guru. The modern world is, however, busy evolving its version of the Guru's *Khalsa* State out of social chaos. This much be said at once, that the *Khalsa* is more than a mere republic of votes of little men who must be influenced to give votes. It is more than the Soviet, which aims at the change of political

environment and law, to bring the Heaven of equal distribution on earth because without the transmutation of the animal substance of man, of selfishness into sympathy, there can be no true socialism. The Guru Khalsa state is based on the essential goodness of humanity, which longs to share the mystery and secret of the Creator, and longs to love the Beautiful One living in His creation. The Guru thus admits man to an inner kingdom of the soul, where each and every person receives such abundance of pleasure and the beauty of His Love, that selfishness dies of itself. Inspiration to the higher life drives out the lower. Each one, according to his worth and capacity to contain, has enough of the inner rapture of the beauty of God in him, so that he lives quite happy and contented without interfering in anyone's affairs or robbing any of his rightful freedom to increase his own pleasures. This endless self-sacrifice in utter gladness of a new realization is the sign and symptom of the true *Nām* culture of the Guru. The Guru has inspired him with Himself, and however small the spark of that life, man sees that the "otherness" and "selfishness" are the two most ugly spectres that can not survive in that wholly moral and spiritual aroma of delight.

The "I" that has ceased to be 'I' continues in its new life of spiritual delight, its new-found joy in *Nām*. No one can be a man of truly human society, who has not obtained this divine spark which puts the self at rest, which thereby imbibes a nobility from God to leave everything alone and gaze at Him with unending rapture and renunciation. Man needs to be truly and inwardly a divine aristocrat to be truly democratic in this world. True democracy lives in the shadow of the soul-consciousness of Guru Nanak.

Thus true history is personified in such an elevated Sikh character. Bhai Vir Singh is right in having initiated an inspiring style in writing the personal history of a live religion and the lives of its followers. And what is his design? A burning lamp and round it the moths. Before the greatness of devotion even the sun and the moon appear hut as lamps.

V

*Guru Granth*⁴ of the Sikhs is the most authentic account of the Guru's soul. It is a pity that some Sikh enthusiasts and half-baked scholars, perverted by the thought of the age, have tampered with its contents to make its songs accord with the meanings they themselves wish to give it. But the authentic word of *Guru Granth* can never be lost to the world. And as the Bible is translated into different languages, so *Guru Granth* will have to be put by poets of different nations into their own language direct from their own souls. Life alone can translate life.

There is no other way to convey the passion of repeating the "Name of the Beloved" as in *Guru Granth*. This repetition is tiring to those who are not aching with that love which, in its acute pang and pain, needs the sound of the "Name of the Beloved", some tidings of Him for its cure. Such do not feel relieved by any philosophy, but by a bird-like piping of His Name. It is true, when we are suffering from the pangs of love, just one mention of one we love is the only effective solace. Only such a "love-afflicted" one can understand the significance of the repetition of the love lyrics of *Guru Granth*. And so, when the modern men would need a love-cure here in *Guru Granth*, will be found the nectar of *Nām* and its effectiveness. No other book is so single in its suggestion and practice. All is love. And the love lyrics of the whole world will echo the holy passion for God, as in *Guru Granth*. Those great songs of the whole world, will form a true history of the soul of the *Khalsa* for the modern man. Then will the Guru's message be known. To be known, is for it to be universally accepted. Truth conquers the darkness of untruth in a flash; it takes no time for light to dispel darkness. And, on that day this new illumined understanding coming to man, it will be known that the Gurus are the true poet-prophets, friend-guides. The Gurus adore "an indescribable state of life where life begets life." They describe a cosmic process for the elevation of mankind *en masse*, and of man the individual and, as such, they have promulgated no so-called "religion", but a living faith in the Universal Divine Spirit of all existence.

In essence, all things and all life are spiritual. The Guru's religion is a lyrical condition of the soul both of the individual and the mass, induced by sight of the Guru's God, and through the Guru revealed and realized. Men and their resulting social reconstructions arise from changed hearts; they are rich, really rich men, who can sacrifice endlessly for others without ever being conscious that they are in any way making a sacrifice. They are as spontaneously glad to give as men in present society are to receive. They are men of transcendent spontaneity, as the river in flow.

They love creation, because their hearts have been changed by the Guru to love the Creator, the *Kartar*. They take all nature to be a poem of God. They are poets who drink the beauty of the sun and moon, the earth, the forest and the dry desert, and they feel so satisfied in their souls that, in their turn, they flood Nature with the rapture of their own life and song. Thus they go on fertilizing the soul of a whole people and making the humble earth blossom with virgin

beauty in joyous pride. They are intensely lyrical, and their soul quivers with the uncrushable spirit of delight, and with the beauty of being. The Gurus feel in the depths of their soul-consciousness the unfading joy-emanations of creation as the flower feels the sun's rays. Differences vanish in that vibrant radiation. The poetry and music of the Gurus, therefore, needs translation through the spirit of poets; dead words can never translate the poetry of these prophets. Scholars toil in vain to catch "the rainbows in the sky" with their hands. The Guru reveals himself in a beautiful innocence of soul; he will always be misunderstood by the learned, for they learn by analysis.

The Guru Granth is the history of the Sikh soul, and its translation is to come through the great figure of the social reconstruction of human society as the *Khalsa*, where shall reign love, and not hatred. It is a society founded on the highest verity of love of man, inspired by the inspiration of God-like men who symbolize truth as personalities of Love, Grace and Mercy. Such personalities are images of the personalities in the unseen. Giving ourselves in infinite self-sacrifice in the name of God, washing away the selfishness of man in the supreme love of the Guru, is the simple, but extremely difficult path of discipleship and its greatest humanity. Without the Word of the Guru, and the ideal, the *Khalsa*, which stands for the sovereign society, there is no key to the heart of Guru Nanak and his anthems for the liberation of man. Its interpretation lies in our human soul, not in the meanings of this life-creative music. In the majesty of such living interpretation, mere intellect is a husk; the soul wakes up to great noble acts. The destruction by the Guru of the Brahmanical citadels of superstition (as in Guru Nanak's *Asa-ki-Var* or in the great *Kabits* and *Sawayyas* of the Tenth Master, Guru Gobind Singh, or in the *Vars* of Bhai Gurdas, the great exponent of Sikh ideals), is symbolic of the destruction of all lies on which human society might be wrongly founded and misguided. Guru Nanak is universal, but he is mostly the Prophet of the future. Freedom of the human mind and soul is the Guru's passion. He wishes to see man living absolutely free, yet restrained bodies, as the free hymns to the infinite resound in the restraint of words and tunes, as infinite beauty is found in the faces of children and flowers. Such is the import of the Guru's Song.

The following, a somewhat too literal translation, by Macauliffe⁵, of one of Guru Nanak's prayers, shows how, in him, the prayer has become an eternal lyric of love for God the beautiful, God, His beloved, the Nām-Entity or that yet unseen humanity spirits of the personal aspect of creation. Guru Nanak makes the divine inspiration at once the highest poetry of the highest religion. None but a divine poet can evaluate the spirit of the Guru or a humble devotee who has that burning of devotion for him. None other, none other:⁶

The chatrik crieth "Prio" (Beloved)
 And the Kokil also singeth its lays,
 The woman who is embraced by her Spouse enjoyeth every happiness.
 She whom God in His pleasure hath embraced is a happy woman;
 Everything is thine,
 Thou art my Beloved.
 I delight in Thee, day and night.
 Nanak, the Chatrik crieth "Prio, prio" :
 And sweet is the coil's song.
 Why should I forget Thee for an instant?
 I am a sacrifice unto Thee;
 I live by singing Thy praises.
 I have no one; whose am I?
 I cannot abide without God.
 I have sought the shelter of His Feet and dwell there,
 And my body hath become pure.
 It raineth a current of nectar, whose drops are delightful.
 God entereth the temple of the body when it pleaseth Him,
 and the woman riseth up and repeateth His praises.
 Lowering clouds have overspread the heavens; it raineth pleasantly,
 and love comforteth my soul and body.
 Agreeable is the spring,
 The humble-bee is pleasing.
 In the *bar* (wilderness) the forests are flowering.
 My Beloved! return to me!
 When her beloved returneth not home,

How can a wife obtain comfort?
 Her body wasteth away with the pain of separation
 The *Kokil* singeth sweetly on the mango-tree; Why should I endure
 pain of body?
 The humble-bee is flitting on the flowering branch;
 How shall I survive?
 I am dying, O Mother.
 In *Sawan* (rainy month) be happy, O my soul:
 It is the season of clouds and rain:
 I love my Spouse with my soul and body,
 But the Dear One hath gone abroad;
 My Spouse cometh not home;
 I am dying with the pang of separation:
 The flash of the lightning terrifieth me.
 I am alone on my couch and greatly grieved:
 O mother, my pain is as bad as death.
 Say how can sleep and appetite come to me without God?
 Raiment affordeth my body no comfort.
 The lakes and meadows are filled with water: it is the rainy season—the time for pleasure.
 It raineth during the dark night:
 How can the young wife have comfort without her mate?
 Frogs and peacocks are croaking;
 “Prio! Prio!” crieth the *chatrik*;
 Serpents go abroad biting;
 Mosquitoes sting;
 Lakes are filled to the brim;
 How shall man obtain comfort without God?
 Nanak, I will ask my Guru and go where the Lord is.
 O Beloved; the wife is pining and dying for Thee.
 There bloom the *Kukah* and the *kahi* reeds,
 The heat is over, the cool season is approaching;
 On seeing this my mind is uneasy.
 On all sides the trees are green and verdant;
 That which slowly ripeneth is sweet.
 The lamp which is lit by divine knowledge easily burneth.
 Love is the oil of the lamp;
 The woman and her Beloved have met.
 She is overwhelmed with delight.
 Meet us, O God, and open the doors of our understanding;
 Otherwise one hour shall be as six months.
 The songs, music and poems of bards have I heard.
 But it is at the name of God, sorrow fleeth away.
 It freezeth;
 The moisture of the forest and of the grass drieth up.
 Why comest Thou not?
 Thou dwellest in my body, in my soul, and in my mouth.
 The light of God is contained in the hearts of animals.
 Woman becometh pure when she knoweth the place of pilgrimage within her,
 I have easily met the Friend, and, by adopting His attributes, have become blended with Him.
 Hear me, O beloved and beautiful God.
 I made Thine attributes mine ornaments,
 If it please Thee, I shall bathe in Thy tank.
 The Ganges, the Jumna, the meeting of the three rivers at Tribeni at Priyag, the seven oceans,
 Alms, charity, and worship are all contained in God’s name.
 I recognize Him as the One God in every age.
 I repeat God’s name with great delight

I bathe at the sixty-eight places of pilgrimage.
 O Lord, mercifully come to my home,
 Though I bedeck myself in various garbs, yet without thee Beloved,
 I shall not obtain a place in heaven.
 I decorated myself with necklaces, strings of pearls,
 Perfumes, silks, and satins, when my Beloved desired me.
 Nanak, my Guru hath blended me with God and I have obtained Him as my Spouse.
 I am dear to Him who decorated me.
 I have met Him and am happy.
 The couch of my house is beautiful when my Beloved enjoyeth me.
 The holy have good fortune written on their foreheads.
 Nanak, the Beloved enjoyeth me day and night, having obtained
 God as my Spouse.
 I am His bride (now and forever)
 By day the sun travelleth,
 By night the moon;
 Hundreds of thousands of stars pass away.
 The one God alone is our resting place, Nanak saith verily.
 Wealth, youth, and flowers and guests are only for four days;
 They wither and fade like the leaves of the water lily.
 Enjoy God's love, O dear one,
 in the freshness of youth,
 Few are the days, thou art wearied and the vesture of body hath grown old;
 My merry friends have gone to sleep in the grave.
 I too shall depart in sorrow and weep with a feeble voice.
 O fair one, why not attentively listen to this message?
 Thou must go to thy father-in-law's (Realms beyond death).
 Thou mayest not dwell for ever in thy father's house (this earth).
 Nanak, know that she who sleepeth in her father's house, is robbed at an untimely season.

And the following couplet from *Guru Granth* addressed by Guru Arjan Dev to a disciple, Musan, puts in a nut-shell the gospel of love:⁷

Jap. . . Mechanical Muttering of "Ram" "Ram" or other names of Gods (as in Brahmanical Theology).
Tap. . . Penance and austerities. (as in Brahmanical practices),
Sanjam. . . Self-control and inner concentration of mind. (as in Brahmanical methods of yoga),
Harkh. . . Pleasure of all kinds,
Sukh. . . Joys,
Man. . . Honour, rank and dignity and their prides,
Mahat. . . Greatness (of scholarship of the vain egoistic attitude of one's power of doing miracles of having other extraordinary accomplishments),
Garb. . . The self-consciousness of beauty, birth, riches of intellectual greatness,

Musan. . . Says Musan,
Nimikh: For one little particle of a moment,
Ik Prem Par: Of love,
Vār, Vār, Diyon Sarb: I would "throw away". (as in weddings men throw silver and gold over the palanquin of a bride when bringing her home. *Vār dena* is this joyful throwing away of love).

Guru Gobind Singh, the Tenth Guru says:

Sach kahun,
Sun leho sabhai
Jin prem kiyo Tin hi Prabhu payo.

I say truly unto all:

Those who love, obtain God,
None else, None else.

Again in his conversations with Bhai Nand Lal, the cherished scholar and poet-disciple, the Guru says:

*Khalq Khaliq ki jan kai
Khalq dukhawe nahin
Khalq dukhe Nandlalji
Khaliq kopai tahin”*

Know, the creation is of God,
Hurt not any.
If God’s creatures are hurt,
It afflicts His heart.

His love of the people become tearful in the following saying:

“I am of them as of none other,
By them I am what I am.
Without these divine people⁸, many like me waste away. ^{9”}

VI

In the constitution of the Khalsa commonwealth, the greatest act of genius of Guru Gobind Singh was when he transferred the divine sovereignty vested in him to the God-inspired people, the Khalsa. When speaking of the people, the Guru speaks of the people whose personality is transmuted into the divine personality of selfless being. As the chemist talks of pure elements just as they occur in nature, the Guru refers to the ‘pure’ of the cosmic Spirit and not as they are found with their blind animal instincts. In this one act lies our history and the future history of human progress. At Chamkaur when all was lost, he made His Five Disciples representative of the Guru, and gave them his insignia of Guruship and saluted them. The constitution of the Khalsa was thus built on the heart-shrines of humanity inspired with love of God, on the God-consciousness of Disciples, not on law-books. Guru Gobind Singh would have died fighting on the battlefield even, as a while before, his two young sons had obtained the glory of martyrdom. But these “Five Enthroned” asked him to go from the scene, and to do for the Khalsa, what only he, Guru Gobind Singh, could do. So, he went. Herein the Guru’s benign submission to the will of the Khalsa was complete and unconditional. To obey, to continue to live instead of fighting and dying, even in that great personal affliction of having seen his sons and his dear disciple soldiers dying before him, overwhelmed by odds, yet to go and live for them, as bidden by them, is the supreme self-sacrifice of God for man, out of whose red flames of blood is born this Khalsa with the mysterious destiny.

In his *Hindu Polity*, K. P. Jayaswal refers to this, but he is not familiar with the life of Guru Gobind Singh, in whose mind no revival of the Hindu Polity was contemplated as Jayaswal thinks, but those mind, in this matter foreshadows the transference of sovereignty to the peoples’ *Padishahi*. This is not of the Moghul type, but of the Carlylean ideal of the ‘Hero-King’. The Guru was called *Sacha Padishah* (True King) long before Carlyle cried out for Him. And Guru Gobind Singh’s polity is to transfer the true sovereignty of the soul of a True King to a whole people. In the Khalsa constitution, the people inspired by the natural goodness of humanity, by the spontaneous Divinity of God, by the Guru’s mystic presence in all beings, are made supreme. They are the embodiment of Law and Justice fulfilled for ever in the love of Man. This state has but the Guru as Personal God. In this State, the Khalsa, the law of man’s natural goodness is the only law. The following words crudely reported were addressed by Guru Gobind Singh to the Sikhs at Nander on the day of his departure from this world: ¹⁰

“Wherefore always abide in cheerfulness and never give way to mourning. God is ever the same. He is neither young nor old. He is not born, neither doth He die. *He dealeth not pain nor poverty*. Know that the true Guru abideth as He. His creatures who are steeped in bodily pride are very unhappy, and night and day subject to love and hate. Ever entangled and involved in the deadly sins, they perish by mutual enmity and at last find their abode in hell. Yet for the love of such creatures, the Guru assumeth birth to deliver them. He hath instructed them in the true Name and very fortunate are they who have received and treasured his instruction. By it, they are enabled to save themselves and

others from the perils of the world's ocean. And as when after drought, rain falleth and there is abundance, the Guru, seeing human beings suffering and yearning for happiness, came to bestow it on them and remove their sorrows by his teachings. And as the rain remaineth where it falleth, so the Guru's instruction ever abideth with his disciples.

“The Sikhs who love the true Guru are in turn beloved by him.

“O Khalsa, remember the true Name.

The Guru hath arrayed you in arms to procure you the sovereignty of the Earth. Those who have died in battle have gone to an abode of Bliss. I have attached you to the skirt of the immortal God and entrusted you to Him. Read the Granth Sahib or listen to it, so shall your minds receive consolation and shall undoubtedly obtain an abode in the Guru's Heaven. They who remember the true Name render their lives profitable, and when they depart enter the mansions of Eternal happiness.

“I have entrusted you to the Immortal God. Ever remain under His protection, and trust none besides. *Wherever there are five Sikhs assembled who abide by the Guru's teachings, know, that I am in the midst of them.* He who serveth them shall obtain the reward thereof—the fulfilment of all his heart's desires.

“Read the history of your Gurus from the time of Guru Nanak.

“Henceforth the Guru shall be the Khalsa and the Khalsa the Guru. I have infused my mental and bodily spirit into the Grantha Sahib and the Khalsa.”

“He then put on a muslin waist-band string his bow on his shoulder and took his musket in his hand. He opened the Granth Sahib and placing a coconut before it, solemnly bowed to it as his successor. Then uttering “*Wah Guruji ka Khalsa, Wah Guruji ki Fateh*” he circumambulated the sacred volume and said, “*O Beloved Khalsa, let him who desireth to behold me, behold the Granth Sahib. Obey the Granth Sahib. It is the visible body of the Guru, And let him who desireth to meet me diligently search its hymns. And lastly keep my kitchen ever open and receive offerings for its maintenance*”.

And, had the Punjab had a seaport, his disciple the great Maharaja Ranjit Singh, would have put into practice the Guru's polity. This much he did, he loved the people as no other king did, and called himself “His Servant” knowing that it was He who had entrusted the people to him. He was the “Peoples' servant” and the Guru's bond slave. Treason and intrigue brought down the roof of the Sikh Court at Lahore.

Maharaja Ranjit Singh, in obedience to the will of “Sovereignty vested in the Sangat!”¹¹ obeyed the *Gurmatta*. *Gurmatta* was the constitutional institution of the Sangat and submitted himself to it, and all the heads of the different Khalsa confederacies assembled together and held *Gurmatta* and submitted to it. It was no mere resolution of a haphazard congregation. *Gurmatta* was the will of the Guru felt in their soul by the assembled Sikhs whose function was of the seers. The last *Gurmatta*¹² of the Khalsa was held just before the action of Saido, the battle in which Akali Phula Singh lost his life. Maharaja Ranjit Singh did not approve of nor did he order the advance, but when the *Sangat*, the Khalsa wished it, he obeyed. This obedience of kings to the people is from the example of the Guru and as an idea first came from the Guru to the world. The Khalsa's was a truly divinely representative monarchy, the soul of a people gathered in one Man. Guru Gobind Singh was neither a Caesar nor an Aurangzeb. He was the true king of the people and a comrade of the people. In the truest representative spirit, Guru Gobind Singh founded the true democracy of the people in which there were no dead votes or votes won by mental persuasion or interested coercion. Democracy was a feeling in the bosom of the Khalsa and it gave an organic cohesion to the people who founded both society and State on the Law of Love, on Justice and Truth, not an impersonal system of the will of the blinded mob-representation by sympathy and not by dead votes. The Khalsa-State is an Ideal; Sikhs may die, it does not. It is immortal.

But the “polity” of Guru Gobind Singh was not allowed to grow, far less to flourish, owing to the growth of hostile elements. And the Jatha Bandi¹³ organisation and discipline of obedience to the leader that the Sikhs still show, however, untutored and primitive, entered originally into their very blood from the Guru; and whether in the old Sikh life as portrayed in the noble book *Sundari* by Bhai Vir Singh, or in the visible but a bankrupt revival of the same spirit in the Akali Movement of the Punjab, which took its shape from the descriptions given of old in *Sundari*, it is the continuation of the spirit as in the age of the Guru. Assuredly the Sikh's is not the Moghul *Padishahi*, but a state

representing a foreshadowing of some future Society and State. And only the future perfection of the State will make clear the significance of the Guru's Khalsa. Assuredly, it is no revival of the Caste-Polity of the Brahmin, that damaged Hindu society.

VII

It might seem that owing to the hostility of the environment, and the not unoften deliberate attempts of the Hindu society to obliterate the Sikh ideals, Sikhs tend to deny any relationship with Hindu society. The Sikh may deny him or not, the Hindu has already denied the Sikh. The great Hindu culture and its innate influence on Sikh culture, however, cannot be denied. It would be to deny one's parentage. Such denials add nothing to the stature of the Sikh. All that is lofty and noble must be and is fully reflected in the soul of Sikhism, for the matter of that, not Hindu culture alone, but all human culture itself. Sikhism primarily is the culture of Divine Humanity whose fundamental principle is unity that shall be realisable in feeling and action, not in mere thinking and pious intentions. The divine plurality of form is more of that unity than the mere dead concept of Unity. The Sikh is rather spiritualistic in his consciousness than metaphysical.

Vedanta's fascinating philosophy of Maya-Illusion is the *a priori* condition of every Indian mind, and no Sikh can escape, even if he so desires, the fascination of the Vedantic theory of Maya—so entrancingly put in *Yoga Vashishtha*. Vedanta is the background of all religions of India. For all restless brilliant philosophic intellects, nothing can be so full of solace. This objective universe is all illusion – such is the soul of all oriental poetry and religion. Our idealism is flat without it. Without Advaitism, that is, non-dualism of Vedanta our religion would become too modern something shallow, loquacious and insipid. That our religious tradition would be bankrupt without the literary and mental background of Sanskrit literature admits of no doubt. Unlike the Muslim religion, Sikhism is not alien in this land. The religion of the Muslim makes him an alien to the glorious heritage of this great culture continuing through numerous centuries. Arabic more than Sanskrit, Arabia more than India, colours the Muslim's thought in India. This is the most disappointing side of the Islamic fraternity, especially of converts born and bred in India. Even their names must be Arabic in this country with its traditions of Sanskrit. They wish to alter their mother-languages and dialects and be part of the Islamic world outside India. This is a sin against human affections. It may be desirable from the Muslim view-point, but for the Sikh of India this would be suicidal. The Sikh is in no sense an alien; he is born in India; he has the glorious heritage of Indian culture; he cannot be without *Prahlad* and *Mira*¹⁴. Guru Gobind Singh sent his Sikhs to Banaras to study Sanskrit. He is said to have translated *Krishna Lila*¹⁵ himself. And all the holy associations of the resplendent past of Hindu culture inspires the Sikh with its essential goodness and nobility, just as the blood of the father flows as inspiration in the veins of the son. His forms of worship partake of Hindu traditions, the poise of the Sikh's face is distinctly Hindu. But we differ with Brahmanism and its social inequalities. We are more Buddhist¹⁶ than Brahmanical, essentially more artistic than philosophical. Lord Buddha's simple humanity is the true spirituality for us. Historically he is the first to think of reconstructing society *en masse* on good Karma and start it on the noble eight-fold path. The Buddha's pure Buddhism, however, has been vitiated by the subtle Brahmanical thought. Mahayana Buddhism is actually Brahmanism in disguise. Bhai Our Das, 300 years ago, calls the Brahmanical ideal Yogi Shiva—a *tamsi*, and all the Hindu Avatara are to him only magnified Egos. This shows how the Sikh differs from the Brahman and is close to the original pre-Mahayana doctrine of Buddhism. Our mother-country is India, our language is derived from Sanskrit, but we are modern in our outlook, though also ancient as *Prahalad* and Krishna.

We have got a new and intensely reactive past of over 400 years and we are out off from the decadent past of India. In view of the political solidarity of India it is mischievous for any to suggest that we are not of the Hindus, and not equally of the Muslims. It is mischievous to multiply the points of difference with the Hindu, which are not fundamental. Now the process of the Hindus joining the Guru under his flag for the freedom of India had been discontinued by the Hindus themselves. It is suicidal for them to have done so. The Gurus have shown to Hindus the way to freedom of mind and soul and also to political freedom. The Hindus, out of the spirit of vain intellectual pride have withheld themselves from the resurgence that Sikhism would bring. For the Hindus, the way to Survival and freedom in the Guru's way. Unless they accept *Guru Granth* as their new *Gita*. The old Scriptures and the stories from *Ramayana* and *Mahabharatha* can no longer inspire new life into the mass of 300,000,000 people whose backbone has been crushed by systematic metaphysical and theological burdens. Political slavery has been the result of their metaphysical mentality.

The modern Islamic fraternity however aggressive to non-Muslims, has in it a remarkable homogeneity for an ordered material advancement over most others in the East, who are hopelessly broken among themselves by reason of religious superstitions and theological unrealities so systematically and deliberately passed as realities of life. It is, therefore, necessary for the balancing up of the perspective of things in human affairs, that the pendulum should now swing the other way. As I have hinted earlier, for the good of the Hindu people, *Guru Granth* ought to have been the new *Veda* and the new *Gita* and new *Upanishads*, if they are to share in the great life-urge of the modern world. In the scheme of human progress there is such a thing as the physics of spirituality; the Hindu has ignored it, the Western races have realized it. Because of their comprehensive vision, the Khalsa shall have the spiritual and temporal sovereignty and all shall submit to it, soon or late. Only those shall be saved, who gather under this flag. The Hindus, so far, have not seen the significance of the Guru's creation, the Khalsa. Great Hindu philosophers like Tilak, Aurobindo and Tagore are reinterpreting the *Gita* and the *Upanishads* in order to come abreast with modern Western thought and scientific conclusions. But they do not see that more than four hundred years ago, their own countrymen, the Sikh Gurus, actually worked all these modern tendencies into the constitution of the mind and society of this unhappy land, by creating the Khalsa. Their lives gave birth to a new country in this old one, and, peopled it with a new race, with a universal religion of faith in man, and fired it with the spiritual passion for progress. Out of the Gurus came a daring, colonizing race, lovers of land and agriculture, ready to start a new page of life at every turn. And of all the older texts the Sikh texts alone need not be tortured to come abreast with modern developments: they have woven the philosophy of the ancient scriptures in an organic whole. The Sikh life is the vindication of natural manhood and womanhood.

The Hindus failed Guru Gobind Singh; but Guru Gobind Singh has not failed them. They have not understood him; he understood them. As they have grown so apathetic, almost antagonistic to the message of the Gurus, it is essential that the basic unique character of Sikh culture should now be expressed. Such isolated expression is essential for its flourishing.

VIII

The culture created by the Guru is in one word, the all-mind divine culture. The Sikh, like the Guru, like sunlight and air and water belongs to all: he is culture embodied, love incarnate, sweet fragrance of humanity that kindles dead souls. Men are very rare and the Sikh still more so.

The past, the whole past, of India, with all its spiritual culture lives again in the Guru's mind, but it is the shadow of His immense personality that looms up in the future which interests me most at the present moment. To find Walt Whitman chanting almost the Guru's great ideas in his *Chants of Democracy* is what inspires me. To find Sir Oliver Lodge and Bertrand Russell saying things that almost coincide with the visions of the Guru makes me tremble with the great prophetic nature of the song in the *Guru Granth*. The purpose of this book is not to express that is grand in Hindu culture—that is more than adequately known and has found powerful advocacy throughout the world—but to express what are the essentials of Sikh culture, and what are the distinctive features of the latter. I have all along spoken of Brahmanism and Buddhism and Sikhism together and my comparisons are as I feel them in my soul, for I believe the voice of history has its whisper for me, which possibly none else can hear. I have lived through ages, and I, too, have individual consciousness of it all; and that makes my present "me" a mere vehicle of all the past experience of man. So this discussion is not mere polemics, it is the blood of my soul. It is in the nature of my soul's experience, right or wrong—it is there by a right of its own.

IX

If I were to isolate some philosophy merely for the purpose of thinking aloud, the Guru has it that the spiritual infinite is made real to us by the material finite nucleus around which, for us, the infinite glows. The infinite is for us, a radiation from the finite centres. Speaking from the position in which we find ourselves here, any life of spirit without a finite magneto-material point centre of God-consciousness must be a myth, a deception." God-concept" or the "Concept-God" is certainly a myth to all who have not heard his name from the Guru—such is the theme of Guru Nanak. For all practical purposes under these conditions, the Guru is God. The talk about the infinite, and right or wrong, is mere abstract conception of the theory of things and is, as such, full of lifeless abstract mental concepts about God and the nature of reality. Such are not always necessarily the right descriptions of the true spiritual states of the soul. All may be only partial descriptions. Impersonalising and Infinitizing on the part of the intellectual man may be theoretical philosophy, but it is not of the living arts of life. On the contrary, the finitizing of the Infinite, of God as

Guru, of Form-transcending beauty in forms as “things of Beauty”, and, then again, in the molten glory of human feeling infinitizing, impersonalising, if you please, of the Guru as very God, of Formed Beauty as Transcendental Beauty—is the art of the inner culture of manhood. It is here that the whole difference lies between the Brahmanical and Sikh culture. The latter is like Buddhism, artistic, spiritual and personal—the former is metaphysical, merely mental and impersonal. One starts from what one sees and works it out, the other starts from the unseen and wishes to think it away. Life clings to forms. Forms are eternal realities. Beauty is of the Form. And it is the Formed *Om*, *Om* with *Akar*, that the Guru invokes.¹⁷ The Guru’s *Om* is the word-in-flesh—the whole creation which is the vesture of that soul. The soul of Beauty is the Guru. To the disciples, this *Om* is Guru Nanak himself. It is Guru Nanak who restores the traditions of Islam to the Mussalman and of Hinduism to the Hindu: Find the Personal God in whatever experience comes to you.

The Guru fulfils all philosophies of life in his devoted practice of *Nām*, but does not agree fully with any. His word has the expanse and mystery of all time and space. His position about all philosophic attempts of men to comprehend Reality seems to be, towards each—so far this is right, and further it is lost and must be lost in the curvature of the human mental horizon.¹⁸ No system of human thought can run on an infinite straight line. Each one has its point of curve beyond which it cannot go. The Guru, therefore, fulfils all gospels, and so universal is he that he refuses to be classified or counted with anyone particularly, though he shines with his own individual lustre in all spaces and times, in all modes of thought. None can say the Guru says this and does not say that. His voice is like the voice of Nature, and God. He is interpretable in a thousand ways. He is of the *Vedas* and he is not. He is of all the Six *Shastras* and he is not. He is of *Al-Quran* and the *Bible* and *ZendAvesta* and yet he is not. What is he then? This is left to the self-realisation of every seeker of God, and each can understand the Guru as such and as far as his own capacities permit him. Above all, the Guru honours the seeker of God, the striving man, the doer, and not the mere babblers. The Guru loves the craftsman more than the mere theologian or the metaphysician.

Bhai Vir Singh, the modern Sikh savant, the poet and mystic of the Punjab, once told me: It is difficult to form one view of the Guru’s mind, but if all the views could be taken, they together might form a whole view of his mind, and yet I would drop it all, the part and the whole. Drop one view of it, drop the other too. He is more than all our views. On God, I sometimes form a partial view of the Guru’s mind and it must be correct only up to a point and no further. God is, as it were, an aggregate of moral sublimation out of this gross matter, an aggregate which is constantly being increased. But so perfect is its self-effulgence that nothing can brighten it further, nothing can add to it; but all that is formed perfect, the perfect soul, the living one out of the struggling matter is added unto Him—increasing that effulgence that is God: The significance of all effects of life is for man to be God. And this God of Guru Nanak is something like the personal Allah of Mohammed, something like the impersonal immanence of the Hindu’s Para-Brahman and it is the Father-like concept of the Christian. In the Guru, with his exhortation to holy *Simrin*, is inspired remembrance of all that is beautiful and good. *Simrin* imparts a perpetual rose-like youth to the human flesh and the body of a chosen lover of God radiates soul-like for ever. Physical indulgence wastes and old men and women who have spent their youth without His remembrance are mere flesh in the process of slow decay and utter dissipation. The youth of everything is a God-like substance. How wonderful!

“The whole world of beauty is to give the Sikh pure spiritual thrill. There can stir no desire in a Guru touched breast to possess beauty in the physical sense. Beauty is the reality of the soul its realisation is beyond body and mind—above them and yet in them, by them and for them. Angels of the Guru watch the Sikh consciousness, they support it and maintain the faith of the Sikh at a level where his happiness never assumes the posture of a beggar or, what is the same, a poseur. Subjectivity is the true state of the Sikh’s absolute polarity of soul. There seem to be some mighty springs of God’s favour forced in under his soul consciousness, that is infinitely elastic and powerful. He bears his cross of life and its suffering and burdens and, at times, bends below its weight, but soon the springs assert their power and all despair and sadness are shed like dew-drops from the white wings of the hawk. The way to live this God-consciousness is Guru-inspired *Simrin*, holy Remembrance. The maintenance of this spiritual *elevation* is the inner function of the Sikh’s personality, which is more responsive to the Divine thrill than the leaves of the sensitive plant are to the touch of man. Altruism, doing good, rendering service—that is, being human—is to the Sikh as natural as shade is to a tree. He does not think of being so, he is so. He is a man first and that to all men, and he is God afterwards to himself and that within himself and only to his God. He feels his salvation lie in the ripened God-consciousness, in the Guru’s love. He feels the fruitfulness of his body, and the bodily labour of his earthly existence lie in what the modern intellectual world calls the “service of humanity”. But all the time, he is so filled with the “*Nām*-entity that he thinks nothing about his doings. It is like a perfume oozing out of him. As fragrance is the quality of the rose perfuming goodness is of the Sikh”.

X

Some modern typical Hindus are trying to interpret *Upanishads* and the *Gita* in modern modes. But such attempts are against the traditional faith that has gathered round these books. And, however easily they may be interpreted in the modern modes, they have never shown the great reactivity that is attributed to them. In the past the teaching of the *Gita* has never been harnessed to action nor the *Upanishads* to love of the people. There has been no phenomena of transmutation of personality by a Higher Being's personal touch on any large scale, as in Sikh history. The *Upanishads* are examples of mental splendour, unique and truly glorious. But without Buddhism and now without Sikhism in India, and without the modern spirit of the West, which lives and works and attains to knowledge by the experimental method, which is, as I term it, 'physics of spirituality', the *Upanishads* and *Bhagavat Gita* could never have been so interpreted. On the other hand, from my close and devoted study of the Guru's hymns, I assert that many revolutionary tendencies are found in the Sikh thought, song and life. No texts need be turned upside down for it. It was atrocious not to have seen this, and to have ignored Sikh history, from the main features of the hostility of the racial environment in which Sikhism took its birth. The Sikh believes in one great culture of man which is yet to come. There is more future and past in Sikhism while there is all the emphasis on the past in Hinduism.

XI

All past civilisations, whether of the East or the West, were at first forest cultures and subsequently city civilisations. Rabindranath Tagore is wholly out of perspective when he distinguishes the Hindu civilisation alone as having its cradle in the forest. A few good men of culture oppressed by the Aryan civilisation of the cities, of the conquest and plunder, renounced society in utter disgust and took to living in forest solitude, but they never could modify the civilisation of aggressive action that was also flourishing in the cities of Arya Vrata of old. Man was not born then, he is not yet born now: he was and in most of his doings still is a brute. The Aryans looked down upon the conquered peoples and crushed them just as the white nations denigrate and crush the coloured races today. Kalidas, in *Sakuntala* paints with knowledge, his social surroundings and it is clear that King Dushyanta represents the Aryan civilisation which in no way differs from that of the Western civilisation of today, tacitly condemned by Tagore and Gandhi. Kanva and Kashyaps are suffered in their anchorite holiness and respected just as goody goody things, as Gandhi is today all over India, without being followed. The Ashramas had no influence on the court of kings beyond some courtesies due to them and even those were purely formal. How does Dushyanta turn out the little monk-boys of Kanva? Kalidas in *Urvashi* says: "How could this scripture-scorched anchotite be the father of such beauty?" While this Ashrama life had no influence on the Aryan civilisation of the city in general, but the love of the forest animals and conscious feeling kinship with the trees and creepers and rivers, as shown by *Shakuntala*, was the fast disappearing poetic spirit of the Ashrama life in those days. The knowledge and the routine tradition of the love of nature have departed from this country, leaving a vague slothful, dirty superstitious reverence for Nature as it is felt in the mass mind today, reminding us of primitive and crude humanity. Today the love of Nature has almost vanished from Hindu thinking. Nature's music is not listened to, nor do the red cheeks of a full-blown rose send any thrill into the Hindu consciousness. It is ludicrous for the average Indian, devoid of all true culture of sympathy with Nature in the mass life, to assert his past superiority to the moderns of America and Europe and condemn them, when even in the glorious past of India the culture of Beauty was attained by only a few amongst millions. In India, the masses have been always kept out of touch with their highest men, as the plains of India are from the snow-peaks of Kinchinjunga and Gauri Shankar. Alone of Asia the Japanese, and perhaps the Persians, of today retain the spiritual light of the love of roses, moon and mountains and streams. Their Nature poetry is a social speech. But the rest of Asia is full of mental filth, dirt of selfishness, squalor of poverty.¹⁹ China is too huge to be alive and having light in this sense. India is dead in the pride of its past and longs still to hear sweet lullabies of orientalist of the West. Japan alone rises like the Sun, but it has yet to be seen, in spite of Okakura's fervent faith, whether Japan can stand against the onslaughts of the vulgar civilisation of the modern times. Japan, however, is virile with a deep and spontaneous physics of spirituality. Japan has in its social life and soul the aromatic art of the Buddhist worship of man. Asia and all lovers of beauty can only pray that she may remain true to this artistic religious inheritance of the inner man. Except Japan. where every child born is the child of the cherry and the lotus, where every geisha girl has the supreme intuition of the beautiful in nature, where every man and woman's hand is trained in expression of Art and worship, where everyone is unconsciously conscious of the deity, where all society is so noble that sin itself becomes virtue—except in Japan Asia's soul is sick and India has suffered most, owing to a decadent Brahmanism and its erudite emptiness.

The animal in man is never subdued by the synthetic, artificial and dramatic refinement of minds like Kavidas's and Tagore's and this animal is the same, whether it is the East or the West. On the other hand, the inner man, the God in him bows to the simple and sweet humanity of a saint and loves to clothe himself in the glory of love whenever it is possible, and this inner man has the same shape all over the world. The soul shines on all features, on all colours, as does the Sun.

There is no superiority of the East over the West, nor of the West over the East, but some particular aspects of the human mind, in certain epochs of human history in the East have been developed. If *Shakuntala* is the product of an Eastern mind, there is *Faust* of the Western. Let me say, no one in the East ever appreciated *Shakuntala* as did the genius of Goethe. Pricelessly precious in the gem, but more is he who knows its value. There is the spirit of *Shakuntala* in Wordsworth's dumb attachment to Nature. The large humanity of Whitman cannot differentiate between East and West. He embraces the Sun and Moon, India and Norway in his arms. There is not antique celestialism in him, but he is a voice of a man intoxicated with the beauty of God in Man and in Nature, that drowns the sentimentality and Oriental affectation of poets of the modern age, Eastern and Western, in the savage sincerity of a man of sympathy. All other poets seem to be pigmies playing with microscopic dissections of rhyme and metre, while Whitman's telescope sweeps the skies and the centuries. His poems rhyme in the eyes of men and women, in the waves of the sea, in the arms of the continents, in the suns and stars. This man, the bold natural confidante of prostitutes, the dresser of the wounded on the battlefield, the wistful gazer on the moon and stars, obliterates all divisions of East and West, of dark and fair. How foolish it looks before Whitman to speak of the East's superiority. In what? How few are there who are truly Eastern in the East and those few are more both of East and West rather than of the East alone. And how few in the West that are truly Western! And there are they not equally Eastern? Let us deal with men, ignore animals.

XII

In true knowledge, there is no difference between man and man, between God and God. Allah and Rama are one and the same. They are mere symbolic names embodying the ineffable and indescribable experiences in one's own soul of the Great Spirit of this wondrous creation. These experiences of joy and union, of love and sympathy, of knowledge, must be universal and not merely sectarian, and most experiences are original with a few geniuses, with others in the case of a few blessed followers only a form of the cooling shade of shelter; but with most but a superstition. There is no such thing as Eastern Art and Western Art, Eastern poetry and Western poetry, any more than there can be such a thing as Eastern Chemistry or Western Chemistry. This we learn as we read in the lives and writings of the Ten Gurus. The student will, indeed, find that early literature finds expression in the Western world also; and it could not be otherwise, for the value of these thoughts is universal and final, and therefore they could not be more oriental than accidental: the East has advanced beyond the West only in a wider and fuller acceptance. This might be mainly due to environment. Ananda Coomaraswamy in *Buddha and the Gospel of Buddhism* quotes Matsunga Tailoku, the Japanese poet and compares him with Henry King.

The morning glory blossoms but an hour and yet it differs not at heart
 From the giant pine that lives for a thousand years.
 Brave flowers that I could gallant it like you, And be as little vain.
 You come abroad and make a harmless show
 And to your beds of earth again.
 You are not proud; you know your birth;
 For your embroidered garments are from Earth.
Henry King. Contemplation upon Flowers.

Ananda Coomaraswamy writes more candidly on this identity of the spiritual aspirations of the East and the West and compares Walt Whitman with the poets of Buddhism; it is truly refreshing to see that the soul of the East and the West is one. Man is essentially divine.

Walt Whitman and all 'disciple-poets' are in themselves the beautiful descriptions of the life of the Buddha, Christ and Guru Nanak. These Walt Whitmans do not create men like themselves, they only burst forth into ecstasy, love everything they see and touch, and for a time galvanize their wayfarers and give an impetus onward. They are the disciples, not the Guru. For them all is beautiful in those moments of theirs that are dyed with the divine passion. And those who see them feel an inebriation stealing over them, for such ones fill the soul. Progressiveness is a trait of the spiritual life. Japan has shown herself capable of the greatest mass upheaval. I call it spiritual vigour as shown in the

changes of her Meiji era, while it is a huge pall of darkness, this mental stagnancy of India and China that moves not. The Chinese, however, through their incessant labour have made themselves more capable of movement than the Hindus, and by their thought and constitution of mind are more capable of spiritual action than the latter. The Hindus, if they do not come out of their old moorings, will suffer extinction. An intellect that thinks and thinks, and stagnates, and does not test its products with the realities of life, is only a curious museum exhibit, albeit sometimes interesting and amusing.

The Sikh idea of “spirituality” on the earthly aspect of it, as conceived by the Gurus, is more akin to the dynamic aspect of life which we witness in the progressive marching man. It is remarkable how both the Gurus and the disciples love to sing of the processions of humanity in God and in Truth and visualize these processions and their march so repeatedly that the march of the people is almost audible in different hymns of the Guru. The Gurus are for progress. They love to see the people marching in history. And according to the Sikh mind, the stagnant mentality is the self-excreted poison of races.

The soul is more than the intellect and the will. The Guru merges the intellect into intuition, when wondering at the beauty of creation and thinking of that great Craftsman, but he isolates it away, leaving a fine thread connecting subliminally with intuition, and thereby sharpens this separated intellect like a thousand-edged tool with which to handle matters within its rightful cognition, and thus allows it to function increasingly on the objective side of life. The Sikh thus, even in the objective world and the world’s knowledge, lives under the shade of the finite Infinite—the Guru—and feels that without this relation invisibly and visibly, in a live and lyrical continuousness, man with all his intellect becomes a branch torn from a tree. So great and old, however, is the past of India and so inextricably knitted with the races of Central Asia and the pre-Asian existence of older races of man and consequently with the whole world of man both geographical and historical, that even Buddhism and Sikhism, which are great world movements from very humble beginnings and which in themselves are the two great original new impulses of human progress towards democracy in love of man, have been absorbed up in the Gobi desert of this empty intellectualism and concept-life of Brahmanism, and their life-giving inspiration, the very radium of mind, has been slowly allowed to degenerate into sinking lead.

The attitude of the learned Hindus both of the past and the present, towards Buddhism, and towards the Gurus, have caused me, both as a Sikh and as Hindu born, a deep wound, as I believed that they and their ancestors before them, in their intellectual pride and merely speculative spirit of clinging to some mental unrealities as truths, have not permitted Buddhism in the past—the great Buddhism that went and leavened the masses of Japan and Burma and even China—and the Religion of the Gurus now, to wipe out the prevalent inertia and not impart the leaven of life which would make for progress. We, the Sikhs, appreciate a plan of regeneration of culture, such as given by Mr John Middleton Murry in the *Adelphi* (July, 1926) with this difference that leaven from a higher life is essential to regenerate the lower. Mr Murry has well put it: “As opposed to the extremely romantic “intellectualism” which is rampant today, we maintain that a true intellectualism must be first conceived to establish the proper function of the intellect. It is the servant, not the master, of life. It cannot prescribe what is or what is to be; its business is to learn to be loyal in learning. It cannot determine what is the real. Reality is immediately given. The intellect is wisely used only when it faithfully follows the conformation of the real. It is essentially a plastic faculty whose function is to obey and not to promulgate.”

Our culture is to be river-like, freed in the bondage of the Great Spirit. When an obstacle impedes cosmic progress, or the river-waters gather, gather and gain strength and break forth and flow out again, so does our love-liquid personality gather, and gain strength. Concentration as taught in Yoga of the Hindus is to us but a geometrical, intellectual attempt. We are for cosmic concentration, born in and out of the nature surrounding us. We only flow and let life flow in its limpid stream through us. Beautiful talk is meaningless, unless Heaven is at one’s back.

The famous intellectual Hindus of our age are merely excited in their intellectual centres, and they excite others also in the same centres. They talk and declaim. Excitement begets excitement, and they all end in a dense fog. All is a passing phase, nothing goes deep. The modern intellectual giants are as kites in mid-air, which look pretty as they flutter; but prettiness is not all the truth, at least not the vital one, nor the life-giving one. They are metaphysicians trying to conquer realms of truth by their wonderful logic.

The Guru on the other hand says, “Life is conquered by the spade and plough and by a look upward to God.”²⁰

Shall not those who have seen the Sikh's soul in his history and in the evanescent flashes of spirit of a whole people in the Akali²¹ movement in the Punjab, be reminded of the resemblance between Sikh humanity and the humanity of Whitman in the following lyrics from him.

Does not this modern poet sing of the Guru's Khalsa in these passionate pieces?

“Of life immense in passion, pulse and power.
Cheerful, for freest action found under the laws divine,
The Modern Man I sing.
Comerado, this is no book;
Who touches this, touches a man.
(Is it right? Are we here together alone?)
It is I you hold and who holds you,
I spring from the pages into your arms; deacease calls me forth.”

(Cf. Guru Gobind Singh asking his disciples to see him in the Word, the Book when he gave His Throne to the Word.)

Is not the following a description of the Khalsa of Guru Gobind Singh?

“I announce natural persons to rise,
I announce justice triumphant,
I announce uncompromising liberty and equality.
I announce the justification of candour and the justification of pride.
I announce a life that shall be copious, vehement, spiritual, bold,
I announce an end that shall rightly, joyfully meet its translation.
I announce myriads of youths, beautiful, gigantic, sweet-blooded,
I announce a race of splendid and savage old men,
Race of veterans, and race of victors,
Race of the soil, ready for conflict, race of the conquering march,
(No more credulity's law-abiding tempered races)
Race henceforth owing no law but the law of itself,
Race of passion and the storm.”

Cf. Guru Gobind Singh when he supervises the making of “Ranjit”, his war-drum at Anandpur. The poet sings again, as of the Guru:

In peace. I chanted peace,
But now the drum of war is mine,
All comes by the body, only health puts you *en rapport* with the Universe.
Produce great persons; the rest follows.

The following describes the congregations of the Khalsa singing divine hymns of *Asa-ki- Var*.

“Singing with open mouths their strong melodious songs
O Arrangement of things, even the least particle.
O Spirituality of things.”

With the above citations compare the following taken from the very literal translations of hymns of Guru Granth by Macauliffe.

God made the light,

All men and things created are made of light,
None is good,
None is bad
(All are as he made them)

(Kabir, measure Parbhati)

“Guru Gobind Singh obtained from Guru Nanak, Hospitality, the Sword, Victory and Prompt Aid.” These lines are impressed on a seal made by the Sikh monarch Ranjit Singh on his coinage.

XIII

Contrasted with Whitman’s true Sikh way of singing and his lyrical expansion into the very infinity of life and his “melting away” into the joy of the Infinite found in the Finite, his mouth full of deliciousness, his eyes full of the colour of the raptures of the Nibbana of the Buddhist, his soul gleaming with vistas of the Eternal, and the whole of him a dew-drop glistening with the light of God on a lotus leaf: contrasted with this, Tennyson, Shakespeare, Milton, Yeats and Tagore seem like wax-toys set in glass cases. They and the like of ‘them are the poets of the intellect, not of the soul. They are stuck there, deep in the intellectual conventions, while Whitman lies broad like the seas, high like the mountains. He flows like the rivers. It is the spirit of poetic feeling, of poets like Whitman that can come near to the comprehension of the description of the “Indescribable” of the Guru, The “Indescribable” of the Guru is what Whitman expresses by raising huge word-palaces and word-cities like the cities of New York and Boston in his pages. He rebuilds continents to name Him in his own way. Walt Whitman is thus the only poet of depths, in which resounds the Guru’s music of love for man. Immensity of matter is put together to give a strong suggestion of that great spiritual strength. The immense Himalayan Mountains, suggest the divine. When matter concentrates in one place in heaps, it becomes spirit by its very immensity. Whitman’s heaping of words and cataloguing of mere names gives the outlines of his inner joy of things. The repetition of Whitman is possibly unconscious, spontaneous, inspired description of the soul of the Khalsa.

The following, from his *Democratic Vistas* shown how disappointed he feels in the actual “democratic humanity” for want of depth. He deems all modernity, in its colossal outward shape, has no soul, and so he sings to the people his ideal dreams of a democratic State. In this connection, I cannot help thinking that the veils of earth and heaven had lifted once in the Punjab and in the times of the Guru there was that State and society which Whitman asks for in the following passage.

“After an absence, I am now (September, 1870) again in New York City and Brooklyn, on a few weeks’ vacation. The splendour, picturesqueness, and oceanic amplitude and rush of these great cities, the unsurpassed situation, rivers and bay, sparkling sea-tides, costly and lofty new buildings, the facades of marble and iron, of original grandeur and elegance of design, with the masses of gay colour, the preponderance of white and blue, the flag flying, the tumultuous street, Broadway, the heavy, low musical road, hardly ever intermitted even at night; the jobber’s houses, the rich shops, the wharves, the great Central Park and the Brooklyn Park of Hills (as I wander among them this beautiful Fall weather, musing and watching, absorbing) the assemblage of citizens in their groups, conversations, trade, evening’s amusements, or along the bye-quarters, these, I say, completely satisfy my senses of power, fullness, motion, etc. and give me, through such senses and appetites and through my aesthetic conscience, a continued exaltation and absolute fulfilment. Always and more and more, as I cross the East and the North rivers on the ferries, or with the pilots in their pilothouses, or pass an hour in Wall Street, or the Gold Exchange, I realise, (if we must admit such partialisms) that not nature alone is great in her fields of freedom, and the open air in her storms, the shows of day and night and the mountains, forests and seas-but in the artificial. The work of man, too, is equally great-in this profusion of teeming humanity, in these ingenuities, streets, goods, houses, shops, these seething, hurrying feverish crowds of men, their complicated business genius (not least among the geniuses) and all this mighty many-threaded wealth and industry concentrated here.

‘But sternly discarding, shutting your eyes to the glow and grandeur of the general effect, coming down to what is of the only real importance, *Personalities*, and examining minutely, we question, we ask, are there indeed, *men* here worthy of the name? Are there athletes? Are there perfect women to match the generous material luxuriance? Is there a pervading atmosphere of beautiful manners? Are there arts worthy of freedom and a rich people? Is there a great moral and religious civilisation—the only justification of a great material one?

“Confess that rather to the severe eyes, using the moral microscope on humanity. a sort of dry and flat sahara appears. These cities crowded with petty grotesque malformations, phantoms playing meaningless antics, confess that everywhere in shop, street, church, theatre bar-room, are pervading flippancy and vulgarity, low cunning, infidelity. Everywhere the youth, puny and impudent, foolish, prematurely ripe—everywhere abnormal libidinousness, unhealthy

forms, male, female, painted, padded, dyed, chignoned, muddy complexions, bad blood, the capacity of good motherhood deceasing or deceased, shallow notions of beauty, with a range of manners, or rather lack of manners (considering the advantage enjoyed) probably the meanest to be seen in the world.”

Thus does Walt Whitman describe the people's condition in a modern democratic state and those who are intimate with the manhood or womanhood of the Guru's Khalsa, (at least at the times of the Guru's presence and inspiration) can answer to all the most remarkable set of questions put by the poet to the modern democracy of votes. Those who know, have borne ample evidence already to the fine manhood and womanhood of Guru Gobind Singh's Khalsa, and what splendid youths and fine old men the Khalsa did produce and is still capable of producing.

Thus the Khalsa of Guru Gobind Singh is what clearly the soul of the great American poet is invoking in the modern States of America. Pity that the Indian people failed to welcome and publish the Guru's Khalsa broadcast. None of the great Hindus as could find the secret of the wondrous reactivity of the Guru's man-freeing and man-making genius. Men like Tilak, the political leader, had no better occupation than to find an Arctic home of the Vedas or to write a learned commentary on the *Bhagavad Gita*. Walt Whitman, in full of love of the grandeur of his country's material progress, and bemoans the ineffectuality and vanity of the wholes show without the real men and women adorning it. He confesses defeat in the essences and fruits of political American democracy so fair as the main thing, the development of human personalities is concerned, And how wonderful, even as a spectacle of history: it is to see the Guru insisting first and foremost for his Democratic State, the Khalsa, on the creation of the right type of men and women, the reactive and creative spirit-imbued Personalities. It is for the present-day Sikhs now to answer the very same questions, of Walt Whitman. The Guru has given his answer.

The Guru did not eschew politics—in fact he made the liberation of the people the cause of the assertion of his heroism; but surely, if the Sikh lives on the surface only, like the Englishman, for mere politics, votes and such inanities, one straying from the Guru's path forthwith becomes a traitor to his case. All freedom is but a spiritual tradition of the life of the Khalsa if the Khalsa spirit is dead, all freedom fails. The Khalsa is the son of the Guru who brings everywhere his Heaven and its delectable freedoms.

The Guru's commandment in asking the disciples to preserve their hair unshorn has in it an abiding depth of truth, giving men some deeper concerns of the soul, for thereby he has precluded men and women living only for the futile foppishness of sartorial arts or the barber-made civilization. The hair seems redundant to the modern man, but to Guru Gobind Singh, the hair, *Keshas*, was essential for protecting and continuing an antique worthiness of man, and for bringing on of a great moral and religious civilisation. His chosen shape of man in the image of the forest and the river and the sky, is like clothing God in the mystery of human life. This shape mellows down the harshness of the naked flesh: it limns human life with a divine dye.

At least, for the isolation of his living people from the dead mass of Brahmanism and for starting man afresh on his pilgrimage to God and freedom and the joys of life, this was essential in India. A friend was arguing that the whole of India would be Sikh if the hair of man were left free for the operations of the razor and the scissors. But how foolish it would be to preach a religion and to demand whole herds on compromised principles! If the Guru has a cure for man in distress, everybody is free to come and partake of it. The moon shines, the poet can look and take joy in it. How foolish to think of making men poets by preaching the comely face of the moon, And it is foolish also to preach Hair. We have to preach by our presence if we have cultivated a superior presence. If hair is grass, then bones are mere lime. The clean-shaven Hindu, claiming the Guru as one of his race, has cast the Guru's work away. The Guru's thought had according to their supine opinions nothing new for the Hindu. But the low castes, the sweepers, the labourers, the carpenters, the masons, the farmers of the Punjab, found everything new in the Guru and they realized the new dignity of their manhood; they found freedom, they found their lost soul, they became their selves. By the Guru's touch they became great, noble, alive; and it is they who found that if such a great liberator, who has turned the butcher's knife into gold, pure gold, knows what he is saying, the preservation of their personal love for him means that they must wear hair as the tree its leaves. Assuredly without the hair-idea of Guru Gobind Singh, there would have been no Sikh Song and life today, except that *Guru Granth* would possibly have been another *Purana*, to a dead mass. Taking away the Sikh's hair is to cut him off from his intensely reactive inspiration which has been so far a source of strength to the Hindu also. The disappearance of the Sikh as such means the loss of a great national asset of power and inspiration for the Hindu himself.

If the disciples of Guru Gobind Singh wish to become great as only a political force, great as Walt Whitman says America seemed to be, then they may do what they will, but they cease to be His disciples. Where are those so-called *Sahaj-dharis* of the Punjab, who had resolved that they would be the Guru's? Swallowed up by such movements as the *Arya Samaj* in the Punjab, and others by the sound of the ringing bells around the Shiva-lingam. Of late, some spurious imitation of the Guru's Banis and of Sikh sacred literature have appeared. Such imitations do no one any good. The Sikhs have no exclusive right in the meaning, import, effectiveness and spiritual effects of the compositions of the Guru, and if the Guru is of the Hindu, why this mockery of making of his word travesty? The Hindus in the Punjab have much to answer for. They find more in *Bhagavad Gita* and the old *Veda* than in *Guru Granth*—They love Hindi more than their mother-tongue. They relate themselves to the bards of Vedas more than the Gurus. For the Sikh, the hair on his head is always a source of inspiration; so too for all other people of the Punjab. Whatever the absolute value of such means adopted by Guru Gobind Singh for the spiritual elevation of his disciples might be, it has at least so far established its relative value under the local conditions of this country, that those who wear their hair have a true personal history and an inspiring tradition which steels the people. And possibly there is some spark of inspiration, at least, for those who understand and sympathize with Guru Gobind Singh, This "Hair" is a deep, silent gratitude of the people whose past is but the personal love of the Guru Gobind Singh, who fought with all he had, to bestow on them the dignity of manhood and womanhood and to save them from degrading servitude.

XIV

It is significant that none of the Gurus ever wrote a line of prose. What they said is poetry, music. Their whole lives are Ten long continuous Songs. The people they created are the poems, the epic description of their inner state, giving a glimpse of their immense personalities. The Gurus wrote more in the characters of men made by them, than in words. While the Upanishadic mentality produces a genius with eyes closed, sitting in caves or forests, abstracted and thinking of the nature of reality, the Gurus's spirituality is watching the blacksmith at work, the carpenter making wooden pegs, the farmer sowing and reaping the harvests of wheat and maize. Guru Gobind Singh refused to see a Jain Mahatma because he was the Mahant in charge of a Jam, monastery and had punished a girl by blinding her eyes for the crime of her having conversed with a young Jain celibate of the same monastery. The young Jain monk, too, was punished by the leader by being condemned to a life-long penance. When the blind girl and the young Jain monk were brought to the Guru, both were nourished by the spirit of the Guru and the Guru celebrated the nuptials of the couple and finally forgave the Jain Mahatma too—*Hansa* as the Sikhs call him in their history. The Guru's delight in restoring people to their natural simple joy of life was immense. Here comes to this great Darbar²² of the Guru, Walt Whitman, in his snow-white tresses, that flowing beard, as the great disciple-poet sings the Guru's deeds. How he sits in his portrait as an old man in the profusion of the Guru's Keshas. It is my faith, he is the Guru's Sikh reborn in America to plant His Khalsa Ideal in the modern mind. The Guru had actually shaped humanity for the world in the Khalsa commune²³. Walt Whitman is one of the Western apostles of the Guru's spirit. Many more will rise and the *Guru Granth* shall be sung by Humanity gathered in the Great Guru's Heart. The modern world is in a ferment. The new restlessness is universal. The remote past of the Hindu and the Jew has to say nothing to it. The Guru's Ideal of the Khalsa is pregnant with that fount of power of the Deep Repose²⁴ which the modern world is seeking.

Footnotes:

1. This crystalline Personal Truth shining in the Guru's imagination and his living faith that "this all", "this creation" is but a mode of the Great Spirit of the Universe, is the Guru's Secret of Divine Personality.
2. A certain amount of information about the lives of the Gurus given in *The Book of Ten Masters* may be found useful in elucidating any references to the Sikh tradition mentioned in the body of this book. - Editor.
3. Bhai Santokh Singh (19th century), author of the great epic of Sikhism, *Guru Partap Suraj*; Bhai Vir Singh (1872-1957) the great poet, biographer, historian and scholar of Sikhism. - Editor.
4. The holy Granth (Scripture) of the Sikh faith, embodying the hymns and revelations of its Gurus (apostles). - Editor.
5. M. A. Macauliffe, author of *The Sikh Religion*, I-VI Vols. (O. U. P.) 1909. - Editor.
6. In the verse-renderings following, the opening part is from Guru Nanak Dev's *Bara-Maha* (Song of the Months) in the measure *Tukhari*. The rest are from other portions of his Bani. - Editor.
7. *Chaubole* Mahalla, V, Page 1364, *Guru Granth*. - Editor.
8. 'The people' means spirit transmuted, people inspired with His love, the Guru's franchise extended to the true disciples.

9. These lines are from a Swayya (Quatrain) of Guru Gobind Singh, included in *Khalse-di-Mahima* (In praise of the Khalsa). - Editor.
10. Based on Macauliffe, *Sikh Religion*, V, page 243-44. - Editor.
11. The assembled Sikh congregation. - Editor.
12. This was an assembly of Sikhs where the will of the Guru prevailed and all the difference of mere opinion and mere principles was hushed.
13. Jatha-bandi, organisation of the State.
14. Two devotees, Prahlad is a legendary figure, while the princess Mira lived in the medieval times in India. - Editor.
15. The saga of Krishna's loves and battles. - Editor.
16. This preference is the author's personal view-point. - Editor.
17. This is the Omkār, Oankār of Mul Mantra. - Editor.
18. Says the Guru: "All that one can speak about Him, the Truth, falls short of Truth."
19. These generalizations pertain to the Asia of the twenties when this book was written. - Editor.
20. This is not a quotation, but a summing up. - Editor.
21. The militant Sikh movement of the twenties to liberate places of worship. - Editor.
22. Court, audience-Chamber. - Editor.
23. The writer is bubbling over with the ideal picture of the Soviet Union as it appeared in the decade of the twenties when these words were written. - Editor.
24. This is Sahj (Spontaneous joy and Enlightenment) so greatly commended in the Guru's teaching. - Editor.

THE GOLDEN TEMPLE: ITS THEO-POLITICAL STATUS

Sirdar Kapur Singh

The world-famous Golden Temple of the Sikhs, situated at Amritsar in India, bears Harimandir, 'the Temple of God', as its original name and it forms an island in a lake to which the name of Amritsar was given by the Nanak V, Guru Arjan (1563-1606), in the year 1589, when he laid the foundations of what is now known as the Golden Temple, and the town which grew around this Mecca of the Sikhs has subsequently acquired the name of Amritsar.

The Nanak V, requested his great contemporary mystic and Muslim savant, Mir Mohammed Muayyinul Islam, popularly known as Mian Mir, to lay the foundation stone of the temple and this fact, as well as the name bestowed on the lake, bears a basic significance in relation to the Sikh doctrines

The impact of Islam on North Western India in the 11th century had been through military conquest and sword and this had naturally slated reactions in the proud and sensitive, Hindu mind, that resulted in impassable barriers of hatred and prejudice between the two world-culture currents, and their mutual contacts have, therefore, left irritating and unfortunate monuments of bigotry and misunderstanding, spiritual and physical, that still mark the Indian scene.

The Sikh prophets, the Nanaks, desired to level down these barriers with a view to discover and provide a common spiritual ground for the two, Hinduism and Islam, where Hinduism gets over its injured superiority and sense of exclusiveness, and Islam, its arrogance, horn out of military superiority. The Nanak V declared:

musalmānu momdil hovai antar ki . . .
mal dil te dhovai,
duniyā rang na āvai nede jio
Kusum pat ghio pāk harā
--*Sri Guru Granth Sahib*, Maru-V. 13 iii. 12

“Let Muslims rediscover the truth that the essence of religious practice is compassion and its goal, the purification of soul, and the political utilitarianism is foreign to Islam as such, and let the Hindus concede that Islam, thus understood, is as respectable and ceremoniously pure as the flowers, the silk, the deerskin and the butter-fat.”

Sikhism -- A Meeting Ground of Hinduism and Islam

And since Sikhism was to be this common meeting ground between these two world-culture streams, that is why a prominent Muslim divine was asked to lay the foundation of the Golden Temple. Amritsar, name was given to the lake encircling this temple, as amrta means, the enduring principle of all that is, in Hindu metaphysical thought, and water is the symbol of the first impulse of manifestation the Unmanifest in Aryan thought-idiom, and the Golden Temple in the embrace of the waters of Immortality, thus, was intended to be a profound symbol of future confluence of the world-cultures into a universal culture for the mankind.

In this temple, the proposed centre of a world-culture and world religion, the Nanak V installed the Sikh scripture, Guru Granth Sahib, and ever since, the presiding place, even when the Sikh Gurus were personally present, has remained reserve for the Book and the religious ceremonial and services have exclusively and always consisted of prayers to the singing prai” of, and meditation upon God in this sanctum-sanctorum of Sikhism.

It was in 1609, that the Nanak VI, Guru Hargobind (1595-1644) erected the Akal Takht edifice opposite the entrance bridge-head of the Golden Temple, upon which the Guru sat in state, wearing two swords of dominion over the two worlds, the seen and the unseen and the peculiar Sikh doctrine of Double Sovereignty took birth, the essence of which is that a man of religion must always owe his primary allegiance to Truth and mortality, and he must never submit to the exclusive claim of the secular state to govern the bodies and minds of men and the whole of subsequent Sikh History must be seen as an unfoldment of this Sikh attitude, if it is to be properly understood, the Nanak X, Guru Gobind Singh (1666-1708) explained this doctrine to Mughal emperor Aurangzib, in a written communication the Zafarnameh (1707), in the following words:

cunkār az hameh hilte darguzusht
halāl ast burdan b-shamshir dast.

“When all means of peaceful persuasion fail, it is legitimate (for a man of religion) to move his hand to the hilt of the sword.”

The Sikh doctrine of Double Sovereignty promulgated in the beginning of the 17th century, has curiously modern ring and flavour as from 19th century onwards, a growing school of writers in Europe have tended to think on the lines in which it is grounded. The main substance of this doctrine is that any sovereign state which includes Sikh population and groups as citizens, must never make the paranoia pretensions of almighty absolutism entailing the concept of total power, entitled to rule over the bodies and minds of men, in utter exclusiveness. Any state which lays such claims qua the Sikhs, shall automatically forfeit its moral right to demand allegiance of the, Sikhs and there is thus an internal antagonism between such a state and the collective community of the Sikhs, represented by the order of the Khalsa, and in this deadly duel the State shall never emerge out as finally victorious, for self-destruction is the fruit of the seed of nonlimitation, and the status and the prerogatives and the Khalsa are imprescriptible.

The 19th century German writer, Schulse supports the basic premise of this doctrine by asserting that the view that the State is absolutely supreme and incapable of doing wrong is misconceived and dangerous (Deutsches Staatsrecht Vol '1 Sec. 16). The whole Sikh history is relentless jehād against this dangerous misconception, and the Sikhs have always insisted that any State fit and entitled to demand their allegiance must ab initio recognise and concede its own self-limited character, arising out of the principles of morality, the teachings of Religion, the principles of abstract justice, the principles of the Sikhs' metalegal constitution which lays down that, (1) they must be approached and dealt with at State level as a collective group and entity, and (2) they must be governed impersonally, that is, through the rule of law and not by arbitrary will, and this self-limitation must further be circumscribed by the immemorial customs, long-established traditions and the facts of the history of the Sikhs. This Sikh doctrine is, in essence, the same which today finds explicit expression in the modern concept of the pluralistic State, which recognises that the State, in practice, is the government, and the government is no more than a group in control of the governmental machinery, and that the aims and objects of this group, may any time clash with those of other groups, not in power. The government may be the temporary principal of all such groups, but it is only *primus inter pares*, the elder amongst equals; it is not the sole repository of power or focal of loyalty. This is, indeed, the sole essence of the Sikh doctrine of Double Sovereignty, which finds powerful support in the writings of Professor Harold J. Laski, Mr. G. D. H. Cole, and the French jurist, Duguit, and also Dr. J. N. Figgis.

The Sikh revolt during the 17th and 18th centuries, against the Mughal State was, in reality, an attempt to assert their doctrine of Double Sovereignty against the Muslim absolutist theomonic theory of State, as a result of which the Sikhs had no pass through the valley of death, as the narrative that follows would show, before they emerged out with the sceptre of political sovereignty in their hands, and it would be well to understand that the present bitterness and misunderstanding that clouds relations between the Sikhs and the State is also grounded in the same doctrinal conflict.

In the 1708 Guru Gobind Singh, after protracted, discussions and parleys with the Mughal Emperor, Bahadur Shah, the son and successor of Aurangzib, came to the firm conclusion that 'all means of peaceful persuasion' had failed, and it had, therefore, become the right and duty of Sikhs to 'move the hand to the hilt of the sword', and in the same year, (February, 1708) the Guru initiated a Hindu yogi and occultist, Madhoda bairagi, as a Sikh and renamed him Banda Singh, and then appointed him the Generalissimo of the Sikhs, after conferring upon him the military title Bahadur. Banda Singh Bahadur, was then ordered to proceed to Punjab with the assignment of 'due chastisement of the Mughal rulers, who have usurped the power that belongs to the people, condign punishment of those guilty of atrocities, destruction of their military bases and reestablishment of the freedom of the people.' (*Turken te nij levan bair pāthio Gur ne mujh ko kar banda, mai kar khuar bajide ko mar Sarhind ujad karehon suchhanda*, Giani Gian Singh, *Panth Prakash*, Kavita (1880), III, 752.)

Banda Singh Bahadur carried out his assignment with admirable fidelity and in 1710 declared the freedom of the province of Sirhind, fixed as its capital the fortified Mukhalisipur, in the hills, near Ambala, and the Sikhs adopted the legend on their State Seal, which began:

“We hereby place our impress of sovereignty upon both the worlds, the seen and the unseen.” (*“Sikkeh zad bar har du ālam.”*)

And thus they reiterated the basic doctrine of Sikhism, that of Double Sovereignty.

After the collapse of political power of the Sikhs under Genaralissimo Banda Singh Bahadur, in 1716, there follows a complete blackout till 1721, when the Sikhs shifted their centre of activities, their spiritual and political capital and their acropolis to the Golden Temple, the lake that surrounds it, and the complex of buildings, including Akal Takht, that are attached to it.

Ever since 1721, the Golden Temple with the complex of attached structures, has remained the centre of the Sikh world, the Sikh history, the Sikh, politics and the Sikh theophany. Throughout the last 250 years, whether the Sikhs were declared as outlaw by the State, whether the Golden Temple and its adjuncts were reduced to mass of ruins or they were forcibly occupied by the State whether the Sikhs were a sovereign people or politically, subjugated, they have never abandoned or compromised the position that (1) the Golden Temple and its adjuncts are the hub of the Sikh world, not as a matter of concession by any worldly power, but as the inherent right of the Sikh people, sui generis and inalienable, and (2) there is no ultimate dichotomy in the true Sikh doctrine between this world and the next, the secular and the religious, the political and the spiritual.

This position and this status of the Golden Temple is unique in the religious or political centres of world history.

It is the Mecca of the Sikhs, because it is the religious centre of the Sikhs, but it is vastly more.

It is the St. Peter's at Rome, for it is the capital of Sikh theocracy, but it is very much more and also something less and different. Sikhism has no ordained priestly class and, therefore, there can be no theocratic political state of the Sikhs in which the priests rule in the name of an invisible God. They have no corpus of civil law of divine origin and sanction and they, therefore, must have a state based on secular non-theocratic laws. It is, more, because it remains the real capital of ultimate Sikh allegiance, whatever the political set-up for the time being.

It is the Varanasi or Banaras of Sikhism, because it is the holiest of the holies of the faith, but it is not precisely that because the true Sikh doctrine does not approve of any tradition or belief, which seeks to tie up theophany with geography.

It is the Jerusalem of Sikhism because it is the historical centre of the epiphany of Sikhism but it is not precisely that because Sikhism, as a religion, is not history-grounded, that is, its validity is not tied up with or dependent upon any historical event.

It is not precisely the political capital of the Sikhs, because political capital presupposes a state under the control of the Sikhs, and when the Sikhs do have such a state, it is not imperative that its administrative centre must be at Amritsar, and even when it is, the Golden Temple and its precincts shall still retain their peculiar independent character apart from this administrative centre. When the Sikhs do not have a sovereign state of their own, the Golden Temple, with its surrounding complex, continuously retains its theo-political status, which may be suppressed by political power, compromised by individuals or questioned by politicians, but which remains and never can be extinguished, for, it is sui generis and inalienable, and imprescriptible.

It is owing to this unique status, grounded in certain peculiar doctrines of Sikhism that, many misunderstandings continuously arise concerning the use of the Golden Temple with its surrounding complex, for Political purposes', for allowing ingress into it and housing of those whom the political state may deem as 'offenders', and for pursuing, 'extra religious activities' from inside its precincts. The Sikhs, themselves, have never viewed any of these activities, started or controlled from inside the precincts of the Golden Temple, as either improper, or repugnant to the Sikh doctrine, or contrary to the Sikh historical tradition. The reasons for this Sikh attitude are three, in the main, not singly, but collectively:

One reason is that this geographical site itself is charged with theopathic influences such as no other known and still accepted site on earth, including the old site of the Solomon's Temple, revered by three great religions of the world, Judaism, Christianity and Islam, can claim to be.

Prehistoric Antiquity of Amritsar

Ever since the man on this earth became civilised in any comprehensive sense, about four or five millennia ago, imagination seems to find some foothold to countenance the belief that the lake engirding the Golden Temple most extensive pre-classical civilisation of the most basic activity of man, the religion. The most extensive pre-classical civilisation of the world, the Indus Valley civilisation, stretched, in the third millennium BC from Rupa at the foot of the Simla hills to Suthagendor near the shores of the Arabian Sea, a stretch of one thousand miles, and the site of the Golden Temple lies in the heart of this great river-system. The prominently situated “Bath” or sarovar in the newly dug up ancient mound of Mohenjodaro, as readily suggests to mind the central significance of water reservoirs in the metaphysical thought idiom and religious practices of these ancient people as it springs before the mind's eye, the Golden Temple, lake-surrounded.

Our proto-historical records, the Pauranas, and the pre-Christian era Buddhist traditions definitely assert that, from ancient times, there has existed a natural and holy lake of water, (In Vaivasyatpaurana, a genre of ancient Sanskrit text reduced into literary form in about the first century of Christian era, but of much greater antiquity of contents there is mention of Amarkunda (synonym for Amritsaras, Punjabi Amritsar), a holy lake situated betwixt the rivers Vipāsā (Modern Bias) and Airāvati (Modern Ravi)’, for the possession of which, in the pre-History epoch of creation, a fierce struggle took place between the gods and anti-gods, for, the outcome of this struggle would decide as to whether the forces of religion will triumph in the current world age or those of irreligious. The gods came out victorious and Amritsar is now the centre of ecumenical religion.) where the Golden Temple is now situated and the geophysical layout of the site amply confirms the probability of these assertions. A bird's eye view of the area, from an aeroplane even today would confirm the conclusion that, this site must have been a natural water reservoir for thousands of years past. The Vedic and Buddhist traditions of holiness attached to this site and the lake suggest an earlier and more ancient origin of this attachment, extending back to the third and second millennia of the Indus Valley civilisation, on the basis of the historical trend that once a holy place, always so and that, a new holiness must be grounded in some older one.

The creative imagination, therefore, is justified in discerning grounds for the belief, not altogether fanciful, that the holy lake and the site of the Golden Temple, was an ancient centre of theophanic human activity, at the dawn of human civilisation, round about 5,000 years ago, peopled by the Mohenjodaro race and further, that it was an equally well revered spot for the theomatic rishis of the vedās.

It is interesting to recall here that when Guru Arjan was having the ancient alluvium of this lake cleared, a sealed masonry subterranean dome was sounded and exposed, which being opened up revealed a macerated yogi in lotus-posture, immersed in seedless nirbija trance. When the Guru reanimated him, he disclosed that he went into his trance “thousands of years ago”, with the object of experiencing the somatic touch of the Nanak, before entering into the utter Void.

This spot was commemorated by the Guru by the subsidiary lake, Santokhsar, which stands till today. Were some of the Vedic hymns actually revealed to the Aryans at the banks of this ancient holy lake, just as the major portions of the Guru Garth in the 17th century were? Intuitive imagination guesses so and there is no good reason to think otherwise. In the early centuries of the Christian era, when the ecumenical religion of the Mahayan took birth in the North West India in the form of the original Prajnaparmitta and the Sadharmapundrika sutras, the Golden Temple site and the holy lake were already an active centre of beehive Buddhist monk-communities, of which the great Nagarjun and Aryadeva themselves might have been the Abbots, during the periods of their creative activity, and if herein the intuitive imagination hovers near the truth, then it emerges that the site of the Golden Temple and the banks of its surrounding waters are the scenes of earliest spiritual activity of the civilised man, the highest watermark of the theomancy of the Vedic Aryans, the greatest achievement of the Buddhist mind and the most glorious efflorescence of the genius loci of the Punjab.

Coming to near modern history and times, the founder of the Lamest Buddhism in Tibet, Padanisambhava, a professor at Nalanda university who was invited to Tibet by the great king, Khri-sron-lde-btsan (745-797) in 747 AD is the patron-saint of Tibet and one of the greatest figures of Buddhism, and he is called, ‘Lotus-born’, to signify his theomorphic status, while his biographies unanimously agree that the ‘Lotus’ out of which he took his non-human birth, floated on the limpid waters of a sacred lake, which is identified as now surrounding the Golden Temple. To this day, devout Tibetans make long and hazardous journeys to visit and pay homage to this sacred spot of the marvellous origination of the Guru Rimpoche, the Previous Master.

If many of these surmises lack palpable root and material evidence, the fact does not render the intangible pull of this picture on the racial subconscious mind, any the less potent, and, indeed, the circumstances multiplies this potency manifold, as keen students of religious psychology well know.

Such a site, surcharged with such ancient and potent spiritual influences it was that the Sikh Gurus chose as the centre of the new world religion and world culture, which they inaugurated, and instinctively sensing its high spiritual potency in relation to the future of mankind, the Sikhs, during the last 250 years, that the secular state powers, in utter disregard and blind ignorance of, the implications of the Sikh doctrines have tended to regard this geographical spot as just another area subject to their political domain, have paid the highest price demanded of them, in vindication of the true theo-political status of the Golden Temple.

The second reason, therefore, which fortifies the basic Sikh attitude concerning the theo-political status of the Golden Temple is grounded in the nimbus of the Sikh history that hangs over it and provides guiding precedents to the Sikh mind.

Till the demise of Guru Gobind Singh, the Nanaks, the Sikh Gurus, were centres of the Sikh movement, and afterwards, Banda Singh Bahadur took over the command of their political affairs. It was after the execution of Banda Singh Bahadur, and the collapse of the Sikh sovereignty which he had established on the political plane, that the Sikhs, collectively assumed the rights and duties of their doctrine of Double Sovereignty, and in 1721, Bhai Mani Singh was installed as the head-priest of the Golden Temple, who, immediately took steps to revive the true theo-political status of this place. A free community kitchen for the visitors and the disabled was started and politico-civic activities of the Sikh people were gathered afresh to be rooted around the Golden Temple. Khushwaqt Rai, the author of the manuscript, *Tarikhi Sikhian*, (1811) says that at this period, the Sikhs “lived in caves and thorny bushes, and subsisted on roots and blades of grass, and Zakriya Khan, the military governor of the Punjab, wondered that the grass-eaters should be so bold as to lay claim to sovereignty.” (Folio 44. b).

Mughals Conceded the Status of Subnation to Sikhs

In 1733, when the Mughal government found that extreme measures of persecution had failed to persuade the Sikhs to compromise their basic doctrines and attitudes, they conceded to the Sikhs the status of a sub-nation, an autonomous political status, analogous to that offered to the Sikhs in early 1947 by Mr. Jinnah of the Muslim League. A revenue grant of a hundred thousand rupees and the better Patent of the Nawab were conferred upon the Sikhs, which they accepted with the reservation that, “the Khalsa meant to rule freely, cannot accept permanently, a subordinate position”. (Teja Singh, Ganda Singh, *A Short History of the Sikhs*, Orient Longmans, p. I, 121). All these developments took place and were finalised within the precincts of the Golden Temple, in front of the Akal Takht and further, these arrangements show that the government of the day, even during those early days of Sikh history, fully appreciated that the Sikh doctrines envisage that the state must deal with them as one people, and not by atomising them into individual citizens. Immediately, at the conclusion of these arrangements, the Sikhs proceeded to establish five military cantonments, one at the lake of the Golden Temple and the other four, at the remaining four sacred tanks that constitute the adjuncts of the Golden Temple, the Ramsar, the Bibeksar, the Lachhmansar and the Kaulsar. These arrangements, by their very nature, were doomed to failure and consequently, in 1736, the Mughal government authorities occupied the Golden Temple and its precincts, and it was under these circumstances that, Bhai Mani Singh approached the authorities for permission to celebrate the Sikh consortium of *divālī* in November, 1738 and he undertook to pay a sum of Rs. five thousand to the state for police arrangements, on the explicit condition that the government would not interfere, directly or indirectly, in the right of the Sikhs to collect at the Golden Temple, in complete freedom. Since the government authorities deliberately broke the terms of the agreement, and as is the invariable custom of governments, accused Bhai Mani Singh of having done it instead, Bhai Mani Singh accepted the penalty of death, inflicted by hacking his body into bits, limb by limb, rather than agree to pay the stipulated amount of Rs. five thousand, or earning a reprieve otherwise.

The next year, 1739, saw the invasion of India by the terrible Nadir Shah who sacked Delhi, put its inhabitants to sword and took away the peacock throne and the Kohi-noor diamond, as loot in his haversack. It was the “grass-eaters”, the Sikhs alone, out of all the peoples of India, who then came out of their caves and thorny bushes to attack the rear of the returning invader, till he reached Lahore, exhausted by this harassment, and the following conversation is recorded by a contemporary, between Nadir Shah and Zakarlya Khan, the military governor of the Punjab:

Nadir Shah: "Who are these mischief-makers, any way?"

Zakariya Khan: "They are a group of vagabond mendicants who visit their Guru's tank twice a year and then disappear."

Nadir Shah: "Where do they live?"

Zakariya Khan: "Their homes are their horse-saddles."

Nadir Shah: "Take care, my son, the day is not distant when these rebels will take possession of thy country."

The Sikhs Avenge Profanity of the Golden Temple

Here again, it was recognised by all concerned that, the Golden Temple is the hub of the Sikh universe. After its occupation by government in 1736, the Temple and its adjuncts were put to profane secular use, and were converted into central offices of the district officer, Mussalim-ul-din, popularly known as Massa Ranghar. When the news of this profane secular use of the sanctum sanctorum of the Golden Temple reached a group of Sikh refugees in the far off Jaipur, two of them travelled all the way to Amritsar, after taking a solemn vow that they would either cut off and bring back to Jaipur, the head of this arrogant government official or never return alive at all. In early August, 1740, this presumptuous government functionary was beheaded on the spot, during the early office hours, and his head was carried to the assembled Sikhs at Jaipur, in vindication of the Sikh doctrine of Double Sovereignty, with the Golden Temple as its acropolis.

The Sikh people thus lived a precarious existence, as stateless outlaws and aliens in their own homeland, when in 1746, Lakhpatrai, a Hindu Dewān, or chief minister of the military governor of the Punjab, took it into his head to out-herod Herod, to display greater zeal even than the Mughals to destroy the Sikhs and Sikhism, and besides ordering a genocide of the Sikhs, caused it to be, "announced with the beat of drum that no one should read the Sikh scriptures, anyone taking the name of the Guru should be arrested and his belly ripped open. Even the word, gur (molasses), which sounded like Guru, was not to be uttered, but the word, rori was to be used instead. The word, granth was also to, be replaced with, pothí. Many volumes of the holy Granth were collected and thrown into rivers and wells. The tank of the Amritsar was filled with earth." (*A Short History of the Sikhs*, op. cit. page 1,132).

It is not to be supposed that a man of the keen intelligence of his race and an energy peculiar to that by a subordinate position inspired, the chief minister Lakhpatrai would have missed the central significance of the Golden Temple and its adjuncts in the Sikh scheme of things, and therefore, whereas he strove to destroy the cultural roots of the Sikhs, he did not neglect the Golden Temple in view of its theo-political status.

In March 1748, the Sikhs emerged from their hideouts and drove away the occupation forces from the Golden Temple, built a Medford to defend it, and reiterated that the Sikh people were an indivisible entity and sovereign sui generis. (Giani Gian Singh, *Panth Prakash*, Vartak. Delhi, 1892, p. 907).

In full realisation that, in the plains of Amritsar, neither their fighting strength nor the flimsy protection of mud-walls could save them from sure destruction by the Mughals, they resolved that, "no better death is conceivable for a Sikh than that which overtakes him while defending the great cause of Sikhism at this centre of Sikhism." (Rattan Singh, Bhangoo, *Prachin Panthprakash*, (1837), Amritsar, 1914, p. 325). It must always be borne in mind that this 'Great Cause' is essentially theo-political in content and not merely sorteriological, in the scheme of peculiar Sikh values, a position which is not correctly appreciated by those who honestly castigate Sikhs for mixing up politics with religion.

In 1749, the Sikhs cleared the holy lake of Amritsar of the debris with which it was gutted by the chief minister Lakhpatrai, and in 1757, the Afghan conqueror, Ahmed Shah Abdali, invaded India for the fourth time, when he found, as before, that the Sikhs, of all peoples of India, resented his incursions into their country the most and made no secret of this resentment. Well understanding the theo-political status of the Golden Temple and its adjuncts, the redoubtable Abdali, had the temple demolished, its adjuncts destroyed and its lakes filled up and ploughed over, a strange precursor of the Second World-War Morgenthau plan of the Allies, calculated to eviscerate culturally and industrially the German people. The Sikhs however, refused to be cowed down, and in April, 1758 when the combined forces of the Marathas and the Sikhs had succeeded in driving out of the country the Afghan occupation forces, the Golden Temple was rebuilt and its holy lake cleared up, through the labour of the enemy prisoners-of-war and under the direct supervision of the famous Maratha chiefs, Raghunath Rao and Malhar Rao Holkar, who then humbly made an offering of Rs. one hundred twenty-five thousand at the Golden Temple and received ceremonial robes of honour from its head priest. These Maratha chiefs well understood that the restoration of the true theo-political status of the

Golden Temple was an integral part of their Grand National project of regaining liberty of the people and the freedom of India.

In November, 1760, the Sikhs again assembled before the Akal Takht, at the Golden Temple and declaring themselves as the Sarbatt Khalsa, a Sikh theo-political doctrine, by which the Sikhs assume the powers and status of the centralised conscience and will of the people, resolved to take possession of Lahore, the seat of the Punjab government, a project delayed somewhat by the fifth invasion of the Abdali, the same year.

Sikhs Rescue Hindu Women from Hordes of Abdali

Abdali crushed the Marathas as an all-India power in the historic battle of Panipat, fought on January 14, 1761, but when the victorious invader was returning to Afghanistan, the Sikh chiefs again assembled at the Golden Temple and resolved to take all possible measures to rescue the Hindu and Maratha young women being carried away as war booty by the Afghans. In pursuance of this resolution, the Sikhs made a determined attack of the rear of the foreigner at the Goindwal ferry of River Beas, and rescued over two thousand young women from the clutches of the Abdali and made arrangements to return them to their original homes. (James Browne, *History of the Origin and Progress of the Sikhs*, London, 1778, p. II, 22).

This process of rescuing young women, the Sikhs followed, till the invader crossed the River Jhelum, and this whole campaign was considered, resolved upon and sustained from the Golden Temple and its precincts.

Abdali's Vengeance on Sikhs

In 1762, Abdali returned to India on his sixth invasion, with the specific object of liquidating the Sikhs completely and finally, of destroying their cultural and spiritual roots and of extirpating their very memory from the minds of the people, so that there remains then, no power in India cherishing the temerity of opposing him. In a lightning attack, this greatest of generals that Asia has produced, the Abdali put to sword a large portion of the Sikh people, men, women, and children, over thirty thousand of them, near Ludhiana, took possession of the two original volumes of the holy Granth, prepared by Nanak V and Nanak X, and then proceeded to complete his task by blowing up the Golden Temple with gun powder, destroyed its other adjuncts, and filled the holy lake, after desecrating it "with the blood of cow." (A Short History of the Sikhs. op. cit. p. 1,171). The Abdali, knowing full well the theo-political significance of the Golden Temple, had these operations carried out under his personal supervision, as a consequence of which he was wounded on the nose by a flying brick-piece on April 10, 1762, which wound remained a festering incurable sore till he died of it, on October 16, 1772, at Toba Maruf in the Suleman hills of Afghanistan.

The Abdali, however, had stayed in the Punjab, throughout the year, 1762, and on 17th October, 1762, more than sixty thousand Sikhs assembled at the ruins of the Golden Temple to challenge and chastise the Abdali for the arrogant sacrilege he had committed. Offers of peace and negotiations made by the Abdali were contemptuously and summarily rejected by the Sikhs and they inflicted a signal defeat on him and forced him to retire towards Lahore, and thus the Sikhs sought to vindicate theo-political status of the Golden Temple. Charat Singh, the grandfather of Maharaja Ranjit Singh, was then placed in charge of restoring and rebuilding the Golden Temple and its holy lake.

It was on April 10, 1763, when the Sikhs as usual, had assembled at the Golden Temple in their bi-annual concourse that,

"Some Brahmin of Kasur came and complained against the Afghan inhabitants of their city, especially against the grandee Uthman Khan, who had forcibly carried away the wife of one of them and converted he to Islam. Hari Singh Bhang! Volunteered to help the aggrieved brahmins, and being supported by Charat Singh, after making a theo-political resolution, gurmatā, led an expedition against Kasur. Uthman Khan with five hundred of his men was killed and the brahmin lady was restored to her husband."

(Ghulam Mohayudin, *Twarikhi Punjab*, Persian Ms. (1848); also, *A Short History of the Sikhs*, op. cit. p. 1,174).

In October 1764 Ahmad Shah Abdali, invaded India for the seventh time, and on December 1, 1764, he paid a military visit to the Golden Temple to satisfy himself that the Sikhs no longer used this spot for "political activities". He found thirty Sikhs standing guard at the entrance-gate of the Golden Temple, under the captaincy of Jathedar Gurbakhsh

Singh, whose mausoleum still stands behind the Akal Takht, “They were only thirty in number. ‘But they had not a grain of fear about them . . . They were resolved to sacrifice their lives for the Guru”, tells us, Muslim eyewitness, the author of the Jangnameh. (1766) (page 100).

On April 10, 1765, after the return of the Afghan invader, the Sikhs again assembled at the Golden Temple and took the political decision to occupy Lahore, as the seat of the Government of the Punjab and from that day till 1850, the Golden Temple and the Government of the Punjab with its other territories, remained under the sovereign dominion of the Sikhs. The Golden Temple and its adjuncts, even during the Sikh Raj, retained their theo-political autonomy and the writ of the Maharaja Ranilt Singh did not run within its precincts.

British Device of Managing the Golden Temple

In 1850, the British masters of the Punjab took over the Golden Temple and its adjuncts under their direct administrative control and till the conclusion of the First World War, its theo-political status was maintained and superficially respected through a fiction and a device, into which the Sikhs willy-nilly acquiesced, after their failure to dislodge the British in more than one attempts. The fiction assiduously cultivated was that the British were the allies of the Khalsa, come to Asia in fulfilment of a prophecy of the Guru, to prepare ground for the eventual victory of the great cause of Sikhism, that of fostering a world-culture and establishing a universal society. The device was of managing the ceremonial and services of the Golden Temple and its adjuncts through a government-appointed Sikh manager, a kind of arrangement which the British rulers of India seemed to aim at but without the accompanying fiction. This arrangement broke down, when at the time of Jallianwala massacre in 1919, the British made the mistake of seeking to use the theo-political status of the Golden Temple in approval of the action of General Dyer. The Sikhs rose as a body against this UN-Sikh-like subversion of the true status of the Golden Temple and the Akali movement into which this Sikh resentment took shape, eventually succeeded in wresting the possession and management of the Golden Temple from out of the British hands, who by a statute passed in 1927, handed over not only the Golden Temple, but also other Sikh historical shrines in the Punjab, to a democratically elected body of the Sikhs, the Shiromani Gurdwara Prabandhak Committee, and this Committee still retains its rights and privileges, thus won.

Throughout the remaining British period, till 1947, the Sikhs zealously guarded the theo-political status of the Golden Temple and throughout, never hesitated to assert their right to use it and its precincts for the integrated Sikh activities of a theo-political character. Those into whose hands has now passed the power of running the Government of India, not only upheld this right of the Sikhs so to use the Golden Temple, but they have, on numerous occasions, themselves so-employed these precincts.

Mohandas Gandhi Halls the Sikh Victory as First Decisive Battle for India's Freedom

When in 1921 the British India Government, through their official representative, handed over the keys of the Golden Temple to Baba Uarak Singh, the veteran Sikh leader, Mohandas Gandhi sent him the following telegram: “Congratulations. The first decisive battle of Indian freedom has been won.”

Mohandas Gandhi well knew, not only all about the theo-political status of the Golden Temple, but also knew and recognised that it was the centre of a world-movement for a universal culture and a united world-government, and thus it was basically integrated to the weltanschauung of Indian freedom, which later he refused to consider as a mere national independence from foreign rule.

Indian Government's Umbrage

It was only after 1947, that, these politicians and men in power took umbrage at the Sikhs' desire to continue in enjoyment of their basic and historic rights pertaining to the true status of the Golden Temple, and as their repeated attempts to obtain control of the Golden Temple and other Sikh shrines, through their party men, the Congressite Sikhs, have been, on every occasion, foiled by a wide-awake and resentful Sikh electorate, their anger and their objections against the Sikhs taking the true theo-political status of the Golden Temple seriously, have mounted. It is now asserted that the Sikhs, in some way, transgress against the Holy Ghost and act treasonably, by employing the Golden Temple and its precincts for the purpose, for which they have always been employed, and for which they were intended from the very beginning. A grievance is loudly made out that the Sikhs, that is, such Sikhs who do not fall in line with the ruling party, mix up the profane with the sacred and thus injure the interests of the Sikh religion, about which their own solicitude is claimed to be greater than of the Sikhs themselves. Be that as it may, it must be granted

that, the claims that the Sikhs make and the practices in which they indulge, have no element of novelty in them, for, they are in accord with their past history and traditions, their beliefs and their doctrines, and therein, they are neither guilty of insubordination nor of recalcitrance in relation to those who today yield the power of state, and if they displease and irritate, the fault lies not in their present temper or understanding but in their spiritual constitution and historical psychomental makeup, and that for which no individual is responsible, no individual can be blamed in fairness.

What is the third reason, the psychopathic and historical besides, which accounts for the present Sikh problem, which is again and again concretised around the theo-political status of the Golden Temple?

It has been said earlier that, it arises out of the peculiar doctrinal position of the Sikhs, out of which this theo-political status of the Golden Temple stems. This doctrinal position must eventually be traced to their view of the ultimate reality and the way it has been interpreted in relation to the historical process through which the Sikh movement has passed. Sikhism does not recognise any ultimate dichotomy between the real and the unreal, and hence between the sacred and the profane, though it recognises a distinction between them, difference of immaculation between them." God is real and all that He createth is likewise real, and there is naught but that He createth it." (Guru Granth, Gauri, Sukhmani, V. 23. 5). Sikhism, therefore, enjoins that a religious life must be lived and practised in the socio-political context." The God is immanent in the human socio-political activity: know this through an understanding of the Word of the Guru" (Ibid, kanre-ki-var, III). It is from these premises that the validity of the sanctum sanctorum of the Golden Temple, where nothing but the praise of God and meditation upon Him may be made, conjoined to the Akal Takht, where the highest and the most hazardous political deliberations and decisions are frequently taken, arises. This ideological base then animates the peculiar metalegal constitution, which Guru Gobind Singh finally gave to the Sikh society:

"Previously, the ultimate authority had rested with the Guru . . . Guru Gobind Singh, however, had abolished the personal Guruship and had vested it in the holy Granth to be administered by the Khalsa. . . The essential features of this central authority were that it was to be one and that it was to be exercised impersonally." (*A Short History of the Sikhs*, op. cit. p. 1, 110-111).

Conclusion

From this it follows that. (1) The Sikhs, wherever they happen to be in any appreciable numbers, have a right to be dealt with as a civic group, and an attempt to atomise this group for exercise of political power over them, constitutes an infringement of this right. The postulate behind this raw of Sikh social constitution is that on the socio-political level, the significant unit is the group rather than the individual, for, it is the group which lays down norms of conduct for the individual, (2) Political subjugation or slavery is incompatible with the basic constitution of Sikh society, (3) It is the implied right of the Sikhs to assemble freely, as such, to consider and deliberate upon any matters, that they may deem as vital to their interests, irrespective of whether these matters are of this world or of the other, and (4) the Golden Temple, and by analogy, the other Sikh places of worship, have a theo-political status which is not a matter of concession by a political state, but is a right, sui generis.

These are the four socio-political doctrines, which are implicit in the Sikh way of life, and it is these doctrines which impel a Sikh and the Sikhs to abhor personal rule or group domination.

George Forester in his book, *A Journey from Bengal to England*, London, 1798, p. 294-95 writes:

"From the observations that I have made of the Sicques they would appear to be a haughty and high-spirited people. Once I travelled in the company of a Sicque Horseman for some days, and though I made to him several tenders of my acquaintance, he treated them all with great reserve and a covert sort of disdain. There was no reason to be particularly offended by this hauteur towards me, for, he regarded every other person in the same manner. His answer, when I asked him very respectfully, in whose service he was retained, seemed strikingly characteristic of what I conceive to be the disposition of the Sicque Nation. He said in a tone of voice and with a countenance which glowed with and was keenly animated by the Spirit of liberty and independence, that he disclaimed an earthly master, and that he was a servant of only the Guru on High."

In the Sikh attitudes and the Sikh temper, which apparently irritate and anger those who have now come into power, it is well to perceive that the Sikhs are doing nothing merely to obstruct somebody's enjoyment of power. They are made the way they are, and they act the way they have always acted, and whether they are to be understood and accommodated or mended and bent, their position should be comprehended clearly, without obscuring prejudices. If the Sikh masses are used by individuals for ulterior purposes, the individuals do so by paying in service to the convictions that the Sikhs hold dear, and if they resentfully and doggedly have refused to lend ear to others, it is because the others, through wilfulness or ignorance, have failed to take note of these convictions.

In a democratic society, the Sikhs need not encounter any contradictions between their own collective convictions and the requirements of the state to which they owe allegiance. If, therefore, there are frictions, the fault must be found somewhere in the sphere of implementation of true democratic processes and the persons who implement them. A satisfied and properly integrated-to-the-nation Sikh people can be an invaluable and lasting asset to any state, more so to India in the soil and traditions of which they are rooted, just as a frustrated or suppressed Sikh people can be an obvious weakness in the strength of the nation.

Chapter XIX - AESTHETICS

This is exactly what every Sikh thinks of Guru Granth and gets his all from the hymns of the Guru. The Gurus are the masters of beauty. Aesthetics have more of the spiritual than ethics. Here it is the spiritual man that goes out and gets, for the purpose of the subjective rapture, entangled in the spiritual form, inextricable as the latter is from the material form of beauty. The struggle goes on. Sometimes like a bee, he gets into the flower's heart and sucks honey and flies out; at other times he gets buried and decays to death. It is a fatal but the most brilliant pursuit of the senses.

The aesthetic pleasures of the truly spiritual, by the very nature of things, cannot become so intense as to lead to disintegration of themselves. Pleasure is an explosive emotion, it detonates and explodes. True spiritual aesthetics convert all contents of beautiful objects into subjective thrills. They absorb them. They eat the sparks of beauty that the forms of beauty, flashing before them, rain on their soul, as the night-birds eat the glow-worms. The spirit of God or the Being of Truth "lives on music, and wears the colours of life". The truly spiritual cling to fascinating beauty of form, and their God-world, too, is peopled by faces and forms of immaculate lustre. There are worlds of souls beyond, and they are only happy in the company of the perfected emancipated souls. Loneliness is hell. They do not believe there is any bliss for the embodied ones outside the infinite. God too must visit them in the form of man and Nature.

To them the formless Brahman of the Hindus is a meaningless mental attenuation of a logical idea. Those that follow the ghost idea of the Upanishad must abandon form, and also the beauty of life clinging to forms. If two lovers meet after a long separation and in each other's embrace forget their forms in ecstasy of union, it is the chemical transformation of all forms into ecstasy. But this ecstasy fulfils forms; denial of form is rank atheism. The joy of the abstract-idea Brahman can only be of the formless art; therefore, in its love of form, Rup (Beauty) the Guru's idea of form and form transcending soul is truly spiritual as distinguished from the stagnant conceptual inanity erroneously known all the earth over as "spirituality" which defines Truth in terms of formlessness. Beauty is Form; even ugliness of features is beautiful. This is the inner spirit of all true Art. Formlessness is ugliness. Absolute beauty is ecstasy, clothing all kinds of forms and radiating from the sun. As light is bound to the lamp, so ecstasy to the nucleus of "I" perfected, the form, the face. Change, even of death, is the sweep of some artist's brush or chisel that He incessantly moulds and remoulds to His Heart's desire—the Perfect One.

It is Buddhism that brought art to this perfection of self-realisation. The statues of the Buddha at Kamakuru and the little miniatures are the sculptured images of the ecstasy of his universal friendship.

The Greek Artist from this view point is yet only an aristocrat. His preference for the beauty of right proportion of limbs, of right curves and exquisite ripples of lines in the human form cannot allow him to be on terms of loving comradeship with the broad-nosed, big nostriled low castes of India. But the latter, too, have an inner beauty of feeling and goodness and essential divinity of soul.

Nataraja, the Shiva dancing in the rapture of his speculation fulfilled, is not so balanced inwardly as the Buddha of Kamakura in its ecstatic composure. There is mental rhythm in Nataraja, but not the spiritual patience or innocence of a child.

Pre-Buddhistic of post-Buddhistic Hindu Art in its grotesqueness has the restlessness of intellectual effort for the divine in it, while the effortlessness of a newborn infant is in the truly spiritual repose of the sculptured Buddha.

Vishnu or Garuda trying to fly is typical of the self-effort of man to lean out of his skin, to be spiritual by a jump. However highly subtle and abstract the theme, it is not art of the spiritual realities.

Ananda Coomaraswami and other art critics have well high confused the stagnant mentality of Advaita Vedanta in Realms of art with the moving ecstasy of the Buddha, and they explain the realisation of an essentially spiritual being in terms of a mental formula. They are much too near the newly discovered generalisations of the canons of Indian Art. The true spiritual differentiations are yet to follow on a more familiar understanding of the fundamentals. But this goes without saying that the Brahmanical philosophy of the Upanishads which names the Para-Brahm and Brahm only by infinite negation cannot be the parent of art, almost in the words of Kalidas, that the scripture-scorched ascetic could not be the parent of such beauty as Urvashi. Art cannot be the outcome of stagnant mental concepts. Art is the embodiment of feeling which requires for its spiritual realisation the loved-illuminated duality and an eternal infinitude of forms and beings. Art, in its humanity, is creative of intense jealousies contrary to that unruffled calm and in its divinities of "folded thrills" of ecstatic raptures.

The stagnant mentality is essentially inartistic and this one indictment of uncreativity against it makes it a thing of darkness. Tagore says, the best temples are in the most magnificent scenes of Nature. But this worship of Nature is superstitions. Switzerland worship sits scenery better than India, though quite objectively here in Indian Natural scenery is degraded by the touch of its worshipper. Keshub Chandra Sen once remarked: "The Hindu becomes irreligious religiously". Rishikesh and Hardwar are examples of such a malady. They shut their eyes when amidst the most glorious scene of Nature contemplating, when a Hindu devotee meets God, he shuts his eyes. When a Sikh sees the Guru, he devours Him with his eyes. He closes the eyes when in separation from the beloved.

The Sikh personality, is like that of the Buddhist, a wholly artistic consciousness." Chisel the Guru in yourself" is the subtle gesture of Guru Nanak's personality. This spiritual feeling is the parent of all Art.

To fill all inner space with the face of the Guru is the Sikh's life of Simrin; to create the Beautiful One in one's own features is Nam. The Soul is above the intellect and the will, and the art of Simrin of Guru Nanak is of the domain of the soul; both intellectual power and will-power must work for soul-culture, otherwise they are of the devil, matter.

AN OPEN LETTER TO SIR JOHN SIMON

Puran Singh

Dear Sir John Simon,

The Indian situation is indeed very complex and baffles all kinds of genius to find a royal road to India's freedom. It may not be out of place at this stage when changes in the Constitution are under contemplation to write to you a few thoughts that occur to me one of the royt. They may be of no direct help to you but I am sure they would reveal a bit of the mind of an Indian who is in the thick of all the mental confliotions and naturally reads more of the minds of his people than any foreigner can.

I see the boycott of your Commission is already getting weak. The most ardent boycotters have published their proposed Constitution. Thus they have put their views indirectly before you. It appears to me even if they had boycotted you completely as they intended, this temporary loss of temper on their part could have been treated but as trivial. Let me say frankly there is no ghost of a chance of a successful revolution in India at least at the call of these intellectuals. If it could come at their call, it is certainly overdue because in the verity of things, there is nothing like freedom. In reality, there are many sudden turns in the affairs of men, and your countrymen are also afraid of a possible revolution, of course till it does not actually come. An armed revolt being out of question, I know, between you and them, there will be much of the usual give and take, a lot of crossing of t's and dotting of i's. This business of writing a lot of Constitution by Pundit Moti Lal Nehru or yourself is of little interest to us poor farmers of India. And why?

I. The Witches' Cauldron

When things descend to melancholy, details of daily life and to the carrying out of these fine Constitutions in the spirit of practical sympathy, there is very little man material in India which can be singled out truly as cultured and rightly trained to deserve the title "Indian" which means one who, like a Japanese or an Englishman, will place before himself the interest of the country as a whole, first and foremost, and who would burn with a passion of its service. There are Hindus, Sikhs, Moslems, Christians, Parsis and Jains in India but very few Indians. And strange as it may sound, it is quite true that those who have removed those labels are empty bottles, without having any character of wine, of acid, or of poison. They are of no account, because, for centuries, in India the formation of character has been associated, not with the practice of broad minded patriotism, but with certain racial prejudices and social superstitions. It is, therefore, not extricable from the so called religious bias and bigotry. Self Government in India means Government by the very few cunning and aggressive people who, once put in possession of the authority, would twist all letters of law and constitutions to their individual wills and make them work on the communal or the so called religious bias. The Moslem does not believe in any country as his own. He believes in a brotherhood which, by its sheer number, must conquer the whole world. To him, political advancement of the Moslem brotherhood is his real progress. From a racial point of view, this Moslem outlook is worthy of praise, and such a community of people, unless forced by compelling circumstances, forever refuse to live under any alien domination. The Moslem essentially desires to rule over the world and even his children dream of pan-Islamic Asiatic Empire.

The interest of Moslem in India cannot be national in the sense that the national Congress of the Hindu intellectuals so far has been declaring to mean. Men of exceptional outlooks can be found in the races, and in India's Moslems also. To get such exceptions together at Lucknow and find agreements merely on the surface of things in certain wordings of a few formal resolutions to agree to the Nehru Committee's Draft, is to me a ludicrous unreality of the so-called history-making announcements.

I was going to say it is indulgence of the Indian intellectuals in happy phrases when the country is slowly and surely going from bad to worse. For the reason given, which is in the very constitution of the Moslem mentality, he can come to no terms with the Hindu but those that give him the domination and advantage over the Hindu and all other low-lying communities living in India. Any compromise arrives at would collapse as soon as the Moslem finds out that it is not to his interest and he would be thereby put merely in a position of disadvantage. Agreements bought at such a price are not worth the paper on which they are written. Surely, the Nehru Report is not founded on true patriotism nor true nationalism in which the individual community merges into the larger nation with a flaming passion.

Come to the Hindu. He is the implacable but cowardly foe of the Moslem. He does not trust him and in the heart of his heart, he considers him filthy, cow eating, treacherous, barbarous, one capable of any tyranny, rapine, plunder and cruelty. Even the touch of a Moslem pollutes his food! The Hindu believes his own culture and caste superior to all other human institutions. He alone is pure. For this very attitude, in him also, there can be no genuine feeling akin to that noble patriotism which shapes the destinies of nations to their freedom and progress in the West.

Thus there are two distinct mentalities at dagger's drawn, in spite of professing friendship and political union and social amities. One is aggressive, self assertive, revengeful mentality of a united people of one religion, one-creed, one caste, with a dream of an empire driving them onward. The other is the self-centered bias of highly conservative, non-progressive, over-individualized, indifferent, disunited, dollar-loving people who have consented to be slaves for centuries. The Hindu is still referring, for orders, to his old scriptures from where no more orders come. He cannot raise the marriage-able age of the girl. He cannot remarry his child widow. He cannot give up caste and superstitions. He is hopelessly bound with the past, somewhat like the Russian peasant tied to the superstitions of the Roman Catholic Church. This eternal difference between the Hindu and the Moslem is seen by Dr. James Cousins even up to the method of wearing the Hindu dhoti and the Moslem trousers.

TANSEN -- It is, your majesty, and it would be a song most pitiful that Akbar's legs were traitor to his feet, and after those long miles of journeying flaunted discovery. An hour ago I died to Islam and was born a Hindu but you are struck halfway from life to life loins downward shamelessly a Mussalman.

AKBAR -- I have seen Hindu trousered.

TANSEN -- Very true, but there is something deeper than the fact that has escaped you. Take a pair of trousers from Muslim's legs and put them on a Hindu's and they will seem alike aliens of the race. Aye, perverts from the faith. No, no too much hangs from your waist to risk. Here take this cloth and reincarnate quickly.

AKBAR -- If my limbs could ape the Hindu as glibly as your tongue takes on his language. I far more would fear to lose myself in that which we assume, than be unmasked, and so I rather choose to don the Hindu than to slough the Muslim. And being both be either at the need. (He has put on a Hindu dhoti or skirt).

TANSEN -- "Well, well the risk at least is covered up."

(The King's Wife.)

Then there are Sikhs, for example, amongst many important newly created nations. And each of these minorities is pulling in its own way because each one believes in a new inspiration and a new life that it wishes to save by cutting itself from the Hindu stock. If the mother-stock shoots up, the beauty and life of the new graft will go. For example, the Sikh believes in the inspirations of the Ten Gurus. His past begins from Guru Nanak and his future lies in the progress of his ideals. His masters did cut off a portion from the dead stock of Hindus and infuse a new life into it. They isolated the Sikhs from the disintegrating people called the Hindus who are self-hypnotized slaves of the peculiar theological tyranny of complex intrigue of Brahmanism. The Sikh Gurus molded a fine strong nation out of the terror-stricken masses. All historians admit the worth of this great experiment of the Gurus and appreciate how Guru Gobind Singh infused a spirit similar to the Bushido Spirit of the Japanese into his Sikhs. The Guru isolated them from dead mass around. The Sikh keeps long hair, wears a sword; However ridiculous these signs may appear to the modern, considered under the local social conditions of India and the environmental context, they are fruits of an act of genius which has concealed the new life of a whole nation under such trivial-things-the knot of hair and beard-as nature conceals the lightning spark in the soft wool of clouds. Hindus have seen that this process is against them. The Guru has declared the Hindu dead as long as he does not join his Khalsa for his emancipation. The Hindu cannot tolerate such experimental condemnations of his caste and religion as the Guru makes by the very reactivity of his fresh inspiration on the masses of the Punjab. The Hindu turned down Buddhism in the past and is thinking of devouring Sikhism, because both systems condemn the Hindu tyranny of caste masquerading as religion of love. A few straws show which way the wind blows. Mahatma Gandhi preaches against keeping of hair. He denounces those Sikhs shouts of conquests as communal as against national, with which they battered the Mughal tyranny and became a free nation. The Sikh will die if he cuts his hair and assumes the Hindu shape. The patronizing attitude which the Nehru Constitution adopts towards the Sikhs is the policy of the Hindu Congress to include the Sikhs in the Hindus. Dear Sir John Simon! There yonder are the witches who have put their cauldron on fire. And these matters cannot be settled till the witches' cauldron boils and incantations are murmured. Vapors rise and in them there are acting and reacting upon each other the communal tensions and inflammable prejudices.

You might have already seen the scene of the Walpurgis night of Goeth's Faust in India. There is some fearsome conspiracy against the poor people who till the soil. What can be done by you or any one to help them? The Biblical truth that thy enemies shall be of thy own household appears to be true of the Indian intellectuals, who deceive themselves in imaginings that they are the saviors of the poor people-Saviors with what? They but organize an empty handed protest and noise of wayward meeting on the mob against the British.

II. A Few Imaginings

Let me indulge, while face to face with the witches, in some imaginings, if perhaps, some stray flight of the flying horse of the Arabian Nights might take me and you out of this ghostly darkness. Ah! could nature send its bolt from

the blue and break this huge peninsula into small little islands! Ah! could the Engineer divide it by many a Panama canal. Failing this geographical division, could India be cut up and divided a new to make more harmonious Presidencies with the population of the Hindu with his various castes that in practical life from many small nations is themselves, and the Moslem, equally balanced in the practical exercise of political power that the British might give them out of their great mercy for fallen nations !!

I put it down merely for making the impossible possible. Suppose, as one of the suggestions, Gujrat, Kathiawar, a portion of C. P., the Sind, the Punjab and the North Western Frontier are made into one Presidency, a portion of Bombay goes with Madras as a second Presidency and the half of Madras is lumped up with Bengal as the third, Bihar and U. P. and a portion of C. P. constitutes the fourth Presidency.

The Hindus in this division of India can be treated as many diverse communities. Because the differences between the Brahman and Non-Brahman are as acute as between the Hindu and the Moslem, between the Hindu and the Sikh. And these new Harmony Presidencies of India could be conveniently sub-divided into small independent States governed by one Presidency Legislative council and one Governor. To give the latter to small Provinces would be ruinously costly. On the other hand to have large Harmony Presidencies would be too unwieldy for administration of justice, etc., if they are not cut up into small autonomous States. This administrative cutting up of India would set in process for the development of India into the future independent States of Asia. You are asked to hand India over to us by the Nehru Committee. Failing the redivision of India into New Harmony Presidencies, it would be a much better feat of far-sighted statesmanship to hand it over to a benevolent dictatorship of some kind.

Perhaps you will say I am wasting your time; but I assure you, you and your friends will be equally wasting your time if you, only as constitutional lawyers, sitting down like Pandit Moti Lal Nehru and the men of his mind, write Constitutions for this India where the witches' cauldron is boiling and Walpurgis night is on. Any Constitution coming in here like this essentially means the domination of one community over all others which must be kept in a permanent state of suspended animation. All progress under such Constitutions shall be one-communal and not multi-communal. It would no more be dyarchy but it would be a form of civil anarchy in administration run by an autocratic and communal majority. The herd and its vote does not really matter. The whole District is run by a few officers. They are not chosen by the people. They are the real autocrats. And if the services are corrupted by communal bias, it is the more powerful community that shall drive the others in practical details of administration. The Hindu if he is in the chair would tease the Moslem mass and if the Moslem is in authority he would injure the Hindu mass. Votes for electing a truly representative Legislative body under such conditions of communal tension in securing the monopoly of authority under any such system as adumbrated by the Nehru Committee shall, for all times, be wholly impotent and ineffective in maintaining the morale of the public services. The adult franchise is but a the herd vote.

By giving the Monford Reforms you took away all the noblessee oblige of the "Steel frame" services which did work like irresponsible autocrats but in a spirit in which there are some odor of benevolence. After the Reforms, India has become no one's land, the cost of administration has gone up and the spirit of the services demoralized. The past cannot be brought back and the future cannot be assured, neither as you might wish nor as they might desire. It has become no one's business for example, to look after the costs of the Government.

You have tried for the last hundred years to teach us and to make us into a free nation as you say, but, unlike Afghans who are much less civilized than ourselves, in spite of your intentions, we, as a people, are but a set of women who can just dangle their bangles on their wrists and pose beautiful. America threw your tea into the sea and Washington led and then was the Constitution drafted. One can understand Abraham Lincoln proclaiming from the housetops his grand political maxim-the Government of the people, by the people, for the people. That was some culture, some education which grew restless and effectively restless for its freedom. But a trained statesman must laugh in his sleeves at the impotence of men like Gandhi and Moti Lal Nehru, who wish to be Abraham Lincoln of India without the substance which entitles the people on this earth with human nature as constituted, to liberty. I have said you have tried a hundred years to educate us and look at this great and disappointing intellectual disaster. There is not one Amanullah in this whole country of India, there is not one Kamal Pasha. This fundamental problem of education which you also have taken into your hands is such as cannot be solved by systems but by men.

If you really wish to lead India to independence or Dominion status which practically means independence with an empty and courteous bow to England, I say, do not give the poor people of India, Constitutions, do not define their rights. Let all these things come later, but give us say a real Dictator to train at least one province, say the Punjab, at the cost of the whole of India and make it really independent and see incidentally with what sport other provinces bear this wonderful concentration for the sake of the uplift of their brothers of blood for the Punjab. So far, either you have not done your best to educate us or you are unfit to organize nations to freedom. You must confess either unwillingness to make us men, free men, or the utter incompetence of your system and men as you have so far given us. The education our Universities are giving is the imitation of that luxurious academic training which you give to your youths to enable them to run the Empire and its Embassies. Of what use is it to us? Afghans have arsenals,

aeroplanes, but we are rendered so impotent that our youths cannot earn their livings !! We get mere crumbs that fall from the Olympian Tables. All, in India, must overwork to death to have one meal a day or die of starvation. We the farmers are crushed under steel heels.

III. A Bit of Brutal Frankness

Coming to practical problems which I am afraid the more you think about, the more theoretical and unpractical they grow, you would see some great minds become mad while thinking of India. The sign of madness is that they go on preaching but one fad. You must agree with me that if we were a people and we had any power or if we were less civilized and more manly with some ground under our feet, you would not have entered our house and said: "Now boys be quiet, we run your home for your good." You must admit that your proclamations are only political speeches which mean very little, because if you really wanted, you would have by these hundred years and more made us men fit for self-government. As I have already pointed out, if this is not correct then you as a nation are hopelessly unfit for organizing people to their political freedom. Hence we think you only know how to run the Government and utilize the country in your own ways for your own good. Whatever may be the case, our suspicion is that you did not and perhaps do not mean to help us to freedom.

On your side, there are suspicions against us. If you arm us, we may revolt and be free. Of course if you had meant to give us independence you might have taken that risk. But you did not and naturally you would not.

The general man strength of this country is getting low every day in various ways. Defective education, slow and systematic economic drain, and want of opportunity for our being made armed soldiers for the defense of this country are a few amongst many. Dadabhai Narojee and William Digby say that India is being bled white. Lord Curzon supports them in the contention that India is the poorest country in the world. Imagine, if this country belonged to you in another sense, you would have secured long ago her economic independence. That indeed must be your first concern even if for doing it, you have to make India an English colony like Australia. Why has Australia grown into a power in such a short time? The Indian thinkers should have given up their case for her political independence even in their "class rooms" of these mockeries of Legislative Assemblies, had they not come to the grim conclusion that because of our being helpless dependents, ground by your system of drainage of our wealth and consequently of strength, we cannot possibly secure our economic independence till we get rid of you.

It is the irony of the fate that there may be prosperity in our budgets and in the trade statistics, but the masses are growing weaker and weaker for want of food. We the tillers of the soil are famishing. Millions there are who scarcely get one full meal a day. They are good soil for the growth of plague germs, malarial parasites, kala bazar and consumption. Man and woman material is fast decaying. This is the fundamental indictment against your policy of drift. Closely connected with this policy is the academic knowledge being imparted to the youths of the country by our Universities. This knowledge falsely stimulates the intellects. The stimulated intellect wishes to surround itself with higher standards of life than the productive capacity of the county can permit or its undeveloped resources can afford. What is that strange system that does not change for the good of the people, aye for keeping them alive? As I will show later, this has given birth to an artificial prosperous middle class in the country mainly made up of the variety of the Government services. I, therefore, appeal to you to realize this situation as it is in reality, and do something substantial to avert this disaster. What use indeed are those ponderous unwieldy Royal Commissions on Industry and Agriculture that came and went. You will see that the Agricultural Commission has clearly left the problem as it was. Their conclusions and suggestions are mere more yawns of an exhausted listener who has been made to hear so much volume of vague and vaporous opinions. It was not necessary that they should have come all the way and gone through all that travail to tell His Excellency the Viceroy of India that the Economic condition of Indian farmer needs immediate looking after. The Commission on Industries came to the ridiculous conclusions of two more Imperial Services! You must admit that this is not how living nations are doing their business of development now, nor how the Japanese would tackle a life and death problem like this.

Provision of cheap and good food to the millions of Indian farmers is more important than the declaration of the rights of the people. Much is being side shunted for purposes of political show. Allow me to put a little suggestion here. Mahatma Gandhi, for example, thinks that we men should spin like women and he repeats the gospels of khaddar, as I have said, like genius gone mad when thinking on the complex problem of Indian freedom. Thus he wishes to give useful employment to the farmers to clothe themselves, but what use is clothing of men who are starving and have no strength for any extra employment? Why is the dairy industry dying all over? It is a preeminently agricultural occupation. There are no pastures provided. For example, Government sells land in Punjab colonies by auction to raise as much money as possible. This is helping the capitalist and killing the farmer. No lands have been reserved by the Government as open pastures for each village. Consequently it has become uneconomical to keep herds of milch cattle. This had led the farmer to adulterate his ghee with hydrogenized oils. If people could be helped by grants of large tracts of lands as pastures all over India, the home industry of ghee making would pay better than khaddar. They

would have plenty of milk to drink. It is better to go nude but well-fed. When they are well fed, khaddar making certainly can be additional advantage and the women folk could spin like old Eve, and the poor masses could again throw up some coppice of life.

The very foundation of the society and the Government, the Indian tiller is being sapped. The permanent settlement system in Bengal has worked havoc. The Taluqdars of Oudh and the United Provinces are a kind of ransacking "permanent settlement of Bengal." The taluqdars are the middle men between the tillers and the Government. They overtax them and overwork them. Practically the middle class which should be consisting of the tillers and the farmers in this most agricultural country in the world, as we happily yet a little in the Punjab, has practically disappeared in Bengal, in Bihar, and in the United Provinces. I am afraid it is also fast disappearing from the Punjab. Consciously or unconsciously the Government has helped the rise of men of the type of the late Sir Ganga Ram in the Punjab, who are engines of destruction of the real middle class of wealth-creative laborers who form the back bone of all nations of the world. And why have such men made millions? Because the government is so hopelessly devoid of true experts. The experts of the Government gaped like wax toys in utter astonishment finding men like Sir Ganga Ram succeeding lift irrigation which they had not even imagined as profitable.

Thus, when the flood is weeping on the very foundation of the Government and society, the farmer and the tiller of soil, will you sit to define the rights of the people or first save them from death?

The economic condition of the Indian farmer can be improved by the future Indian Constitution siding with the farmers and the tillers of soil and not with the capitalistic combines and influences working in India or in England. Real improvements in Indian agriculture would come through the Constitutions and special Legislations and not through the so called agricultural experts till the economic condition of the farmer goes up to a certain standard. The Agricultural expert is of very little use to them. The application of modern agricultural knowledge which is so far advanced and has become popular knowledge in other countries is matter of propaganda for a long time yet in India. This propaganda reaches home through commercial concerns better than through these huge and luxurious Imperial departments of the Government of India. The very first thing is to abolish the Imperial Science Services and reorganize the Scientific Research. The Government Services should be reduced and expenditure on the remaining few and essential few must be cut down to very minimum. The Japanese Prime Minister is getting less pay than that of an ordinary Deputy Commissioner of India!

All salaries of the Government services form a part of the general plunder of the farmer and tiller on whom the only addition to services, the class of lawyers, the government contractors and suppliers should be considered parasites living on the revenues on the country. As said above, the Government servants and this class of people constitute an artificial middle class in India who keep up a show of prosperity. They are consumers of wealth and not the producers thereof. All the fire-work of prosperity is being displayed at the grim cost of the farmer's body and soul. A contractor who may not be able to earn by his own power even one hundred a month does manage by some fluke to make hundreds of thousands from the Government. The Government muddles up things when they find themselves being looted in broad daylight. For example, they start stores purchase department, not knowing that this service would add another middle man to the numerous middle men between the Government and the manufacturers. So any remedy made out by the Government is generally worse than the disease. The Government is run on files are mostly very clean and well-written! All is well with the files, but the broad day-light waste is rampant.

Again the centralization of all commercial concerns . . . the Railways, forests, store purchase, construction, buildings, and roads . . . as Imperial services and departments is hopelessly costly and inefficient. The bulkiness of the country and its requirements needed splitting up of work, giving commercial concerns to commercial people or to public companies. Failing to find English and Indian experts commercial boards of international experts of all nations can be asked to come in and run these concerns in a pure business like way. The policy of not bringing in foreign experts whenever required apparently either for political reasons or for reasons of jealousy to provide high billets only to Englishmen, tends to inefficiency that can never be found out by any Government however well meaning and anxious for the welfare of the people. But there is something rotten in the State of Denmark. These very countrymen of yours manage things so well, say in Australia. One is driven to the conclusion-split up India, reduce the cost of administration, and increase the efficiency of the men who work in the systems. Ring out policy of false prestige and waste and ring the Policy of Honest Work for the uplift and development of the people. The greater the number of Government services, the more costly and less efficient the general administration. The hugeness of office work take away the genius of Government for the efficient management of the State affairs. To use a military metaphor, the present Government of India with its variety of Services is like the army in the trenches without the general staff behind. The Government looks like an emergency Government even in times of peace. The Government shows huge profits of these departments, but never considers at what comparative cost. It is wrong to be satisfied with the declared profits. Can those profits be made still more and at a very much less cost? Could not the land-tax be decreased and the tillers of soil given relief. What is the meaning of policy that makes profits and spends on the consuming and

unproductive artificial middle class?

In commercial departments, to lend the security and prestige of the Government service leads to excessive corruption as in the case of railways and to neglect of duty and general inefficiency as in the case of the so-called Research Departments in India. Scientific research should never be departmental. It should be surrounded by the whole world's critical atmosphere where no third class mediocres be able to breathe. To make Imperial Departments of science and scientific inquiry is immoral, considering that no Government can well criticize its experts. Research should be handed over to the Universities. The Universities should not be merely examining bodies as they are at present in India but great cultural world-centers. They should be not Indian but International in the greatness of their teachers and in the quality of their work done by their laboratories and their luminaries. The staff should rise or fall by their international reputation. The merest tyros are put in charge of the Research Departments.

My plea is that you should define in the new Constitution the real and limited function of the Government. Running business concerns as Imperial Departments should be discouraged. Scientific Research, as said above, of India should be under the Universities of fame, under the governance of men whose reputation for honest, scientific work is beyond doubt. What use is any Scientific Council of Government officials? The great men can bear no yoke. It is men of true scientific independence and of the unbiased scientific mind that shall control research. Surely not the mere file-makers and Imperialistic experts.

IV. The Proposed Remedies

I have pointed out what occurs to me as fundamentally wrong in the Constitution of the people and the Institutions of the Government of India. I have drawn your attention to the economic condition of the people who are the backbone of the Government and how the Government unnecessarily feeds its huge bulky and inefficient services at the cost of the ryot. There is the false glitter of an artificial middle class in India, which of Government servants and parasites. What are the remedies then? It is for you to find them out and not end as did the Industrial and Agricultural Commissions.

Let us look at the remedies proposed by more brainy people than myself. The remedy proposed by Gandhi is "khaddar, non-violent non-co-operation and eventually civil disobedience." He, too, however has seen the scene of Walpugris night in India. The witches on the heath are against him. In India alone you have mob-war on the Sikh-made mutton and the Muslim-made mutton, on music before the mosque, on the killing of cows! They are the ephemeral vapors of the witches' cauldron. The impossible condition attached with Gandhi's remedy is self-sacrifice without an end. All self-sacrifice in political matters is for the gain of political ends. When these advantages are never in sight, self-sacrifice in such matters can never become the religion of the people. Gandhi wishes to make the politics of India some such religion which can only be the impossible religion of a few Christ-like men, and of the minds who can never stoop down from those heights.

And the Nehru draft. The Hindu has bowed down to the wind. It is ushering in of civil anarchy in which the one community wins the head and all others lose the tail. In fact the Muslim has floored the Hindu by creating a Kohat and a Lahore for him. Mahatma Gandhi and others all say as India is not homogeneous for there is the Muslim, this is the best compromise under the critical local conditions.

Supposing you were to go and leave the country, there would set in an anarchy, in which all communities will have an equal opportunity to fight to any fate of freedom or eternal slavery. And the Hindu-Sanskrit culture and intelligence will be put again to a military test. One Khilji did walk over from Delhi to Cape Comorin with a few armed soldiers unopposed by the Hindu millions. He who occupied the Punjab occupied the whole of India with one pitched battle near Delhi or Agra. This is the history of the Hindu's defense of his country and himself. The same is the case to-day. He who governs the Punjab governs the whole of India. In the Nehru Constitution, the Muslim has completely defeated the Hindu. The great anarchy, creative of equal opportunities for all and the victory of one community over all others, is not to come but this incipient consumption-like civil anarchy is welcomed in the Nehru Constitution by all kinds of men! It shows how in their zeal for mere tall talks on national work, they are blind to the practical effects of their proposals on the governed masses. If it is not the collapse of the Hindu, on what principle like Bombay and, made into a backward pure Muslim province? And why should the Sindhi merchants, mostly Sikh and Hindu, who trade all over the world be compelled to agree to it for the sake of the Nehru draft and an academics agreement? If that principle is granted why should not the Central Punjab be made into a Sikh Province? Because the Majha and Malwa Sikhs have so far not created a Kohat and a Multan, what else? The Nehru Committee has ignored the Sikh because he is not as many in numbers as the Muslim. But conquerors like Ahmad Shah acknowledged the Sikh as the only entity in the Punjab. Perhaps it was Nadir Shah who remarked "from this Nation comes the odor of Sovereignty." The English commanders, one after the other have spoken in glowing terms of the outstanding bravery, chivalry, and the upright character of the Sikh soldier. The present Commander-in-Chief in India once remarked that he would trust his wife and daughter for their safety to a Sikh soldier. And it is in the Punjab that the Misals of the Sikhs were formed. A

Sikh chief would throw his saddle in a village or a town and thenceforth it will be his private estate. The Punjabi Hindu could not oppose the Sikh saddle. Under Maharaja Ranjit Singh, the Punjab was never a Muslim province but a Sikh province. The Muslim ministers of the Maharaja remained faithful to the last, while the Hindu and the Brahmin ministers proved traitors. It may be remembered Maharaja Ranjit Singh the Sardar of the Sikh Misals, was invited by the Muslim choudhries of Lahore to come and be their King. Hari Singh Nalva struck terror in the den of the lion. The Frontier Pathans still say to their crying children "Harya Ragla" "Hush, Harya has come!" How can the Nehru Committee to-day extinguish such a community by a stroke of the pen. Is this their Hindu fairness? Sindh must be separated because that is the Muslim demand and the Sikh is but a Hindu, ignore him. The Hindu if he were a man should have stood up for the Sikh and proposed the separation of the Central Punjab as the Sikh Province. It is all non-violent civil anarchy giving all advantages to a powerful and well combined community who shows the mailed fist. Let me say openly if the Sikh Jats get into their heads that they can have a province to rule, they will die to a man and create many Kohats. The Sikh knows how to fight for his rights but why should such activities at all be inspired by the Nehru report?

Let us take the population basis and the adult suffrage on which the whole of the theoretical reasonableness of the Nehru Report is being preached, broadcast.

In this country, where one powerful Zamindar of Bengal has thousands of his galley slaves to sweat for him for a starving pittance, where even in the most virile Punjab, the secret of Agricultural prosperity in the most prosperous irrigated colonies is the perpetual indebtedness of the tiller who gets but the barest subsistence and works more for keeping his flesh and blood together than to earn a wage that may make life worth its joys, and is under the thumb of the moneylender, what an absolutely hypothetical value is attached in this Report to the voter as if he were an old Athenian peasant or a Roman citizen!

With the old Roman citizen, as even with the Greek peasant, the political sense was, as to say, the sixth sense. An illiterate voter would go and ask a literate citizen to write down for him the name of his chosen candidate. He behaved as a citizen. Even then, we know how the oratory of the Anthonies and others swayed the political-minded mob. And exactly similar is the case in England and other Western countries now.

For ages, the masses of this country have been terror stricken, not only by the foreign invaders, but by the habitual and slow daily tyranny of the little Neros of India, the Indian Kings, and Zamindars and the Bankers and have been driven like the bleating sheep that are led to the slaughter house. It is simply sickening to find such an uninformed population made as the basis of an adult vote. And when practical modern administrators of experience laugh at the school-boy like proposals of the Nehru Committee, the ill-organized noise of the Congress Camp, utters a hooting shriek.

However able these Hindu lawyers of India may be to make the purely academic debates hot and saucy in the Assembly chamber, they cut a sorry figure in practical administration. The Japanese statesman has the same poor opinion about the quality of this highly intricate Hindu intellect.

It is an open secret how an audacious A. D. C. and some of the Secretaries made the late Lord Sinha uncomfortable. I dare say a Sikh Sardar or a Moslem Zamindar of the Punjab would have known better how to sit in that chair.

What is then the significance of the Nehru report when it is vitiated by the fundamental mistake of determining power to vote by mere population and mere adult suffrage in this country where it is impossible to get an independent voter? Mahatma Gandhi has failed to give a remedy. Pandit Moti Lal Nehru has not asked you to leave the country, as he should have done, to violent anarchy, but wishes you to set in that form of consumption which would naturally eat up the weaker communities. It would be the same thing if you agree with Nehru's draft or make yourself a similar one with a few modifications, both will be useless unless you re-divide India into four or five Harmony-Presidencies with all communal power well nigh equally balanced. If the wise acres tell you that this re-division is impossible, then no Democracy can be made to work equitably in India. Better put back the hands of clock and bring in one efficient, impartial, stern but benevolent dictatorship.

V. What Should the Englishmen Do?

So there is no remedy as far as thought devoid of fiery imagination can go penetrating the details of human affairs in India and the details that have been here for centuries as rigid facts. I now come to what the Englishman should do under the circumstances. To be brief, if he is a Cromwell, he should frankly say not only to India but say so in the face of the nations of the world: "O, Indians! do your damndest, we will govern you as we like. Go away. On what grounds and in what way is India more specially yours than ours? Aryans conquered it, they have gone. We occupied it when you were all fighting amongst yourselves, we will occupy it as long as we can. Come. We will die to a man and govern you as best we choose." After this proclamation, he, the Cromwell, will guide the Government of India on a new basis of that benevolent and biasless autocracy of his Puritan type. Abolish all religious superstition, all social inequities, all backward tendencies of these diseased people by law put into force at the point of the bayonet. Guru Gobind Singh made a living people out of these willy nilly johnies by a moral power. Let his idea be now carried out

by a military power. The write of "Mother India" has written scandalously, as Gandhi says like a drain inspector. But what use is writing "Unhappy India" and "Father India" in reply? We must frankly admit all those shames are inherent in the constitution of our society and admit that we are mostly as she says. The way out of it is not any reply to her but change like the one coming over Afghanistan and Turkey. Let military law do with us what so far moral law has not been able to do.

And if he is Bentham, or a Burke, then certainly he shall make no compromise with miserable political conditions in India as the Nehru Committee has done in a most miserable way, and as they expect and wish you might follow. It is an enslaved country from centuries and all these communal conditions have come about under encouragement of one kind or another from the subtle tone of administrative machinery. Also, denominational education of Aligarh, Benares, Lahore and Amritsar have added fuel to the fire. The lure of coveted Government services and powers of municipal chairs and authority of District Boards have added to the flame. As a straight forward Englishman, bent upon doing substantial service to the people of India, in helping them to Self-Government and Independence, you must discourage all such conditions that have artificially created partialities shown at different times to one or the other community are responsible for these miseries.

Due to these partialities shown directly or indirectly the people surmise that your policy is divide and rule. You must put a stop to all this nonsense. In the new Constitution, there shall be no compromise of any kind with one community or the other. Your Constitution must afford equal opportunities to all who live under it. The truly Democratic Constitution should not allow one community to get into power and work mischief through the democratic institutions to crush the other. In the grant of your New Constitution, the right of all people should be equal in the eye of law. Public services shall not be demoralized by selection of candidates on any communal basis. No more shall English servants of the Crown take sides. Detering punishments shall be freely meted out to those who might in any way corrupt the services.

The crux of the introduction of the truly democratic Government in the country is the question of franchise and such franchise that would automatically and mechanically make the electorate non-communal. You are expected by afflicted lovers of the progress of the Indian peoples to determine it under the Indian conditions. I may just suggest that the question of franchise cannot be properly settled nor a non-communal general electorate be made possible and efficiently workable without taking away the great errors of history which have been made by your countrymen in making provinces and sub-divisions in India. The Nehru Committee has taken lying down the arbitrary and imaginary administrative lines that are supposed to divide one province from the other. Wipe out the provinces as they are for a universal franchise based on equitable ground by which no one community should be able to dominate. So far imagination has been lacking in removing these errors because your nation went on adding one province after another to their Empire and went on making little bits into separate administrative units. Under pre-Reform autocracy, such divisions worked fairly well. And any divisions could work well under a strong Central Government. With the democratic institutions and the Provincial Autonomies coming in, these divisions need another casting. And the principle of dividing provinces on the communal basis is axing the very root of the political progress in the country. It is simply unstatesman-like to treat Sindh, North-Western Frontier and Bengal as the Moslem-majority provinces when these provinces can be either split or lumped up into better working divisions than the present ones. The real work of genius should be the system of conditioning the franchise in such a way as to balance power. As long as the military power and the army are with the Central Government, this balance of power can be effectively secured in all the new Harmony Presidencies. It goes without saying that for a real and effective change some hard discipline is essential for some time to let the new change settle to function properly.

I would suggest not only to make the Constitution impartial and non-communal but to so divide India administratively that the joint electorate may be possible on non-communal basis in a fool proof way. The franchise should be granted under certain limits of revenue-paying capacity, education and the human substance, also on soldier yielding capacities of different peoples. With the new division of most harmonious provinces and with the new limits of franchise, the elected bodies would be coming forth to work the new constitution in a non-communal manner befitting sensible men and true citizens. My point is to so redivide the country that there may be a fairly balanced opportunity for all communities and castes and the franchise may be so limited and elastic that best representatives of all communities may have equal chances. Thus, either bring in true Western condition of running the democratic institutions by completely ignoring the communal differences not in a theoretical way but in a practical manner, considering the local conditions of prejudice and ignorance and tenant slavery or go back to benevolent autocracy of a dictator. The latter is impossible now. It would be ridiculous in the eyes of the civilized world if you do not grant us Dominion Status forthwith. Therefore the only possible alternative is to give a fool-proof franchise to secure the balance of the political power that manifests itself most acutely and effectively in the selection of the state servants. If this is done, the various minorities may also be let alone to take care of themselves.

Conclusion

In conclusion, I would request you not to be so small as to be partial in any way to any community and not to be so large as to give over India into the hands of one powerful community and thus reduce the other minor communities to eternal slavery even under democratic Institutions. By cutting up the country into Muslim provinces and Hindu provinces, you would be only introducing a slow eating consumption of civil anarchy which could kill the weaker communities. Where the Hindus prevail, Muslims shall suffer and where the Muslims prevail, the Hindus shall suffer. And as I have already said virile communities like that of the Sikhs may risk to fight to death at ask for a purely Sikh province.

The moment is great and the English people have to show a political imagination which they have not shown so far.

I pray the Highest in you may help you to rise to your full moral stature and you may be able to surprise the Indians with your New Constitution. Give a franchise on the new-India-nation-making basis and let the limits of the franchise be such as no one community may swamp the majority votes. It is simply unwise to build the New Constitution on the population basis. It is the worth that counts. A race horse is worth a million of donkeys. And in determining these limits, your genius has to come into full play. Wipe out by your Constitution the Hindu and the Muslim as such and bring in conditions in which the "Indian" may become possible, who may truly represent the dumb driven masses of India.

The Nehru Committee has drafted a Compromise Constitution on the crater of an active volcano.

I, therefore, appeal to you to recommend a Non-communal Constitution. Secure the economic Independence for us as it is being achieved, say in Australia. Reduce the bewildering varieties of Government services and the Neroic cost of administration. Let the tiller of the soil be relieved of excessive taxation by reducing the overhead charges to a minimum. Only then will the economic condition of tillers of the soil go up and a real middle class of the wealth-creative laborers come into being.

Your sincerely,

Puran Singh

P. O. Chak No. 73/19.

(Via Nankana Sahib, N. W. Ry., Punjab)

21st October, 1928.

THE SIKHS AND THE INDIAN STATE (1947 – PRESENT)

Journey of a Nation [under siege]

PARTITION AND RE-COLONIZATION

- 15 Aug 1947 The Sikh Homeland handed over to the Hindus against the wishes of the Sikh nation and divided into East and West Panjab.
- 10 Oct 1947 Indian Government declared Sikhs a tribe of criminals. Hindu Governor of Panjab issued a circular calling “Sikhs as lawless/criminal people.”
- 14 Jul 1948 Deputy Prime Minister, Patel, eliminated the Sikh rulers and established PEPSU.
- 15 Nov 1948 32 of the 33 Sikh legislatures submitted a charter of 13 Sikh demands to the Constituent Assembly. The only non-signatory was Partap Singh Kairon.
- 1 Feb 1949 Jullundar Municipal Committee's Hindu members decided to adopt Hindi, instead of Panjabi, as a medium of instruction in its schools.
- 20 Feb 1949 Sikhs held a Conference against the Indian government's ban in Delhi; all participants were arrested and jailed. A day before the conference, Master Tara Singh was arrested at Narela under sedition charges on his way to Delhi.
- 14 Apr 1949 Sirdar Kapur Singh, I.C.S., suspended on frivolous charges.
- 9 Jun 1949 Hindu members of the Panjab University opposed Panjabi as a medium of instruction.
- 26 Nov 1949 The Sikhs rejected the new Constitution of India; they refused to sign it.
- 26 Jan 1950 Republic day of India, but the Sikh Nation's aspirations remain unfulfilled.

THE PANJABI SUBA MOVEMENT

- 26 Feb 1950 Akali Conference passed resolution for Panjabi speaking state.
- 8 Jul 1951 Akali Dal passed a resolution for Panjabi Suba and independent organization.
- 1 Sep 1951 Gurmat Mahan Samagam at Patiala, attended by 400,000 Sikhs, condemned the Indian onslaught on the identity and entity of the Sikh Nation.
- 23 Feb 1953 Sikh religious function at Amritsar banned by Indian Govt.
- 10 May 1955 Agitation launched against the imposition of ban on the slogan “Panjabi Suba Zindabad” was launched. 10,000 courted arrests.
- 4 Jul 1955 Indian police entered Darbar Sahib complex and arrested several Akali leaders.
- 16 Mar 1956 Regional formula for Panjab agreed between Hukam Singh and Nehru as a secret deal; four days later, he is elected Deputy Speaker of Indian Lower House.
- 2 Feb 1958 Sikhs Protest March in Delhi against numerous acts of the sacrilege of their Gurdwaras by the Hindus.
- 8 Feb 1958 Jan Sangh members (now Bharti Janta Party) set fire to Gurdwara at Jallandar.
- 16 Nov 1958 Hindu regime paid heavy sums to SGPC members to get Hindu show-boy Prem Singh Lalpura elected as president of the SGPC.
- 15 Mar 1959 300,000 Sikhs join march in Delhi to protest against Indian government interference in the Sikh Shrines.
- 26 May 1960 Morcha initiated for seeking Panjabi Suba.
- 15 Aug 1960 Sikhs observe Indian independence day as “Gulami” (Slavery) day.
- 1 Jan 1961 Number of Sikhs courting arrest for Panjabi Suba agitation reached 55,000.
- 24 Jun 1962 Panjabi University established.
- 11 Mar 1966 Hindu terrorists took out processions against Panjabi Suba. Sikhs were attacked and their properties burned, looted, and destroyed.
- 6 Sep 1966 Panjab Reorganization Bill presented in the Indian Lower House. Sirdar Kapur Singh rejected it on behalf of the Sikh nation in his famous address, “the betrayal of the Sikh faith,” to the Indian Parliament.
- 1 Nov 1966 Panjab Suba came into existence.

ANANDPUR SAHIB RESOLUTION

18 Nov 1966	SGPC established Gurdwara Damdama Sahib as Guru Khalsa's fifth Takhat.
8 Mar 1967	Akalis formed their first government in Panjab.
13 Apr 1967	Panjabi became official language of Panjab at the secretariat level.
28 Sep 1968	Shiromani Akali Dal organized an All India Akali conference in Batala and demanded autonomy for states.
8 Oct 1968	Master and Sant Akali Dals merged. Sikh sovereignty was accepted as the manifesto of the new joint Akali Dal.
27 Oct 1969	Sardar Darshan Singh Pheruman died, after fasting for 74 days, for the freedom of the Sikh Homeland.
29 Jan 1970	Indira Gandhi announced the so-called "award" on Chandigarh.
27 Mar 1970	Prakash Singh Badal formed Akali government in Panjab, thus ending the seesaw of Akali politics during the 1960s.
17 Oct 1973	Akali Dal Executive passed the Anandpur Sahib resolution asking for autonomy for the Sikh nation.
9 Jul 1975	Akali Dal protested against the emergency imposed by Indira Gandhi and launched an agitation. A total of 43,472 Sikhs courted arrest under this agitation.
17 Jan 1977	Akali Dal morcha, launched against 1975 emergency was successfully concluded.
25 Aug 1977	Jarnail Singh Bhindrawalae assumed responsibility of Damdami Taksal.
28 Aug 1977	General House of the Akali Dal approved the famous 1973 Anandpur Sahib's resolution.

THE NIRANKARI MANDAL

13 Apr 1978	Amritsar Massacre.
10 Jun 1978	Nirankari Gurbachan Singh declared apostate by Akal Takhat. Akal Takhat issued a Hukamnama to the Sikhs for social boycott of the Nirankari Mafia organization.
2 Jul 1978	Reorganization Of The Sikh Students Federation. Amrik Singh elected the President of All India Sikh Federation.
26 Sep 1978	8 Sikhs were massacred by Nirankaris while police killed 10 Sikhs at Kanpur.
31 Mar 1979	Elections to the SGPC. The Badal government used government machinery to defeat Amrik Singh, President of the Sikhs Students Federation.
4 Jan 1980	Acquittal of Nirankaris accused in the murder of 13 Sikhs in Amritsar. As a result the whole Sikh community lost its faith in the Indian Judicial system.
15 Apr 1980	Sikh Bank, the Panjab and Sind Bank, Nationalized
21 Apr 1981	Jathedar, Sri Akal Takhat ratified the resolution "Sikhs are a Nation."
10 Sep 1981	Indian Police burns Saroops of Sri Guru Granth Sahib.
8 Apr 1982	Akali Agitation initiated for the Waters Issue: Satluj-Yamuna link.

DHARAM YUDH MORCHA

4 Aug 1982	Akali Dal initiated Dharam Yudh (rightful agitation).
12 Oct 1982	Four Sikhs killed with Police fire while demonstrating for Sikhs rights near Indian Parliament House, Delhi.
18 Oct 1982	Amritsar taken over by communal Border Security Force.
28 Nov 1982	All India Sikh Student Federation arrested during Asian games.
23 Dec 1982	Ex-Servicemen and Intellectuals demands "Sikhs are a Nation."
27 Jan 1983	Akali members of Parliament and Assembly resigned in support of Sikh's righteous demands.
1 Jul 1983	By now Indian Government had given gallantry awards to over 50 policemen for killing Sikhs to boost the morale of the policemen as well as create terror among Sikhs.
5 Oct 1983	President's rule imposed on Panjab
26 Nov 1983	the Hindus burned Gurdwara at Churu in Rajasthan.
15 Jan 1984	Indira Gandhi issued orders for Bluestar Operation, attack on Darbar Sahib, Amritsar.

- 17 Feb 1984 Central Reserve Police Force (CRPF) of India fired upon Sri Darbar Sahib and killed three visiting devotees.
- 19 Mar 1984 All India Sikh Student federation banned by Indian Govt.

THE ATTACK ON DARBAR SAHIB AND THE MASSACRE

- 1 Jun 1984 Black Day - CRPF & BSF fired upon and damaged Darbar Sahib, Amritsar.
- 2 Jun 1984 Operation Bluestar: Indian Army replaces CRPF & BSF; Panjab sealed off to foreigners.
- 3 Jun 1984 Sikhs courting arrest numbered over 235000. Sikh homeland occupied by Indian Army; curfew declared and undeclared Martial law promulgated.
- 4 Jun 1984 Indian armed forces invaded Darbar Sahib, Amritsar and more than 120 other shrines. Thousands of Sikhs killed.
- 5 Jun 1984 Fierce battle in Golden Temple Complex, Sri Akal Takhat is attacked with heavy artillery and tanks.
- 6 Jun 1984 Indian Army occupied the Sikh Shrines, archives, libraries, and museums. Most of them were later set ablaze.
- 7 Jun 1984 Sikhs from rural Panjab march to defend Sri Darbar Sahib despite the heavy presence of armed forces. Sikh soldiers' rebellion, several killed, thousands arrested. Destruction of Sikh Reference Library by Indian Armed forces.
- 8 Jun 1984 Operation Woodrose started. Sikh youth from villages picked up and eliminated; witch-hunt led to killing of hundreds of Sikhs and arrest of thousands of Sikhs.
- 10 Jun 1984 Sikhs took out huge processions in the capitals of all the major countries throughout the world; Sikh soldiers of Sikh Regiment rebelled in protest of Indian Army's attack.
- 11 Jun 1984 Sikh Solider riots erupted at 6 places and count reach over 2,000.
- 14 Jun 1984 Historian Ganda Singh, returns his "Padam Shri" in protest. Indian propaganda declared that "Heroin and Hashish" was discovered from Darbar Sahib Complex. However, it had to renege this false allegations 10 days later.
- 22 Jun 1984 Panj Payaras excommunicated Baba Sant Singh Ji, main leader of Budha Dal, for cooperated with government in its forced "kar Sewa" under curfew.
- 2 Sep 1984 Sarbat Khalsa convened as "Sarab Sansar Sikh Sammelan" that confirmed the excommunication of Giani Zail Singh, Buta Singh, and others from Guru Khasla Panth for their part in the operation Bluestar.
- 31 Oct 1984 Sardar Beant Singh and Satwant Singh delivered justice to Indira Gandhi. The planned attack on the Sikh masses, especially in Delhi and Kanpur, loot, rape, plunder, arson, etc.
- 9 Mar 1985 The Sikh Homeland sealed for foreigners permanently.
- 10 Jun 1985 Harjinder Singh and Sukhdev Singh Sukha delivered justice to General Vaidya, who had invaded Darbar Sahib on June 4, 1984.
- 10 Jul 1985 Indian government honors its forces for attacking Sri Darbar Sahib and Sri Akal Takhat. Zail Singh, then President of India, bestowed the honors.
- 26 Jan 1986 Sarbat Khalsa resolves to establish a sovereign state, Khalistan and elected a Panthic Committee to co-ordinate the movement for national independence
- 29 Apr 1986 Panthic Committee announced "Declaration of Independence" from Akal Takht Sahib.
- 30 Apr 1986 Surjit S. Barnala ordered an attack, "Black Thunder," on Sri Darbar Sahib.

THE MOVEMENT FOR DE-ENSLAVEMENT

- 26 Jan 1986 Sarbat Khalsa resolves to establish a sovereign state, Khalistan and elected a Panthic Committee to co-ordinate the movement for national independence
- 29 Apr 1986 Panthic Committee announced "Declaration of Independence" from Akal Takht Sahib.
- 30 Apr 1986 Surjit S. Barnala ordered an attack, "Black Thunder," on Sri Darbar Sahib.
- 7 Oct 1987 The Sikh Nation declared independence from India.
- 26 Apr 1988 Justice Kuldip Singh announced a 3-member People's Commission to enquire into disappearances in Panjab since 1984.
- 9 May 1988 Indian security forces attacked Sri Darbar Sahib again under Operation Black Thunder.
- 6 Jan 1989 Sirdar Satwant Singh and Kehar Singh hanged.

- 9 Feb 1992 Sikhs boycotted elections under Indian Constitution.
- 9 Oct 1992 Sukhdev Singh and Harjinder Singh were hanged until death for delivering justice to General Vaidya.
- 25 Dec 1992 Jathedar of the Akal Takht, Gurdev Singh Kaunke, abducted and killed by the Indian police.
- 31 Aug 1995 The justice was delivered to Beant Singh, then Chief Minister of Panjab.
- 27 Oct 1995 Human rights activist Jaswant Singh Khalra was killed in police custody.

THE SAFFRONIZATION OF THE INSTITUTIONS

1996 – present

PUNJAB RIVER WATERS DISPUTE

Institute of Sikh Studies

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1. Introduction:

Normally, we would not have written on a subject that is a current issue. But unfortunately and in fact inexplicably, opinions regarding the Punjab problem have been expressed in academic publications and circles that are far from being correct and factual. For this reason, it appears necessary briefly to state the factual, legal and constitutional position about the Punjab water and hydel power problem, the most elemental issue. We hope the confusion, misinformation and ignorance that prevail in some academic circles because of some journalistic and fast-food literature is dispelled, or at least the serious scholars or researchers take into consideration the aspect of this Punjab problem which is stated in this paper.

The River-Waters Dispute forms the prime social, economic and political issue in the Punjab, and is central to the solution of the socio-political problems in the state, since all further progress in the social, economic and political fields depends on the fair and constitutional resolution of this matter. Hence the necessity to understand the genesis and the gravity of the problem and how it has been unnecessarily prolonged and sidetracked with serious detriment to all concerned.

2. The Problem

Until 1966, Punjab like other States was the master of its river waters. But in 1966 at the time of the creation of the Punjabi *Suba*, the Centre introduced sections 78 to 80 in the Punjab Reorganisation Act, 1966, under which the Centre virtually assumed the powers of control, maintenance, distribution and development of the waters and the hydel power of the Punjab rivers. This assumption was unconstitutional because sections 78 to 80 vesting these powers in the Central Government, were considered discriminatory and violative of the provisions of the Indian Constitution. While it was demanded that the only fair and right solution of the problem was to refer the issue to the Constitutional Bench of the Supreme Court, this legitimate demand was side-tracked, and instead, the Centre not only started exercising powers under these sections of the Act, but also allotted over 75% of the available Punjab waters to the non-riparian areas of Rajasthan, Haryana and Delhi. In fact, the history of the struggle between the Punjab or the Sikhs, on the one hand, and the Centre on the other, is virtually a history of the Punjab trying to seek a constitutional reference and solution, and the Centre being continuously reluctant to follow that course. So much so, that while at one time the issue had actually been referred to the Supreme Court at the instance of the Punjab Government, (by an Akali Ministry) and was pending there for hearing and decision, the Centre and the Congress Ministry in the state managed to withdraw the case from the file of the Supreme Court and frustrate the attempt to obtain a judicial verdict. So the problem continues since the Punjab feels that the drain of its natural wealth is unconstitutional and unjustifiable and would be ruinous for its future and its people.

3. The Riparian Law, Constitutional Rights And Practices

Under the age old International Law and practice it is accepted that where a river lies wholly within the territory of one State, it entirely belongs to the state, and no other state has any rights therein. And where a river passes through more than one state, each state owns that part of the river which runs through its territory. Thus, according to authorities like Berber, Heffer, Stark, Samisonian and others disputes relating to river waters can only be between riparian states and not between a riparian state and a non-riparian state. This riparian principle stands embodied in the international laws and national laws, including the Common Law of England, and also in Helsinki rules for inter-state water allocation. [1] In short, river and river waters which flow on land are an essential part of land or territory of a state, which has absolute rights therein. For, territory constitutes an integral attribute of a state. Here it is necessary to indicate that the word state for the purpose of this right includes a state or a province within a country. This riparian principle stands embodied in the Indian Constitution vide entry 17 of the list to 7th Schedule of the Constitution. Rivers, River Waters and Hydel power have exclusively been kept as state subjects. The entry reads :

“17 -Waters, that is to say, water supplies, irrigation and canals drainage and embankments, water storage and water power subject to the provisions of Entry 56 of List I.”

Entry 56 of List I of the 7th Schedule reads :

“56 -Regulation and Development of Interstate rivers and river valleys to the extent to which such regulation and development under the control of the Union, is declared by the Parliament to be expedient in the public interest.”

Article 262 of the Constitution says;

“262 -Adjudication of disputes relating to waters of interstate rivers or river valleys.

(1) Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-state river or river valley.

(2) Notwithstanding anything in the constitution parliament may by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as is referred to in clause (1).”

Further, regarding a river the state has full and exclusive legislative and executive powers under Articles 246(3) and 162 of the Indian Constitution. Entry 56 and Article 262 mentioned above give authority to Parliament to legislate only in regard to interstate rivers and not in regard to water of a state river over which the concerned state alone has full, exclusive and final authority. A river valley is “a tract of land lying between mountains and hills, generally traversed by a stream or a river or containing a lake usually narrower than vale and lying between steeper slopes.” Valley also means “a land drained or watered by a great river.” At the 1958 conference of the International Law Association a basin has been defined thus :

“A drainage basin is an area within the territories of two or more States in which all the streams of flowing surface water, both natural and artificial, drain a common water-shed terminating in a common outlet or common outlets to the sea or to a lake or to some inland place from which there is no apparent outlet to a sea.” [2]

As such, both under the definition of the basin and the valley, Rajasthan and Haryana lie beyond the basin of the three Punjab rivers, Satluj, Beas and Ravi. In fact Haryana lies in the Ganga- Yamuna basin, and partly in the Ghagar basin which is clearly distinct from Satluj basin. For, no river or drain from Rajasthan or Haryana has a common ending with the Punjab Rivers. The fundamental principle and rationale underlying the Riparian Law is that since for centuries on end it is the inhabitants around a river or rivulet who suffer loss of land, property, cattle, and human life from the ravages and floods of a stream, they alone are entitled to the benefits or water rights of the concerned stream. Here it is relevant to state that in the 1988 floods, Punjab suffered a loss of scores of lives apart from the loss of property estimated officially at over one billion dollars. It is significant that neither Rajasthan, nor Haryana nor Delhi ever suffered a penny worth of loss from floods in the Punjab rivers.

4. Existing Judicial Decisions -National and International

(a) On the riparian principle there are clear judicial decisions including the one concerning the Narmada River which pass through the territory of Madhya Pradesh, Maharashtra and Gujrat, but not through Rajasthan. As such, following was the judicial decision on the petition of Rajasthan for a share of the Narmada Waters :

“(I) Rajasthan being a non-riparian state in regard to Narmada, cannot apply to the Tribunal, because under the Act only a co-riparian state can do so; and (ii) the state of Rajasthan is not entitled to any portion of the waters of Narmada basin on the ground that the state of Rajasthan is not a co-riparian state, or that no portion of its territory is situated in the basin of River Narmada.” [3]

On Rajasthan's plea that even though non-riparian, it should get Narmada Water, just as it is getting Punjab waters, though a non-riparian state, the judgement records as follows :

“Utilisation of Ravi and Beas : The apportionment of water was the result of an agreement. It appears from Rajasthan documents Volume VI at pages 26 and 30 that Punjab was prepared to satisfy the needs of Rajasthan, provided its own needs as a riparian state were first satisfied.”

“Tested in the light of these, we are not able to say that Rajasthan has fulfilled the burden of showing the requirement of opinion necessitates. Nor is there evidence of a clear and continuous course of conduct with regard to the rights of Rajasthan, as non-riparian state in the rivers of Punjab or Uttar Pradesh.”

“(12-A) 1951, When the question of utilisation of waters of Ravi and Beas was under examination, the Punjab Government again claimed a preference, vide their representation dated 16. 11. 1964, for the waters of these rivers on the ground of their being a riparian state. The superiority of the right of Punjab was not upheld by the Government of India and in the meeting under the auspices of the Government of India, the water was apportioned... . Rajasthan was allotted 8 MAF out of a total available quantity of 15. 85 MAF.” [4]

Two important facts are clear from the Narmada Judgement, namely, that Rajasthan accepts that it is non-riparian vis-a-vis Ravi and Beas, and that the Centre has been allocating Punjab waters to Rajasthan, despite objections from the former and their knowledge of the verdict that non-riparian Rajasthan has no claim to Punjab waters.

(b) On the ground that those who suffer from a stream, are alone entitled to enjoy rights therein, the inhabitants of South California for over a hundred years did not allow water even to the lands and parks of the Federal Government situated in South California itself. It was only in February 1988 that the lower court agreed that the forest lands of the Government in South California should be allowed water, but this permission was made subject to the provision “that state water authorities retain the power to subordinate any new federal claims to the needs of the current water users in the state.” [5] It shows that the principle of reciprocity, that benefit should in equity go only to those who suffer, is so strong that even Federal Forest Lands and Parks in that very state, remained deprived of the facility for over a century, and when it was allowed, the right was made clearly subject to the interests and needs of the private users. The decision was considered destabilising and unsatisfactory, and the affected private parties were going in an appeal to have it reversed. This shows how strong is the recognition and sanctity of the Riparian Law, and its equitable linkage between the sufferers and the beneficiaries.

The irony of the injustice felt in this context is that whereas Punjab needs every drop of the waters of its rivers, under the Central awards or decisions over 75% of the available waters of the Punjab rivers, have been allotted to the non-riparian states of Haryana, Rajasthan and Delhi.

5. The River Water Dispute

The real cause of this dispute are Sections 78 to 80 of the Punjab Reorganisation Act 1966, which provide for three things. First, that in case of differences between Punjab and Haryana the power of making distribution and allotments of the River waters and the hydel power from the Punjab rivers would lie with the Central Government. This power was later exercised by the Central Government, vide its orders of 1976, which gave over 75% of the available river waters of the Punjab to the non-riparian states of Haryana, Rajasthan and Delhi, i.e., 11. 7 MAF out of 15. 2 MAF. Second, that after 1966 all powers of control, management, administration and maintenance of the multipurpose projects of the three Punjab rivers shall vest in a Board appointed by the Central Government. Third, that the powers of extension and development of the multipurpose projects involving irrigation and power on the three Punjab rivers also vest in the Central Government.

The net result of these provisions is that after 1966 the State subjects of Irrigation and Hydel power, which are solely in the state list under the constitution, have virtually become Central subjects.

6. The Dispute Accentuates

After 1966 Haryana planned the SYL Canal to carry 5 MAF of waters and got the Project approved from the Central Government. Since it was a post-1966 Project to carry Punjab waters and there was no reference or mention of it even in the unconstitutional provisions of the Reorganisation Act, the Punjab government naturally objected to the scheme, the same being violative of the statutory rights of Punjab under the Constitution. But the Centre utilised its powers of decision under Sections 78 of the Reorganisation Act, although even the 1966 Act (itself considered unconstitutional) does not mention the SYL Canal or any other scheme of a non-riparian state, whether Haryana or Rajasthan. Accordingly, Punjab suggested that the only way to solve the constitutional problem was to refer the issue to the constitutional Bench of the Supreme Court for decision, which would be obligatory for the States to follow, and which no State could object to. Punjab's contention is that Sections 78 to 80 of the P. R. Act are not only violative of Entry 17

of the State List of the Constitution, clearly indicating 'water power' and 'irrigation' to be state subjects, and of Articles 162 and 246(3) of the Constitution, but are also discriminatory under the Equality Article 14 of the Constitution in so far as it gives all the Jamuna waters to the Haryana, but provides for the distribution of the Punjab river waters flowing in the Punjab territory to non-riparian states. Hence, the argument has been that the only solution of the water and hydel power dispute has to be a reference to the Supreme Court for its constitutional verdict.

7. Beas Project

We have explained above the Riparian principle under which just as Punjab is not entitled to Jamuna waters after 1966, Haryana is not entitled to any water of the Punjab rivers except what could be contracted on grounds of actual appropriation before 1966. But in violation of the Constitution, the planned Beas Project was made an excuse for diverting most part of Punjab waters to non-riparian states, and divesting Punjab of its economic, political and constitutional rights. Before 1966, Beas Project had already been drawn and finalised after two revisions. In the finalised Project only about 0.9 MAF of water was to go to Haryana, which was earlier a part of the erstwhile Punjab. As is normal, every detail of the Project, including areas to be irrigated, water courses to be dug, quantity of water to be supplied to each channel or area, stood determined. There was no ambiguity in this regard. Since the scheme had not actually been fully completed before Punjab had been divided, and Haryana became non-riparian, it ceased to be entitled under our Constitution even to 0.9 MAF envisaged in the Project. But this project was made a ground for the inclusion of Sections 78 to 80 in the Punjab Reorganisation Act 1966, thereby giving a lever to Haryana illegally to claim Punjab water, and the Central Government to become the masters and the arbitrator of the untenable claims of the non-riparian states. We give below provisions of the Punjab Reorganisation Act to show how later a new scheme of the SYL Canal was drawn up by Haryana, with the approval of the Central Government, and how provisions of the Act have unconstitutionally been made the excuse to drain Punjab of its natural wealth.

The relevant provisions of section 78 run as follows:-

“78. Rights and liabilities in regard to Bhakra-Nangal and Beas Projects:-

(1) Notwithstanding anything contained in this Act but subject to the Provisions of section 79 and 80, all rights and liabilities of the existing State of Punjab in relation to Bhakra-Nangal Project and Beas Project shall, on the appointed day, be the rights and liabilities of the successor States in such proportion as may be fixed, and subject to such adjustment as may be made by agreement entered into by the said States after consultation with the Central Government or if no such agreement is entered into within two years of the appointed day, as the Central Government may by order determine having regard to the purpose of the Projects :

Provided that the order so made by the Central Government may be varied by the subsequent agreement entered into by the successor States after consultation with the Central Government.

(2) An agreement or order referred to in sub-section (1) shall if there has been or extension or further development of either of the projects referred to in that sub-section after the appointed day provide also for the rights and liabilities of the successor States in relation to such extension or further development.

(3) The rights and liabilities referred to in sub-section (1) and (2) shall include:-

- (a) the rights to receive and to utilise the water available for distribution as a result of the projects and
 - (b) the rights to receive and to utilise the power generated as a result of the projects,
- but shall not include the rights and liabilities under any contract entered into before the appointed day by the Government of the existing State of Punjab with any person or authority other than Government.

(4) In this section and in section 79 and 80

(A) “Beas Project” means the works which are either under construction or to be constructed as components of the Beas Satluj Link Project (Unit-I) and Pong Dam Project on the Beas river (Unit-II) including

- (i) Beas-Satluj Link Project (Unit-I) comprising -
 - (a) Pandoh Dam and works appurtenant thereto

- (b) Pandoh -Bagi Tunnel
- (c) Sundernagar Hydrel Channel
- (d) Sundernagar Satluj Tunnel
- (e) By-pass Tunnel
- (f) four generating units each of 165 M. W. capacity at Dehar Power House on the right side of Satluj river
- (g) fifth generating unit of 120 M. W. capacity at Bhakra Right Bank Power House
- (h) transmission lines

- (i) Balancing Reservoir
- (ii) Pong Dam Project (Unit-II) comprising -
 - (a) Pong Dam and works appurtenant thereto
 - (b) Outlet Works
 - (c) Penstock Tunnels
 - (d) Power plant with four generating units of 60 M. W. each

(iii) such other works as are ancillary to the works aforesaid and are of common interest to more than one State;

(B) “Bhakra Nangal Project” means -

- i. Bhakra Dam, Reservoir and works appurtenant thereto;
- ii. Nangal Dam and Nangal Hydrel Channel;
- iii. Bhakra Main Line and canal system;
- iv. Bhakra left Bank Power House, Ganguwal Power House and Kotla Power House, switch-yards, sub-stations and transmission lines;
- v. Bhakra Right Bank Power House, with four units of 120 M. W. each.

These provisions emphasize two things, namely, that it is only the waters of the Beas Project that would be distributed, and, secondly, that this regulation would be with the sole object of meeting the purposes of the Beas Project. The purposes of the Beas Project, we have seen, stand clearly defined and detailed. The following prescribed purposes of the Beas Project have been ignored and the award creates altogether new purposes going far outside the purview of the project and Section 78.

(a) The Beas project as defined in section 78(4) A means the works under construction or to be constructed as components of (1) Beas Satluj Link Project (Unit I) and Pong Dam Project on the Beas river (Unit II). It is only the Beas waters available from these two works that can be distributed under section 78 (3) (a). For, the Beas Project as defined above, has to be constructed strictly. This definition which is very specific clearly excludes (1) works like the Ravi-Beas Link that were in existence even before the initiation of the Beas Project. It is only the works that are ‘under construction’ or are to be constructed that are included in the Beas Project; and, (2) The Ravi waters or works like the Thein Dam that will store the Ravi waters. Accordingly all the Ravi waters stand excluded from the scope of section 78 or the Beas Project as defined in this section in which there is no mention whatsoever either of the old works, of the waters of Ravi or of any Project that might be related to the river Ravi. The two projects of Pong Dam and Beas-Satluj Link specifically relate only to the Beas waters, and that, too, only with that part of Beas water that is dealt with by these two works. Hence, the distribution of all Ravi and Beas waters, is illegal and beyond the scope of section 78. Because both the award and the modified agreement have been made under section 78(1) and the proviso thereto. The two works mentioned in section 78(4) only relate to a part of Beas water; and that part alone could be distributed or regulated under section 73(3) (a), keeping into view the purpose of these two works as laid down in the approved Beas Project. According to the Beas Project, the purpose of these two works is to supply 3. 2 MAF at Harike (3. 66 minus . 44 MAF in use from pre-partition days) and 2. 2 MAF at Ropar (3. 6 minus 1. 374 MAF to go to Harike). This comes to 6. 44 MAF. This quantum of water is thus the only water that could be distributed or regulated under section 78(1) and (3)(a). Hence the illegality of the distribution of waters to the extent of 17. 17 or 15. 58 MAF.

(b) Secondly, under section 78(1) rights and benefits of the defined Beas Project could be allocated only to the successor States as defined in section 2(m) of the Punjab Reorganisation Act, 1966, namely, Punjab, Haryana and Chandigarh. Thus, the allocation of benefits and waters to Rajasthan or Delhi is illegal, being an allotment to non-successor States, and being for that reason, beyond the scope of section 78.

(c) Thirdly, the participation of Rajasthan in the agreement of December 1981 is beyond the scope and contemplation of proviso to section 78(1) under which successor States alone could enter into an agreement. Therefore, the participation of Rajasthan and the allocation of waters to it in the agreement vitiates the entire agreement and its related proceedings.

(d) Fourthly, the SYL canal, the time-bound execution of which forms a part of the Agreement of 1981, made under the proviso to section 78(1), is a work completely beyond the scope of the Beas Project as defined in section 78. In fact, it is a work even far beyond the purposes of the original or the accepted Beas Project of 1959, 1961, or 1966. In that Project there is a complete detail of the waters available at each point of distribution, the areas to be irrigated, the channels to be dug, etc. and, yet, there is no mention whatsoever of the SYL Project or a canal scheme of like nature planned to carry 3.5 MAF. Actually there is no scope at all of the availability of 3.5 MAF of waters at any single point, since all the water the Beas Project has to yield, stand allocated to different areas and points of distribution. In reality, the SYL canal, to be started from Nangal for supply to Haryana and to carry 3.5 MAF of waters is a project conceived and framed by Haryana after the Reorganisation in 1966. It is a work neither under construction in 1966 nor 'to be constructed' under the project nor within the contemplation of the framers of the Beas Project. Hence this work is clearly beyond the scope, consequences and purposes not only of the Beas Project as defined in section 78, but also of the Project as framed or accepted before October, 1966. It is an entirely new project devised by Haryana after 1966. Otherwise, how could it be that its capacity allocation, etc., have remained undetermined and undefined.

(e) Fifthly, no Beas Project canal from Harike plans supply of water to Haryana out of the supply there of 3.2 MAF. The entire waters are projected to supply water to the Punjab area. Out of the 2.2 MAF to be supplied at Ropar only 0.9 MAF have to go to the Haryana area, the same having been fixed in the earlier distribution itself. According to Punjab, project calculations worked Haryana's share at 0.9 MAF. If there was any arithmetical error the Centre could recheck those calculations in accordance with the defined purpose of the project for distribution of 2.22 MAF of waters at Ropar. But the Centre as explained below, in its Award of 1976, ignored both the purposes of the Project and the provisions of section 78.

(f) Non-riparian Haryana has been given 3.5 MAF at Nangal when the project provides for the delivery of 3.22 MAF at Harike with no channels to supply any water to Haryana and of 2.2 MAF at Ropar for supply to the channels both of Punjab and of Haryana. Under the Beas Project, Punjab had already constructed channels that are ready to supply water to the projects areas of Punjab. Non-perennial supply is already being given, but perennial supply could be made only after the Central decision. But how can now the projected perennial supply be made to Punjab, when instead of the contemplated 0.9 MAF, 3.5 MAF have been allotted to Haryana for areas that are beyond the plan or the purposes of the project? The purpose of the Project was to supply about 4.54 MAF to Punjab (3.22 at Harike and 1.32 MAF at Ropar) and about 0.90 MAF to Haryana. But the Central award completely frustrated the purposes of the Project. In fact, by the allotment of 3.5 to Haryana, the entire project has been demolished. The Punjab channels constructed under the project have become largely redundant. The purpose of the Project has been drastically altered so as to effect adversely the economic fate and future of Punjab and millions of Punjabis. Under section 78, the Centre has no powers of regulation that go beyond the purposes of the defined Beas project.

8. River Waters and their Allocation

The old Punjab derives its name from the presence of Satluj, Beas, Ravi, Chenab and Jhelum, the five rivers that run through its territory. All these five rivers join the Indus on to the sea. Hence the name Punjab and Indus Basin to the areas which these six rivers drain finally into the sea. At the time of partition of India in 1947 Chenab and Jhelum remained in Pakistan Punjab and the remaining three rivers ran both in Indian Punjab and Pakistan Punjab. Thus while Indian Punjab ceases to be co-riparian regarding Chenab and Jhelum, it continues to be co-riparian in relation to Satluj, Beas and Ravi. Before partition Pakistan Punjab had a canal system which drew waters from these three co-riparian Punjab rivers. Indian Punjab being the upper riparian, during the first year after partition, it more than once virtually stopped, to the detriment of Pakistan agriculture, water supply to the canal system of Pakistan, which was fed from these rivers. Hence arose the dispute between Western Punjab and Indian Punjab.

The factual position was that before partition, Punjab had about 170 MAF of water in its rivers. It had 5.6 MAF of waters from River Jamuna of the Ganga basin, because a part of that river basin stood included in the old Punjab. After partition, including the share of Jamuna waters, the three Punjab rivers in the state had a total supply of about 38 MAF. Finally, the dispute was resolved at the international level with the decision that the waters of the three rivers, Satluj,

Beas and Ravi, became the share of Indian Punjab and the waters of the other three rivers went entirely to Pakistan Punjab.

Here two points need clarification. Pakistan Punjab did not very seriously insist on the share of Indian Punjab rivers, even though it was co-riparian and its canal system was fed from them, because no country could allow its irrigation system to be controlled by and be subject to the whims of an upper riparian foreign state, especially when the relations between the two countries had not remained cordial. Second, the payment of 62 million Pounds made to Pakistan as contribution was not compensation paid for the share of waters of the three rivers, which had earlier been used in Pakistan Punjab, but it was only a minor contribution towards the cost of replacement works which had to be constructed in Pakistan Punjab rivers. Most of the cost of those replacement works was met from the aid of World institutions. Regarding this payment of contribution for replacement works former Chief Justice, S. M. Sikri says: “The fact that the Central Government paid to Pakistan a sum of (£ ?) \$ 62 millions in order to obtain unrestricted use of all waters of Eastern Rivers, the Satluj, Ravi and Beas, is irrelevant to the question, namely, what if any, are the rights of Haryana in the Ravi and Beas. It is irrelevant because the effect of the Indus treaty, 1960, was that the sovereign right of erstwhile state of Punjab to control or regulate the use of waters of Ravi and Beas which was a limited right in 1966 in view of the existence of the international servitude (Page 51 of Law of Succession by Counsel) ceased to be limited in 1970. It was the reorganised State of Punjab which had either retained the Sovereign right under the Act or acquired it under the Act.” [6]

At the time of Independence, out of about 32.5 MAF in three Punjab rivers, about 9.0 MAF were being used in Punjabi Suba area and 1.0 MAF was used in the erstwhile Bikaner state for which it paid royalty to Punjab, the waters being of the State and not of the Central Government. The rest of the water was being utilised in Pakistan Punjab or going down to the sea.

Here it is relevant to state that in 1954 while the Indus water dispute was going on, the Indian representative, Mr. Gulati, in order to make an argument before the Commission about the proposed utilisation of waters of the Punjab rivers, required the Central Government hastily to draw a project showing utilisation of the waters of these rivers in the Punjab and Rajasthan. Accordingly, the Centre called an officer-level meeting to frame and submit a project for utilisation of 8.0 MAF in Rajasthan. This was done for the consumption of the Indus Water Commission. It is this show business which was later made the basis for draining the bulk of Punjab waters to Rajasthan. This allocation done in that officer-level meeting was not in pursuance of any decision by the Punjab Ministry, Government, or the Legislature, nor was an early *post facto* endorsement of this allocation sought.

However, it is very relevant and revealing to give the views of the International body before whom the above Rajasthan Project was presented. David E. Lilienthal, erstwhile Chairman of the Tennessee Valley Authority and Chairman of the US Atomic Energy Commission, was asked to undertake a fact-finding tour of India and Pakistan and to report how the dispute before the Indus Water Commission could be resolved. His views were also endorsed later by Eugene R. Black of the International Bank of Reconstruction and Development, in short, the World Bank. Taking all these views into consideration, Alloys A. Michael, author of the *Indus River - A Study of the Effects of Partition*, concludes as under :

“Viewed realistically the Rajasthan Project in its ultimate form is a dubious one... . The ideal of extending the Rajasthan Canal parallel to the Indo-Pakistan border in the northern portion of the Thar Desert down to a point about opposite the Sukkur Barrage was a seductive one : 7.9 million acres could be brought under command and 6.7 million of these are potentially cultivable although the project in its present form is limited to supplying water to only 4.5 million acres of which only 3.5 million would be cultivated in a given year. Even then, these lands will receive only 1 cusec (F. N. II) of water for each 250 to 300 acres, an intensity lower than what has prevailed in the Punjab since the British times (1 cusec for 200 acres) and less than one third of what prevails in the US... . Assured by her geographical position and later by the treaty of the full use of the Eastern Rivers, India naturally sought an area to irrigate. Forgotten or overlooked were the fundamental differences between the Punjab, with its convergent streams, tapering *doabs* and silty soil, and the Thar desert, hundreds of miles from the Satluj with its sand and sand dunes. The cumulative irrigation experience in India, Egypt, the US, and the Soviet Union indicates that more food and fibre can be obtained by increasing the water allowance to existing cultivated lands than by spreading water thin over new tracts. But to introduce it into the Thar Desert is economically unjustifiable. The 8.8 MAF of Beas-Satluj-Ravi water that are to be diverted from Harike for the Rajasthan canal could be put to much better use in the East Punjab, north and the south of the Satluj and in eastern margins of Rajasthan served by the Bikaner Canal and Sirhind Feeder.

Combined with concentrated application of the limited fertilizers at India's disposal, yields in the established areas could be doubled or trebled at a saving in cost and pain in Rajasthan. The very experience with the Bhakra project itself, which increased water supplies to 3.3 million acres south of the Satluj demonstrates this, yet even here, out of every 182 run into a canal, 112 are lost by seepage, evaporation and non-beneficial transpiration of plants. On the Rajasthan canal, although the lining will reduce seepage in the main canal to a minimum, evaporation alone might reduce supplies by 50 percent. And the seepage losses in the unlined branch canals, distributaries, minors, sub-minors, water courses, and on the *bunded* fields themselves will further reduce the share of water that can be used beneficially by plants of economic value... .." [7]

The US Bureau of Reclamation and the author of the *The Indus River*, severely criticized India "for undertaking a costly project to irrigate the lands which like all desert lands are highly porous and deficient in organic matter without first carrying out the basic soil surveys and the studies on the land classification. They warned that the consequences of persisting with the project for the sake of pride by negating the technical and the economic values could be plain frustration in the end."

The objective view of the highest authorities emphasizes the economically unjustifiable, extremely unproductive and, indeed, clearly wasteful nature of the Project to carry Punjab waters to Rajasthan areas. The significant point is that the Central insistence on transferring Punjab waters, and later increasing the allocation of Rajasthan from 8.0 MAF to 8.6 MAF, has been done in full knowledge of these expert observations and the results of experience and investigations pointed out above.

9. Central Award

After 1947 the Bhakra Nangal Project was completed. Under this scheme 25 lakh acres have to be irrigated in non-riparian areas (16 lakhs in Haryana and 9 lakhs in Rajasthan) and only about 11 lakh acres have to be irrigated in the riparian Punjab. We have already mentioned that this allotment contravenes the Riparian principle embodied in our Constitution.

Out of the about 32 MAF in the Punjab rivers, about 10 MAF stood utilised in the Punjabi Suba and Bikaner. It is the remaining about 22 MAF which the Centre has been distributing in a manner, and almost under the assumption, that the water of Punjab rivers belonged to the Centre for distribution in its discretion.

Even if it were assumed that what was done was constitutionally justifiable, the distribution would apparently seem to have been governed by considerations of politics rather than by those of utility and production. After 1966 since Haryana had ceased to be riparian, it could have no right to Punjab waters. In any case, there was no ambiguity regarding the specific allocation to each area or the Haryana area in the finalised Beas Project, and there was no justification for the provisions of section 78 to 80 in the Reorganisation Act except that this unconstitutional provision could later be used as a lever for Punjab being made a sub-state and deprived of the major part of its waters and its hydel power for diversion to non-riparian states, and to schemes and projects that were not at all envisaged, much less approved, before 1966. From what has actually happened later this would seem to be the only reason for inclusion of these unconstitutional provisions.

While Punjab could insist on not giving even the 0.9 MAF provided in the Beas Project, it declined to give anything more than 0.9 MAF for the SYL Canal, a project framed and got approved without reference to or concurrence of the Punjab Government, the riparian state. Actually, the precedent was obvious in the Reorganisation Act itself, which gave the 5.6 MAF waters of Jamuna, belonging to the erstwhile Punjab, to Haryana entirely without giving any share to Punjab, which after 1966 had ceased to be riparian in reference to it. The dispute between Punjabi *Suba* and Haryana dragged on. It was in the interests of Haryana to do it, so that it could request the Centre to allocate waters for the SYL Project, which it had already approved unilaterally. The Bhakra Nangal Project, having already allocated the waters of Satluj, only the waters of Beas and Ravi were left, and these were made, at the instance of Haryana, the subject of Central arbitration under Section 78 of the Reorganisation Act.

The agitation against the unconstitutional provisions of the Reorganisation Act had started after 1966 and Sant Fateh Singh had kept a fast unto death in this regard. But in order to solve the issue neither the Act was changed, nor was it referred to the Constitutional Bench of the Supreme Court for decision, that being the only forum for adjudicating on such constitutional matters. But instead of doing that, the Central Government, under Prime Minister Indira Gandhi,

gave in 1976, as mentioned earlier, the award allotting 3.5 MAF each to Punjab and Haryana, and 0.2 MAF to Delhi, an area unconcerned with the Reorganisation Act. The remaining 8.0 MAF were earmarked for Rajasthan. The decision being considered unfair and unconstitutional, the agitation against the award continued in Punjab. In 1978 when the Akali Party was in power in Punjab, the Government filed in the Supreme Court a case regarding the unconstitutionality of the Punjab Reorganisation Act and the award, made thereunder. At that time the Congress Government was not in power at the Centre. But in 1979 the Congress returned to power under *Shrimati* Indira Gandhi. The Akali Government in Punjab was dismissed. The agitation regarding the water issue was restarted. While the Akali agitation was going on and the Prime Minister, Indira Gandhi, was having negotiations with the Akalis, she arranged in 1981 a meeting at Delhi among the Chief Ministers of Punjab, Haryana and Rajasthan. All the three Chief Ministers belonged to the Congress Party and an agreement was made virtually endorsing the award of the Prime Minister.

Under it Punjab was given 4.22 MAF, Haryana 3.5 MAF, Rajasthan 8.6 MAF, J&K 0.65 MAF and Delhi 0.2 MAF. This time the available waters of the three rivers were assessed at a higher level, of 17.17 MAF than at 15.2 MAF as in 1976. This was just the result of arithmetic jugglery. After the agreement, the government withdrew the case pending in the Supreme Court regarding the constitutionality of the Punjab Reorganisation Act. (A report appeared in *The Tribune* according to which the Chief Minister, Punjab, had indicated that he had signed the damaging agreement under the threat of gunpoint. [8] The report was later denied by the Chief Minister, but it was reiterated by the correspondent. The Prime Minister soon thereafter laid the foundation of the disputed SYL Canal. The Akalis having found the door to negotiation closed against them, and the Central issue of momentous social, economic and political potential for the state summarily decided against them, and the foundation of the SYL canal having been laid, restarted the agitation at Kapoori to resist the digging of the SYL Canal. Government decision to withdraw the pending case from the Supreme Court has, from every point of view, been ruinous for the state, its people and the country. The agitation continues still, with Punjab problems increasing in number and their complications mounting from year to year. Although obvious, it needs to be stressed that a problem which had only one solution has been kept unresolved.

10. Judicial Process Thwarted Yet Again

An organisation of farmers had filed a petition in the High Court, Punjab and Haryana, regarding the unconstitutionality of the drain of the waters of the Punjab to the non-riparian states under the Reorganisation Act. The issue being of fundamental constitutional importance, the Chief Justice, S. S. Sandhwalia admitted the long pending petition and announced the constitution of a Full Bench, with himself as Chairman, for the hearing of the case on the following Monday, the 25th November, 1983. In the intervening two days before the hearing of the case could start, and these two days were holidays, two things happened. First, before Monday, the Chief Justice of the High Court was transferred to the High Court of Patna. Hence neither the Bench could sit, nor could the hearing of the case start. Second an oral application was given by the Attorney General in the Supreme Court requesting for the transfer of the writ petition from the file of the High Court to that of the Supreme Court on the ground that the issue involved was of great public importance. The request was granted; the case was transferred. [9] And there this case of great public importance rests unheard for the last nearly twenty years.

Evidently, it is difficult to avoid the inference that the Central Government has been reluctant to allow the constitutional issue to be decided by the courts, which would permanently have solved the most important issue of the Punjab problem. In fact, while the core of the Punjab problem was kept unresolved, by avoiding a constitutional verdict, public attention was sought to be diverted to matters of so-called law and order and separatism.

11. Role of Supreme Court Versus Tribunal

Another matter needs to be stressed. Throughout the decades after 1966, the Akali demand was that the water and power problem being in every aspect a constitutional issue, the only lawful and acceptable solution could be a verdict of the Supreme Court, there being already clear national and international Court rulings and precedents on the subject. But the Government had been suggesting, that the matter might be referred to a Tribunal constituted by the Government under the Inter-State Water Disputes Act, 1956. As against this suggestion it was urged that a reference to the Tribunal under that Act would, for a number of reasons, be wrong and uncalled for. First, Satluj, Ravi and Beas are not inter-state rivers in relation to Rajasthan, Haryana and Delhi, and, as such, the dispute could not be the subject of a reference to a Tribunal, the matter being not a 'water dispute' as defined under section 2 of the Act. Second, the criticism of the Punjab Reorganisation Act is that it is unconstitutional, first, because it is discriminatory and violative

of Article 14 of the Constitution and, second, because its enactment is beyond the legislative powers of Parliament, water and hydel power being purely and exclusively state subjects. Therefore, the issue to be decided was the ultra vires character of the Reorganisation Act, and not the distribution of the waters, which was never in dispute. But a tribunal is not competent to decide a constitutional issue, which the Punjab was keen to have adjudicated upon and the Centre to avoid it. Hence the sole method of solution, as provided in the constitution was a reference to the Supreme Court, and not a reference to a Tribunal. Apart from the fact that a reference to the Tribunal was, for the above two reasons, uncalled for, it was objectionable otherwise too. First, a decision by a Tribunal constituted at the instance of the Central Government or the Executive authority could not have the sanction or finality of a constitutional decision by the Supreme Court, nor could such quasi-judicial bodies, it was felt, command necessary respect, as was found in the case of Justice Shah, appointed by the Janata Government to adjudge the conduct of the erstwhile Prime Minister, *Shrimati* Indira Gandhi. Second, a reference to a Tribunal has been considered a negation of justice because once a Tribunal gives its verdict on a water issue, it cannot again be the subject of a reference to the Supreme Court. Since Punjab's case was against the unconstitutionality of the Reorganisation Act a reference to the Tribunal was felt to be a denial for all time of Punjab's objective of getting justice by seeking a constitutional verdict of the Supreme Court. Third, whereas a decision by a tribunal was quasi-judicial, and for that matter only of individual applicability, without the force of a constitutional ruling binding in future cases, and liable to be influenced by even non-judicial factors, a verdict of the Supreme Court, because of its general and future applicability, has strictly to be governed only by existing laws and rulings, uninfluenced by any extraneous considerations. Hence the suggestion for reference to a Tribunal was considered just a trap to avoid a judicial verdict and to have endorsed the executive decision of the Prime Minister by a Government appointed Tribunal, thereby closing the door of the Supreme Court. Thus, for the Akalis both the constitutional path and that of negotiation stood barred, and a sore which could easily be cured was inevitably allowed to fester.

12. Hydel Power Issue

We have indicated above how over 75% of the available waters of riparian Punjab had been allotted to the non-riparian states, and the channel of approach to the Supreme Court closed. But there was a snag still left. The agreement of 1981 among the three Chief Ministers dealt with only the water issue. Hence in relation to hydel power there could still be the possibility of the constitutional issue regarding the violation of Articles 14, 162 and 246, and item 17 of the State List by Section 78 to 80 of the Reorganisation Act being raised in the Supreme Court. In May 1984, a situation was created that the Hydel Power issue too could not be referred to the Supreme Court. For that end a new ground was found to twist the arm of the Punjab and have an out of the Court agreement regarding the hydel power issue as well. The Punjab had constructed a thermal plant at Ropar, which was to yield over 400 megawatts of electric power. For its working and cooling it was essential to draw water from the Satluj channel. After doing the cooling by circulation, the water was again to be diverted back to the irrigation channel. But preposterous as it appears, Rajasthan and Haryana both non-riparian states, objected to even this temporary use by the Punjab of the water of its own rivers. And, the Centrally appointed Bhakra Board would not allow the proposed circulation. Had Rajasthan or Haryana any justifiable claim, it could move the Supreme Court and get its decision any time during all those earlier 17 years. But the Centre, that was controlling the Punjab projects, withheld permission to get water for cooling the Ropar Thermal Plant, and raised the issue to the level of a major dispute. Instead of advising Rajasthan to follow the constitutional path and obtain the verdict of the Supreme Court, it became a self appointed mediator using the issue of the cooling channel as the ground for pressurising Punjab into entering a hydel power agreement of the kind it was made to do in 1981 regarding the water issue.

There was President's rule at the time in Punjab, and the Governor was responsible only to the Centre whose agent he was. An agreement was obtained from among the States of Punjab, Haryana and Rajasthan providing for the exclusion of the hydel dispute, which clearly involved constitutional issues, from being placed before the Supreme Court for its verdict. And the inappropriate part of the matter is that such a crucial agreement adversely affecting the long-term constitutional rights and economic interests of the entire state and its people, was signed by the Governor for the State of Punjab. He did so being fully aware of the agitation in the Punjab and the demand for a reference of the dispute to the Supreme Court. The agreement in effect provides for arbitration by a nominee of the Centre. It envisages that the Centre would refer the matter of any dispute for the opinion of the Supreme Court, and in case it declined to give such an opinion, the States would request the Supreme Court to appoint a Judge for giving an award on the dispute, and if the Supreme Court declined to do so, the Centre would itself nominate a Judge to give an award on the claims and the award shall be binding on the parties. Evidently, the object of the agreement, as in the case of the 1981 agreement, is three fold. First, it virtually gives a legal status to the baseless and unconstitutional claim of the non-riparian states

against the Hydel Power project from the Punjab rivers, even though the claims are so untenable that during the last over two decades, Rajasthan has never thought of approaching any Court for a verdict on them. Second, the decision in the case would not be by the Supreme Court, but it would be by a nominee judge of the Centre, which would virtually be an award. This is evident because our Constitution does not provide for making it obligatory for the Supreme Court to give an opinion or to appoint an arbitrator at the request of two states. The very fact that the agreement provides for the third alternative of a nominee judge of the Centre, shows that the Government knew that the possibility of the acceptance of the first two alternatives is remote. Third by this agreement Punjab is barred from moving the Supreme Court and obtaining its judicial verdict on the unconstitutionality of the Reorganisation Act or the claim of the non-riparian states on Punjab Projects. Like the 1981 Water Agreement, the 1984 Hydel Power agreement closes the door of the Supreme Court for its verdict on the hydel power issue under the Reorganisation Act. In sum, the issue of the constitutional sovereignty of the Punjab over its waters and hydel power has been taken out of the purview of the Supreme Court, and made the subject of arbitration by the Centre or its nominee. Thus, the ultra vires character of the Section 78 to 80 of the Reorganisation Act would remain unchallenged and unexposed. The agreement of 1981 and 1984 are clear instruments both to legitimise the permanent channelising of 75% of the Punjab waters, and hydel power to non-riparian states, and to destroy the constitutional right of Punjab under Article 131 to have the SYL drain set aside by a judicial verdict of the Supreme Court.

13. Water Needs of Punjab

At the time of Independence the Punjabis generally and the Sikhs particularly, were the worst sufferers in the loss of men, property and lands. Lakhs of acres of well-developed land mostly colonised by them and generally irrigated by canals, had to be left behind in Pakistan. Lakhs were murdered, and the rest under threat of extinction had to migrate to India as penniless refugees.

Two facts indicate the kind of welcome they got in their country. First, the broad policy became that these refugees would remain virtually confined to the erstwhile Punjab area. There were lands in abundance, mostly undeveloped, outside Punjab, which could be made available to them and later developed, as they were subsequently done in many a case. This would have meant that these unfortunate refugees, while they could not be compensated for the colossal loss of men, moveable property and houses, could be compensated in respect of at least the area of their lands, if not regarding its quality or source of irrigation. But government policy envisaged that the refugees should be accommodated on lands the Muslim migrants of Indian Punjab had evacuated. This available land, apart from being unequal in quality to the lands Sikh and Hindu migrants had left, was extremely small in area and sources of its irrigation. Actually whereas the lands they had left were mostly irrigated by the canals, the available perennially irrigated evacuee lands were less than one third of the area they had left. The refugees had left 67 lakh acres or 39.35 Standard acres, out of which 43 lakh acres were generally irrigated and 22 lakh acres were perennially irrigated. Against this in India they got 47 lakh acres or 24.28 Standard acres, of which 22 lakh acres were generally irrigated and only 4 lakh acres were perennially irrigated. [10] The result was a very heavy blow in the form of cuts extending upto 15% of the land claims of the refugees. The second unjustifiable blow, as mentioned earlier, is the transfer or allocation of over 75% of available water of Punjab rivers to the non-riparian states, thereby depriving Punjab of its own water resources which could justifiably be used for the purpose of irrigating the *barani* (un-irrigated lands) allotted to the poorly compensated refugees. It is a known fact that in 1947 the Indian Punjab was, because of lack of tubewells and other irrigation, deficient in food. This gives the background.

Punjabi Suba has, at present, 105 lakh acres of cultivable land. Because of the needs of modern agriculture, double cropping, hybrid seeds, etc., minimum water needs to mature an acre of land are according to University and Government experts over 5 to 6 acre feet of water per annum for the commonly followed paddy-wheat rotation. Thus, Punjab's minimum water needs amount to 52.5 MAF, of water per annum. Satluj, Ravi and Beas, have a water flow of only about 32.5 MAF. It shows how deficient Punjab is in its water resources; and modern agriculture is impossible and uneconomic without 'assured' irrigation. This means that even if the entire Punjab resources of water are utilised in the state, these would not meet even the minimum requirements for its lands, and could at most supply about 3 acre feet of water per acre.

The present position is that only about 37 lakh acres of Punjab lands are canal irrigated. The sanctioned water supply per acre of commanded area is hardly adequate for the requirements of assured irrigation necessary for modern agriculture. On the basis of minimum requirement of water, the supply necessary for 37 lakh acres comes to about 18 MAF, whereas the agreed allotment to Punjab is only about 15 MAF. It means that after 1947 out of the available

waters less than 25% have been allotted to Punjab. It is, therefore, necessary to emphasize that even for the canal irrigated lands, the peasant has, so as to reach the level of assured irrigation, to sink tubewells to make up for the deficiency of canal water supply. Accordingly, Punjab peasants have performed over 8.5 lakh tubewells at a capital cost of over 1,200 crores. Considering the colossal loss in irrigated land the present refugee inhabitants of Punjab had suffered in 1947, the irony of injustice to Punjab in the unconstitutional allotment of over 75% of Punjab water resources to non-riparian States becomes too evident to be ignored by any academician especially when its transfer to distant non-riparian desert areas has been considered almost wasteful and poorly productive.

14. Dismal Future of Tubewell Irrigation

The second and intimately related part of the issue is tubewell irrigation in the state. It is indicative of the enterprising spirit of the Punjab peasants that they have sunk at a capital cost of about 1200 crores and on their own initiative, about 8.5 lakh tubewells in order to irrigate another 55 lakh acres and to supplement canal water supplies so as to make it assured. But, this aspect of the matter has some serious dark side as well. The latest figure is not available but a few years back only about half of the tubewells were energised by electricity. The rest were run on diesel oil. Normally, the cost of electric irrigation, apart from the need of capital investment of Rs. 2,000 per acre, and the erratic nature of supply, is 3 to 4 times that of canal irrigation. In addition, sub-soil waters cause sometimes complications because of salinity in the underground strata. As against it, canal water has the quality to refurbish the soil with deficient micro-nutrients. In addition canals serve as natural drains.

The cost of diesel irrigation, apart from its continually rising prices and scarcity of procurement, is considered ten to twelve times higher than that of canal irrigation.

But in addition the greatest danger of tubewell irrigation, both short term and long term is, because of over-draw, the continuing fall of sub-soil water level. For this reason, during the last decade water level has gone down from 3 to 10 feet or even more. Experts have assessed the average fall on this account to be 12 inches per annum. [11] Peasants have therefore, to face the problem of periodical sinking of the water pipes and lowering of the pumping sets. The phenomenon has already reached dangerous proportions, with the result that in most areas tubewell irrigation and, for that matter, modern agriculture, have become unremunerative. Government has therefore, classified areas into 3 classes, black, grey and white. Of the 118 Blocks in the state, 69 are black, meaning that tubewell sinking is unremunerative there. Twenty are grey Blocks, meaning that tubewell irrigation is feasible, but only to a limited extent. The remaining 29 Blocks are called 'white'. But in all these Blocks the water is either brackish, saline or very deep. There is no sweet water in these Blocks. Hence exploitation is hardly possible. So limited irrigation is possible only in 20 blocks out of 118.

But the greatest fear is that because of the continuous draw of subsoil water, by the end of the decade or the century,* a large majority of the existing tubewells would become non-functional. Dr. Dhillon of the PAU and other experts draw a dismal future of tubewell irrigation in the Punjab. Their repeated warnings are based on clear calculations. Two facts have to be ascertained in this regard, namely, the annual draw of subsoil water by the tubewells and the annual recharge of soil by rain and seepage. According to the Punjab Government white paper, the annual available subsoil water is 3 MAF. [12] Evidently, this is on the assumption that the sub-soil water level is not allowed to fall and only the recharge part is drawn each year. The second fact is the 8 to 8.5 lakh functioning tubewells. On an average a tubewell gives assured irrigation, i.e. at least 4 acre ft. of water, if not 5 to 8 acres. It means that the annual draw of water is at least 27 MAF. This makes for an annual gap or overdraw of 24 MAF. It is necessary to state that tubewell irrigated area is 55 lakh acres and not 68 lakh acres, because, canal supply being woefully inadequate for assured irrigation, a sizeable part of tubewell water is diverted to supplement canal supply to make irrigation 'assured'. According to another apparently inflated assessment of the Central Ground Water Board, the ground water supply or recharge is 10.6 MAF. [13] This would give us a gap of about 16.4 MAF per annum. There is a third method of calculation which is an assessment based on the water requirements of crops actually cultivated. The available estimate relates to the matured crops in 1986-87. These calculations, approved by the World Bank, are that the total water consumed by the crops in 1986-87 was 37.7 MAF. Considering the annual recharge of about ten MAF and the water supply from canals of about 15.6 MAF (this indicates actual water utilised by Punjab because of non-utilisation of allotted water by Rajasthan and Haryana, although the allotment to Punjab is less), the overdraw comes to about 12 MAF per annum. According to these three methods the overdraw of sub-soil water is between 12 and 24 MAF per annum, leading to an average annual drop of over 12 inches, measured after the great flood year of 1988 when the

earlier falls in the sub-soil water had to a considerable extent been made up. Even in that year the water table in some Punjab districts like Ludhiana, Patiala, etc. was rapidly going down near the “danger line.” [14]

In this context, the prospects are going to be dismal, especially if the existing Central policies and decisions are continued. Punjab is today irrigating 55 lakh acres from its tubewells, 50% more area than canal irrigation, and in addition the tubewells supplement canal water to give 37 lakh acres assured irrigation, which an erratic canal water supply can never itself do. These realities are making the degradation to the “danger line” inevitable, with the result that in about a decade about three fourth of the tubewells will become non-functional, thereby reducing the area irrigated by tubewells by about 40 lakh acres which would become *barani* (un-irrigated). According to existing estimates, if the Punjab user of canal water is reduced to the level of actual allotment, another about ten lakh acres would become un-irrigated. In other words the irrigated area in Punjab from both sources would drop down by about 50 lakh acres because of diversion of river waters to non-riparian areas. The fall due to the drain would be colossal, and calamitous. Its obvious injustice can be judged from the fact that a state and its people who had suffered in 1947 tremendous losses in men, property, land and irrigation are, instead of being compensated for their losses, being deprived of the natural wealth of the area, where they had come to settle after being uprooted. For, on the one hand, their natural resources which are to give them cheap canal irrigation as against the exorbitantly expensive tubewell irrigation, are being diverted to the non-riparian states, on the other hand, they are being made to face the prospects of about 50 lakh acres of their land becoming *barani* leading to catastrophic economic and social consequences. Here it is necessary to record an expert conclusion : “How long can this state of affairs last ? We must take steps to correct the situation, lest our grandchildren inherit a land returned to semi-desert conditions.” [15] The basic importance of water and hydel power in our modern life and culture can hardly be over-emphasized. In this regard Dr. W. C. Lowdermilk in his report to the Economic and Social Development Council of the United Nations, writes : “The present water supplies both in developed as well as undeveloped areas are either already insufficient or will prove to be so, in the foreseeable future, which will mean a severe setback to the economic development. The rate of increase in water requirements is greater than that in population.” [16]

15. Satluj-Jamuna (Yamuna) Link Canal

There is a strong expert opinion that 3.5 MAF allocated for the SYL Canal, the waters of which have to join Jamuna waters to be lifted for irrigation in Gurgaon (in Jamuna basin), would not be available to it without substantial decrease in supply to the old running canals of Punjab, thereby reducing the irrigated area of the state by about ten lakh acres. The corresponding damage, it has been stressed, would be serious in districts like Bathinda, Faridkot and Ferozepur, especially because the ground water in those districts is saline and carries toxic elements like boron and fluorides. Supplies to the level of allotments made by the Central Government for Rajasthan and the SYL Canal would never be available from Satluj even if the MB Link were completed, although before its completion the question of supply to SYL Canal cannot arise; and the scheduled date for the completion of the Thein Dam Project is about a decade later than that of the SYL Canal.

An important factor which is forgotten while making calculations for the supply of waters to the SYL Canal, is to accept the figure of “mean water discharge” instead of the “dependable annual flow” which is the only realistic figure, because of its availability during 90% of the time. The existing requirement of three Canals, Bhakra Canal, Sirhind Canal and Doabist Restricted Perennial, is 14.76 MAF but the “dependable flow” from Satluj is 11.125 MAF. Hence, even if the Beas-Satluj Link worked to full capacity, the dependable flow from Satluj would not be above 13.37 MAF. This will be the highest level, considering that the loss of availability in the Pong Dam for Harike will have to be made up by a release of about 1.37 MAF at Bhakra for Harike canals. Therefore, these calculations show that even if the Beas-Satluj Link worked to the full, the old scheduled supply to the old Punjab canals, would hardly be met. For, as against the demand of 14.76 MAF the total dependable supply could only be 13.37 MAF. Dr. Dhillon in his article “*More blood than water down SYL*” and Dr. V. P. Singh, another expert, in his paper, “*What Surplus to Share*”, have independently arrived at similar conclusions. The latter, writes, “The moment the SYL flows, 9.75 lakh acres or 3.91 lakh hectares will go *barren* in these districts.” According to him, “apart from the minimum estimated crop loss of 900 crores per annum and loss by its effect on agro-industries and reduction in employment, the biggest damage will be the changing of saline districts into desert.” [17]

16. Rajasthan Canal--An Unproductive Venture

It has already been indicated that the project for use of Punjab waters in non-riparian Thar Desert areas was proposed purely as a contrivance to convince the Indus Waters Commission that Punjab waters could be fully utilised within India. As it is, it was done hastily at the instance of Mr. Gulati, the Indian Representative before the Commission. While Pakistan would never have allowed its canal system to work according to the whims and will of the upper riparian authorities whom they considered hostile towards their interests, the Indus Water Authorities have considered Indian Projects in Rajasthan to be wasteful. They have severely warned and criticised India against taking up such a hazardous project, without proper investigation and study. We have already recorded some of their expert observations.

This criticism of Rajasthan Projects has been two-fold. First, that these Projects are economically unjustifiable, especially when the use of those waters in Punjab for lands close at hand could be far more productive and at a far less cost. Further, it has been stressed that because of lack of drainage in Rajasthan and the difficulties of creating any worthwhile drainage, these Projects would create more problems than they would solve.

Already while the Projects in Rajasthan are under construction and water utilisation is partial and at preliminary stages, the areas where stage I of the Canal has been completed, "are blighted by significant water logging and salinity. In the view of many experts on Water and Power Consulting Agencies (like WAPCOS), the problem is likely to be more acute in the stage II areas of the Canal, if the same cropping pattern and mode of irrigation continues." The problems that the experts have warned against are : "Accelerated rise of water table, salinity, seepage, water logging and increased incidence of disease. The study warns that these long-run problems can more than offset short-term benefits like infrastructural facilities and which accrue as soon as irrigation is introduced." Soil analysis shows that "water logging and similar conditions are spreading rapidly. Water logging and salinity account for about 34% of the irrigated area at stage I. [18] The above is the position at the preliminary stage. With time, the warning says, the conditions are going to be worse. The fundamental trouble is the lack of drainage and there is hardly any feasibility of it in the desert and semi-desert areas of Rajasthan. But the unfortunate part is that despite all expert warnings and the known wasteful and uneconomic nature of the Projects, the Centre has persisted in diverting waters of riparian Punjab into the semi-desert areas of non-riparian Rajasthan, hundreds of miles away.

17. Decision by Tribunal

We have indicated above the position of all allocations and the subsequent agitation in Punjab, culminating in the tragedies of 1984. In 1985, the Centre had at last had its own way in regard to the water problem. After 1984, the Akali leadership capitulated completely because it stood discredited both with its own people and the Central Government. They were anxious somehow to rehabilitate themselves and in 1985 agreed that the SYL Canal against which the agitation had been started at Kapoori in 1981, would be completed within months and the water issue would be referred to an Inter-state Water Dispute Tribunal instead of to the Supreme Court. Thus, they gave up a demand for which they had been agitating and struggling for the earlier two decades. In full knowledge of the fact that a dispute regarding a state river could not be referred to a Tribunal under the Inter-State Water Dispute (ISWD) Act, the water problem was placed before a Tribunal constituted for the purpose. Of course the Tribunal could not give any verdict about the constitutionality of sections 78 to 80 of the Reorganisation Act. As was feared or anticipated from a tribunal, it has, in defiance of the legal or standard definition of a basin or valley, made the following allocations: Punjab 5. 0 MAF, Haryana: 3. 83 MAF, Rajasthan: 8. 60 MAF, Delhi: 0. 2 MAF, Jammu and Kashmir: 0. 65 MAF. The overall increase to 18. 28 MAF from 17. 17 is again, as in 1981, an arithmetic projection without any ground reality. The broad ratio of allocations among Punjab, Haryana and Rajasthan remains more or less the same as in 1981.

18. Political Implications of the Water Problem

The history of the water problem shows that for over two decades the Punjab has been resisting the unconstitutional allocation of its natural wealth, and the Centre has consistently been taking steps to serve the non-riparian states even though the diversion has been considered extremely ruinous for the Punjab and its people. All attempts by Punjab to follow the straight and simple constitutional course so as to solve the problem through the Supreme Court were frustrated. The Centre could succeed in its objective because it was felt the Constitution was heavily centralised and this enabled it to interfere and intrude at its will in the state administration and functioning. Apart from that, the Centre had created institutions like the Planning Commission and the Water and Power Commission, both non-statutory bodies, that had over the years been the instruments of controlling and determining every scheme, project and activity of the state even in its own statutory field. The classic example is the Thein Dam, a state scheme for the development

of Ravi waters, costing originally only 70 crores, which for decades could not receive clearance from these bodies and the Central Government, although its cost has since risen to over 800 crores. The underlying reason for not approving the scheme is said to be the contemplated Central award of 1976, which has allotted to distant Rajasthan and Haryana share of the waters and hydel power of the Ravi, running on the border between Pakistan and the Punjabi Suba. Another classic example of the dwarfed political status and autonomy of the State is that it is not competent to construct even a cooling channel to circulate water for its Thermal plant from its own waters in its own territory.

The history of the Punjab water problem and the Central policies, decisions, doings and undoings in this regard, deeply imprinted on the minds of the Punjab that under the existing centralised set-up it was virtually impossible for the Punjabi Suba to work effectively even within its own sphere or maintain and exploit its own resources and natural wealth. For, instead of solving once for all the central issue of the Punjab problem by a reference to the Supreme Court, the Centre has been raising the matter of Law and Order. This side-tracked the real issue. There is a serious opinion in some quarters that if this simple judicial process had been followed, perhaps the course of events that led to the tragedies of Bluestar (army attack on Darbar Sahib in 1984), Wood Rose (systematic purging of the *amritdhari* Sikhs all over Punjab in 1984-85), the assassination of Prime Minister Indira Gandhi, and the massacre of Sikhs in Delhi and other parts of the country would have been avoided. But the Punjab problem still continues unsolved. Besides, the Punjab found that Sections 78 to 80, apart from being economically ruinous for the State, had placed a virtual ceiling on its economic growth, development and political progress. Because a state which in modern times could not exploit its own resources, or control and develop that wealth, could hardly be considered to have any worthwhile economic or political autonomy or status. Hence in 1978 the Akali Party reiterated its demand for an autonomous state, called the Anandpur Sahib Resolution, which the Sikh representatives in the Punjab Assembly had unanimously made in 1949, saying that Indian Constitution, as had consistently been proclaimed by the Congress Party and its leaders, should be a Federal structure with only Defence, Foreign Affairs and Communications to be the Central subjects. Because autonomy envisaged under this resolution, they felt, to be the only constitutional arrangement that could undo the drain of Punjab's natural wealth and avoid thereby its clearly imperilled socio-economic stability and remove the ceiling on its political growth.

19. Loss of Punjab

Broadly speaking, about 19 MAF of waters of Punjab, have been allocated to non-riparian states. At the present rate of water allowance prevalent in Punjab, it would irrigate about 45 to 50 lakh acres in Haryana and Rajasthan. The statistical abstracts show that in Punjab the food grain yield per acre of irrigated land is 2.2 tons higher than that in the non-irrigated areas. Thus, irrigation gives an additional income of about Rs. 5,000 per acre. This means an annual loss of about Rs. 2,250 to 2,500 crores per annum to Punjab and an equivalent gain to the non-riparian states each year. Further loss in the generation of employment, subsidiary industries and trade would also be considerable. Similarly, the annual loss in power and consequent loss in industrial production, reinvestment and generation of employment would easily be four times more. This loss is being suffered when Punjab's farmers are in acute need both of water and power, and its industry is in serious need of cheap energy. The farmers are losing about anything between 100 to 150 crores each year by having to resort to inefficient and expensive diesel irrigation or ill-fed electric tubewells.

Experts fear a calamitous fall of about 40 lakh acres in the area under tubewell irrigation, if the existing overdraft is not stopped. Hence, substitution of tubewell irrigation by canal irrigation is a dire necessity to avoid the socio-economic disaster.

20. Constitutionality of the Tribunal

There is one aspect of the tangled Punjab water problem, which remains, as before, unsolved. It is true that the Centre has through a tragic course of events been able finally to get a verdict of the Tribunal regarding the allocation of Punjab waters to Haryana and Rajasthan without a prior decision of the Supreme Court on the unconstitutionality of Sections 78 to 80 of the Punjab Reorganisation Act. But an allied constitutional issue has arisen and remains unsolved, namely, the value and validity of the amendment of the ISWD Act by which the dispute of Ravi and Beas has been referred to the Tribunal. The fundamental constitutional hurdle remains, because Ravi and Beas, being not inter-state rivers, any issue about the allocation of their waters, cannot be adjudicated upon by the Tribunal under that Act, since it is not a 'water dispute' as defined in Section 2 of that Act. Merely adding an enabling Section to the ISWD Act for allowing a reference of the Ravi Beas water issue to the Tribunal does not by itself make the Tribunal constitutionally competent, or enhance its jurisdiction to decide the Ravi-Beas water dispute, or make that dispute an inter-state river

water dispute as defined in Section 2. This dispute about a state river cannot be entertained in relation to a non-riparian state for adjudication until Section 2 of the ISWD Act is amended to include such a dispute, namely, a dispute concerning a state river as between a riparian state and a non-riparian state. And the difficulty is that such an amendment cannot validly be made, because item 56 gives powers to the Parliament to legislate only in regard to an inter-state river, and not in regard to a dispute concerning a state river. Hence neither the present amendment of the ISWD Act is of any meaning or value, nor can an amendment of Section 2 of it be validly made by Parliament under item 56 of list I, which gives powers to it in respect of only inter-state river disputes and not about a state river dispute like the one concerning Ravi or Beas. Hence, we believe, that the Punjab water and hydel power problem still remains, as before, the fundamental issue that is going to determine, on the one hand, the socio-economic health and growth of its people, particularly of the rural masses, and on the other hand, all political development, peace and amity in the state.

21. Conclusion

We have given a brief factual statement of Punjab river waters problem. Perhaps it would go down in history as the issue that has continued to be mishandled, and misrepresented for over two decades by all the actors of the scene. It appears to be a clear classic example showing how human prejudices can not only plague the course of public affairs, but also of peace between sister communities of neighbouring States that have lived in amity for centuries on end. There is little doubt both as to how ruinous, economically, socially and politically would be the diversion of Punjab waters and how wasteful and unproductive, would be those waters to the distant non-riparian desert areas in Rajasthan.

The manner in which the Central Government has persistently refused to refer the issue to the Supreme Court, has withdrawn it when it had been done, and followed every other course, excepting the simplest one, which no state or party could object to, shows clearly that the Centre had throughout the belief that the drain of Punjab waters and hydel power to non-riparian areas, was constitutionally un-warranted and unsustainable. For, as we have explained earlier, the constitutional problem remains unsolved as before. The unfortunate part of it is that it is the social, economic and political fall-outs that have caused great human suffering. And what is worse still is that it is difficult to pretend and hope that the issue would not in the future create further complications and catastrophes. Because by providing unmerited gains to million of families in non-riparian Rajasthan and Haryana, there is created a hostility of interests between the peoples of neighbouring states which could be a major hurdle against both solution of the Punjab problem and peace in the country.

To us the lesson seems to be clear that no amount of political measures can change the geographical realities that Punjab is riparian in relation to Ravi, Beas and Satluj, and Rajasthan, Haryana and Delhi territories are not. In fact, the allocation of Jamuna waters to Haryana itself concedes that.

The Punjab Rivers issue holds the key to understanding the Punjab problem and how the manner in which it has been dealt with has determined the course of socio-economic and political events, including peace and harmony in the state.

The present position is that large scale diversion of Punjab waters and hydel power is sought to be made a *fait accompli*. This diversion apart from being disastrous to the future of the state has led to a standing contradiction that while Punjab should year after year continue to suffer devastating flood losses, actually running to over a billion dollars even in a single year, the non- riparian states should reap each year a benefit of over a billion dollars from the waters of those very rivers. It is a classic case of the gross violation of the fundamental principle of equity on which the riparian law in every country is based. This diversion is the real hurdle to its solution. This being against the spirit and letter of our constitution, forms the stumbling block why peace, prosperity and growth in the state cannot be restored till it is removed. This is the essential aspect of the problem, which needs serious study and consideration for its understanding by every student and scholar. In sum, the Centre wants unjustifiably to drain Punjab of its natural wealth, which Punjab's well-wishers seek to avoid because of its evidently ruinous effects.

References

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SANT JARNAIL SINGH BHINDRANWALE - LIFE, MISSION, AND MARTYRDOM

PART II of III
Ranbir S. Sandhu

INTRODUCTION

This is the second part of an essay concerned with life, mission and martyrdom of Sant Jarnail Singh Bhindranwale. In this part, we describe his life and mission as well as the growth of opposition to him. We specially note the campaign of misrepresentation and vilification carried on by the Government as well as the news media in propagating certain myths. The third and final part will address the specific allegations levelled against the Sant by the Indian Government, and considers his relationship with the Shromani Akali Dal.

A. SANT BHINDRANWALE - LIFE AND MISSION

1. Early Life and Success as a Sikh Preacher

Sant Jarnail Singh Bhindranwale was born in village Rode located in Faridkot District of Punjab, in 1947. From his childhood, he had a religious bent of mind. Sant Gurbachan Singh Khalsa, head of the *Damdami Taksaal*, the premier Sikh religious school, visited the child's village and suggested to Joginder Singh, Jarnail Singh's father, that his son join the *Taksaal* as a student. Coming to the *Taksaal* in 1965, Jarnail Singh received instruction in Sikh theology and history under Sant Gurbachan Singh's tutelage and later Sant Kartar Singh Bhindranwale's. He grew up to be an effective preacher of the faith. On August 25, 1977, upon the death of Sant Kartar Singh, he became head of the *Taksaal*.

From July 1977 to July 1982, Sant Jarnail Singh Bhindranwale extensively toured cities and villages of Punjab to preach the Sikh faith. He also visited other states and cities in India. Wherever he went, he carried Siri Guru Gobind Singh Sahib's message to every home exhorting Sikhs to take *Amrit*, observe the Sikh appearance, and live according to the teachings of Siri Guru Granth Sahib. As Tavleen Singh tells us: 'His philosophy in six words was *Nashey chaddo, Amrit chhako, Gursikh bano* (Give up addictions, Take *Amrit*, Become good Sikhs)'. Explaining his mission, he said: 'My mission is to administer *Amrit*, to explain the meanings of *Gurbani* and to teach *Gurbani* to those around me; ... and (to tell people) that a Hindu should be a firm Hindu, a Muslim should be a firm Muslim, and a Sikh should be a firm Sikh'. His preaching was based on love. He said: 'If we speak to someone with hatred and try to assert our superiority, it will create hatred in the minds of everyone. So long as we have the spirit of love, so long as we have the support of Satguru Hargobind Sahib, the Master of *Miri* and *Piri*, is there any power on earth that can subdue us?' He wanted the Sikhs to 'come back to Anandpur, their home' by taking *Amrit*, and become his brothers and sons of Siri Guru Gobind Singh Sahib.

Sant Bhindranwale had a charismatic personality and spoke in simple village idiom. Those who listened to him, were impressed by his simple living, personal charm, and clear thinking. Joyce Pettigrew, who met him in 1980, writes: 'There was a very close association between the Sant and the people, as I myself witnessed on a visit to meet Sant Bhindranwale in Guru Nanak Niwas.' According to Shiva, Sant Jarnail Singh Bhindranwale 'gained his popularity with the Punjab peasantry by launching an ideological crusade against the cultural corruption of Punjab. The most ardent followers of Bhindranwale in his first phase of rising popularity were children and women, both because they were relatively free of the new culture of degenerative consumption, and they were worst hit by the violence it generated. In the second phase of Bhindranwale's popularity, men also joined his following, replacing vulgar movies with visits to gurdwaras, and reading the '*gurbani*' in place of pornographic literature. The Sant's following grew as he successfully regenerated the 'good' life of purity, dedication and hard work by reviving these fundamental values of the Sikh religion's way of life. The popularity of Bhindranwale in the countryside was based on this positive sense of fundamentalism as revitalizing the basic moral values of life that had been the first casualty of commercial capitalism. During the entire early phase of Bhindranwale's preaching, he made no anti-government or anti-Hindu statement, but focused on the positive values of the Sikh religion. His role was largely that of a social and religious reformer.'

According to Khushwant Singh:

'Within a short period of becoming head of the *Taksaal*, Jarnail Singh came to be recognized as the most effective instrument of renaissance of Sikh fundamentalism. He toured villages exhorting Sikh youth to return to the spartan ways of the Khalsa started by Guru Gobind Singh: not to clip their beards, to abstain from smoking, drinking and taking drugs. Wherever he went, he baptized young men and women by the hundreds. An integral part of his preaching

was that all Sikhs should, as had been required by their warrior Guru Gobind Singh, be *shastradhari* - weapon-bearers.'

Tully and Jacob state that: 'In spite of the Government's propaganda, to many people Bhindranwale remained a *sant*, or holy man, not a terrorist.' The religious revival led by Sant Bhindranwale resulted in a large number of Sikhs, especially the youth, receiving initiation into the Sikh faith. According to Khushwant Singh:

'Bhindranwale's *amrit prachar* was a resounding success. Adults in their thousands took oaths in public to abjure liquor, tobacco and drugs and were baptized. Video cassettes showing blue films and cinema houses lost out to the village gurdwara. Men not only saved money they had earlier squandered in self-indulgence, but now worked longer hours on their lands and raised better crops. They had much to be grateful for to Jarnail Singh who came to be revered by them as Baba Sant Jarnail Singhji Khalsa Bhindranwale.'

When Sant Bhindranwale was staying in the Darbar Sahib complex during 1982 and 1983, four to five hundred persons were administered *Amrit* each Wednesday and Sunday. On April 13, 1983 over ten thousand were initiated and during the month ending on April 13, 1984, forty-five thousand Sikhs received *Amrit*. This revival was extremely significant and Sant Bhindranwale was emerging as the leading figure in the Sikh faith and a role-model for the youth. I was once told by a relative that his two sons had stopped taking tea. I asked him why, and if they had been to see Sant Bhindranwale. The reply was: 'No, it is just the way things are in Punjab. The young people love and admire him so much that if they come to know what the Sant does or doesn't do, they like to follow his example.' People sought his advice and intercession for personal problems and conflict resolution. Khushwant Singh reports:

'On a later visit to Amritsar I got an inkling into the reasons of Bhindranwale's popularity. I will narrate two incidents to illustrate this. One day a young girl came to see Bhindranwale. She clutched his feet and sobbed out her story of how she was maltreated by her husband's family for failing to extract more money from her parents and of her husband's unwillingness to take her side. Bhindranwale asked her name and where she lived. "So you are a daughter of the Hindus," he said. "Are you willing to become the daughter of a Sikh?" She nodded. Bhindranwale sent a couple of his armed guards to fetch the girl's family. An hour later a very frightened trio consisting of the girl's husband and his parents were brought to his presence. "Is this girl a daughter of your household?", he demanded. They admitted she was. "She tells me that you want money from her father. I am her father." He placed a tray full of currency notes before them and told them: "take whatever you want". The three fell at his feet and craved forgiveness.'

Khushwant Singh tells us that he was so respected that, after his election to be head of the *Damdami Taksaal* in preference to Amrik Singh, son of Sant Kartar Singh, 'instead of resenting the choice, Amrik Singh became a confidante and collaborator of Jarnail Singh.'

2. Conflict with Sant Nirankaris

Sant Bhindranwale first gained prominence in public life when he organized a protest to stop the Sant Nirankari assembly in Amritsar on April 13, 1978 after he was unsuccessful in persuading the administration to stop it. A group of one hundred persons, including 25 from Sant Bhindranwale's group and 75 from the Akhand Kirtani Jatha, participated in this peaceful protest. These unarmed people were fired upon by Nirankari gunmen leaving 13 dead and 78 wounded. The police, instead of stopping the massacre, hurled tear-gas at the protestors converting them into sitting ducks. A police officer who was present at the scene told this writer that the Sikh protestors had agreed to stop some distance away from the Nirankari assembly and to wait for the police to negotiate with the Nirankaris to end their public meeting. However, while they were waiting, Nirankari gunmen moved behind a row of busses, parked on one side of the road, to come to the rear of the protestors and opened fire. The leader of the protestors was shot dead by one of the police officials as he tried to persuade the police to intervene and stop the killing.

Every attempt was made to avoid punishing the guilty. Instead of apprehending those who had committed the heinous crime, the local authorities escorted them safely out of the state. Sant Bhindranwale felt specially let down by Parkash Singh Badal, then Chief Minister of Punjab, and by Jiwan Singh Umranangal, a cabinet minister, who was present in Amritsar at the time of the April 1978 massacre. Badal felt constrained by the desires of the Hindu members of his coalition government and Jiwan Singh Umranangal never saw any merit in the protest organized by the Sikhs. These events caused extreme bitterness in the minds of the Sikhs. They felt that the Government was deliberately siding with the murderers and treating Sikhs as second-class citizens whose life had no value. An order was issued from Siri Akal Takhat Sahib calling upon all Sikhs to boycott the Nirankaris. Immediately after the massacre, Sant Jarnail Singh

Bhindranwale personally cared for the dead and the wounded. This endeared him even more to the Sikh masses. After prolonged agitation by the Sikhs, a case was registered against the perpetrators. However, the judge, reportedly upon receiving a bribe, acquitted all of them stating that they had acted in self-defense. The state government, controlled by Indira Gandhi's party, elected not to appeal this judgment. As Sikhs in various places in India continued to protest the Nirankari practice of openly denigrating their faith, each protest was met by firing by the police and the Nirankaris with the death toll of Sikhs gradually mounting to 28.

In April 1980, the Nirankari leader, Baba Gurbachan Singh, was assassinated. His followers named Sant Bhindranwale as a suspect even though he was nowhere near the scene of the crime. Several of his associates and relatives were arrested. For his part, the Sant continued to openly oppose the Nirankaris and expressed satisfaction that such a wicked person had been eliminated. He declared that if he met Ranjit Singh, the suspected killer, he would weigh him in gold. However, it is said that when Bhai Ranjit Singh did show up clandestinely at Darbar Sahib in 1983, he was not honored by Sant Bhindranwale. Also, when Singh Sahib Gurdial Singh Ajnoha, Jathedar, Siri Akal Takhat Sahib, was considering a rapprochement with the Sant Nirankaris, Sant Bhindranwale declared that he would abide by the decision taken by the Akal Takhat.

3. Growth of opposition to Sant Bhindranwale

Sant Bhindranwale's phenomenal success in reviving the Sikh faith among rural masses of Punjab was viewed with concern by the established leadership of the country. The secularists viewed the revival of the faith as a reversal of the process of weakening of religious bonds. They were afraid that under Sant Bhindranwale's leadership, the Sikh religion might strengthen, spread and eventually result in the emergence of a cohesive Sikh nation which might possibly demand separation of Punjab from the Indian state. Even though many Hindus join Sikhs prayers, attend *gurdwaras*, and regularly participate in Sikh religious ceremonies, the extremists among them misrepresented the daily Sikh prayer as a call for Sikh domination. Whether by design to undermine the Sikh religion or due to paranoia against possible balkanization of India they confused Sant Bhindranwale's emphasis upon the distinct identity of the Sikh religion with political separatism. Akalis were worried that even though Sant Bhindranwale insisted that he had no personal political ambitions, he could emerge as a king-maker and jeopardize their hegemony over the Sikh community. The Indian news media, by and large, joined in the witchhunt along with several well known 'intellectuals'. Even Khushwant Singh, who had earlier discussed the survival of the Sikhs as a separate community in a rational manner, described this revival as 'Sikh fundamentalism raising its ugly head'. Each of these groups, anxious about defending its territory, policies, and/or beliefs, had a role in promoting misrepresentations and misunderstandings about Sant Jarnail Singh Bhindranwale and/or the Sikh religion. All of them, with different perspectives and interests, focused on a common target; Sant Jarnail Singh Bhindranwale who spearheaded the Sikh revival.

B. MISREPRESENTATION AND VILIFICATION OF THE SANT

1. Exaggeration and False Apportionment of Blame

In order to mislead the Indian public and to facilitate the passage of draconian laws restricting Sikh right to life and liberty, the Indian Government blamed Sant Bhindranwale for every crime that was committed in Punjab. At the same time, the level of crime in the state was grossly exaggerated to justify government oppression as necessary for control of separatism and the preservation of national unity and integrity. Punjab was a state with a crime rate significantly below the Indian national figures. According to government reports, 172 persons were killed in the period from August 5, 1982, to December 31, 1983, and 453 (including 118 killed by the police and paramilitary organizations and some killed in the neighboring state of Haryana), over the period August 5, 1981, to June 2, 1984. Sinha et al. tell us: 'In Delhi alone in the year 1983, 244 persons were murdered (Statesman, July 1, 1984). Clubbing together every kind of crime under the heading and blaming the Akali agitation for all of them is but an attempt to mislead the people.' Nayar confirms that 'Punjab Government circulated a secret document. This document said that there were 5,422 murders in 1980 and 5,068 in 1981 in U.P. while in Punjab there were 620 murders in 1980 and 544 in 1981.' It is noteworthy that of all the cases listed in the White Paper it was only in eleven cases that the attackers are even alleged to be Sikh. In all other cases the assailants were unknown. Responding to this propaganda, Sant Bhindranwale said: 'If someone's dog or cat dies, they say Bhindranwala gets it done.' Also: 'At whatever place, whatever untoward incident occurs, whether any other place is named in that connection or not, the names of Harmandar Sahib and Nanak Niwas are always included. This is for anything happening anywhere, not only in a couple of cases. Madhya Pradesh is thousands of kilometers from here. Something happened at Bhilai a long time back. Even that case has been linked to this place. After that, at various other places, many incidents occurred. The Government and the *Mahashas*, communal newspapers, have not hesitated in linking Harmandar Sahib to these. These conspiracies are being hatched and stories

concocted with the sole purpose of vilifying the Akali Dal and to make this struggle unsuccessful.' Extremist Hindus described Sikh religious practices as commitment to violence and initiation of people into Sikh religion as provocative action. They described the Sant's trips to Punjab villages as: 'Sant Bhindranwale himself used to go about with about 50 of his armed men in a bus and a lot of tension was generated in the State as a result.' Noting this, Sant Bhindranwale said:

'One who takes *Amrit* and helps others take it; who reads the *Gurbani* and teaches others to do the same; who gives up intoxicants and helps others to do likewise; who urges all to get together and work in cooperation; who preaches Hindu-Sikh unity and asks for peaceful coexistence; who says: "If you are a Muslim be a devout Muslim, if you are a Sikh be a devout Sikh, respect your *Isht*, unite under the saffron *Nishaan Sahib* stoutly support the *Panth*, and be attached to *Satguru's* Throne and Guru's *Darbar*"; persons who preach like this are now all being called extremists by this Government and by the *Mahasha* press. In particular, I have been given a big title. They call me the "leader of the extremists". I am a firm extremist, but of the type which has the characteristics I have described to you.'

He also said:

'Who is an extremist in this Government's eyes? It is one who has a turban on his head; wears the *kachhera*; supports unity and follows the Guru; is desirous of progress of the country; is desirous of justice for the blood of the martyrs, for the insult of Satguru Granth Sahib; and promotes good of all mankind. In Punjab today, anyone who believes in and follows the path of nAnc nAm CRHdI cIA VErE BANE srb&V dA BIA "Nanak says: God's Name is glorious; there is good for all in accepting Your (God's) will", is an extremist.'

2. Staged Crimes

To brand devout Sikhs as criminals, the Government stage-managed numerous crimes. The modus operandi was that the police would orchestrate a crime, the Government would ascribe the crime to Sant Bhindranwale. Following this, the law-enforcement agencies would round up a few devout Sikhs and harass, torture, rape, and even 'eliminate' them through torture. a. Cows' heads thrown in a Hindu temple According to a report: 'Surinder Kapoor M.L.A. created sensation, when in a meeting of the Congress (Indira) Legislative Party, Punjab, held on March 6, 1983, he accused the then Punjab Government of hatching a conspiracy at Mohali of cutting a few heads of dead cows and of actually conveying them to Amritsar for being stealthily thrown in some Hindu temple there and thus lit the first communal fire in the state'. Sant Bhindranwale and the AISSF had nothing to do with this, were ignorant about the conspiracy, but were blamed by the Government whereas it showed no interest in prosecuting a person caught red-handed throwing tobacco in the Darbar Sahib premises. Sant Bhindranwale said:

'A person associated with a Hindu *Vairagi* brought and dropped some tobacco in the *Parkarma*. Sikhs caught him right there and handed him over to the police. He admitted that he been sent by Romesh and that they were four men who had come. For throwing tobacco at a religious place of the Sikhs, for the desecration, the police would not even take him to the Police Station. He was released on the road outside the Station. On the other hand, someone brought a head of a dead cow from the slaughterhouse and dropped it in a Hindu religious place. Neither any Hindu nor any Sikh witnessed any Sikh boy doing it. Simply based on suspicion, a price of fifty thousand rupees has been placed on the head of Jaswant Singh Thekedar of Gurdaspur and of twenty-five thousand on the head of Rajinder Singh of Mehta A price was placed on his head because he grew up in the village where Bhindranwala lives, because he is a student in the Federation, because he is an employee of the Shromani Parbandhak Committee, and he has the complete appearance (of a Sikh).' He further explained: 'No Sikh is in favor of placing cows' heads in temples. We are also not in favor of killing the cow. We do not consider the cow a guru, it is a good animal.'

b. Bombs Thrown at the Chief Minister of Punjab According to Sinha et al.: 'Dubious attacks on Chief Minister Darbara Singh and such other activists were stage-managed in order to malign the Akali movement and to find a pretext to unleash repression..... On August 20, 1982, two hand-grenades were thrown at him at Rahon. A few policemen and onlookers were injured but the grenade thrown at Darbara Singh did not blast instead it was securely tied in a handkerchief. One man was claimed to have been arrested at the place of the incident. The following night one man in custody was later set free. It was proved that he was a police person who managed the show, and hence had to be set free.' Using this stage-managed crime as a pretext, an innocent *Amritdhari* Sikh was arrested and tortured to death. Sant Bhindranwale told his listeners:

'Bhai Gurmeet Singh of Dhulkot, the only son of his parents ... was caught. His nails were pulled out and salt was poured (over the wounds); his hands were burnt by placing candles under the palms of his hands. Then Bhullar sent a wireless message to the Chief Minister of Punjab, stating that his hands had been burnt, his nails pulled out and salt poured over them but he would not say anything except *Sat Siri Akal* and *Vaheguru*. Then, the words came out of this proud man's mouth that this man should be shot to death. That is how he was martyred.'

c. Extortion

Some persons received letters demanding money. These letters were purportedly written on behalf of Sant Bhindranwala. Upon this being brought to his attention, he said: 'I like to make an appeal to the congregation and I like to inform the newspapermen too so that they can definitely publish it. I have this letter in my hand. Seven such letters have been received in the Qadian area. One has reached Pritam Singh Bhatia. In that letter too it is written about a Hindu that he should reach such and such place near the railway tracks, where Bhatia Sahib's sheller is located, on August 12, 1983, with 50,000 rupees.

The person to whom that letter is addressed has been asked to reach there at such and such time with 50,000 rupees and if he does not reach there, he should make preparations because he would be finished off in a few days. On the top is written:

ੴ ਖਾਲਿਸਤਾਨ ਜਿਖਦਾਬਾਦ

"There is one God, Eternal: Long live Khalistan." At the end, at the bottom, is written:

ਭਿਖਾਰ;ਵਾਲਾ ਜਿਖਦਾਬਾਦ

"Long live Bhindranwala." So, I appeal to the congregation that this is the product of the Government's black deeds. This is because in the cases that they had registered against *Singhs* ... the *Singhs* are being acquitted and released. To hide this, to hide their own black deeds, and to tarnish the brightening image of the *Jatha*, to malign it, the Government has started these activities. There are some names mentioned in this letter. There is one Jag Mohan Lal, another is Tilak Raj, there are Om Parkash, Subhash Chander, Mohinder Lal, and Brij Mohan. ... So, *Khalsa Ji*, letters have been sent addressed to these names. ... There is one for a person with "Singh" in his name too. This has been done because if all the letters were addressed to Hindus, it might have aroused suspicion. The manager of the Punjab & Sind Bank in Qadian is, I learn, a Sikh. In the letter to him is written: "You should come to such and such place on August 11, 1983 with 300,000 rupees and you will be safe. Otherwise, I have Bhindranwala's permission to put you on the train (of death) on such and such date. You have the Sikh appearance; you should stoutly support us; bring a liberal amount." This is what is written in this letter. We have to guard ourselves against such people. To give a bad name, to place obstructions in the conduct of this ongoing agitation, the Government is going to use every possible trick. We ought to be fully alert to these. This *Taksaal* has never believed in robberies, thefts, using intoxicants, nor does it believe now nor it ever will.' Speaking about the police and their 'dirty tricks', the Sant said:

'The Police is set up for protection of the public. But today's police have taken on the form of robbers to loot the public. There are innumerable examples of this, not one, two or four. When there was an investigation into a bank (robbery) case, during investigation of police officials, their names came up; if the culprits were caught red-handed placing bombs in a city, they proved that they were employees of the police. When dogs were used (to track criminals), they got into the car of the S.D.M., they went into the home of a *Narkdhari* (Nirankari) and they entered a police station.'

3. Oppression Directed at Devout Sikhs

a. Murder of Devout Sikhs in 'Faked Encounters'

For officially orchestrated as well as fictitious crimes, devout Sikhs were rounded up, labelled as terrorists, tortured and often killed. Tully and Jacob report a conversation with Darbara Singh, the Chief Minister of Punjab: 'He did order the police to take action against those terrorists they could not get hold of and there was a series of what the Indian police call 'encounters' - a euphemism for cold-blooded murder by the police. Darbara Singh admitted as much to me. On another occasion, when Satish Jacob and I both met him, the former Chief Minister said, 'Encounters did take place, and they were killed. I told my senior police officers, "You kill the killers and I will take the responsibility."' '

And again: 'Bhinder told me that ten people he described as 'Bhindranwale's do or die men' had been shot by the police and that more than 1600 people had been arrested.' It is noteworthy that the appellations 'terrorist', 'suspected terrorist', 'do or die men' were being used, by Tully and Jacob, synonymously with *Amritdhari*, a formally initiated Sikh. Nayar reports: 'The police retaliated by raiding the houses of suspects, beating up the inmates and even killing a few of them in faked 'encounters'. Twenty four 'wanted' people were killed thus. This infuriated Bhindranwale the most; he would say that the Hindu police were killing 'innocent Sikhs'. Also that: 'Since the police had no way to distinguish between a Sikh who is a terrorist and one who is not, every Sikh travelling to Delhi was searched. Trains were stopped at wayside stations at midnight in cold December and the Sikh passengers, travelling even in first class AC coaches, were made to get down to appear before a police official on the platform. Buses were detained to get Sikh passengers down and at some places the rustic policemen said: "All Sikhs should come down." Khushwant Singh tells us: 'The police were rarely able to identify or arrest the culprits. Its only method of dealing with the menace was to organize fake encounters and kill anyone they supported.' Often, young Sikhs, fearing torture by the police, would run away from their homes. In such cases their families were victimized by the police. Nayar confirms that: 'Relatives of the absconders were harassed and even detained. Even many days after the excesses committed by the police, we could see how fear-stricken the people were. Villagers gave us the names of some of the police sub-inspectors and deputy superintendents involved; some of them, they said, had a reputation of taking the law into their hands.' Zail Singh, who was President of India at the time, himself confirmed cases of police shooting dead 23 Sikhs in 1982 for the simple reason that, as part of a statewide protest, they tried to peacefully stop traffic on a road, and of killing another six for shouting slogans.

b. The Chando-Kalan Looting by the Police and the Chowk-Mehta Massacre

On 9th September 1981, Lala Jagat Narain was assassinated and, immediately, without any supporting evidence, Sant Bhindranwale was presumed to be associated with the crime. Warrants for the Sant's arrest were issued on 11th September. The Police tried to arrest him in village Chando-Kalan in Haryana on the 13th but by the time they reached there, the Sant had left the place. The Police ransacked the village, killed 20 persons in indiscriminate firing, and set fire to two busses belonging to the *Taksaal*. The busses contained religious texts. The Sant frequently referred to this wanton act of arson by the police as sacrilege committed by Darbara Singh, Chief Minister of Punjab at that time.

Sant Jarnail Singh Bhindranwale announced that he would surrender to the police in Chowk-Mehta, his headquarters, on 20th September. The mayhem following his arrest, resulting in death of 18 innocent Sikhs in police firing, is said to have been stage-managed by the government intelligence agencies. When Sant Bhindranwale was being taken away, in spite of his personal advice and entreaties by his staff for everybody to stay calm and peaceful, some people became emotional. According to one account, someone tried to grapple with the Senior Superintendent of Police on duty. There are reports that this too was orchestrated to give the police an excuse to open fire. Birbal Nath, the then Director General of Police, is said to have regarded Lala Jagat Narain's murder as his personal loss and along with the other members of the Punjab bureaucracy, wanted a 'good slaughter' of Sikhs at Chowk Mehta. He made plans to storm Chowk Mehta and had a commando unit trained for the purpose of capturing Sant Bhindranwale. Joginder Singh Anand, Deputy Inspector General, later committed suicide presumably because of his remorse at having been associated with this massacre. The Sant's arrest and the massacre of Sikhs that accompanied it led to violent reaction in several places in Punjab followed by still more government oppression. It was much later, after continued demands by the Sikh leadership, that an inquiry into the incident was instituted. According to Sant Bhindranwale: 'There was an inquiry into the Mehta affair. Amrik Singh and others were working in connection with that. They were arrested and put in jail. The inquiry was completed but now they are not making it public. This is because according to its findings many big leaders will have to be punished. They are sitting on it.'

c. Murder of Hardev Singh and his associates

On 16th March 1983, the police reported an 'encounter' in which 19-year old Hardev Singh, from Sant Bhindranwale's organization, was killed along with some of his associates. Mr. Pandey, Superintendent of Police, claimed that when the jeep was signaled to stop, the miscreants opened fire and managed to escape towards the Beas river. He said that he presumed some persons in the jeep were killed in the police firing. The Tribune reported its sources as saying that the jeep had been 'earlier followed by police vehicles on its emerging from a religious place in the city.' The next day, The Tribune reported that police sources did not rule out the possibility of the police having lobbed more than one grenade. It was surmised that Mr. Pandey received pellet wounds in one of these grenade explosions. According to The Tribune, the Central Bureau of Investigation did not agree with the Punjab Government's version of the encounter and decided to shift Mr. Pandey to Delhi to facilitate an independent inquiry. According to Sikh leaders, it was a clear case of murder of innocent unsuspecting Sikhs travelling in the jeep. Tavleen Singh reported: 'All the factions that inhabited

the Gurdwara at that point were ... convinced that the murder was a government plot devised to find an excuse to enter the Temple complex.' Paradoxically, instead of inquiring into the affair and punishing the guilty officials, the Indian Government used this murder by ambush as the basis for canceling the arms licenses of the victims and their associates. The Union Home Ministry 'directed the State Government to deal firmly with the extremists and ensure that its orders canceling the arms licenses of Sant Jarnail Singh Bhindranwale's followers are faithfully and expeditiously carried out.' While Sikh leaders were crying 'murder' and praying for the departed souls, extremist Hindu groups were quick to blame the victims and to protest the prayer meetings. Innocent persons had been killed but instead of seeking justice and noting the absence of due process, leaders of the Bhartiya Janata Party charged the Center and the State Government with 'failure' to deal with 'terrorists' and called for punishment to the mourners.

d. Charges against Amrik Singh

Amrik Singh and Thara Singh had been detained since July 19, 1982. They were acquitted by a court on July 21, 1983, but were kept in judicial custody for another two weeks or so while the police tried to cook up some other charges against them. Referring to this, Sant Bhindranwale said: 'Today they have initiated a new case against him. They had arrested Amrik Singh. They could not find any proof for the accusation they levelled against him. It was apparent that he would be acquitted. Now they have written up charges against him under the date 16th. I have got a copy of the F.I.R. on this case. In it, it is said that Amrik Singh shouted Khalistan slogans. The case has been registered but the arrest under this case is not being made. They say that they will arrest him when he is released.' Amrik Singh was released and these charges were never pursued. However, this false report, drafted before the victims could have had any opportunity to commit the crime listed, was later presented as evidence before a judge of the High Court and accepted by him as fact. In violation of the court's decision, the police planned to re-arrest him as he came out of the gate of the jail. The news media, instead of protesting government high-handedness, issued a de facto endorsement of the government policy of arbitrary arrest and detention, by calling the release a lapse on the part of the police. The police official concerned was placed under suspension and relieved of his duties even though he had a history of faithfully torturing and killing Sikh youth and having his own son join the All India Sikh Students Federation in order to collect information for the Government.

e. Cremation of Sikhs murdered by Police

The Police routinely refused to hand over the bodies of Sikhs killed in police firings and faked encounters to the families of the victims. Sant Bhindranwale repeatedly mentioned in his speeches that the bodies of the victims of the 20 September 1981 police firing at Chowk- Mehta were not returned to the families nor were there any post-mortem examination reports made public. Even after his death, the Police continued this policy of disposing off the bodies as unclaimed. This was presumably done to prevent the families from conducting funeral ceremonies that could serve as gathering points for Sikhs to pay homage to the departed souls. This practice later on took the form of Sikh young men being simply kidnapped and 'disappeared'.

f. Encouragement to Hindu Mobs

Mobs, led by extremist Hindu organizations, repeatedly set upon and massacred innocent Sikhs in various cities in Punjab and neighboring states. No protection or support was given by the law-enforcement agencies to the victims of this violence. Often, it was the victims of violence who were arrested. The attackers' actions were justified as 'understandable' reaction to Sant Bhindranwale's 'inflammatory' speeches. Any demonstration or other protest organized by the Sikhs against these atrocities was met with extreme violence. Sant Bhindranwale emphasized that at no time in history had any Sikh set fire to Hindu scriptures or a Sikh mob set upon any Hindus.

4. Role of the News media and 'Intellectuals'

In a democratic and free society, one would expect the press and the intelligentsia to be watchful of activities of the administration, to expose excesses against the innocent, and to be on the side of life and liberty. However, in the case of Sikhs, the Indian news media failed to look for facts and enthusiastically participated with the Government in its deliberate campaign of vilification of a dearly loved and deeply respected religious leader, criminalization of an entire faith through stage-managed criminal acts, and oppression of a religious community based on false accusations of illegal activities. Well-known writers, on the one hand, noted that Sant Jarnail Singh Bhindranwale was an honest religious man without political ambition against whom no criminal charges could be substantiated and, on the other, went on to blame him for everything echoing government propaganda. As typical of this attitude, we quote Sanghvi:

'The rise and death of Jarnail Singh Bhindranwale must be one of the most amazing sagas in the history of Indian politics. In 1978, he was an obscure 31-year-old village preacher who toured the Punjab warning

youths against shaving their beards or cutting their hair. By 1984, when he was only 37, he had come to represent the single greatest threat to the unity and stability of India since Independence. And nearly two years after the battle in which he lost his life, taking the Akal Takht with him, he remains a martyr in the eyes of many Sikhs. Even today, rare is the Sikh politician who will dare to call him what he was: a fanatic and a murderer.'

It is amazing that Sanghvi should paint the Sant as a fanatic and a murderer without any supporting data. He is surprised at Sikhs, directly affected by government oppression and knowing Sant Bhindranwale more closely, honoring their extremely popular leader. Most journalists concede that the Sant was easily accessible and that whenever they met him he would describe details of police brutalities against Sikhs. Instead of following up on these complaints and looking for facts, the news-media ignored them as wild accusations. Nayar reports: 'Bhindranwale's speech would contain venom; he would pick up some instance of police excess or of 'discrimination' against the Sikhs and say that the Sikhs were not getting their due in India and that they must unite to fight for justice.' One wonders how a call for unity against discrimination could be construed as 'venom'? Sant Bhindranwale noted the hostility of the news media in his speeches. For example: 'The newspapers do not publish or rarely publish the information I provide. I do not know what pressure is there. But I shall humbly request you, who are assembled here in large numbers, go to your villages and convey the message'. Also: 'The newspapers do what they will. May Satguru have mercy and give them wisdom. I should not say much about anybody in anger. Sitting there, in order to run their newspaper, they delete any news that is in the interests of the *Panth*. Whatever is in the interest of making money, in the interest of the press or the Government, is published.' During the agitation that started on August 4, 1982, thousands of Sikhs peacefully courted arrest. The Government's consistent response was continued beatings and torture of Sikh youth. Instead of raising their voice against such oppression, most intellectuals justified government brutality against innocent people and accused Sant Bhindranwale of encouraging violence when he spoke out against state terrorism. Nayar, typical of the news media, while conceding that the police killed Sikh youth in faked 'encounters', noted: '...we could not but condemn the extremist elements who were out to defy law and glorify violence. Those who were accused of heinous crimes were honored in their absence in the villages of their birth and in recognition of their 'heroism' their kin were given *saropas*. We were shown in Jalandhar, where we ended our trip, photographs of people who had been charged with murder, rioting and the like being 'honored'. And we were pained to note that even the leaders among the moderate Sikhs were reluctant or afraid to condemn what the extremists had done.' This renowned columnist apparently equated false accusations by an oppressive government with the actual commitment of a crime. Here was a journalist willing to condone widespread inhuman torture and condemning the relatives of innocent victims for 'honoring' their dead'.

Khushwant Singh, trying to ridicule Sant Bhindranwale, states: 'There was very little learning or piety to this man. Also: 'To Bhindranwale modernity was evil: the Sikhs must return to the simple ways of their warrior forefathers. They must look like them: wear their beards loose and not rolled up and tied under their chins; they must wear long shirts, below knee-length breeches (*kuchhas*) covering their shins. Likewise, Sikh women should not drape themselves in *sarees* which were Hindu, but in *salwar-kameez* (baggy trousers and long shirts) which are Punjabi, nor wear *bindis* (dots) on their foreheads. His newborn Khalsa were to be god-like (*saabat soorat gur Sikh*), while the rest of the world was ungodly-and woe to the ungodly. The newborn Khalsa were the Gurus' storm troopers who would trample their foes under their bare feet like so much vermin. It was a heady brew that Bhindranwale served to simple-minded Sikh peasants.'

The fact is that Sant Bhindranwale actually employed the tools of modern science in his missionary work. Khushwant Singh concedes that Sant Bhindranwale wanted Sikhs to carry modern firearms in addition to the traditional *kirpaan*; and, instead of the traditional horses, ride motorcycles. Sant Bhindranwale did advise people to return to simple ways, shun intoxicants, remember God, follow the Gurus' teachings, and reminded Sikhs of their role as saint-soldiers. However, contrary to Khushwant Singh's conjectures, he never implied that people of other faiths were ungodly and 'woe to them'. There was no question of 'reborn Khalsa'. The Khalsa, created by Siri Guru Gobind Singh Sahib, have always been Gurus' storm troopers in defense of the helpless and in fighting oppression. Sant Bhindranwale did not initiate this concept. Like many other journalists following the government line in blaming Sant Bhindranwale for all the violence, Khushwant Singh states, without any supporting evidence, that Sant Bhindranwale's 'services could be bought by the highest bidder; the Sant became a big time brigand'. He also reviles the Sant as 'the Hindu-baiter', 'a martyred hero of lumpen sections of Sikh society' and blithely refers to 'lads of the A.I.S.S.F. and nominees of the *Damdami Taksal* reared in the Bhindranwale school of terrorism'. He chastises 'gangsters who haul innocent, unarmed people from busses and kill them, lob grenades in crowded market places and cinemas', presuming that these gangsters

were acting in Sant Bhindranwale's behalf or upon his instructions, ignoring the fact that Sant Bhindranwale consistently condemned such senseless acts, and clear evidence that the Government stage-managed several of these to promote hatred against devout Sikhs. Khushwant Singh further alleges that Sant Bhindranwale 'well understood that hate was a stronger passion than love: his list of hates was even more clearly and boldly spelt out. On top of the hate-list were apostates (*patits*) who dishonored emblems of the Khalsa by cutting their long hair and beards, smoked, drank liquor or took drugs. However, these *patits* could be redeemed if they agreed to mend their ways and accept baptism. Next on the list were Sant Nirankaris who had gained a sizable following among the Sikhs. They had committed the cardinal sin of recognizing a living human being as their guru when it was an article of Sikh faith that only the holy book, the Granth Sahib, was the 'living' embodiment of the ten gurus. The Sant Nirankaris had also fabricated their own sacred texts, *Yug Purush and Avtar Bani*. They were therefore beyond redemption and had to be liquidated. Finally, there were the Hindus-uncomfortably close to the Sikhs, and far too many to be liquidated. The only way of dealing with them was to treat them with contempt as an effeminate, non-martial race and a lesser breed without the law. Had not the tenth Guru, Gobind Singh, proclaimed that one Sikh was equal to a *sava lakh* (one and a quarter million) and a *fauj*-a one man army? So spoke Bhindranwale: one Sikh could easily reckon with thirty-five Hindus.' About one occasion when he met Sant Bhindranwale, Khushwant Singh reports:

'Bhindranwale's short speech was largely addressed to me as I had been hauled out of the congregation to sit on the dais. He towered above me; a steel arrow in one hand, the microphone in the other. Pointing to me he said: "This Sardar Sahib here writes that I spread hatred between Hindus and Sikhs. This is wrong. What I do is to preach the gospel of the Gurus; I do *amrit parchar* and persuade young Sikhs to stop clipping their beards, stop smoking and drinking. If I had my way, I would get hold of all these Sardars who drink *bhisky-shisky* in the evening, pour kerosene oil on them, and set the bloody lot ablaze." This statement was greeted with loud acclamations of *boley so nihali! Sat Sri Akal*. It was ironic that more than half the Sardars sitting on the dais with me, and a sizable proportion of the peasant audience, were hard-drinking men.' We have not been able to locate these comments in any of Sant Bhindranwale's speeches available to us. Sant Bhindranwale's speeches indicate that he hardly knew Khushwant Singh. In any case, the following statements by Sant Bhindranwale regarding consumption of alcohol appear to completely contradict Khushwant Singh's report:

'I have declared that if there is someone who drinks while wearing a *kirpaan*, and you catch him drunk, the punishment I have announced is that you should get him examined by a doctor (to make sure he has been drinking) and then pour kerosene over him and burn him alive. I shall fight your court case. This is regardless of the party affiliation of the person in such a garb doing such a thing. My appeal to all is that no one should drink but this does not apply to the others, it is only for those with the *kirpaan*. ... If any *raagi, sant, mahatma, granthi* even if he is from Bhindranwale (group), who wears a *kirpaan* and drinks, wherever you find him, blacken his face, put a garland of old shoes around his neck, put him on a donkey and parade him throughout the village or the district.'

Contrary to Khushwant Singh's diatribe, Sant Bhindranwale never held out any punishment for persons like him. His appeal was only for those with the *kirpaan*. It did not apply to the others. His disapproval was limited to hypocritical Sikh preachers who themselves violated the *Sikh Rehit Maryada*. Quoting the following line from Siri Guru Granth Sahib,

ਪਹਿਲਾ ਡਾਹਰਾ ਪਾਇਓਇ ਪਐਓ ਪਿਣ ਦਓ ਗਲਿ ਛਾਟੁਓਇਅਛ

"First the noose was placed around the teacher's (neck) and later around the (necks) of the disciples", he explained: 'The noose will be put around the necks of the *jathedars*, the *sants*, the leaders, and people in responsible positions; around the necks of such of them as use intoxicants.' Sant Bhindranwale's use of the words 'pouring kerosene and setting the on fire' is merely a common Punjabi idiom equivalent to 'chewing somebody up' in colloquial English. In Punjab villages, mothers would often use this phrase while scolding their children. Khushwant Singh's reference to Bhindranwale's discovering 'that fomenting hatred between the two communities was the easier method of preserving the Sikhs' separate identity from the Hindus than *amrit prachar*' and Sant Bhindranwale's 'adding Hindu-baiting to his other activities' is contrary to his own observations regarding Bhindranwale's success with *amrit prachar*. The Sant was a Sikh preacher and, of course, he appealed to those born in Sikh families to respect their faith and live by it. His appeal was based on love, not hatred, and was indeed very successful. He did not advocate hatred, punishment, or any form of violence against the so-called *patits* and others.

Sant Bhindranwale's opposition of the Sant Nirankaris was limited to their public show of disrespect towards Siri Guru Granth Sahib; their making parodies on the Sikh scriptures; the Nirankari Guru styling himself as *Bajaanwala* in imitation of Siri Guru Gobind Singh Sahib; and their use of the names of the Gurus for their servants merely to insult and provoke the Sikhs. Neither prior to April 13, 1978, nor after that did Sant Bhindranwale 'pronounce damnation' on them. As Khushwant Singh, the Government, and other journalists (e.g. Tavleen Singh), have noted, the Babbar Khalsa, always opposed to Sant Bhindranwale, claimed responsibility for the killing of Nirankaris. Certainly, Sant Bhindranwale deplored the fact that the Government was not interested in prosecuting the Nirankaris who had murdered 13 Sikhs in cold blood on April 13, 1978, in Amritsar, and at other places later on, and urged upon the Sikhs to unite in resisting such attacks upon their faith and their persons.

Khushwant Singh's reference to thirty-five Hindus to each Sikh is picked out of context and distorts its implication. It was not at all an exhortation for every Sikh to tackle thirty-five Hindus. Sant Bhindranwale consistently maintained that Hindu-Sikh unity was an article of faith with him. In the statement quoted by Khushwant Singh, he was simply telling the Sikhs not to be afraid merely because they were only two percent of the population and that there were thirty-five Hindus to every Sikh. He reminded them that at the Tenth Guru's time each Sikh had been asked to be ready to fight *sava lakh*. A similar expression was used on another occasion in response to a threat by the Prime Minister, Indira Gandhi, that the Sikhs of Punjab should think about what might happen to Sikhs living in other states. Sant Bhindranwale responded: '*Bibi*, if this is what you think and this is your attitude towards the turban and the beard, we also have counted that they are only twenty to each one of us.' He emphasized that this exchange between him and Mrs. Gandhi was entirely rhetorical by adding: 'She did not send someone out with a sword, nor did Jarnail Singh send anybody out with a sword.'

Nayar writes: 'The state grew tense; 115 major cases of violence had taken place in two areas since Jagat Narain's murder in September 1981 and 24 innocent people had been killed by the extremists, who came to be known as Bhindranwale's men.' Also: 'There were regular reports of someone being killed here and another there and often Bhindranwale's men claimed responsibility for the killings.' This is incorrect. It was men of Dal Khalsa and Babbar Khalsa, groups openly opposing Sant Bhindranwale, who took responsibility most of the time. Again: 'Until 6 October, the target of Bhindranwale's men were Hindus who were known to be hostile, Nirankaris, police officials or Sikhs who had been 'informers', or who had sided with the Government. But from then on the killings became indiscriminate; six Hindus passengers in a bus were killed near Dhilwan, Ludhiana. They were innocent people who had nothing to do with politics, and this marked a watershed in relations between the Hindus and the Sikhs.' Even Tavleen Singh who filed some objective reports, joined in the general chorus of condemnation. She wrote: 'Slowly the venom that was being spewed out every day from the Golden Temple started to get into the very blood of the Punjab and this culminated inevitably and horribly in the killing of six Hindu bus passengers in Dhilwan village, near Jullundur on 5 October 1983. The men were singled out by Sikh terrorists and shot dead for the simple reason that they were Hindu.'

It is important to note Sant Bhindranwale's reaction to this killing of bus passengers. He condemned the senseless act and noted that Prime Minister, Indira Gandhi, had lost no time in dismissing the inept and repressive State Government upon seven Hindus having been killed whereas she had held out for sixteen months against demands by various organizations and opposition parties. Ten days after the killings that were immediately followed by the dismissal of the State Government, Sant Bhindranwale explained: 'By installing a proud man with a turban as the leader, she was desirous of having the turbans of all the other Sikhs taken off. So long as he kept taking them off, so long as the Sikh turbans were coming off, the daughters and sisters of the Sikhs continued to be dishonored in the streets and villages; sometimes on pretext of foreign visits, at other times giving various other types of ultimatums; she kept on making all sorts of excuses. However, it so happened that someone killed six or seven persons belonging to the Hindu Brotherhood. All Sikh leaders condemned this. In spite of this condemnation, she was deeply hurt by the death of these seven while she was not impressed by the blood of one hundred and fifty persons with turbans having been spilt. This agitation has gone on for sixteen months. She did not feel the need to move one person but when the blood of those seven was spilt, then, *Khalsa Ji*, she could not wait even 24 hours.'

Again, a few days later, he said:

'Someone killed seven Hindus in a bus. No Sikh has said this was good, everyone deplored it. But because seven Hindus had died, even twenty-four hours didn't pass. The Ministry was dissolved. President's rule was imposed. The region has been declared as disturbed. However, one hundred and fifty Sikhs died and one man was not changed. Now all of you Sikhs should sit down and figure out as to what the thoughts of this Government of the Hindus are about the turban and the beard.' Sant Bhindranwale's call to Sikhs to keep weapons as required by their faith was also

misrepresented by the press as preparations for killing Hindus. Sant Bhindranwale, commenting on this, said: 'For a Sikh, his conduct has to be: B> cAh< cuU dEV nih nih B> mAnV aAn "He (God's devotee) does not frighten anyone nor does he have any fear." ... I had given a statement that in every village there should be a motorcycle and three young men with three revolvers of high quality. Opposition newspapers, the *Mahasha* (Arya Samajist Hindu) Press, have published this news: "Bhindranwala says, get these and kill Hindus." Have you ever heard me say that?' Referring to incidents of hijacking of airplanes, attacks on the Chief Minister, bank robberies, and murders, Khushwant Singh implicitly and incorrectly assumes that Sant Bhindranwale was responsible for them. The Sant's connection with any of them has never been established. For instance, the hijackers of the Indian Airlines plane on August 4, 1982, belonged to Dal Khalsa which, according to Khushwant Singh himself, was a creation of Zail Singh. It has been reported that Talwinder Singh Parmar, a leader of the Babbar Khalsa, paid for five of the tickets purchased by the hijackers. It has been reported that when the hijacker of August 20, 1982, landed in Amritsar, he demanded to see Sant Longowal and Sant Bhindranwale. Sant Longowal sent his representative but Sant Bhindranwale, upon being assured that the man did not belong to his organization, refused to oblige. Sant Bhindranwale protested the Government's barbaric treatment of the hijackers because they happened to be Sikh but himself had nothing to do with the crimes.

Even instances of oppression against Sant Bhindranwale's men have been described by some reputed columnists as wily schemes by the Sant to get his own men killed and tortured in order to assist the Government against the Akali leadership! Nayar regarded Bhai Amrik Singh and Baba Thara Singh's arrest in 1982 to be a cunning device concocted between the Government and Sant Bhindranwale. According to him:

'Darbara Singh...sent a message to Bhindranwale to start a *morcha* earlier so as to take the wind out of their sails... To give him reason enough, the Punjab Government arrested two of Bhindranwale's workers on 17th July 1982. And two days later, Amrik Singh, the AISSF President whose father had made Bhindranwale his successor, was taken into custody on the charge of murdering a Nirankari. Yet another close associate of Bhindranwale, Thara Singh, was arrested on July 20. All this provoked Bhindranwale who went from Chowk-Mehta to Guru Nanak Niwas and launched a *morcha* from the Golden Temple, pre-empting the Akalis.'

Apparently, in suggesting that the arrests were merely an agreed upon device, Nayar accepts that Amrik Singh was innocent of the crimes attributed to him. Tully and Jacob, without citing any evidence, write about Amrik Singh that: 'As President of the All-India Sikh Students Federation he was responsible for organizing many of the murders, robberies and attacks on government property.' The assumption is that the Federation was a group of criminals. The fact is that the Government arrested Amrik Singh and kept him in detention for a year despite massive Sikh protest; and his release was protested by the Arya-Samajist press simply because the Federation he led was engaged in a program for revival of faith among the Sikh youth. The news media propagated the myth that Sant Jarnail Singh Bhindranwale was associated with or in a position to direct and control the activities of groups which claimed credit for violent acts. Tully and Jacob concede: 'Bhindranwale never openly associated with the Dal Khalsa. Until his death he maintained that he was a man of religion, not a politician.' However, they make a quick turnaround and, following the Indian Government's White Paper, say that 'Bhindranwale used to preach hatred against India and against Hindus.' They also state that 'the Dal Khalsa was always known as 'Bhindranwale's party'. Contrary to this, Jeffrey, among others, tells us that the founding of the Dal Khalsa in 1978 was 'with the alleged backing of Zail Singh' of Indira Gandhi's Congress Party. Again, they refer to 'the Sikh fundamentalist Sant Jarnail Singh Bhindranwale, who had been spreading violence, hatred and communal poison in Punjab'; that 'Bhindranwale went on to appeal to Sikh villagers to organize and support terrorism'. Tully and Jacob state: 'Badal and Longowal lacked the courage to stand out against a force they knew was evil. Tohra tried to use it for his own ends.' The 'evil' force was, presumably, Sant Bhindranwale. The fact is that in one of his speeches, Sant Bhindranwale complains that Longowal had terminated his speaking to the public at the Manji Sahib Diwan Hall and that Tohra did not have the courage to correct Longowal when he denounced and misrepresented Sant Bhindranwale. Again, after Sodhi's murder in April 1984, Sant Bhindranwale asserted that this was done with the connivance of some Akali leaders and wanted Gurcharan Singh, Secretary, Shromani Akali Dal removed from his office. He did not succeed in getting Longowal and others to comply. The 'evil' force depicted as so dominant in Punjab could not or would not enforce its will even within the confines of Darbar Sahib complex. Nayar states that 'the reign of terror that began with the Jagat Narain murder did not stop. Innocent people were killed. The targets were mostly Hindus and Nirankaris but many Sikhs who had the courage to speak out against the extremists were also killed.' In fact most of those killed were Sikhs and the killers were the police. Sant Jarnail Singh Bhindranwale had nothing to do with these murders. The news media was eager to blame the Sant but not the persons who claimed responsibility for the crimes. According to India Today: 'Whereas Bhindranwale has

publicly disowned each act of the extremists, the Babbar Khalsa openly claim credit for most of these, barring the killing of Hindu bus passengers and that of Atwal.' Regarding the Babbar Khalsa, we have Tavleen Singh's report: 'Jathedar Sukhdev Singh, a youth of about 28, who dressed like a Nihang, started requesting journalists to come up and meet him in a small, sunless room in the Akal Rest House. He would talk about how it was really the Babbars who had killed most of the Nirankaris so far and how they would continue to kill them (the toll was already around 40) because they followed the dictate of the Akal Takht and they were only abiding by an edict (*hukumnama*) issued by them.' Babbars are known to have opposed Sant Bhindranwale throughout. According to India Today, their leader, Sukhdev Singh said: 'We have nothing to do with Bhindranwale who is basically a coward.' Sukhdev Singh was instrumental in making false accusations against the Sant. In one of his speeches, Sant Bhindranwale said: 'Day before yesterday, a farce was enacted here at Akal Takhat. After getting some tape-recording done by someone, he was called to the Akali stage and made to say that Bhindranwala was conspiring to get him killed. His name is Sukhdev Singh; people often call him Sukha. They say that I have hatched a conspiracy to kill him.'

American correspondents, fed erroneous information, generally went along with their Indian counterparts. Reasoner, apparently following Khushwant Singh's logic, said of Sant Bhindranwale: 'He hated the successful urban Sikhs who trim their beards and wear two-piece suits. The poor and the illiterate loved him and brought him what rupees they could spare. He spoke openly of the deaths and violence his followers had caused. These were not murders, he said, but justice; and, if necessary, the Sikhs would set up their own state and, the Government feared, start the disintegration of India as a federal nation.' Sant Bhindranwale's admirers included numerous Sikhs who wear 'two-piece suits' and he did not advocate disintegration of India. It is extremely unfortunate that, instead of investigating Sant Bhindranwale's complaints that innocent Sikhs were being tortured and killed, newsmen regarded him and the victims he referred to as convicted criminals. Even after Sant Bhindranwale's death, the press has continued to work hand-in-glove with the government. When some Punjabi newspapers published information concerning death of Sikh young men, most of whom died while in police custody or in 'fake' encounters, the Punjab Government approached the Press Council of India to enlist its co-operation against its own members, the Punjabi newspapers. The Council, assuming that the official view of the situation in Punjab was the correct one, dutifully ignored the protestations of its members and recommended that the Government set up proper arrangements to provide authentic information to the press. The Government not only continuously harassed newspapers like the daily Ajit, the Akali Patrika, and Charhdi Kala but also regularly fed disinformation to the newsmedia. A Times of India article revealed: 'Often and unwittingly... journalists fall prey to the government disinformation which suavely manages to plant stories... The confusion gets compounded when government agencies also resort to feeding disinformation on letterheads of militant organizations since there is no way of confirming or seeking clarifications on press notes supposedly issued by militants who are underground and remain inaccessible most of the time.' The writer went on to report: 'A group of journalists, including myself, had called on the former governor to lodge a protest against the registration of a case against the Times of India and the Punjabi daily Ajit, last January.'

After hastily apologising and promising to withdraw the case "shortly" (that the case was ultimately never withdrawn is a different story), the governor had sought the journalists' cooperation in tackling the militants. "Don't publish press notes that preach violence against an individual, an organisation, etc. but you are free to publish their press notes that encourage intergang rivalry," he said, adding "We have drawn up a plan for disinformation to be issued on the militants' letterheads. We hope that you will co-operate".

Hindu leaders were content to go along with the government or indeed to demand stricter action against the Sant. They paid no heed to the Sant's complaints of violation of human rights in Punjab. Typical of this attitude was a statement by Gujral who said, in the course of an eloquent speech, that the Sikh agitation had been peaceful but was taken over by violent elements.

This writer asked him if he was referring to Sant Bhindranwale as the 'violent elements'. He agreed. Reminding him that Sant Bhindranwale, in one of his speeches, had mentioned that over 140 persons had been killed and another one thousand crippled in police torture up to that date; that the Sikhs had tried persuasion with the police, legal action in courts and appeals to the national leaders and the press but that nobody had made any effort to stop the torture and the killings in custody; and then had gone on to ask the public as to how long the Sikhs should continue to quietly suffer without hitting back, this writer asked Gujral as to whether, in his opinion or according to his information, Sant Bhindranwale was lying and if not, what did leaders like him do about the killings and torture by the police and what should the Sant have done in the face of this oppression? Gujral replied that he had never thought about the problem from that point of view.

AN OPEN LETTER TO THE PRESIDENT OF INDIA

“Sukha & Jinda”

“EK ONKAR”

“Rastrapati Ji”

Kindly accept Sat Sri Akal (Salute to the Revered Timeless) by the two Singh (Sikhs) on way to martyrdom.

Theoretically, it is appropriate to clarify that our Rastrya (Nation) is the Khalsa Panth absorbed into the Guru Granth Sahib. We took the first vital steps towards the destination of Khalistan by touching our foreheads with the foot-dust of this nation. The elimination of Mr. Vaidya, the General of your forces engaged in destroying the Khalsa Panth and its power, was a holy act on our difficult path of martyrdom. It has once again bought the historical truth to light the urge of the Khalsa Panth to breath in freedom, its self-respect and honor cannot be finished.

We wish to clarify that we are not addressing these words to you as an individual but as the head of a State that is communal and Brahmanical. Whosoever occupies, occupied, or will occupy this throne of falsehood, will be to us a symbol of oppression and cruelty. We have not forgotten that when the “wedding party of sin” (the Indian Armed Forces) was invading the Temple of God founded by the God-blessed Mian Mir, a heathen in the garb of a Sikh, was sitting in your place. The Panth will ‘Settle its accounts” with him, when Sikh history imparts its justice.

By invading the Golden Temple your army tried to rob a nation of saint-soldiers, living in its divine simplicity, of its joy. It gave us a felling once as if you succeeded in driving us to a point of utter frustration. But by performing our historic task we have reminded you that our heroes like Sukha Singh, Mehtab Singh, Udham Singh are shadowing you tyrants like Wazida, Lakhpat, Rebeiro, Dawyer.

We accept with great joy the penalty of death pronounced by your court of law alienated from the divine blessings and fallen to the Brahmanical reflexes, for whatever we undertook in accordance with the vision of the Khalsa. By touching the sharp edge of death we are moving towards fullness. Without martyrdom the magnificent fare of life cannot come into full swing.

The fact is that the Brahmanical form of Hinduism thinks of the Akal Takhat and its thought-complex related to the movement and play of the Eternal in vulgar pragmatic terms. This sort of limited thinking of Brahmanical Hinduism puts the great institution of the Khalsa Panth on a very low pedestal and elaborates it in a very harsh practical sense. From this narrow angle the Akal Takhat is reduced to an ordinary building or at the most to a place of worship. The Khalsa Panth does not accept this situation. The Khalsa does not worship power, rather it enters history by empowering itself. The truth from the Akal Takhat has taught us that by being armed, the Khalsa has to snatch the power of the powerful and by absorption into the Eternal Word, the Khalsa has to assimilate the saintliness of the saint. This theory has destroyed the centralized authority of power and saintliness, and justly distributed them all over.

But the Sikh doctrine related to “Power and Saintliness” (Miri-Piri) was very threatening to the Brahmanical stream of thought. Because the new Sikh doctrine not only awakened the people, it also inspired them to organize themselves for an armed struggle under the leadership of the Akal Takhat by shattering falsehood of Brahmanical thought. The Masters of Centralism at once came into action. They began to repeat the well-designed danger to the “unity and integrity of the country” to retain power and encouraged the rise of “Personal Gurus” in the area of religion.

The thought of Brahmanical reflexes had in fact started attacking the consciousness of the Sikh Gurus ever since its emergence, but on 15th August after assuming imperial authority, the Brahmanical thought took still nastier forms. In the last few decades, your parliament, courts, educational institutions and media have tried to humble the consciousness of the Khalsa through the subtler force of majoritarianism and material monopoly. We are not hesitant to say that conspiracies have been hatched and are very subtle arrangements have been made at the psychological level to destroy the great institutions, traditions, originality, and unique sovereignty of the Khalsa Panth. The destruction of the Akal Takhat by sending in lakhs of soldiers was part of this larger conspiracy. In this situation, it hardly needs saying, how justified it was to eliminate the military general Vaidya who was not only a part of this conspiracy but also responsible for its planning and implementations. By completing this holy and historical task, we have unburdened our conscience and proved that the real force of the Khalsa Panth is and will remain free from the

Brahmanical reflexes in all ages. By cautioning the Khalsa Panth of the Brahmanical strategies we have won the love of Guru Gobind Singh.

When nations wake up, even history begins to shiver. During such momentous moments a Banda Bahadur bids farewell to his peace-dwelling and destroys a State of oppression like Sirhind, a Che Guevera turns down a ministership of Cuba, loads a gun on his breast and entrenches against the enemies in the forest of Bolivia, a Nelson Mandela rejects the ideology of apartheid and prefers to spend his life in a dark prison cell.

. . . And we have had the privilege of being in the loving care and companionship of that unique general of the Panth Sant Jarnail Singh Bhindranwale, blessed by the valiant and transcendental visionary Guru Gobind Singh. We are tiny particles of dust of the numberless heroic jewels of the Sikh nation who walked on the sharp edge of the Dagger, the Khanda, given to us by Guru Gobind Singh. Only the chosen few get the honor of laying down their lives for the nation. We are proud of this honor.

In no way it is just to accuse us of an unheroic act in attacking an unarmed man. We wish to remind you that by misusing your vast resources you have tried your utmost to humiliate us as a nation. In every field you have tried to make us helpless. You are empowered with your massive armed force and equipped with the most advanced military arsenal of our times. You have made us inadequate to fight you in the open battlefield. In the present situation there is no other alternative with us except to use the kind of method that we employed on General Vaidya to punish the tyrants for their evil deeds. When you are already waging an undeclared war on our nation, guerrilla attacks are not our pleasure but an historical compulsion. Please do not forget this fact of history that during the 18th Century when robbers like Abdali and Nadarshah were driving your daughters to Kabul like enroped flocks of animals, our brave Sikh brethren from their jungle and desert hideouts fiercely attacked the robbers. Even the frightened enemies had to praise our courage. We are fired with a generous humanism. Our grip extends to the entire life with its beat and vibration.

In the last one decade there have been very few “actual” encounters between our soldiers and your forces. But wherever those have occurred, the evidence in them of our valor and radiant heroism, we are sure, is preserved in your confidential files. A fragment of that fact once in a while slips though your newspapers as well. Our Khalsa vigor is an aspect of our spiritual heritage. In such moments of fight, spirituality radiates through the flashes of our swords.

Oh, President representing Brahmanism ! Hear the words of Kazi Noor Mohammad, an eye witness during the seventh invasion (1764 A. D.) of Ahmad Shah Abdali: “It looks as if guns were invented by these Sikhs and not by Likman. Although many posses guns yet none understands them more than the Sikhs. My observation will be conformed by the 30 thousand brave soldiers who fought against them.”

When we attacked General Vaidya, apart from his own arms, he had with him a well equipped body guard. Our attack was part of the same battlefield strategy that was once used by our hero-martyrs Madan Lal Dhingra, Bhagat Singh, Kartar Singh Sarabha, and even today it is used by revolutionaries the world over, and considered right.

Through you we also wish to transmit this message that we harbor no enmity towards the great people and land of India. We are not touched even a bit by hatred for the people of India. Not only to embrace our people, we are restless to embrace the whole world of the earth and the sky. We intoxicatingly remember the entire cosmos and worship the life vibrates in it.

The Khalsa is inseparably and lovingly related to the people of India: the millions of Dalits, the workers who earn their living through honest labor, the Muslims and other minorities, and all those homeless and destitutes who have remained oppressed and exploited by Brahmanism for centuries. They are all our kith and kin. Our Master Rider of the blue horse (Guru Gobind Singh) recognized them much earlier. All those termed by the proud Brahmin the lowly, scavengers, shoe-makers, mean-professioned, became the beloved sons of our Tenth Father. They rose to Generalships in the army of the Khalsa. Thrones and honors kissed them. Without fantasizing, we are declaring in the midst of history that our gurus loved the meta-poetry (bani) of those divine souls drenched with a passion for the Dalit brotherhood. The gurus bestowed the highest honors on them and included their bani alongwith their own in the Guru Granth Sahib. The spirit of the Dalits and their pain are aspects of our own anguish. We are touched by the warmth of their existence. But the network of the Brahmanical falsehood is large that it is not letting the Dalits understand the

real nature of our struggle. When the Dalits embrace the Khalsa, worldly honor and higher status will be theirs once again. We are waiting for that auspicious moment.

We pray for the well being of all before the Guru Granth Sahib. It also instills tremendous self-confidence in us. Inspired, our heroes like Sukha Singh and Mehtab Singh kill a tyrant like Massa Ranghar and bring the head as an offering to the community. Our inspiration also stems from the same Guru Granth Sahib. With a fierce determination we have a position against your falsehood and trickery. We have taken an oath to fight to our last breath to wage a war for the establishment of a Sovereign Khalistan. To us, you are a symbol of evil, and weather cruelty is being inflicted on us by your followers, we are bearing with great joy. Our Beant Singh and Satwant Singh were also inspired by the light of the same Guru Granth Sahib and they went for a great deed. After them, we too had the privilege of being inspired by a ray of the same divine light and we struck General Vaidya in Pune.

Please do not mistake this letter as an appeal. We are not begging mercy from you by expressing any regrets on the killing of General Vaidya. We are not least repentant, in fact with full responsibility and commitment we declare it as our significant deed. After completing the historic task we are feeling light like the song of a nightingale. Our faces radiate with the light and freshness of a new dawn.

At moment we are occupying a throne that blesses us with a vision of the immense possibilities of life. We are initiated into the beautiful and unknown secrets of martyrdom. Our gurus were already with us, we are now feeling the presence of all the martyrs of the world. These spirits read and understand the light and language of our rotating eyes. How lovely the words of great Emerson are where he says that human nobility needs its heroes and martyrs. And for this reason, he adds the trial of torture goes on. The silence of Socrates and the divine frenzy of Mansoor will penetrate our martyrdom. We are already in the realm where time and space diminish. We are witnessing history, religion, philosophy, complex knowledges, facts and objects in their purest forms.

While pointing out the mysteries of the heavens when we are gone beyond the humdrum of the world, we will be still very close to our nation, closer than the large vein of the throat. In no way are our aspirations exhausted. We are the eternal flame of human depths that will ever burn in the hearts of the Khalsa.

You are madly proud of your worldly kingdom, of physical numbers, of a large army well-equipped with the latest arsenal, of vast resources, your capacity to force the small countries and nations to submit to your gangsterism. But look at us! We take pride only in the Grace of God. Our treasury are the blessings of Khalsa that sings the song of the fearless and the kindly-Disposed. Let us position you in the midst of history and remind you of the warning of the Tenth Guru:

Babin Gardishe Bewafae Zaman Ki Bar Har Baguzard Makino Makan.

It means: look at the unfaithful rotation of time. It will engulf everything. But you are not ready at all to understand the unfaithful rotation of time. Ego and worldly motives have seized you. When temporary and short-lived successes throw you off your balance you get drunk with ego. You are deprived of such great blessings as the capacity of seeing the colorful diversity of nature, a transcendental vision, the qualities of higher conduct, justice and wisdom.

Narrow pragmatic objectives have seized you. Your conscience is burdened by sins, but you are not even close to remorse. Since you are so far away from the great rush of the divine blessing, the Khalsa does not recognize your worldly kingdom. You love these transient touchables to such an extent that they have become your ultimates. Each form of you "detachedness" has lost its shine. You have indulged only in hurtful deeds. We are compelled to announce that your nation does not agree with the Khalsa nation of "saint." We will not test your authority any more. It is already clouded by spiritual poverty.

We have made these comments on you by keeping fully intact our psychic concentration, critical method, imagination and insight. We have enough moral ground to make the comments on you especially after bearing the cruelty of your authority inflicted on our bodies following the Operation Bluestar. We are also enclosing with this letter a document (as an Appendix) that is an essential part of this writing. You will see in that document your bloody face fully reflected through your actions.

After winning the so-called freedom in 1947, we became the most deprived ones. Although 95 percent of the sacrifices made for freedom were by the Khalsa, yet immediately after assuming power your Home Minister Mr. Patel, through a special circular, labeled the Sikhs as a community of criminals.

The whole of India was re-organized linguistically but only the Punjab was discriminated again.

For obtaining the Punjabi speaking State, lakhs of Sikhs went to jail and became martyrs. When after 19 years the State was finally granted, it was an inadequate and punctured one. Chandigarh and several Punjabi speaking areas were kept out of new State. Violating all the international norms, the Punjab was deprived of its proprietorship of natural resources. Distribution of waters is an evidence of this injustice.

You also retained the initiative and powers for Punjab's economic development. The path of development that you adopted was one-dimensional and directionless. It resulted into the imbalance of economy.

Your design is to keep our industrial development at your will and never let us be self-reliant. You want to see us standing as beggars at your door. There is hardly any Agro Industry in the Punjab. Heavy Industry is totally non-existent. We want to keep our capital safe for our development, but you are exploiting us as if we were your colony.

You have not spared any effort to hurt our culture. By damaging our heritage you want to keep us in a miserable psychological state so that we may feel embarrassed over our language, culture and proud history. Your strategy is to destroy us from "within" and reduce us to your slaves so that you may keep on sucking our blood without any protest.

You want us to adopt your rootless culture of razzle dazzle as our way of life. You want to uproot our culture and take away our source of life. You think our history is not worthy of any significance.

But now we keep track of you every step. Still a vital blood flows in our veins. We will structure our way of life accordingly to our originality and history. Every one knows that without getting political power it is not possible for any nation to guard its culture. It is not possible for us to keep our culture. It is not possible for us to keep our cultural and national identity intact without establishing a Sovereign Khalistan. We are offering our heads for achieving our goal:

Our True Guru has granted a sovereign State to us
We have won his blessing by offering our heads.

Now we beg to address our Khalsa Panth. The way of the Khalsa is very trying. It is sharper than the edge of a Dagger, the Khanda, and subtler than a strand of hair. The Khalsa Panth at all cost has to preserve the original and pure form of its great struggle. The struggle is a divine journey inspired by a transcendental consciousness. During the moments of struggle, the Khalsa is to remain continuously absorbed into the Guru Granth Sahib, no matter how many cruelties are inflicted and provocation is given, the Khalsa has to keep its cool and discipline in the horrible and barbaric situations. The Khalsa has to preserve its traditions established by the valiant Sikhs through martyrdom.

In comparison with the violence of the enemy, the violence of the Khalsa abounds in divine qualities and spiritual blessings. The Khalsa has to give such a divine form and beauty to its struggle that it may even burden the conscience of the enemy with the realization of its own sin. Such a moral miracle will be possible only if the concentration on the guru of the Khalsa and rhythm of the Guru Granth Sahib remain fully connected and intact. The Guru Granth Sahib is the main source of our life-stream and spiritual power. It is also the chief spring of our inspiration to advance towards the destination Khalistan.

If concentration on the guru and the internal rhythm of the Guru Granth Sahib are the main lifestream of the Khalsa, then it is also necessary to say a few words to the militants who are intensely in love with the stream. In this terrible crisis of history the concentration on the guru and the rhythm of the Guru Granth Sahib are the only armed brigades. They are the army of the Timeless Man, and they are the guardians of the pure consciousness of the Khalsa. We too had the honor of having been the humble parts of these forces.

It is true that we are confronting a vast material State that has at its command all the worldly resources, horrifying scientific inventions, a capacity to attack and disable the intellect and praxis. The State can also weaken us through

penetration and strategies of its intelligence. It can also develop shocking plans and more than everything else it can assemble huge armies. But so what? The Khalsa can send shivers into the spine of the enemy and shake its State with its spiritual might. It is not the bodies alone that fight. It was only the miracle of the Khalsa's spiritual strength that even with its tiny number of the Khalsa subdued the 10 lakh army of the Mughals at the Castle of ChamKaur.

During the last decade we have overwhelmed this State of Brahmanical prejudices with martyrdom. We have been hailed in all corners. Now the matter is not restricted to the possible creation of Khalistan alone. Several oppressed nations of India have come out in the open to fight for their freedom. The Dalit brothers, especially, are liberating themselves from the destructive influence of Brahmanism. The so-called hue and cry made for "unity and integrity" does not touch them any more. They have well understood the cunning of Brahmanical rulers veiled behind this hue and cry. Although these are magnificent accomplishments of our movement still we are not free from big mistakes and inadequacies.

Sometimes, during our struggle we do commit something that is neither morally unique nor pious. Although we are marching towards our goal of achieving Khalistan with determination yet still we have not fully learnt how to go through this difficult terrain. The understanding and experience of our struggle are still diluted and superficial. We have still to develop a large vision that crosses decades and centuries.

We still keep doing something that gives our enemy an opportunity to question our proud and glorious history. Several times our arms have wrecked the joys, blossoms and aspirations of those who had never directly hurt our movement.

It appears sometimes as if we were trying to strike terror among the people although our commitment to the ninth guru is neither to terrify nor to get terrified.

Oh valiant brethren! Why are not our actions and deeds firing many colors and proliferating unusual effects of life? Why to give the people an excuse that a wide gap had appeared between our mind, word and action. When we sin we become drunk with victory of fault and when we lose we do not investigate its reasons. As a result a chain of losses begins. In such a situation we do not urge to reintegrate ourselves with the transcendental consciousness of the Khalsa, nor do we seek the blessing of the guru's abode.

We are becoming martyrs, going to jails, bearing every attack of the enemy, but still in our basic thought, the gratitude to the Lord, patience and commitment have not fully penetrated. Sometimes, the glory of the material status, its power and shine captivate us, as a result we fall preys to material values and miracles. During such moments we do not passionately pray before the Guru Granth Sahib to keep our unique character by heroism and spirituality higher and untouched by narrow ends.

Several times we suffer from indecision. To free ourselves from the state instead of getting close to the guru we rather choose distance. We are forgetting that during disagreement among us, the resolution guide us. Oh Brave brethren drenched with the divine love of the sixth guru, Hargobind Sahib! Why don't you flock towards the Akal Takhat for guidance? Our guru spreading his arms awaits us.

At times, our baseless suspicion divide us into groups. We then patronize our group, and to protect it we unnecessarily accuse the other groups crossing all limits. Our sword proudly falls on their necks. The militants of the Khalsa Panth have to meet this serious challenge of the moment with determination and love, with a prayer for the enhancement of wisdom and humility of the mind. Will you follow this path our brethren after we are gone?

Oh militant comrades of the procession of those walking with their heads of the palms for sacrifice! You carry on your shoulders the historic responsibility for recognizing the main life-stream and original form of the Khalsa and also the responsibility of identifying the deadly current of ignorance and temptation. This current, to obtain power, has fallen to act on Brahmanical practices. Please understand the narrow motives concealed behind this current that on surface appears to be pro-Sikh. Wage a war against it. Its divisive tendencies are to be strongly resisted. The people associated with this current have lost their faith in the higher struggle. They have been tempted by the Brahmanical reflexes and its allied power hierarchies. They have begun to like evanescent colors. Their actions do not reflect the message of Guru Nanak's transcendental journey: Nor do they flash any divine experience. Their state mirrors a schism between the mind and word. Declare that these people are false and they have disowned our path. If they want to be owned by

the Khalsa and they feel that there is still in them a secret of truth enunciated by Guru Nanak, let them advance straight towards Khalistan otherwise they will be thrown into the dustbin of history.

Respected President Ji ! After these few words with our nation we again address you. When we bid farewell to the world it will be strange meeting of numerous contradictions. If we look at the world insightfully, the whole world is in turmoil, a powerful turmoil. With an alien eye it may look to be a destructive development. It feels as if human peace and action were going through acute disturbance, but the people with intuition can see all this from a different angle altogether.

The humankind's aspiration for freedom cannot be controlled in any system. Any effort to destroy this aspiration gets self-defeated in history. We are witnessing the same happening in our times also.

The same passion for freedom burning like a flame in the depths of the humankind gave birth to the great French Revolution. And then in the beginning of this century, we watched trembling down in history, the Tsarist regime that had become a symbol of terror and tyranny.

But whatever systems have been built up on the ruins of Tsarism, have not succeeded in fully preserving and understanding the rush and aspiration of human freedom. All these massive artifices are showing cracks. What an irony of our times that the same people who had raised our ancestor's flag of freedom became the murderers of freedom.

We are saying this with deep sorrow that the same lands where lakhs of people laid down their lives fighting the Nazis, today are providing shelter to the murderers of the Sikhs. We mean the country of great Tolstoy and Lenin -- the Soviet Union and their East-European allies where the killers of hundreds of Sikh Youth like Ray and Rebiro are taking shelter under the pretext of holding diplomatic responsibilities. But at the same time fresh winds of freedom blowing in these countries give us a hope that these countries will not remain safe shelters for these murderers of humankind. To us that time is not distant when the people of these countries will hand over these criminals to us so that they can be given their due in the court of the Khalsa.

The dark storm of oppression that is blowing over the Khalsa and the fire of tyranny that is burning it, must have touched at least a little, the souls of Lincoln, Emerson, Rousseau, Voltaire, and Shakespeare because the people fighting for their freedom and sovereignty have the same blood flowing in their veins. But permit us to say that among the people of these great men's lands, the urge to push their tradition is dying. Their spiritual values are drying up, they are unable to see the new sun shining in the land of Khalistan whose rays will also radiate the universe. We are hoping that they will accept the reality of Khalistan. We appeal to the United Nations to recognize the face of Khalistan so that the Khalsa nation can make historic contribution to the international peace and security according to the UN Charter, and may also help in building up the relations of tolerance and goodwill among India and its neighbors.

Honorable President Ji ! We are going to look into the eyes of death because the flag of life's glory flies even in the face of death. Not only us, but our entire nation has taken birth from the art of keeping head on its palm. The guns of evil will never frighten us.

In this era of betrayals, we are going to meet our beloved in full faith and wholesomely. Our martyrdom will radiate only integration. We are feeling that martyrdom is a transcendence of all fears, greeds, and obscene physical desires. The consciousness of the Khalsa is the most pure and luminous during the moments of martyrdom.

We have chosen the path of martyrdom so that the ever fresh face of the Khalsa and its unique glory can come into its own once again, and enlighten the whole world. In their eternal joy and grace the Gurus blessed us with a spark of their love. With that spark we are going to light up all the skies on full blossom. Our love for freedom has taken us to a state of cosmic equilibrium - sahaj.

We have met our True Guru. The fairies of the eternal symphony have arrived to congratulate us with all their families at this momentous hour of meeting.

Martyrdom has a unique relish of its own. How wonderful is it ! Beyond the material and ineffable emotions.

Please tell our nation not to be sorrowful. The sweet remembrance of that wearer of non-de-plume, Guru Gobind Singh flows like a river in us. Please tell them that the stream of love of the Tenth Guru has already gushed forth in us. We are going towards the altar in a higher peace and divine poise. We are riding a unique boat that the currents are unable to sink:

The maker has put together all the wood perfectly, O Nanak my Lord will not let even lakhs of sea currents sink the boat;

The Khalsa has upheld the belief that wherever death comes, accept it with joy. For this reason please tell all those warriors of the world burning with the fire of freedom not to let go mellow the challenge thrown by us. Let their bursting bullets become a lament on our death.

The rope of gallows is dear to us like the embrace of our Lover but if we are condemned to be the prisoners of war, we will wish bullets to kiss the truth lurking in our breasts so that the sacred ground of Khalistan becomes more fertile with our warm blood.

Long live Khalistan !!!

We are restless to drink the pint of martyrdom of Khalistan.

Harjinder Singh

Sukhdev Singh

Enclosure:

Atrocities Perpetrated on the Sikhs.

Dear Rastrapati Ji,

We are giving below the methods of torture, humiliation and atrocities used by your State against the Sikhs. These have been mentioned by the humanitarian organizations and individuals who hold prestige in their respective fields. These organizations and individuals are not seen directly or emotionally connected with our movement. They have admitted about the extreme violations of human rights of our people. We wish you to know and witness the continuous repression and atrocities perpetrated against the Sikhs by your army, para-military forces and police. We are not presenting all this to you to win your sympathy, nor do we wish you repent by taking pity on us. In fact by situating you in this picture we want to have the verdict of the people of the world over the extent you have violated the U. N. O. 's Declaration on Human Rights, the Geneva Convention, and many other international treaties. We are mentioning below the violations and atrocities:

- To interrogate the Sikhs, a round log of wood is placed on their legs, and after putting heavy weight on the log it is rotated on the legs.
- Chilly powder is sprinkled in the eyes and sex organs of the Sikhs.
- The Sikhs are hung upside down from the ceilings till they became unconscious.
- The body joints are battered.
- Electric shocks are given making most of the youth impotent.
- The Sikh women during interrogation are hurt in their sex organs. Filthy abuse is showered on them.
- Violence is inflicted on the parents in presence of their sons and daughters and vice-versa.
- Brothers are gotten beaten by sisters and vice-versa, violence is inflicted on adult girls after stripping them naked, their sex organs are damaged. They are sexually assaulted, pregnancies are terminated of the expectant females.
- Crotches are pulled apart.
- The victims of inhuman violence are made to sit naked in winter, and under the sun in summer, kept sleepless for days in solitary cells.
- The Sikhs are subjected to severe beating and filthy abuse in the presence of their village folks.

- The dead bodies of the Sikhs killed in the fake encounters are not handed-over to their parents to conceal excessive violence.
- The State manipulates tailored post-mortem reports from the doctors, and burns the dead bodies of the Sikhs after falsely declaring them unclaimed.
- All sorts of excesses are made on the parents of the underground Sikh youths.
- Indiscriminate atrocities are committed on the parents of the underground youth of the area where some militant action takes place.
- Atrocities are committed without caring for one's age, health, life or death. If some one luckily survives such brutal excesses, it is well and good. But if one dies while under "Interrogation" then such a dead body is taken out, pierced with some bullets, and a news item is sent that dreaded terrorist has been shot dead in a police encounter.
- The houses of the underground Sikh youths are demolished, their belongings are looted, crop destroyed, their tubewell motors are forcibly taken away, they are stopped to sow new crops.
- Even the distant relatives are subjected to atrocities.
- Even animals of the families of the underground Sikh youth are subjected to police anger. After summoning the families to the police station they (villagers) are told not to take care of the animals of the families of the underground youth. Generally the animals starve and die.
- The residents of the vicinity of the underground Sikh youth are beaten up indiscriminately.
- The interrogation centers deserve to be called Butcheries.
- False cases are registered against innocent Sikh youth, later they are let off after taking fat bribes.
- The Editors and reporters giving true reports are arrested, and undeclared censorship is imposed on them to stop them from exposing Police atrocities.
- Peaceful protests by the Human rights organizations are prohibited.
- The media in India and abroad are misused to launch vicious and false propaganda against the Sikhs.
- Hardened criminals have been inducted into Sikh movement to help arrest the Sikh revolutionaries and sabotage the movement. Such criminals inducted to tarnish the fair name of the Sikh revolutionaries are now called "Black Cats" in Punjab. Under S. S. P. Izhar Alam, such criminal gangs were named as "Alam Sena." Besides, such police sponsored bands of criminals also operate under the name: "Panthic Tiger Force" as he wanted to gain control over the gurdwaras, and for this purpose he needed a name which appeared "Panthic" for the people. The Director General of Police has himself admitted about the "Black Cats" bands. In his interview to the India Today on September 15, 1988 K. P. S. Gill had announced it without an iota of shame that the security forces in Punjab cannot do anything without the help of secret bands (Black Cats). Therefore, there is no question of dismantling these bands.
- Thousand of innocent pilgrims, children, females, aged people, who got encircled in the Golden Temple during Bluestar Operation were made to die through starvation and thirst. The whole Punjab was converted into a vast jail by clamping curfew on the entire area. The army bulletin branded all the Amritdhari Sikhs as terrorists.
- The Indian Army desecrated the Gurdwaras and committed such atrocities on the Sikhs that even the soul of Ahmad Shah Abdali might have felt ashamed of.
- During its simultaneous attack on the Golden temple, the Akal Takhat, and several other Gurdwaras of Punjab, the Indian Army trampled down and insulted each and every clause of the Geneva convention, U. N. O. 's declaration and international treaties on war. The Indian army's attitude was such as if it was raging a war against alien people. By giving a few illustration in this regard we demand that cases be registered in the international Court against the Army personnel involved in the Bluestar Operation for their crimes so that India's communal Hindu Government, which never gets tired of boasting of its commitment to high human values, is fully exposed in the comity of nations.
- During the army attack on the Golden Temple, no security due under the Geneva Convention was provided to thousands of pilgrims and other present over there.
- The journalists were disallowed from going inside the Golden Temple. The foreign Reporters were turned out of Punjab so that they did not get a chance to see with their own eyes the atrocious deeds of the Indian army.
- Censorship was clamped on the news papers so that, people did not get full information about the army attack on the Golden temple. Fearing that truth can also travel to the world by mouth, the whole traffic from and to Punjab was stopped.
- The whole Punjab was put under curfew.
- The army attack was on a grand scale, and it involved both land forces and air forces.
- The Indian Army employed guns and tanks in its operation so that buildings accommodating the pilgrims and devotees could be blown away.

- The firing from the army was so intense that thousands of buildings were razed to the ground. According to the government's own estimate, 800 houses and shops got demolished during the attack.
- The Targets of army guns were none else but religious persons, devotees, pilgrims, ladies, old people, children or some militants whom the Indian Government calls terrorists.
- No neutral observer was allowed to take stock of the situation obtaining at the that time in the Golden Temple Complex.
- The injured people during the attack on the Golden temple were subjected to extreme partiality. Where as every assistance and facility was made available to the injured army personnel, there was no such provision for the wounded belonging to the opposite side.
- The number of prisoners taken was rather small indeed. This is ample scope for doubt that the Indian army had thought it better to eliminate the thousands of people seized in the Golden Temple Complex instead of taking prisoners of providing them with medical assistance.
- No need was felt to perform religious rites for the dead pilgrims and devotees.
- Before consigning the dead bodies to flames, neither any effort was made to identify them nor relatives were informed about identifying dead ones. As whole of the Punjab was in grip of curfew, no relative could reach there.
- The Geneva convention was violated by not handing-over the dead bodies to the next of kin. In such a cruel situation only the dead or those wishing to be dead could be present for the last rites.
- While performing the last rites of the dead Sikhs, the Indian Army did not feel any need of proper respect or decorum due at such occasions.
- All the dead bodies were placed in heaps and then consigned to flame. It was never insured that among the dead there could also be some Muslim devotees. To burn the dead Muslims is against the tenets of Islam. In this way no care was taken to know the religion of the dead ones and how their last rites were to be performed.
- No need was felt to give a list of the dead to the Red Cross or any other International Agency.
- Despite such atrocities by the Indian army no commission was appointed to go into the dark episode. Even the Britishers, the foreign rulers, had cared to appoint Hunter Commission to inquire into the Jallianwala Massacre which was of a much less magnitude. On the other hand, the Indian government took all the steps to hide the army excesses on the Sikhs.

THE GHOST OF INDIRA GANDHI

Amitav Ghosh
17 July 1995

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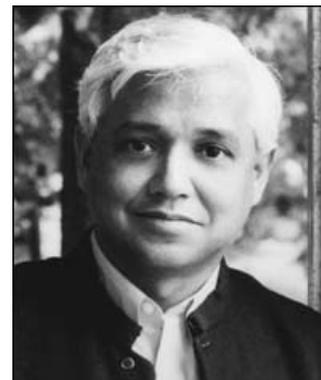
Nowhere else in the world did the year 1984 fulfill its apocalyptic portents as it did in India. Separatist violence in the Punjab, the military attack on the great Sikh temple of Amritsar; the assassination of the Prime Minister, Mrs. Indira Gandhi; riots in several cities; the gas disaster in Bhopal – the events followed relentlessly on each other. There were days in 1984 when it took courage to open the New Delhi papers in the morning.

Of the year's many catastrophes, the sectarian violence following Mrs Gandhi's death had the greatest effect on my life. Looking back, I see that the experiences of that period were profoundly important to my development as a writer; so much so that I have never attempted to write about them until now.

At that time, I was living in a part of New Delhi called Defence Colony – a neighborhood of large, labyrinthine houses, with little self-contained warrens of servants' rooms tucked away on roof-tops and above garages. When I lived there, those rooms had come to house a floating population of the young and straitened journalists, copywriters, minor executives, and university people like myself. We batted upon this wealthy enclave like mites in a honeycomb, spreading from rooftop to rooftop. Our ramshackle lives curtailed from our landlords of chiffon-draped washing lines and thickets of TV serials.

I was twenty-eight. The city I considered home was Calcutta, but New Delhi was where I had spent all my adult life except for a few years in England and Egypt. I had returned to India two years before, upon completing a doctorate at Oxford, and recently found a teaching job at Delhi University. But it was in the privacy of my baking rooftop hutch that my real life was lived. I was writing my first novel, in the classic fashion, perched in garret.

On the morning of October 31, the day of Mrs. Gandhi's death, I caught a bus to Delhi University, as usual, at about half past nine. From where I lived, it took an hour and half; a long commute, but not an exceptional one for New Delhi. The assassination had occurred shortly before, just a few miles away, but I had no knowledge of this when I boarded the bus. Nor did I notice anything untoward at any point during the ninety-minute journey. But the news, traveling by word of mouth, raced my bus to the university.



Amitav Ghosh

When I walked into the grounds, I saw not the usual boisterous, Frisbee-throwing crowd of students but a small group of people standing intently around transistor radio. A young man detached himself from one of the huddles and approached me, his mouth twisted into light tipped, knowing smile that seems always to accompany the gambit "Have you heard...?"

The campus was humming, he said. No one knew for sure, but it was being said that Mrs. Gandhi had been shot. The word was that she had been assassinated by two Sikh bodyguards, in revenge for her having sent troops to raid the Sikhs' Golden Temple in Amritsar earlier that year.

Just before stepping into the lecture room, I heard a report on All India Radio, the national network: Mrs. Gandhi had been rushed to hospital after her attempted assassinations.

Nothing stopped: the momentum of the daily routine carried things forward. I went into a classroom and began my lecture, but not many students had shown up and those who had were distracted and distant; there was a lot of fidgeting.

Halfway through the class, I looked out through the room's single, slit-like window. The sunlight lay bright on the lawn below and on the trees beyond. It was the time of year when Delhi was at its best, crisp and cool. Its abundant greenery freshly watered by the recently retreated monsoons, its skies washed sparkling clean. By the time I turned back, I had forgotten what I was saying and had to reach for my notes.

My unsteadiness surprised me. I was not an uncritical admirer of Mrs. Gandhi. Her brief period of semi-dictatorial rule in the mid-seventies was still alive in my memory. But the ghastliness of her sudden murder was a reminder of the very real qualities that had been taken for granted: her fortitude, her dignity, her physical courage, her endurance. Yet it was just not grief I felt at the moment. Rather, it was a sense of something loose, of a mooring coming unmoored somewhat within.

The first reliable report of Mrs. Gandhi's death was broadcast from Karachi, by Pakistan, at around 1:30 PM. On All India Radio regular broadcast had been replaced by music.

I left the university in the late afternoon with a friend, Hari Sen, who lived at the other end of the city. I needed to make a long-distance call, and he had offered to let me use his family telephone.

To get to Hari's house we had to change buses at Connaught Place, that elegant circular arcade that lies at the geographical heart of Delhi, linking the old city with the new. As the bus swung around the periphery of the arcade, I noticed that the shops, stalls, and eateries were beginning to shut down, even though it was still afternoon.

Our next bus was not quite full, which was unusual. Just as it was pulling out, a man ran out of the office and jumped on. He was middle-aged and dressed in shirt and trousers, evidently an employee in one of the government buildings. He was a Sikh, but I scarcely noticed this at the time.

He probably jumped on without giving the matter any thought, this being his regular, daily bus. But, as it happened, on this day no choice could have been more unfortunate, for the route of the bus went past the hospital where Indira Gandhi's body then lay. Certain loyalists in her party had begun inciting the crowds gathered there to seek revenge. The motorcade of Giani Zail Singh, the President of the Republic, a Sikh, had already been attacked by a mob.

None of this was known to us then, and we would never have suspected it: violence had never been directed at the Sikhs in Delhi.

As the bus made its way down New Delhi's broad, tree-lined avenues, official-looking cars, with outriders and escorts, overtook us, speeding toward the hospital. As we drew nearer, it became evident that a large number of people had gathered there. But this was no ordinary crowd: it seemed to consist of red-eyed young men in half-buttoned shirts. It was now that I noticed that my Sikh fellow-passenger was showing signs of anxiety, sometimes standing up to look out, sometimes glancing out the door. It was too late to get off the bus; thugs were everywhere.

The bands of young men grew more and more menacing as we approached the hospital. There was a watchfulness about them; some were armed with steel rods and bicycle chains; others had fanned out across the busy road and were stopping cars and buses.

A stout woman in sari sitting across aisle from me was the first to understand what was going on. Rising to her feet, she gestured urgently at the Sikh, who was sitting hunched in his seat. She hissed at him in Hindi, telling him to get down and keep out of sight.

The man started in surprise and squeezed himself into the narrow footspace between the seats. Minutes later, our bus was intercepted by a group of young men dressed in bright, sharp synthetics. Several had bicycle chains wrapped around their wrists. They ran along beside the bus as it slowed to a halt. We heard them call out to the driver through the open door, asking if there were any Sikhs in the bus.

The driver shook his head. No, he said, there were no Sikhs in the bus.

A few rows ahead of me, the crouching turbaned figure had gone completely still.

Outside, some of the young men were jumping up to look through the windows, asking if there were any Sikhs in the bus. There was no anger in their voices; that was the most chilling thing of all.

No, someone said, and immediately other voices picked up the refrain. Soon all the passengers were shaking their heads and saying, no, no, let us go now, we have to get home.

Eventually, the thugs stepped back and waved us through.

Nobody said a word as we sped away down Ring Road.

Hari Sen lived in one of New Delhi's recently developed residential colonies. It was called Safdarjang Enclave, and it was neatly and solidly middle-class, a neighborhood of aspirations rather than opulence. Like most such suburbs, the area had a mixed population: Sikhs were well represented.

A long street ran from end to end of the neighborhood, like the spine of a comb, with parallel side streets running off it. Hari lived at the end of one of those streets, in a fairly typical, big, one-storey bungalow. The house next door, however, was much grander and uncharacteristically daring in design. An angular structure, it was perched rakishly on stilts. Mr. Bawa, the owner, was an elderly Sikh who had spent a long time abroad, working with various international organizations. For several years, he had resided in Southeast Asia; thus the stilts.

Hari lived with his family in a household so large and eccentric that it had come to be known among his friends as Macondo, after Gabriel Garcia Marquez's magical village. On this occasion, however, only his mother and teenage sister were at home. I decided to stay over.

It was a bright morning. When I stepped into the sunshine, I came upon a sight that I could never have imagined. In every direction, columns of smoke rose slowly into a limpid sky. Sikh houses and businesses were burning. The fires were so carefully targeted that they created an effect quite different from that of a general conflagration: it was like looking upward into the vault of some vast pillared hall.

The columns of smoke increased in number even as I stood outside watching. Some fires were burning a short distance away. I spoke to a passerby and learned that several nearby Sikh houses had been looted and set on fire that morning. The mob had started at the far end of the colony and was working its way in our direction. Hindus or Muslims who had sheltered Sikhs were also being attacked; their houses too were being looted and burned.

It was still and quite, eerily so. The usual sounds of rush-hour traffic were absent. But every so often we heard a speeding car or a motorcycle on the main street. Later, we discovered that these mysterious speeding vehicles were instrumental in directing the carnage that was taking place. Protected by certain politicians, "organizers" were zooming around the city, assembling the mobs and transporting them to Sikh-owned houses and shops.

Apparently, the transportation was provided free. A civil-rights report published shortly afterward stated that this phase of violence "began with the arrival of groups of armed people in tempo vans, scooters, motorcycles or trucks," and went on to say,

With cans of petrol they went around the localities and systematically set fire to Sikh-houses, shops and Gurdwaras...the targets were primarily young Sikhs. They were dragged out, beaten up and then burned alive...In all the affected spots, a calculated attempt to terrorize the people was evident in the common tendency among the assailants to burn alive Sikhs on public roads.

Fire was everywhere; it was the day's motif. Throughout the city, Sikh houses were being looted and then set on fire, often with their occupants still inside.



Sikh woman weeps after her husband was burned to death.

A survivor – a woman who lost her husband and three sons – offered the following account to Veena Das, a Delhi sociologist:

Some people, the neighbors, one of my relatives, said it would be better if we hid in an abandoned house nearby. So my husband took our three sons and hid there. We locked the house from outside, but there was treachery in people's hearts. Someone must have told the crowd. They baited him to come out. Then they poured kerosene on that house. They burnt them alive. When I went there that night, the bodies of my sons were on the loft – huddled together.

Over the next few days, some 2,500 people died in Delhi alone. Thousands more died in other cities. The total death toll will never be known. The dead were overwhelmingly Sikh men. Entire neighborhoods were gutted; tens of thousands of people were left homeless.

Like many other members of my generation, I grew up believing that mass slaughter of the kind that accompanied the Partition of India and Pakistan, in 1947, could never happen again. But that morning in the city of Delhi, the violence had reached the same level of intensity.

As Hari and I stood staring into the smoke-streaked sky, Mrs. Sen, Hari's mother, was thinking of matters closer at hand. She was about fifty, a tall, graceful woman with a gentle, soft-spoken manner. In an understated way, she was also deeply religious, a devout Hindu. When she heard what was happening, she picked up the phone and called Mr. and Mrs. Bawa, the elderly Sikh couple next door, to let them know that they were welcome to come over. She met with unexpected response: an awkward silence. Mrs. Bawa thought she was joking, and wasn't sure whether to be amused or not.

Toward midday, Mrs. Sen received a phone call: the mob was now in the immediate neighborhood, advancing systematically from street to street. Hari decided that it was time to go over and have a talk with the Bawas. I went along.

Mr. Bawa proved to be small, slight man. Although he was casually dressed, his turban was neatly tied and his beard was carefully combed and bound. He was puzzled by our visit. After a polite greeting, he asked what he could do for us. It fell to Hari to explain.

Mr. Bawa had heard about Indira's assassination, of course, and he knew there had been some trouble. But he could not understand why these "disturbances" should impinge on him or his wife. He had no more sympathy for Sikh terrorists than we did; his revulsion at the assassination was, if anything, even greater than ours. Not only was his commitment to India and the Indian state absolute but it was evident from his bearing that he belonged to the country's ruling elite.

How do you explain to someone who has spent a lifetime cocooned in privilege that a potentially terminal rent has appeared in the wrappings? We found ourselves faltering. Mr. Bawa could not bring himself to believe that a mob might attack him.

By the time we left, it was Mr. Bawa who was mouthing reassurances. He sent us off with jovial pats on our backs. He did not actually say "Buck up", but his manner said it for him.

We were confident that the government would soon act to stop the violence. In India, there is a drill associated with civil disturbances: a curfew is declared; paramilitary units are deployed; in extreme cases the army marches to the stricken areas. No city in India is better equipped to perform this drill than New Delhi, with its huge security apparatus. We learned later that in some cities – Calcutta, for example, the state authorities did act promptly to prevent violence. But in New Delhi – and much of North India – hours followed without a response.



Gurdwara set ablaze.

Every few minutes we turned to the radio, hoping to hear that the Army had been ordered out. All we heard was mournful music and descriptions of Mrs. Gandhi's lying in state; of coming and goings of dignitaries, foreign and national. The bulletins could have been message from another planet.

As the afternoon progressed, we continued to hear reports of the mob's steady advance. Before long, it had reached the next alley: we could hear the oices; the smoke was everywhere. There was still no sign of Army or police.

Hari again called Mr. Bawa, and now the flames visible from his windows, he was more receptive. He agreed to come over with his wife, just for a short while. But there was a problem: How? The two properties were separated by a shoulder –high wall, so it was impossible to walk from one house to the other except along the street.

I spotted a few thugs already at the end of the street. We could hear the occasional motorcycle, cruising slowly up and down. The Bawas could not risk stepping out in the street. They would be seen: the sun had dipped low in the sky, but it was still light. Mr. Bawa balked at the thought of climbing over the wall: it seemed an inseparable obstacle at his age. But eventually Hari persuaded him to try.

We went to wait for them at the back of the Sen's house – in a spot that was well shelterd from the street. The mob seemed terrifyingly close, the Bawas reckless in their tardiness. A long time appeared before the elderly couple finally appeared, hurrying towards us.

Mr. Bawa had changed before leaving the house: he was neatly dressed, dapper, even a blazer and cravat. Mrs. Bawa dressed in *salwar* and *kameez*. Their cook was with them, and it was with his assistance that they made it over the wall. The cook, who was Hindu, then returned to the house to stand guard.

Hari led the Bawas into the drawing room, where Mrs. Sen was waiting dressed in chiffon sari. The room was large and well appointed, its walls hung with a rare and beautiful set of miniatures. With the curtains now drawn and the lamps lit, it was warm and welcoming. But all that lay between us and the mob in the street was a row of curtained French windows and a garden wall.

Mrs. Sen greeted the elderly couple with folded hands as they came in. The three seated themselves in the intimate circle, and soon a silver tea tray appeared. Instantly, all constraint evaporated, and, to the tinkling of porcelain, the conversation turned to the staples of New Delhi drawing-room chatter.

I could not bring myself to sit down. I stood in the corridor, distracted, looking outside through the front entrance.

A couple of scouts on motorcycles had drawn up next door. They had dismounted and were inspecting the house, walking in among the concrete stilts, looking up into the house. Somehow, they got wind of the cook's presence and called him out.

The cook was very frightened. He was surrounded by thugs thrusting knives in his face and shouting questions. It was dark, and some were carrying kerosene torches. Wasn't it true, they shouted, that his employers were Sikhs. Where were they? Were they hiding inside? Who owned the house – Hindus or Sikhs?

Hari and I hid behind the wall and listened to the interrogation. Our fates depended on this lone, frightened man. We had no idea what he would do: of how secure the Bawas were of his loyalties, or whether he might seek revenge for some past slight by revealing their whereabouts. If he did; both houses would burn.

Although stuttering in terror, the cook held his own. Yes, he said, yes, his employers were Sikhs but they had left town: there was no one in the house. No, the house didn't belong to them; they were renting from a Hindu.

He succeeded in persuading most of the thugs, but a few eyed the surrounding houses suspiciously. Some appeared at the steel gates in front of us, rattling the bars.

We went up and positioned ourselves at the gates. I remember a strange sense of disconnection as I walked down the driveway, as though I was watching myself from somewhere very distant.

We took hold of the gates and shouted back: Get away! You have no business here. There's no one inside! The house is empty!

To my surprise, they began to drift away, one by one. Just before this, I had stepped into the house to see how Mrs. Sen and the Bawas were faring. The thugs were clearly audible in the lamplit drawing room; only a thin curtain shielded the interior from their view.

My memory of what I saw in the drawing room is uncannily vivid. Mrs. Sen had a slight smile on her face as she poured a cup of tea for Mr. Bawa. Beside her, Mrs. Bawa, in a firm, unwavering voice, was comparing the domestic-help situations in New Delhi and Manila.

I was awed by their courage.

The next morning, I heard about a protest that was being organized at the large compound of a relief agency. When I arrived, a meeting was already underway, a gathering of seventy or eighty people.

The mood was somber. Some of the people spoke of neighborhoods that had been taken over by vengeful mobs. They described countless murders – mainly by setting the victims alight – as well as terrible destruction: the burning of Sikh temples, the looting of Sikh schools, the razing of Sikh homes and shops. The violence was worse than I had imagined. It was decided that the most effective initial tactic would be to march into one of the badly affected neighborhoods and confront the rioters directly.

The group had grown a hundred and fifty men and women, among them Swami Agnivesh, a Hindu ascetic; Ravi Chopra, a scientist and environmentalist; and a handful of opposition politicians, including Chander Sekhar, who became Prime Minister for a brief period several years later.

The group was pitifully small by the standards of a city where crowds of several hundred thousand were routinely mustered for political rallies. Nevertheless the members rose to their feet and began to march.

Years before, I had read a passage by V. S. Naipaul, which had stayed with me ever since. I have never been able to find it again, so this account is from memory. In his incomparable prose Naipaul describes a demonstration. He is in a hotel room, somewhere in Africa or South America; he looks down and see people marching past. To his surprise, the sight fills him with an obscure longing, a kind of melancholy, he is aware of a wish to go out, to join, to merge his concerns with theirs. Yet he knows he never will; it is simply not in his nature to join crowds.

For many years, I read everything of Naipaul's I could lay my hands on; I couldn't have enough of him. I read him with the intimate, appalled attention that one reserves for one's most skillful interlocutors. It was he who first made it possible for me to think of myself as a writer, working in English.

I remembered the passage because I believed that I, too, was not a joiner, and in Naipaul's pitiless mirror I thought I had seen an aspect of myself rendered visible. Yet as this forlorn little group marched out of the shelter of the compound I did not hesitate for a moment: without a second thought, I joined.



Sikh man being beaten to death.

The march headed first to Lajpat Nagar, a busy commercial area a mile or so away. I knew the area. Though it was in New Delhi, its streets resembled the older parts of the city, where small cramped shops tended to spill out into the footpaths.

We were shouting slogans as we marched: hoary Gandhian staples of peace and brotherhood from half a century before. Then, suddenly, we were confronted with a starkly familiar spectacle, an image of twentieth century urban horror: burned out cars, their ransacked interiors visible through smashed windows; debris and rubble everywhere. Blackened pots had been strewn along the street. A cinema had been gutted, and the charred faces of film stars stared out at us from half-burned posters.

As I think back to that march, my memory breaks down, details dissolve. I recently telephoned some friends who had been there. Their memories are similar to mine in only one respect; they, too, clung to one scene while successfully ridding their minds of the rest.

The scene my memory preserved is of a moment when it seemed inevitable that we would be attacked.

Rounding a corner, we found ourselves facing a crowd that was larger and more determined-looking than any other crowds that we had encountered. On each previous occasion, we had prevailed by marching at the thugs and engaging them directly, in dialogues that turned quickly into extended shouting matches. In every instance, we had succeeded in facing them down. But this particular mob was intent on confrontation. As its members advanced on us, brandishing knives and steel rods, we stopped. Our voices grew louder as they came towards us; a kind of rapture descended on us, exhilaration in anticipation of a climax. We braced for the attack, leaning forward as though into a wind.

And then something happened that I have never completely understood. Nothing was said; there was no signal, nor was there any break in the rhythm of our chanting. But suddenly all women in our group – and the women made up more than half of the group's numbers – stepped out and surrounded the men; their *saris* and *kameezes* became thin, fluttering barrier, a wall around us. They turned to face the approaching men, challenging them, daring them to attack.

The thugs took a few more steps toward us and then faltered, confused. A moment later, they were gone.

The march ended at the walled compound where it had started. In the next couple of hours, an organization was created, the *Nagrik Ekta Manch*, or Citizen's Unity Front, and its work – to bring relief to the injured and the bereft, to shelter the homeless – began the next morning. Food and clothing were needed, and camps had to be established to accommodate the thousands of people with nowhere to sleep. And by the next day we were overwhelmed – literally. The large compound was crowded with vanloads of blankets, secondhand clothing, shoes and sacks of flour, sugar and tea. Previously hard-nosed unsentimental businessmen sent cars and trucks. There was barely room to move.

My own role in the Front was slight. For a few weeks, I worked with a team from Delhi University, distributing supplies in the slums and working-class neighborhoods that had been worst hit by the rioting. Then I returned to my desk.

In time, inevitably, most of the Front's volunteers returned to their everyday lives. But some members – most notably the women involved in the running of refugee camps – continued to work for years afterward with Sikh women and children who had been rendered homeless. Jaya Jaitley, Lalita Ramdas, Veena Das, Mita Bose, Radha Kumar: these women, each one an accomplished professional, gave up years of their time to repair the enormous damage that had been done in a matter of two or three days.

The Front also formed a team to investigate the riots. I briefly considered joining, but then decided that an investigation would be a waste of time because the politicians capable of inciting violence were unlikely to heed a tiny group of concerned citizens.



Mob rampage through the streets of Delhi, November 1984.

I was wrong. A document eventually produced by this team - a slim pamphlet entitled *Who Are the Guilty* - has become a classic, a searing indictment of the politicians who encouraged the riots and the police who allowed the rioters to have their way.

Over the years the Indian government has compensated some of the survivors of the 1984 violence and resettled some of the homeless. One gap remains: to this day, no instigator of the riots has been charged. But the pressure on the government has never gone away, and it continues to grow: every year, the nails hammered in by that slim document dig just a little deeper.

That pamphlet and others that followed are testaments to the only humane possibility available to people who live in multi-ethnic, multi-religious societies like those of the Indian sub-continent. Human-rights documents such as *Who Are the Guilty?* are essential to the process of broadening civil institutions: they are weapons with which society asserts itself against a state that runs criminally amok, as the one did in Delhi in November of 1984.

It is heartening that sanity prevails today in Punjab. But not elsewhere. In Bombay, local government officials want to stop any public buildings from being painted green – a color associated with the Muslim religion. And hundreds of city’s Muslims have been deported from the city slums – in at least one case for committing an offense no graver than reading a Bengali newspaper. It is imperative that government insure that those who instigate mass violence do not go unpunished.

The Bosnian writer Dzevad Karahasan, in a remarkable essay called *Literature and War* (published last year in the collection *Sarajevo, Exodus of a City*), makes a startling connection between modern literary aestheticism and the contemporary world’s indifference to violence:

The decision to perceive literally everything as an aesthetic phenomenon – completely sidestepping questions about goodness and truth – is an artistic decision. That decision started in the realm of art, and went on to become characteristic of the contemporary world.

When I went back to my desk in November 1984, I found myself confronting decisions about writing that I had never faced before. How was I to write about what I had seen without reducing it to a mere spectacle?

My next novel was bound to be influenced by my experiences, but I could see no way of writing directly about those events without recreating them as a panorama of violence – “an aesthetic phenomenon,” as Karahasan was to call it. At the time, the idea seemed obscene and futile; of much greater importance were factual reports of the testimony of the victims. But these were already being done by people who were, I knew, more competent than I could be.

Within a few months, I started my novel, which I eventually called *The Shadow Lines* - a book that led me backward in time, to earlier memories of riots, ones witnessed in childhood. It became a book not about any one event but about the meaning of such events and their effects on the individuals who live through them.

And until now I have never really written about what I saw in November 1984. I am not alone: several others who took part in that march went on to publish books, yet nobody, so far as I know, has ever written about it except in the passing.

There are good reasons for this, not least the politics of the situation, which leave so little room for the writer. The riots were generated by a cycle of violence, involving terrorists in Punjab on the one hand, and the Indian government on the other. To write carelessly in such a way as to endorse terrorism or repression, can add easily to the problem: in such incendiary circumstances, words cost lives, and it is only appropriate that those who deal in words should pay scrupulous attention to what they say. It is only appropriate that they should find themselves inhibited.

But there is also a simple explanation. Before I could set down a word, I had to resolve a dilemma, between being a writer and being a citizen. As a writer, I had only obvious subjects: the violence. From the news report, or the latest film or novel, we have come to expect the bloody detail or the elegantly staged conflagration that closes a chapter or

effects a climax. But it is worth asking if the very obviousness of this subject arises out of our modern conventions of representations: within the dominant aesthetic of our time – the aesthetic of what Karahasan calls “indifference” – it is all too easy to present violence as an apocalyptic spectacle, while the resistance to it can as easily figure as mere sentimentality, or worse, as pathetic or absurd.

Writers don’t join crowds – Naipaul and so many others teach us that. But what do you do when the Constitutional authority fails to act. You join and in joining bear all the responsibility and obligations and guilt that joining represents. My experience of the violence was overwhelming and memorable of the resistance to it. When I think of the women staring down the mob, I am not filled with writerly wonder. I am reminded of my gratitude from being saved from injury. What I saw at firsthand – and not merely on that march but on the bus, in Hari’s house, in the huge compound filled with essential goods – was not the horror of violence but the affirmation of humanity: in each case, I witnessed the risks that perfectly ordinary people were willing to take for one another.

When I now read descriptions of troubled parts of the world, in which violence appears primordial and inevitable, a fate to which masses of people are largely resigned, I find myself asking: Is that all there was to it? Or is it possible that the authors of these descriptions failed to find a form – or a style or a voice of a plot – that could accommodate both violence and the civilized, willed response to it?

The truth is that the commonest response to violence is one of the repugnance, and that a significant number of people everywhere try to oppose it in whatever way they can. That these effects so rarely appear in accounts of violence is not surprising: they are too un-dramatic. For those who participate in them, they are often hard to write about for the very reasons that so long delayed my own account of 1984.

“Let us not fool ourselves,” Karahasan writes.” The world is written first – the Holy Books say that it was created in words and all that happens in it, happens in language first.”

It is when we think of the world the aesthetic of indifference might bring into being that we recognize the urgency of remembering the stories we have not written.

REDUCED TO ASHES

IMPUNITY BY ALL MEANS: RIGHTS AND THE DEAD-ENDS OF LAW

PART ONE: THE SEARCH FOR TRUTH

The four fundamentals of the Indian democracy, embedded in its republican Constitution, are: [1] The guarantees of inalienable human rights to all citizens; [2] A democratic legislature; [3] An independent judiciary; and [4] The freedom of discourse. On the strength of these constitutional features, India claims to be the largest functional democracy in the world where wide-spread human rights abuses, systematic persecution of estranged communities and suppression of political dissent cannot occur. However, the experiences of the Sikhs in Punjab show that as a demonised community targeted for abuse by the authorities, they had no protection from the leaders of supposedly independent institutions, including the judiciary, either in shielding their fundamental rights against imminent violations or in obtaining acknowledgement and legal restitution of wrongs. Freedom of discourse remained an empty promise when even the higher judiciary joined the chorus to turn the page and obliterate the victims' memory on the ground that a public discussion and scrutiny focusing on past abuses and the role of institutions would undermine the interests of peace and social order. This chapter will discuss these propositions around the efforts of the Committee for Coordination on Disappearances in Punjab (CCDP) to initiate a public discourse on human rights violations in Punjab through a people's commission, as well as the legal history of the matter of abductions leading to disappearances and secret cremations carried out by the Punjab police, pending before the National Human Rights Commission (NHRC) since December 1996.

Election Manifesto

On 10 December 1997, the CCDP held its first convention in Chandigarh and called on the Punjab government to set up a "truth commission" to investigate all complaints of human rights violations, as promised by the Akali Dal's February 1997 election manifesto. The Akali Dal, which represented the issues of the Sikh political discontent, had returned to power in the state nine years after the Central government dismissed its government in October 1987. Members of the Akali Dal and those associated with its programs and policies constituted the largest number of victims of state atrocities as well as of the militant violence. The CCDP convention also resolved to establish a people's commission, comprising three retired high court judges, to investigate the complaints of human rights violations if the newlyelected government chose to renege on its electoral pledge. Justice Kuldip Singh, former judge of the Supreme Court of India and a patron member of the CCDP, was in charge of this initiative.

Recent Examples of Truth Commissions

Worldover, the institution of truth commission, is recognized as an important innovation for the restoration of the rule of law in societies traumatized by widespread abuses of human rights by state forces and political violence originating from deeper political maladies. The truth commissions by their uniquely transparent and participatory methods of work, aim to help hostile sections of people in such societies recover a common normative and empirical basis for knowledge, justice and good governance. This innovative instrument of truth and justice has taken new forms under varied experiments in divided societies across the world. Let us consider the two recent examples: In October 2000, Yugoslavia's democratically elected president, Vojislav Kostunica, announced the creation of a truth commission to investigate human rights crimes and collective violence since the fall of the iron curtain. Kostunica explained the need for the commission in the following words: We must answer two questions: What really happened and how do we go on? This is the only way to make the past clear to future generations and to explain to them how their predecessors found the way out of the maze... In order to make it happen, we have to revise our near and distant past. We have to face it as a number of objective facts and myriad subjective observations and experiences stemming from them. This is going to be a very difficult task in a society in which nearly every family has its own tragic story... We have to bring together these dispersed elements of our awareness and conscience, to organise ourselves, and begin the process of general moral recovery. Without that recovery, any other will prove impossible... This was the idea that led me to establish the truth and reconciliation commission. However, it is a mere stone of goodwill thrown into the waters of the present historic predicament. The notion and wish is that the stone produces many concentric rings of activity to be carried out by many associates and activists. The commission's task is to band together all those who see truth and

reconciliation as the cornerstones of a future resurrected public life. Whether this historic project will succeed or not depends on all of them and all of us. On 26 May 2001, seven months after the establishment of the Yugoslavian commission, the Peruvian government announced the establishment of a similar truth commission to investigate human rights abuses committed in the country over the last 20 years. The commission promised to scrutinize the actions of Peru's last three presidents and also examine the era of terrorism in which 30,000 people died and 4000 disappeared. An interim government under Alan Garcia announced the decision following the dismissal of Alberto Fujimori in November 2000 on the ground of his "moral unfitness". On 9 September 2002, the commission's chairman Salomon Lerner especially flew to interview Fujimori in Tokyo, where he has taken shelter to escape accountability. Justice Salomon Lerner spoke to a select audience in London on 15 February 2002 about another important task of understanding the roots of political violence in Peru that confronted the commission: "The violence, besides being an expression of historical bankruptcy, has created in our present and planted in our future, an abundant and deep sense of unease. Once again, it is difficult to think about consolidation of democracy in Peru, without having recognised these wrongs and evils and without proposing a solution." According to Jonathan D. Tepperman, an international lawyer from Canada and an associate editor of the *Foreign Affairs*, 10 other commissions have been set up in the period between the Yugoslavian and Peruvian initiatives and more than 21 truth commissions have run their course since 1974.

Paradigmatic Experiences: Argentina and Chile

The importance of truth commissions in endemically violent societies, as suggested by these examples, seems to lie in the idea that they approach abuse of political power, violence and victim-hood in their larger historical and normative contexts and seek accountability, reparation and restoration of human rights in a participatory process with greater emphasis on repentance and healing than on prosecution and punishment. The approach follows the premise that those who wield power and others who suffer it can be welded to a shared perspective on the responsibilities and limitations of the relationship and can, on that basis, reconcile with a common position of truth, reparation of wrongs and the commitment to prevent future atrocities. Clearly, the objective is as hard to achieve as it is noble in its basic conception. South Africa's Truth and Reconciliation Commission (TRC), which was instituted from 1996 to 1998, is by far the most famous example of this approach to justice. In the introduction to the final report of the TRC, Archbishop Emeritus Desmond Tutu, the commission's chairperson, wrote about a Dutch visitor to the post-apartheid South Africa who observed that the "Truth and Reconciliation Commission must fail. Its task is simply too demanding". Yet, she argued, "even as it fails, it has already succeeded beyond any rational expectations." She quoted Emily Dickinson, "The truth must dazzle gradually... or all the world would be blind".

This weighty point is especially supported by the experiences of truth commissions in Latin American countries like Argentina, Chile, El Salvador and Guatemala. We shall briefly examine the Argentinean and Chilean experiences that have some lessons for the issues and the challenges we encounter in Punjab. The first serious attempt to remedy the past abuses of power through a truth commission was made in Argentina when Raul Alfonsin, a charismatic democrat, came into power through elections in 1983, ending the "Dirty War" initiated by the junta in 1976. Alfonsin dramatically broke from the Latin American tradition of pacifying past military rulers and ordered the court-martial of nine junta leaders, who ruled between 1976 and 1982, on charges of spreading "terror, pain and death throughout Argentinean society." Included among the nine were ex-presidents Videla, Viola and Galtieri. The National Commission on Disappeared, established by Alfonsin's government and chaired by the famous writer, physicist and humanist Ernesto Sabato, did the first systematic study of the philosophy and working of "counter-insurgency" in modern times. Its report *Nunca Mas (Never Again)*, based on extensive testimony of victim families revealed the counter-insurgency thinking and strategy, pithily explained by General Saint Jean in the following words: "First we will kill all the subversives. Then we will kill their collaborators, then their sympathizers, then those who remain indifferent and finally the indecisive." This counter-insurgency thinking justified unconventional and ruthless ways of dealing with clandestine rebel organizations and considered the use of torture essential for the knowledge of underground networks. If a captured sympathizer of the rebels could not be intimidated or induced to become a stooge, he had to be killed. This framework also viewed human rights organizations as subversive in nature because they "contributed to the destruction of the pristine power and the moral supremacy of the nationstate". The report revealed that the military government systematically tortured, murdered and disappeared almost 9,000 Argentinian citizens. Many were disappeared by the unique method of dropping their bodies into the ocean from airplanes so that their bodies would never be found. Following the publication of the report, the government initiated prosecutions against many senior navy, air force and military officials. The government tried to permanently establish civilian authority over the military and retired more than half of the generals and admirals. It slashed military outlays radically and

removed the military control over *Fabricaciones Militares*, a military industrial complex that produced everything from ploughshares to military hardware. In the beginning all seemed to be moving well towards accountability. Slowly, the pressure started building up. First, Alfonsín brought the legislation aiming to protect middle rank officers who supposedly committed crimes under orders but lacked decision-making capacity. The law, however, excluded from protection those accused of “abhorrent or atrocious” acts. The law did not satisfy the military and the government was forced to bring in the so-called “law of full-stop”. The law established a 60-day statute of limitation for new indictments. As the government appeared to buckle under pressure, the military became bolder and more brazen. A group of previously indicted officers rebelled and announced their decision to violently resist enforcement of detention orders. The civilian population of Argentina sided with the government. Millions swamped the streets of Buenos Aires in President Alfonsín’s support and the military rebellion was quelled. Despite this momentary success, other indicted officers began to defy the judicial process. The government pacified the military by bringing in new legislation called the “law of due obedience” to protect all, except the very senior officials, from legal action. The law pacified the military, but the bold experiment in accountability, initiated by this charismatic Argentinean democrat in 1983, failed. The same process has been repeated, with rich experimental variations, in Chile after the December 1989 electoral success of Patricio Aylwin Azocar of the Christian Democrats Party that brought an end to the 17-year-long rule of General Augusto Pinochet. Aylwin was aware of the failures of the accountability process in Argentina, but still established the National Commission for Truth and Reconciliation in 1990 to confront the legacy of human rights violations that followed the 1973 military coup against Allende’s elected regime. Pinochet had sustained his regime by methods that provided inspiration to brutal regimes across the world, including the Indian Punjab. First, the Directorate of National Intelligence (DINA) established in June 1974 under Manuel Contreras, led the counter-insurgency operations. The DINA specialized in liquidating the “enemies of the state” and potential adversaries of “national security”. Victims were seized without arrest warrants, often in broad daylight and in front of witnesses, as in Punjab, and held *incommunicado*, systematically tortured, killed and disappeared. In August 1977, Pinochet had to disband the DINA under pressure from the new American administration under President Jimmy Carter, but he created another outfit called the National Center of Information (CNI). The new organization specialized in staging elaborate “shoot-outs” with alleged terrorists, precursors to the Punjab “encounters”. The CNI was later recognized as a branch of the armed forces.

According to the National Commission for Truth and Reconciliation, which released its reports in 1991 and 1996, a total of 2,095 extra-judicial executions and deaths under torture took place during the military regime, and 1,102 people disappeared at the hands of government forces and are presumed dead. Already in April 1978, Pinochet had decreed an amnesty law that protected people from prosecution of all political crimes committed during the state of siege from September 1973 to March 1998. In October 1980, Pinochet named himself the president of Chile for an eight year term and reserved for the military nine of 48 seats in the National Senate. He also secured military presence in the judiciary and constituted a national security council, with half the votes to the military personnel, to influence the governmental decisions. In 1988, Pinochet lost a plebiscite for the extension of his rule and the presidential elections in December 1989 returned the Center-Left coalition of Parties for Democracy under Patricio Aylwin Azocar to power. Pinochet remained the chief of the armed forces till March 1998 when he surrendered the command to General Ricardo Izurieta after taking his position in the Senate as its life-member with diplomatic immunity for his travels abroad and constitutional immunity from arrest or criminal process at home. On 16 October 1998, Pinochet was detained in London, while he was there for medical treatment, at the request of Spanish magistrate Baltasar Garçon for the murder or “disappearance” of seven Spanish citizens in Chile. The next 16 months of high legal drama, marked by two path breaking House of Lords decisions on the principles of sovereign immunity, culminated in March 2000 with the British home secretary intervening in the process, in a quasi-judicial role, to return the 84-year-old former dictator to Chile on “medical grounds”. Although many were disappointed by the outcome, the episode established the principle that former heads of state responsible for heinous human rights abuses are not immune to prosecution within the universal jurisdiction of human rights. In the course of Pinochet’s 16-month long detention in Britain, three other countries – Belgium, France and Switzerland – asked for his extradition on the ground that their citizens had suffered torture, disappearance and arbitrary execution under his regime. But the British home secretary turned down their requests. Pinochet’s return to Chile received a mixed reaction and it seemed unclear whether he would be prosecuted for his crimes within the country. But he had been branded an outlaw before the international community and this was an achievement for the human rights movement. Also, Pinochet’s return to Chile, amidst a grand spectacle of welcome staged by the armed forces, resurrected the discourse on the obligations of the state to investigate, acknowledge and rectify past human abuses. New Chilean president Ricardo Lagos promised that the judicial process would take its course. Even the judiciary seemed to be stirring when it ruled that the old amnesty legislation would not apply to stymie investigation of “enforced disappearances”. The Chilean council for defence of the state, representing the

position of the state, joined a group of seven human rights lawyers in Santiago to request the appeals court to lift parliamentary immunity for prosecution, which Pinochet enjoyed for life. In June 2000, the court decided to waive the immunity by 13 votes to 9. The court also ordered Pinochet's house arrest for the kidnapping and murder of 75 victims of the "Caravan of Death". But the Supreme Court turned down the appeal on the ground that the court had not completed the formality of interrogating Pinochet and that it could not do so without a proper medical certificate that he was physically and mentally fit to take the strain. In spite of these setbacks and amidst controversies, the process of truth and reconciliation in Chile continued. In June 2000, members of *Mesa de Dialogo*, a conflict resolution group dedicated to resolving "disappearances" issued a declaration asking for a special legislative initiative to obtain authoritative information. The group called for statutory protection of anonymity to those who came forward with information. The Congress passed the proposal which became law in July 2002. Evidently, these developments, resulting from the publication of the truth commission's report in 1991, do not amount to a clear and enduring triumph of truth, accountability and end of impunity in Chile. However, they constitute a significant progress for the human rights movement since 1991 when Pinochet had reacted to the findings of the truth commission in the following words: "The army of Chile solemnly declares that it will not accept being placed as if on trial before the citizenry for having saved the freedom and sovereignty of the homeland at the insistence of the civilian population." The commission's report, which criticized the courts for abdicating their independence and for failing to safeguard fundamental rights of all citizens, had also provoked a strong reaction from the Supreme Court. The Supreme Court actually issued a public statement holding the government and the truth commission responsible for creating a climate of animosity and contempt for the judiciary. The events in the wake of Pinochet's detention in the UK and the two judgments by the House of Lords on 25 November 1998 and 17 December 1998 have certainly counteracted their political hubris and claims of inscrutability. They also show that justice and truth, as goals, move on the power of patient persistence.

Popular Co-Agency

We hoped that the new Akali government in Punjab would learn from these global experiences and use the instrumentality of a truth commission, as promised in its election manifesto, to address the issues of past atrocities and also identify the root causes of horrid aberrations from the rule of law characterizing the governance in the state since 1984. The importance of initiating a public discourse on past abuses, accountability and the culture of impunity becomes evident when we pay attention to the scale and contours of state violence in Punjab from 1984 to 1994. As we know, an extraordinarily large number of people were excluded from the protection of the law on the basis of their collective identity, and an equally large number of people, in an antithetical stance in relation to that identity, participated in the perpetration of violence, directly, in auxiliary roles and as silent supporters. In November 1984, the Sikhs in Delhi were not whisked away to secret locations to be killed by specialized gangs of executioners. They were murdered, maimed, burnt and impaled openly on the streets by large mobs with implements and appliances from their daily working lives: knives, sticks, clubs, stones, kerosene and other such devices. Murderous mobs were, no doubt, mobilized, sometimes transported from nearby villages, and instigated and led by politicians with clout who promised and ensured protection. But there was nothing anonymous, secretive or remote about the carnage. It was done openly by hundreds of thousands of people with many playing supplementary roles and many more returning as spectators from the sites of slaughter, with the blood and flesh of victims on their faces and clothes. Also, there was nothing clandestine about the state terrorism in Punjab. Security forces picked up suspects very openly, kept them under interrogation at local police stations and other places of detention in accessible localities and then killed them in so-called "encounters" which everyone in the area knew to be bogus. Yet, given the communal cleavages of the situation, the security forces operated under approving eyes and with the complicity of large sections of the population. In our view, attempts to find remedies and restitution for these situations of organized violence and state atrocities cannot be effectual unless they account for and address the dynamics of "popular" co-agency that allowed the abuses to happen and then escape accountability through a compact of official denial and social silence. Several scholars have examined the subaltern and "popular" character of the state's genocidal projects in other societies, especially the Nazi period of German history, to understand the historical and political factors that make them manageable. Mahmood Mamdani's recent book about the genocide in Rwanda, involving the Hutu and Tutsi populations, should be particularly helpful in understanding the communal approval for what happened in Punjab. The book deserves attention because it ventures into the silent spheres of discourse on genocide by examining the perspectives and resonances that make it happen. Particularly relevant for comprehending the Punjabi situation is the approach taken by this outstanding Ugandan intellectual in examining the histories of "identity formation" in colonial Africa and his analysis about the failures of nationalist revolutions in endowing them with a basis of citizenship that can withstand genocidal impulses. Toleration and approval of violence against those who live in the same physical space but do not belong to the inner landscape of

human commune is not new in history. In Mark Twain's *Adventures of Huckleberry Finn*, Huck narrates to Aunt Sally his lucky escape from an explosion in his steamboat. Aunt Sally is startled enough to ask: "Good gracious! Anybody hurt?" "No'm," comes the answer: "Killed a nigger". Aunt Sally, feeling relieved, says: "Well, it's lucky, because sometimes people do get hurt." Aunt Sally's contented response captures the heart of darkness in the American South, 20 years before the Civil War, as no scholarly work of history can." Niggers" were not people and their suffering, their rights and their violations did not filter down to the White consciousness as a matter of concern. We know how the 'demonization' of Jews as a "deicidal race" and as the progeny of Judas Iscariot succeeded in insulating the world from reports on the Holocaust at a stage when it could have been stopped. Such is the one-sidedness of history as it unfolds in a world that has no regard for a shared perspective on truth.

PART TWO: LEGISLATIVE APPARATUS OF

COUNTER-INSURGENCY

Draconian Laws

Protagonists of the Indian establishment habitually repeat the claim that "excesses", meaning illegal detention, custodial torture, arbitrary executions and enforced disappearances, had become inevitable because terrorism paralyzed the courts of law, which failed to convict the accused brought before them for trial. Merits of this claim require a serious scrutiny with reference to the extraordinary powers the security forces in Punjab enjoyed within the legislative apparatus, created by the Parliament and upheld by the Supreme Court to deal with the insurgency in the state. In March 1988, the Parliament passed the 59th Amendment of the Constitution enabling the Central government to extend President's rule in the state beyond one year, impose emergency on the ground of "internal disturbance", and suspend Article 21 of the Constitution which guarantees that "no person shall be deprived of life and liberty except according to the procedure established by law". The Union government dragooned this constitutional amendment through Parliament, despite all of the special legislation already at its disposal. The following are some of the black laws then applicable in Punjab, whose draconian provisions were sustained by the Supreme Court's power of judicial review. 1. *The National Security Act, 1980*, which aimed to effectively deal with "the antisocial and anti-national elements" was amended by the Amending Act 24 of 1984 specifically with reference to "the extremist and terrorist elements in the disturbed areas of Punjab and Chandigarh." This Act provided for detention without charge or trial for one year in all parts of India, and two years in Punjab. 2. *The Armed forces (Punjab and Chandigarh) Special Powers Act* empowered the security forces to enter and search any premises, and to arrest any person without a warrant. It also allowed the security forces to destroy any place on the suspicion of being a "terrorist hideout" and to shoot to kill a suspected terrorist with immunity from prosecution. 3. Finally, there were the *Terrorist-Affected Areas (Special Courts) Act, 1984*, and *Terrorist and the Disruptive Activities (Prevention) Act* enacted in May 1985 in Punjab with its lifetime restricted to a period of two years. At the end of this period, the Union government realized, as the statement of objects and reasons in the preamble to the Act explain, that the police required the special powers of the Act "on account of various factors, what were stray incidents in the beginning have now become a continuing menace specially in states like Punjab. On the basis of experience, it was felt that in order to combat and cope with terrorist and disruptive activities effectively, it is not only necessary to continue the said law but also to strengthen it further." With these considerations, the President of India promulgated the Terrorist and Disruptive Activities (Prevention) Ordinance in May 1987. This ordinance was replaced with the Terrorist and Disruptive Activities (Prevention) Act (TADA), 1987, after both the Houses of Parliament passed it as law in September 1987. The lifetime of the Act was again prescribed as two years, but on the due dates of expiry in 1989, 1991 and 1993, TADA was extended for further periods of two years, the last time through the Amending Act 43 of 1993.

Examination of Provisions of TADA

To understand the depth and reach of the draconian mandate the security forces in Punjab received from the Parliament, upheld by the Supreme Court, we shall examine the provisions of TADA at some length. The following were the salient features of the Act, extending to the entirety of India and also applied to Indian citizens outside the country. The Act was permitted to lapse in May 1995, but the cases initiated prior to 1995 continue to hold legal validity. The Act defined a *terrorist* as: (1) "Whoever with intent to overawe the government. . . or to strike terror in the people. . . or to adversely affect the harmony amongst different sections of the people does any act. . . by using bombs, dynamite or other explosive substances or inflammable substances or firearms or other lethal weapons or poisons or noxious gases or other chemicals or by any other substances. . . in such a manner as to cause, or as is likely

to cause death of, or injuries to, any person. . . or destruction of property or disruption of any supplies of services. . . or detains any person and threatens to kill or injure such person in order to compel the government or any other person to do or abstain from doing an act, commits a terrorist act; (2) Whoever conspires. . . or advocates, abets, advises or incites or. . . facilitates the commission of a terrorist act or any act preparatory to a terrorist act; (3) Whoever harbours or conceals, or attempts to harbour or conceal, any terrorist. *Abetment of a terrorist act* meant: “(1) Communication or association with any person. . . who is engaged in assisting. . . terrorists or disruptionists; (2) the passing on or publication of. . . any information likely to assist the terrorists or disruptionists. . . and publication of or distribution of any document or matter obtained from them; (3) rendering of any assistance [to them] whether financial or otherwise. *Disruptive activity* was defined as any action taken, whether by act or by speech or through any other media or in any other manner. . . ‘(1) Which questions, disrupts or is intended to disrupt, whether directly or indirectly, the sovereignty and territorial integrity of India; or (2) Which is intended to bring about or supports any claim, whether directly or indirectly, for the secession of any part of India. . . from the Union; (3) Which advocates, advises, suggests or incites or predicts, prophesies or pronounces or otherwise expresses in such a manner as to incite, advise, suggest or prompt the killing or the destruction of any person bound by oath under the Constitution to uphold the sovereignty and integrity of India. *Punishments for terrorist acts* were: (1) Death or imprisonment for the life, also liable to fine if an act resulted in the death of any person; (2) In any other case, the act was punishable with imprisonment for a term not less than five years and extending to imprisonment for life, also liable to fine. Disruptive activities were punishable with imprisonment for a term not less than five years and extending for life, also liable to fine. Possession of unauthorised arms, ammunition or explosives and helping terrorists or disruptionists to possess them was punishable with imprisonment for a term not less than five years, extending to imprisonment for life, also liable to fine. Every offence punishable under the Act was to be tried only in the designated court constituted by the Central or a state government. The government also appointed the presiding judge and additional judges with the concurrence of the chief justice of the high court. These judges continued in their offices even after attaining the age of superannuation under the rules. *Jurisdiction, procedure and powers of designated courts*:

(1) The Central government could with the concurrence of the Chief Justice of India transfer any case pending before a designated court in a state to any other designated court within that state or in any other state if in its opinion such a transfer was necessary for the requirements of a speedy trial, or safety of the witnesses, the prosecutor and the judge, or the interests of justice. (2) A designated court on receiving a complaint or a police report could take cognizance of any offence, without the accused being committed to it for trial. It may also proceed with the trial in the absence of the accused or his pleader and record the evidence of any witness. (3) All proceedings before a designated court could at the discretion of the court be conducted *in camera*. The designated court could take necessary measures to keep the identity and addresses of witnesses secret. It could also decide the place where to hold the proceedings of the trial and suppress the names and addresses of the witnesses from its orders, judgments or in any records of the case. Further, the court could issue directions that the identity and addresses of witnesses would not be disclosed and the proceedings of the court would not be published in any manner. An appeal against any judgment, sentence or order of a designated court could only be addressed to the Supreme Court within a period of 30 days from the date of the order. (4) When a person was accused of an offence under the Act, the designated court could order that all his properties be attached during the period of his trial. If the trial ended in conviction, the attached properties were to be forfeited to the government free from all encumbrances. If the court was satisfied on receiving a report from a police officer or an officer of the Central government specially appointed to arrest, investigate and prosecute any person under the Act, that any person who committed an offence under the Act was absconding or was concealing himself from apprehension, it could publish a written proclamation requiring him to appear at a specified place and at a specified time not more than 30 days from the date of publication of such a proclamation. At the non-compliance of the order, the person was to be declared a proclaimed offender. *Arrest, investigation and evidence*:

(1) When a person had been declared a proclaimed offender, the evidence regarding his identification by witnesses from his photograph had the same value as the evidence of a test identification parade;(2) No person accused under the Act could avail the remedy of anticipatory bail under Section 438 of the Code of Criminal Procedure, (CrPC),1973;(3) A person arrested under TADA could be produced before any judicial magistrate, executive magistrate or special executive magistrate, under Section 167 of the CrPC, who could then authorize, irrespective of his jurisdiction, the detention of the accused for the purpose of investigation under police custody for a maximum period of sixty days;(4) A person arrested for any offence under the Act could be detained without bail for the maximum period of one year to enable the prosecution to complete investigations against him;(5) Even at the expiry of this period, the accused undertrial could not claim bail unless the court *on reasonable grounds* was satisfied that he had neither committed any offence under the Act nor was likely to commit any while on bail;(6) Confessions made by an accused, co-accused,

abettor or conspirator before a police officer of the rank of superintendent of police, either in writing or recorded in any mechanical device, was admissible as evidence at trial. If the prosecution established that arms or explosives were recovered from the possession of the accused, or that his fingerprints were found at the site of the offence, by the evidence of an expert, or that a co-accused had confessed the involvement of the accused, or that the accused had confessed his offence to any person, the designated court had to presume, unless the contrary was proved, that the accused had committed the offence;(7) The recording of confessions and statements, under Section 164 of the Code of Criminal Procedure 1973, could also be made by metropolitan magistrates, judicial magistrates, executive magistrates and special executive magistrates, whether or not they had jurisdiction in the case, at the instance of an officer investigating a case under TADA;(8) No government and its officers could be taken to any court in any form for any action which they had *in good faith* done or purported to have done in pursuance of the Act.

Point and Counterpoint: Supreme Court Upholds TADA

Even this cursory examination of the provisions of TADA shows that they were not only excessively harsh with ample scope for misuse and abuse of the fundamental rights guaranteed by chapter III of the Constitution, they also demolished the buffer of procedural safeguards erected by the Indian Penal Code (IPC), the Code of Criminal Procedure (CrPC) and the Indian Evidence Act. Many writ petitions, criminal appeals and special leave petitions were filed before the Supreme Court challenging the constitutional validity of various provisions in the Terrorist Affected Areas (Special Courts) Act (No. 51 of 1984), and the TADA, which the court finally disposed of through the common judgement of *Kartar Singh v. The State of Punjab*

pronounced on 11 March 1994. The judgement can be scrutinized in two parts: First in relation to the main arguments that challenged the legality of TADA for destroying the traditionally established safeguards of the criminal procedural regulation; then with reference to the arguments around the larger issue of legislative competence of Parliament to enact the law. For the sake of convenience and brevity, we shall examine the judgement only in the first part of arguments by assembling them under three main principles of procedure destroyed by TADA: [I] The burden of proof; [II] Judicial independence; and [III] Fair trial. Below, we first present the arguments given against TADA, and then the Court's response to these arguments in *Kartar Singh v. The*

State of Punjab.

(I) The burden of proof

Arguments

Under traditionally established rules of the criminal trial system in India, no offence is proven nor any charge formulated unless warranted by legal evidence. It is the prosecution's burden to furnish this evidence. According to section 111 of the Evidence Act, the accused are presumed to be innocent until the prosecution, on its onus, establishes the contrary. Section 21 of TADA, as far as it commands the presumption of guilt against the accused, inverted this principle. This aberration from the established legal tradition received a permanent place in the Evidence Act through the insertion of section 111(a), which attended the passing of the Terrorist Affected Areas (Special Courts) Act, 1984. The definition of the word "abetment" in section 2(1)(a) of TADA eliminated proof of criminal intention or the principle of "*mens rea*". It repudiated the explanations in sections 107 and 108 of the IPC that presuppose wrongful intention as an essential ingredient to the offence of "abetment". Thus, TADA destroyed the essential condition of penal liabilities in the old maxim "*actus non facit reum, nisi mens sit rea*", meaning "the act alone does not amount to guilt, it must be accompanied by a guilty mind". Section 2(1)(a) also overturned several decisions of the Supreme Court requiring the concurrence of intent and act to constitute an offence of "abetment". This part of TADA was unconstitutional and contrary to the principles of fairness and reasonableness. Section 15 of TADA allowed a police officer of the superintendent's rank to record confessions of the accused in custody, and its section 22 accorded to photographic identification of a proclaimed offender the value of evidence that is normally assigned to physical identification. These provisions violated the "procedure established by law" as they removed the armour of the Evidence Act under sections 24, 25, 26 and 27, which have prohibited the admission of such evidence in trial since the Act came into operation in 1872. Section 164(a) of the CrPC also absolutely bans the recording of confessions by police officers even when they are conferred with magisterial powers. The TADA also violated the clear command of Article 20(3) of the constitution that "no person accused of any offence shall be compelled to be a witness against himself." The police officers in India are known for their oppressive behaviour towards suspects in their custody, and

for compelling them under physical torture to make self-incriminating avowals. The National Judicial Commission's fourth report notes with concern "the inclination of even some of the supervisory ranks to countenance the practice in a bid to achieve quick results. . . Even well-meaning officers are sometimes drawn towards third degree methods. . ." Also, the Law Commission's working paper on "Custodial Crimes", states that the abuse of police power against detainees has become a concern for the international community. Thus, the conclusive evidence of custodial crimes that exists against the Indian police and the expert findings on the psychology and consequences of custodial interrogation categorically prohibit the powers that section 15 of TADA bestowed on senior police officers from the rank of superintendent. This section of TADA also defiled the unanimous judicial verdict, not only from America and Britain but also of the Supreme Court of India, that custodial disclosures are anathema as evidence in criminal trial.

Sections 20(7), 20(4)(b) and 20(8) of TADA were tarnished by the same insuperable presumption of guilt at impeachment. Preclusion of anticipatory bail by 20(7) destroyed the protection offered by section 438 of the CrPC to the innocent against the manifest abuse of police power. The protection under section 438 does not offer an unequivocal right; it only empowers the judiciary to exercise the discretion of bail, conditional to the satisfaction that the availing person is neither likely to abscond nor obstruct the investigations pending against him. Section 20(4)(b) of TADA allowed 60 days of police custody of an accused under interrogation, and one year of judicial remand without bail. The prosecution was given this period to complete its investigations, and file the charge-sheet against the accused for the trial before the designated court. In contrast, section 167(2) of the CrPC permits an accused to be held in police custody for a maximum period of 15 days, and for 90 days in judicial custody, to allow the prosecution to complete its investigations. The extended period of remand under TADA, which also plugged bail, vitiated the doctrine of "speedy trial", recited as the main objective justifying the legislation. At the end of this period, even when the prosecution was unable to submit the charge-sheet, the accused was still effectively barred from the benefit of bail under section 20(8) of TADA. This section required that "no person accused of an offence under TADA" would be released on bail unless the designated court was satisfied on "reasonable grounds" that "he is not guilty of such offence and that he is not likely to commit any offence while on bail." In the absence of a charge-sheet, neither could the accused adduce the evidence of his innocence, nor could the designated court authenticate his guiltlessness ahead of the actual trial, let alone certify that he would not "commit any offence while on bail". Thus, section 20(8) ensured that no one accused under TADA, irrespective of the span of time he may already have spent in custody as an undertrial, could secure bail unless the prosecution was gratified to allow it.

The Court's Response

We will now present the Supreme Court of India's reasoning in response to these specific objections raised against TADA in its *Kartar Singh v. State of Punjab*

decision: The provisions of TADA, aiming to provide for speedy trial of terrorist and disruptive offences, were drastic because the normal procedures of criminal trial were inadequate in fulfilling this objective. The stern stipulations of TADA were inseparable from and necessary for reaching this legislative objective. The transfer of the burden of proof to the accused, as well as other stringent provisions of TADA such as the enhanced punishments, dispensation of the committal proceedings, summary trial, in-camera proceedings of the court, trial in the absence of the accused and his lawyer, admission of confessional evidence, etc., were all seen as consistent with the main postulate of speedy trial, which derives from the Magna Carta and the Sixth Amendment of the American Constitution. According to the court, Parliament had the competence to enact laws whose procedures deviated from, even overrode, the rules of trial in the Code of Criminal Procedure and the Evidence Act. Stringency and harshness of such provisions was seen as a matter of legislative wisdom, and the court could not question it if it was based on a reasonable classification of offences and offenders for separate treatment.

By fulfilling this criterion, TADA became unassailable on the ground of invidious discrimination. The exclusion of "*mens rea*" from the definition of "abetment", according to the Additional Solicitor General appearing for the state, aimed to fulfil the objects of the Act in the period of escalated terrorism when it may not have been possible to prove the "intention" while establishing the physical facts. This position was seen as contrary to the established view that knowledge was an essential ingredient of the offence. However, the court can and did go beyond the ordinary grammatical meaning of the words to detect the actual intention of the legislature and to decide whether the presumption of knowledge should be imported into the definition of abetment, although it was verbally missing there. As the substantive provisions of the Act required the intention of offence, it was logical to assume that this ingredient of knowledge was silently implied also in the definition of abetment. To remove the anomaly which crept in from the

lexical deficiency in the actual definition and this presumption of immanence, the court directed that “*the actual knowledge or reason to believe on the part of a person to be roped in with the aid of that definition should be read into it instead of reading it down. . .*” Regarding the admissibility of confessions recorded by senior police officials, the Court was first inclined to expunge it for infringing the basic procedural safeguards in the criminal trial system. However, after examining the issue in the light of legislative competence to alter the procedures of trial, the meaningful objectives of the legislation, and the gravity of terrorism, the court felt convinced that “the impugned section cannot be said to be suffering from any vice of unconstitutionality.” The court cited the National Police Commission’s fourth report from June 1980, which makes an ardent plea for the removal of the existing ban on the entry of confessional statements recorded by police officials into the area of judicial proceedings. Of course, the court had frequently dealt with cases of police atrocities.” We remorsefully like to state that on few occasions even custodial deaths caused during interrogation are brought to our notice. We are very much distressed and deeply concerned about the oppressive behaviour and the most degrading and despicable practice adopted by some of the police officers. . .” But, according to the court, the mere possibility of abuse was not a valid ground to challenge the validity of a statute. Section 15 of TADA did not offend either Article 14 or Article 21 of the Constitution. However, the Court expected the police officials to follow its guidelines on recording confessions so that they were not tainted with any vice. The abolition of anticipatory bail by section 20(7) of TADA was seen as consistent with the legislative mandate to rigorously quell the terrorist and disruptive menace. The provision of anticipatory bail under section 438 of the CrPC was newly introduced in 1973 at the recommendation of the 41st report of the Law Commission and, therefore, was not given the deference of established tradition. Likewise, the extended period of pre-trial detention under section 20(4)(b) could not be attacked on the ground that it discredited the doctrine of speedy trial. Terrorists and saboteurs of the national sovereignty belonged to secret societies, and their activities covered large areas, both domestically and internationally. Investigation of their crimes justifiably required longer periods and, as held by the American Supreme Court in *Beavers v. Haubert* case “The right of a speedy trial is necessarily relative. It is consistent with delays and depends upon circumstances. It secures rights to a defendant. It does not preclude the rights of public justice.” Similarly, the contention that section 20(7) of TADA made it impossible for even the innocent to get bail and, therefore, violated Articles 21 and 14 of the Constitution guaranteeing the rights to life, liberty and equality before law, failed when compared to the terrorist threat to the society. All deprivation of liberty was validated by social defence. The Court was fettered by the wisdom of a competent legislature and it had no option but to refuse bail unless it was prima facie established that the case did not fall within the scope of TADA. The Supreme Court had, no doubt, come across many cases where “the prosecution unjustifiably invokes the provisions of TADA with an oblique motive of depriving the accused persons from getting bail.” But the Court hoped that the public prosecutors would learn to act like “prosecutors on behalf of the public and not the police,” and also the judges of the designated courts would discharge their functions as the repositories of human rights enshrined in the Constitution. Unless this happened, the Court warned, “it cannot be said that the provisions of TADA are enforced effectively in consonance with the legislative

intendment.” Be that as it may, the conditions for the grant of bail imposed by section 20(7) of TADA were constitutionally sound.

(II) Judicial independence

Arguments

The following provisions of TADA substantially undermined the principle of judicial independence: [a] the powers vested in the executive to appoint judges for the designated courts who could continue to serve even after attaining the age of superannuation, under section 9(4) and (8) of TADA; [b] The power to transfer any case from one designated court to another, within or without the state, under section 11; [c] The delegation of judicial functions to executive magistrates under sections 20(3) and (4); and finally [d] The eradication of high courts’ jurisdiction over the designated courts under sections 19(1) and (2). From the outset, judges are government appointees, with the chief justice of the concerned high court only formally concurring. Designated judges of the special courts continued to hold office after attaining the age of superannuation, at the pleasure of the executive which could terminate their service when it liked. In reference to the Special Courts Bill, 1978, the Supreme Court had held that appointment of a retired high court judge to a special court, even if made in consultation with the Chief Justice of India, was invalid because it fostered the pleasure doctrine, subversive to the independence of the judiciary. The “*ratio decidendi*” of this decision that the judicial service must be coterminous with the age of superannuation was clearly violated by section 9(7) of TADA. Under section 11(2) of TADA, the transfer of a case from one designated court to any other designated court,

within or without the state, was not a matter of judicial but executive decision. The necessary concurrence of the Chief Justice of India in the government's motion to transfer a case was only a formal requirement, a statutory obligation to help an executive decision. Section 11(2) did not even give the Chief Justice of India the power to hear the person affected by the executive motion of transfer before giving or refusing his concurrence. Thus, section 11(2) of TADA not only vitiated the principle of judicial independence, it also destroyed the important rule of "*audi alteram partem*," which means that a person who is going to be affected by an order must have prior notice and an opportunity to be heard before it is enforced. Sections 20(2), (3) and (4) of TADA surreptitiously imported executive officers, appointed under sections 20 and 21 of the CrPC, to render important judicial services to the prosecution at sensitive stages of the proceedings immediately after arrest: To authorize periodical custody under interrogation and to record

confessions under sections 164 and 167 of the Code of Criminal Procedure. Section 20 of the CrPC allows the government to appoint even police officers as special executive magistrates to perform particular functions in particular areas for such terms as it may think fit. Thus, it is obvious that these provisions of TADA altogether destroyed the scheme of separation of the judiciary from the executive, as Article 50 of the Indian Constitution enunciates. Finally, sections 19(1) and (2), read conjointly with sections 9, 11 and 12, abrogated the high courts' powers over the designated courts. These powers, under Articles 225, 226, 227 and 228 of the Constitution and sections 439 and 482 of the CrPC, are to make rules, to regulate proceedings, to issue writs, to superintend the working of and to expropriate cases involving substantial questions of law pending before the subordinate courts, to grant bail or to prevent abuse of judicial process in any court. Confirmed by the Supreme Court in the *Usmanbhai Dawoodbhai Memon v. State of Gujarat* case this eradication of the high courts' powers in relation to the Designated Courts had the effect of raising a quasi-judicial apparatus in the service of the executive, encroaching on and destroying the hierarchy of courts in their independent sphere as envisaged by the Constitution. The high courts, although required to concur in the appointment of judges to the designated courts, ceased to have any administrative or judicial supervision over their subsequent conduct, whose judgements and orders could be challenged only before the Supreme Court. In reference to the Special Courts Bill, 1978, the Supreme Court had held that the Constitution did not permit the establishment of a criminal court that was not subordinate to the high court. The Supreme Court had said: "It is not permissible for Parliament or a state legislature to ignore or bypass that scheme of the Constitution by providing for the establishment of a civil or criminal court, parallel to a high court in a state, or by way of an additional or extra or a second high court, or a court other than a court subordinate to the high court. Any such attempt would be unconstitutional and will strike at the independence of the judiciary which has so nobly been enshrined in the Constitution and so carefully nursed over the years." Application of this decision should have certainly required that sections 9, 11, 12 and 19 of TADA be repudiated as unconstitutional.

The Court's Response

Section 9(7), allowing the judges of the designated courts to continue in their positions after reaching the age of superannuation, did not offend any constitutional provision. According to the Supreme Court, the reference to the Special Courts Bill, 1978, was futile since the court had only overruled the proposal to nominate already retired judges to preside over special courts. As TADA did not provide for such appointments, there was no illegality involved. However, the Court recommended that the judges appointed to designated courts should already have had sufficient tenure of service so that their seniority was not in doubt and their continuance after the age of superannuation was not remonstrated.

The power of the government, under section 11(2) of TADA, to transfer a case from one designated court to any other, within or without the state, was shielded by the condition of obtaining the concurrence of the Chief Justice of India. This absolved the government's orders from motivations of bias and *mala fide*. Of course, the concurrence was not an order of transfer passed by the government. It was an important statutory condition, an imperative, even when it did not adjudicate any "*lis*" or determine any issue. Therefore, the principle of "*audi alteram partem*" did not apply. Also, the application of this principle could paralyse or even frustrate the nature of the action contemplated by the government. Consequently, Parliament in its legislative competence had excluded the rule. However, in exceptional circumstances, the issue was open to examination by the Chief Justice of India, and he could obtain the view of the accused. Sections 20(2), (3) and (4) of TADA permitted the construction of reference to "metropolitan magistrate or judicial magistrate" to include executive and special executive magistrates, who could carry out committal proceedings, also record confessions, whether or not they possessed jurisdiction in a case under investigation. According to the Court, the argument that the inclusion of executive magistrates and special executive magistrates in important judicial spheres destroyed the separation of the judiciary, failed when examined against concrete legal

positions. Section 6 of the CrPC includes executive magistrates in one of the classes of criminal courts. No doubt, judicial functions they perform are very few, and part 4(b) of section 3 in the code seems to limit their work to matters of an administrative nature. However, the code itself includes them in the performance of quasi-judicial functions in investigating and preventing breaches of peace etc., under sections 107 to 110, and others. These functions are revisable in the sense of “judicial proceedings”. It is true that the code does not associate special executive magistrates, by their designation, with any of these functions. But it does say under section 21 that they are appointed for a term that the government thinks fit “for particular areas or for the performance of particular functions.” This means that they are by no means *persona non grata* within the machinery of criminal adjudication. Therefore, their inclusion by sections 20(2), (3) and (4) of TADA to perform committal proceedings and to record confessions along with other judicial magistrates did not violate the principles of criminal jurisprudence. The second related question was whether the grant of judicial functions to these magistrates vitiated the principle of separation of the judiciary from the executive under Article 50 of the Constitution. The Supreme Court had repeatedly held that executive magistrates, while they perform judicial functions, are judicial officers. In *Ram Jawaya Kapur v. State of Punjab*, the Court held that while independence of judiciary was sacrosanct, “the Indian Constitution has not indeed recognised the doctrine of separation of powers in its absolute rigidity. . .” The executive was also involved in departmental or subordinate legislation, as well as in judicial functions in a limited way. Thus, the Court maintained that it followed that sections 20(2), (3) and (4) offended neither Article 50 nor Articles 14 - equality before law - and 21 -

protection of life and personal liberty - of the Constitution. It would always be desirable that judicial magistrates record confessions. But when there were compelling reasons, the court found that the executive or special executive magistrates could also do so. Section 19 provided that the right of appeal against any judgment or order of the designated court could only be exercised before the Supreme Court. Of course, this provision took away the right of appeal to the succession of appellate and revisional courts, which the CrPC provides, and also the right of appeal to the Supreme Court on the grant of leave under Article 136 of the Constitution, both at the remedial and procedural levels. The Court found that although the provision affected the jurisdiction of the high court, it was in conformity with the doctrine of speedy trial and did not suffer from constitutional invalidity. However, the provision created inconveniences for persons acquitted by the designated courts for offences under TADA, but convicted under other penal laws. Even in this situation the aggrieved were denied the regular procedure of appeal, and the Supreme Court was beyond their reach, either because of financial constraints or because they lived in far-flung areas. Therefore, if a person was acquitted of the offences under TADA, he had to have the right of appeal before the next appellate court. The question of high courts’ powers under Articles 226, 227 and sections 439, 482 was more intricate. Some of the high courts had taken the view that their jurisdiction even in regard to cases under TADA could not be whittled down. Apparently this view contradicted the manifest intention of Parliament to exclude high courts’ jurisdiction in TADA matters. The vastness of powers which the high courts enjoyed under Article 226 also imposed on them the responsibility to exercise them with circumspection. The TADA was a special Act that aimed to meet the challenges arising out of terrorism and disruption. It provided that an appeal against any order of the designated courts had to lie only before the Supreme Court. According to the court, the high courts would defeat the clear intent of Parliament if they exercised their powers under Article 226 to obstruct this provision, or entertained bail applications under other provisions of the Constitution and the CrPC. It was, therefore, necessary that in relation to TADA matters, the high courts exercised their powers under Article 226 most sparingly and only in extreme circumstances: “What those rare cases are and what would be the circumstances that would justify the entertaining of applications under Article 226 cannot be put in strait-jacket. However, we would like to emphasise and reemphasise that the judicial discipline and comity of courts require that the high

courts should refrain from exercising their jurisdiction in entertaining bail applications in respect of an accused indicted under the special Act.”

(III) Fair Trial.

Arguments

The TADA used the dogma of speedy trial as an all-encompassing cover to destroy the fundamental principles of fair trial. Apart from the power of the government to transfer a case from one designated court to any other, within or without the state, without giving the accused the opportunity to present his viewpoint, the following provisions offended the fundamental principles of free and fair trial: (a) Section 14(5) allowed the designated courts to proceed with the trial even in the absence of the accused or his pleader; (b) Provisions of section 16 allowed the designated

courts to hold the trial *in camera*, to suppress the identity of the witnesses against the accused, and to prohibit the dissemination of the proceedings in any manner; and (c) Section 8 permitted the attachment of the property belonging to an accused, and its forfeiture, without encumbrances, at his conviction.

The Court's Response

According to the Supreme Court, there was no doubt that the impugned Act was very harsh and contained many drastic provisions. They departed from the procedures prescribed under normal laws in order to effectively deal with offenders indulging in terrorist and disruptive activities. The Supreme Court's judgement in *A.*

K. Roy vs. Union of India had settled the issue that "the right to public trial is not one of the guaranteed rights under our Constitution as it is under the Sixth Amendment of the American Constitution. . ." Although trials were traditionally open, there could not be any legal prohibition against holding them *in camera* under exceptional circumstances. The suppression of the identity of witnesses was necessary to protect them from terrorist reprisals. This could indeed upset the right to cross-examination, which could not be carried out without the identity of the witnesses. However, the solicitor representing the state relied on several decisions of the court to point out that that the right to cross-examine was neither absolute nor a constitutional right. There was no constitutional or statutory constraint against the secrecy of a witness, and the Supreme Court had upheld the non-disclosure of identity to be permissible in extraordinary circumstances. In normal circumstances, names and addresses of witness were disclosed before the commencement of the trial. Under TADA, the court could decide not to disclose them, either on its own motion or on the application made by a witness or the public prosecutor on his behalf. Also, the Court maintained that the arguments against section 8 of TADA lacked merit. Discretionary powers of the designated court to attach the property of the accused and to forfeit it after conviction, exercised under strict contingencies, could not be challenged. Of course, forfeiture to government "free from all encumbrances" could amount to unmerited punishment of third parties, with no connection to the offence, who had legal rights in the property. However, the solicitor representing the state contended that the third parties could always enforce their rights in the property against the terrorists in the normal procedure.

Subordination of Fundamental Rights to the Will of the State

Such was the verdict of the Supreme Court that upheld TADA under its powers of judicial review of legislation. In the process, the Court also invoked the doctrine of Parliament's 'legislative competence' to enact stern laws that departed from normal standards of justice to combat separatist threats to India. This position, first formulated in *A. K. Gopalan vs. State of Madras* in 1950, had found its odious culmination in *A. D. M. Jabalpur v. S. Shukla* in 1976, upholding the constitutional amendments that legalized Indira Gandhi's Emergency regime from June 1975 to March 1977. Protecting the constitutional amendments during the Emergency that abrogated all fundamental rights of citizens, then Chief Justice A. N. Ray had ruled: "Where the government believes the state to be threatened by traitorous conspiracies during times of grave emergencies, the rights of individuals of ordinary times become subordinate to the considerations of the state." Justice M. H. Beg elucidated: "The will of the state, indicated in some form of expression, is the law, the subject of jurisprudence, and no natural rule which may exist, forms a part of the law unless identified with the will of the state so indicated. What the state wills is the coterminous measure of law; no pre-existing rule is the measure of that will." This view of "legislative competence" of Parliament was allegedly alleviated by the affects of the forty-fourth amendment to the Constitution in 1978, following the end of the Emergency, and by the ratio of *Maneka Gandhi Vs. Union of India*. The 44th Amendment Act of 1978 provides that the suspension of fundamental rights under any law or executive order in the situation of a proclaimed Emergency, under Articles 358 and 359 of the Constitution, can be shielded only if the suspension is limited to the purpose of the Emergency through a clear recital. It also provides that the enforcement of the rights to life and personal liberty, guaranteed by Article 21 of the Constitution, cannot be destroyed even in such a situation. The *Maneka Gandhi v. Union of India* case, described as a landmark in the juridical rehabilitation of the "due process" concept, imported the test of reasonableness and fairness to determine the validity of a law that deprives personal liberty. According to this case the emphasis on the "procedure established by law" in Article 21 of the Indian Constitution was now to be moderated by the position that the law must also prescribe a procedure that is not arbitrary, unfair or unreasonable. The case supposedly restored the necessary amplitude to the interpretation of the rights to life and liberty by underscoring the variety of overlapping rights they incorporate. It held that a substantive legal restriction on the rights to life and liberty must not, as its inevitable corollary, infringe on other rights immanent to them. Subsequent cases decided by the Supreme Court have echoed these principles. In another important judgement, *Minerva Mills Ltd. vs. Union of India*, the Supreme Court pronounced that the Parliament could not claim unlimited powers to amend the Constitution to the extent that it

abrogates its basic features. However, as we observed, these lofty positions on the primacy of fundamental human rights guaranteed by the chapter-III of the Indian Constitution, had no effect when the Supreme Court upheld the validity of TADA. The decision in *Kartar Singh Vs. the State of Punjab*, in fact, pushed the doctrine of “legislative competence” beyond the position of *A. D. M. Jabalpur Vs. S. Shukla* into the turbid region of the “Pleasure Principle”, permitting the Parliament to expunge individual liberties and procedural safeguards guaranteed by the chapter III of the Constitution even without the proclamation of an emergency. In other words, and as we shall repeatedly see, the benefit of fundamental rights and the procedural safeguards of the established law for politically suspect groups depended on the “pleasure” of the Parliament, the judiciary and the executive. This was the milieu of legislative and judicial approval, in which the security forces in Punjab, throughout the period under scrutiny, were able to carry out their anti-insurgency operations. And, by all available accounts, they were employing the extraordinary powers made available to them under the new legislations like TADA to the maximum possible extent. According to the National Human Rights Commission (NHRC), the Punjab police registered 17,529 cases under TADA since its promulgation in 1985 to the end of July 1994. In October 1993, according to the Union home ministry, the total number of detentions under TADA was 52,268. According to the ministry, the conviction rate of those tried by designated courts was 0. 81 per cent. In Punjab, according to the same source, the conviction rate was 0. 37 per cent. On 24 August 1994, former minister of state for home Rajesh Pilot disclosed that approximately 67,000 individuals had been detained since TADA came into force. Out of these, only 8,000 were tried and only 725 were convicted. Some 59,509 people had been detained with no case being brought against them. The TADA Review Committee found that TADA was wrongly applied in more than 50,000 cases. According to Sitaram Yechuri, the general secretary of the Communist Party of India (Marxist), “Of the 76,036 people arrested by mid-1994, nearly 99 per cent or 75,200 were at different stages of trial or had not been produced before any court at all.” In Jammu and Kashmir, where 20,000 arrests were made since TADA’s inception, not a single accused has been convicted to this day. This failure of the security forces in Punjab to bring militants to book, in spite of TADA and other draconian legislation, seemed clearly to be a result of their obsession with extra-judicial activities to the negation of arduous and lustreless tasks of regular police work.

PART THREE: PUNJAB POLICE—

DEVELOPMENT AND REORGANIZATION

Origins of the Punjab Police

Violent crime is not new to Punjab. The minutes of British officials who served in the state are full of references to their difficulties in handling the problem by the book. But they rose to the challenge. Sleeman and his team succeeded in eradicating the menace of *thuggee* under Governor-General William Bentinck between 1822 and 1840. It was a slow, laborious and dangerous work. Instead of easily eliminating thugs without legal ceremony, Sleeman and his team opted for the arduous way, compiling lists of the members of each gang, building up accounts of the incidents, procuring witnesses, and collating evidence that would stand judicial scrutiny against discrepancy. Their work bore fruit. Between 1831 and 1837 more than 3,000 thugs were convicted. Hundreds of them were hanged and thousands transported for life. Sleeman’s successful example was followed up by his successor Charles Harvey who took on the challenge of organized bands of dacoits and robbers in Punjab. Once again, the Department of Thuggee and Dakaaiti undertook laborious and systematic research in respect to every suspect and prepared individual files containing every piece of information right up to the date of his capture and final committal for trial. The experiences and the work of the department led to the 1879 formation of the special branch, with its headquarters at Shimla in Punjab, to collect secret and political intelligence. All the modern intelligence organizations in India and even in Britain have their roots in the work pioneered by this department. John Paul Warburton, model for writer Rudyard Kipling’s police character ‘Strickland’ and known as India’s greatest detective, was the superintendent of police in Ludhiana in 1872. The Punjab police, from the beginning of its organization under Henry Lawrence in 1849 following the annexation of the Khalsa kingdom, had been a model of a disciplined force that achieved extraordinary results in “suppressing violent crime” and in bringing the “ring-leaders of all gangs of robbers and murderers” to justice through meticulous research and an elaborate witness protection program. The reforms in the organization of the Punjab police, with the appointment of a lieutenant of police at every district under the district magistrate and an inspector-general for the whole province in 1860, was the model that the police commission of 1860 followed in reorganizing the police force throughout India. The Punjab Police Administration Report, published in 1894, shows how good leadership under Turton Smith, the first inspector-general of police (IGP), achieved remarkable results in dealing with “dacoity and natural calamities” in “an exceptionally difficult period as a result of famine, plague and frontier war”. Punjab at that time had a population of about 24 million people and an area of about 100,000 sq. miles, divided into 29 police districts with a force of 700 men

under a DSP in each district. The total police force in Punjab was 21,000 officers and men. Commissioner of Amritsar division, E. A. Prinsep, created a system of maintaining surveillance register of “bad characters” in 1861. Another district officer posted at Jalandhar gave an elaborate description of the police campaign against crime, based on careful selection of station house officers (SHO), cultivation of reliable informers, and persuasion of villagers to testify. Gerald Savage worked with the “special cell” to deal with organized crime: “This meant living in rest houses and never really gaining civilization for months on end.” The establishment of the Police Training School at Phillaur in Punjab in 1893, for the education of inspectors and sub-inspectors, was the first serious attempt to address the challenge of corruption and ignorance in the lower ranks of the police force in the country. The school was a model of police education and training in modern methods of crime investigation and prevention. This was the first police school in the world to apply the theory of “*modus operandi*”, developed by Major Atcherley, to solve crimes by paying close attention to “individual methods” of criminals, by “classifying, indexing and recording. . . immense number of facts concerning individual criminals” that enabled investigating officers to read personal idiosyncrasies of “perpetrators of crimes”. The investigators were taught to catch perpetrators by studying the “records” and eliminating non-suspects. All officers were taught to develop crime maps, to prepare separate maps for each crime and then to compile amalgamated charts showing localities that displayed a “particular *modus operandi*”. All these techniques were improvements on the methods developed by Sleeman and his team. All new assistant superintendents of police, inspectors and sub-inspectors were required to master the criminal law, the Punjab police rules and a number of special and local laws. The school also housed a provincial finger print bureau. The path-breaking research on the ridge patterns of fingers and their uniqueness had been developed by William Herschel, a sub-divisional civil service officer in Murshidabad district of Bengal in 1853 and had been improved on by Francis Galton, a scientist in England. The system of digital classification of fingerprints and of communicating the classifications through a telegraphic code were perfected by the team of sub-inspectors Aziz ul-Haque and Hem Chandra Bose under the guidance of Edward Richard Henry, IGP in Lower Bengal in the period from 1891 to 1899. In that year, the Indian Evidence Act was amended to include the evidence of fingerprints into the criminal trial system. The Police Training School at Phillaur took the lead in the world in imparting the education of the system to police officials involved in criminal investigations. All probationers at the school had to take a course in the science of finger prints, learn how to make casts of footprints and also pass an examination in medical jurisprudence. Another Punjab police officer F. H. Du Heaume pioneered researches in ballistic science and developed the system to study striations caused on bullets by specific firearms. The research had the same consequence for the identification of a firearm used in a crime as the fingerprint established the identification of the person who pulled the trigger. The Punjab police officials, trained in Phillaur, later discovered the use of ultra-violet radiation and fluorescence to capture finger prints from sticky surfaces.

Savage Transformations:

Allegations of Undercover Operations

It is unfortunate that a police force brought up in this tradition of training, organization and discipline should have been transformed into a savage body of lawless personnel who would emulate the aptitude for drama of their leaders like K. P. S. Gill and give short shrift to the basic principles of investigation, certainty of facts and cooperation with the local community. As the result, Punjab in the beginning of the insurgency became a stage for the vainglorious bravado and adventurous experiments of its senior police officials. In the end, while British officers in the Victorian times could prosecute and try, their corrupted offspring reared by men like Gill could only catch and kill.

The Punjab police officials are also reported to have carried out clandestine operations, including orchestration of sensational terrorist crimes, to manipulate public opinion in favour of repressive measures at home and to undermine international attention on reports of human rights abuses in Punjab. A Canadian newspaper, the *Globe and Mail*, carried an investigative report claiming that Indian government agents were responsible for the bombing of an Air India jet in June 1985 that killed 329 people aboard. The objective of the bombing, according to the report, was to discredit the separatist movement in Punjab as a terrorist movement, and to destroy the basis of sympathy for its protagonists in the western countries. The writer of this investigative report later collaborated with another journalist to publish a book that claimed to unravel the intelligence operations of the Indian government leading to the bombing of the plane. Another exclusive report carried by *The Observer* of London in its 24 April 1988 issue claimed that India’s external intelligence outfit, the Research and Analysis Wing (RAW), was involved in smuggling arms, including rocket-launchers, from Afghanistan with a view to stage-manage terrorist incidents in Punjab. According to the story by Dhiren Bhagat, who also wrote for the *Indian Post*

published from Bombay, customs officials at the airport in New Delhi were startled on 19 November 1987 when some bullets rolled out of a hamper that had arrived on an Indian Airlines flight from Kabul. It belonged to a large consignment of 23 boxes, isolated and X-rayed under the supervision of a deputy commissioner of police, specially called to take part in the investigation. The boxes, addressed to the “director general of communications” at New Delhi, contained sophisticated arms, including rocket launchers and their ammunition. The airport officials, convinced that they had discovered a big cache of contraband weapons, were in the process of making an inventory of the contents, when a man in civilian clothes turned up to identify himself as an operative of the RAW. He claimed the consignment as the government’s property and went away with all the boxes. Dhiren Bhagat found out that there was no post of “director general” in the Indian ministry of communications. Bhagat contacted the cabinet secretary to the Government of India, formally in charge of the RAW, for an explanation. But the civil servant did not know anything about it. Sometime later, a Delhi newspaper carried a story claiming that the militants in Punjab were now armed with rocket launchers. According to Dhiren Bhagat, the story had been planted by the intelligence organization. On 21 March 1988, the Indian media sensationally reported the first militant attack against a paramilitary camp in Punjab in which rocket-launchers had been used. No one had been killed in the incident which, however, received sensational publicity. The press coverage helped the government rush through a constitutional amendment in the Parliament, permitting the imposition of a state of emergency in Punjab and selective abrogation of the rights to life and liberty of its people. Dhiren Bhagat’s story suggested that the rockets had been fired by the government-sponsored *agents provocateurs* with the intention to whip up anti-Sikh hysteria in the country. Others involved in the Punjab scene made equally disturbing allegations against the high officials in the government. One prominent person to make such an allegation was Acharya Sushil Muni, a Jain monk, who had been holding talks with the Sikh religious leaders and militant organizations for a solution to the Punjab problem. Sushil Muni gave an interview to the fortnightly magazine *India Today* about his peace mission, which he claimed had the personal backing of Rajiv Gandhi. The interview was published on 30 April 1988. Sushil Muni claimed that he had succeeded in persuading the militants to sign an accord of peace and to lay down arms following an official declaration of amnesty. But the government backed out of the commitment. Sushil Muni alleged that those within the establishment “who stand to gain by keeping Punjab on the brink of terrorism” scuttled the peace process. He also accused the “vested interests” of arranging the murder of T. S. Riyasati, a former minister who had been helping him in building a rapport with the discontented groups. He posed the question: “Who could be responsible for acts of violence when the major extremist organizations were all condemning them?” Sushil Muni added: “You must notice that during the earlier terrorist killings there was no TV coverage. But look how quickly the TV crews now reach the scene of a massacre and telecast them in detail all over India.” Darshan Singh Ragi, then the religious head of the Sikh community, also made similar allegations. More startling revelations came from Sampat Singh, home minister of Haryana, the only state in northern India ruled by a non-Congress party since December 1987. Speaking to the Press on 25 April 1989, the home minister claimed evidence showing that the Union home minister and the agricultural minister patronized some groups of killers in Punjab. He promised to furnish complete evidence if the Prime Minister cared to institute an inquiry. Rajinder Puri, a well-known columnist, made similar allegations and also suggesting that the Indian intelligence organizations were themselves patronizing rabid elements to discredit the Sikh movement.

Police Vigilante Outfits

My own research on Punjab in that period suggested that the state agencies were creating vigilante outfits in order to infiltrate the Sikh radical movement and generate a climate of moral revulsion by engineering heinous crimes which they then attributed to armed Sikh groups. I had a discussion on the subject with Bhan Singh, the secretary of the Shiromani Gurudwara Prabandhak Committee (SGPC) who had managed the affairs of that once powerful Sikh religious organization for over a decade. Bhan Singh himself was killed, reportedly by separatist militants on 25 July 1988, a week after I recorded my interview with him. Following the Army action against the Golden Temple in June 1984, Bhan Singh had worked to organize legal support for people arrested from the temple complex and held in a Rajasthan jail without trial. Bhan Singh had his office inside the Golden Temple complex and was able to closely observe the developments inside the shrine. He believed that just as Bhindranwale, in his initial days, had been encouraged by the Congress party, so also the Congress government in Delhi was condoning the new breed of militants entrenched inside the Golden Temple with a view to weakening the Akali Dal’s political base. He argued that the security around the Golden Temple was so tight that no one could possibly smuggle in weapons without official complicity. I asked him if in his opinion all the Sikh groups advocating armed struggle were officially sponsored. Bhan Singh said: “Genuine militants are not entrenched within the Golden Temple. They don’t lurk behind its sanctity to save their skins temporarily while inviting its repeated desecration by the security forces. They fight their battles out in the open.” Asked if the government agencies were responsible for all the heinous crimes attributed to the separatist

militants, Bhan Singh said there must be just as many anti-social elements involved in crime as there had been before the start of the political crisis. There was enough evidence to show that the people who committed crimes attributed to militant separatists were putting on the Sikh attire including the turban, to give the Sikhs a bad image. And the government was manipulating the media to attribute all crimes to separatist militants. This generated a public reaction, helpful in denying justice to the Sikhs. Kripal Singh, a member of Parliament from Amritsar for many terms and the president of the Chief Khalsa Dewan, corroborated these views. Kripal Singh told me that the government agencies had been creating many armed vigilante groups out of anti-social riff-raff, so as to infiltrate and neutralize genuine militant outfits. The outrages they committed were routinely blamed on the separatist groups. Gurdayal Singh, who had retired as the IGP, Punjab in April 1966, provided the clinching evidence. He was Lahore's superintendent of police before India's Partition in 1947. As the deputy inspector-general (DIG)(intelligence) from 1952 to 1956 he had closely followed the movement for the creation of a Punjabi speaking state. One of his main tasks was to neutralize the Communist insurgency led by Teja Singh Swatantra in parts of Punjab, between 1950 and 1960. Since he had a reputation as an officer who had successfully handled many explosive situations, the rulers of Punjab consulted him on how to deal with the separatist violence. Governor of Punjab Sidhartha Shankar Ray and his police chief Julio Ribeiro deliberated with him on their plans to create armed groups that would take on the militant menace without involving the state apparatus directly. Gurdayal Singh advised them not to pursue these plans. In his opinion, the unscrupulous elements would take advantage of official patronage to pursue their own criminal ends. Apparently, Ray and Ribeiro went ahead with their undercover operations, using informers and infiltrators from the underworld. Ribeiro concedes this in his book *Bullet for Bullet*, which he authored after his retirement. Ribeiro himself is known to have publicly first propounded the policy of "bullet for bullet", as reported in the *Hindustan Times* dated 11 April 1986. Ribeiro later claimed that Arun Nehru, then Union minister of state for internal security, had planted the story attributing the statement of policy to him. Be that as it may, the dismissal of Surjit Singh Barnala's government in October 1987 was preceded by a significant public exchange in which the Akali ministers accused Ribeiro of upholding an extra-judicial approach in handling the separatist militancy. Ribeiro accused them of offering support to the Sikh militants. In his book, Ribeiro writes about the undercover operations with an extraordinary candor: "In Punjab there were some persons with criminal propensities, who were known to police officers at various levels. They were approached and a few of them agreed to form groups which would move in the guise of terrorists and confront the real militants in their dens... The police did give them financial and logistical support, but their demands grew to an extent where it was impossible to satisfy them within our resources. Besides, they were very greedy people, with a criminal tendency, who began to prey on law-abiding, rich citizens on the assumption that the police were indebted to them and so would do nothing to stop them." One such man, recommended to Ribeiro by Gur Iqbal Singh Bhullar, a senior police officer, was a smuggler who had once been a police constable. He was reinstated and located in Patiala to search out and neutralize dreaded militants, with the permission to use force. Once he drove into Ribeiro's official residence in Chandigarh to escape a police chase after he shot down two supposed militants whom he had located at a bus stand on a main road in the city. Ribeiro later found out that this operative, along with the policemen who constituted his squad, had been committing robberies, not only in Punjab but also in the neighboring states. Ribeiro wanted to weed him out of the counter-insurgency setup. But before he could do anything, the operative was reportedly killed after he shot Patiala's senior superintendent of police (SSP) and his subordinate in their own office. In his book, Ribeiro mentions several other undercover operations, planned by Amritsar's SSP Izhar Alam and other senior officers of the Punjab police. The book also narrates how K. P. S Gill, then IG Central Reserve Police Force (CRPF), thwarted Ribeiro's attempts to discipline the policemen who committed atrocities, by persuading the Union home ministry not to sanction their prosecution. The book also narrates how Gill replaced Ribeiro as Punjab's police chief by persuading the government that a harder line of action was required to put down the terrorists.

Gurdev Singh Kaunke

An example of the mindless monstrosity, which K. P. S. Gill's hard-line eventually became, follows: In May 1998, the Committee for Coordination on Disappearances in Punjab (CCDP) investigated the enforced disappearance of Gurdev Singh Kaunke, former acting head priest of the Akal Takht, following his 25 December 1992 arrest from his home in Kaunke village under Jagraon subdivision of Ludhiana district. The police authorities later claimed that Gurdev Singh Kaunke escaped from their custody on 2 January 1993. The claim was widely condemned as false. Prakash Singh Badal, then leader of the Akali Dal who became the chief minister of Punjab in early 1997, publicly accused the Congress government of the state of masterminding Kaunke's abduction and disappearance, and demanded a high powered judicial inquiry. Badal was arrested while attempting to visit the bereaved family of Gurdev Singh Kaunke at their village on 5 January 1992. The CCDP was able to acquire conclusive evidence to show that Gurdev Singh was inhumanly tortured first at the Sadar police station of Jagraon and then at the Criminal Investigation Agency (CIA)

interrogation center from 25 December 1992 to 1 January 1993. The Committee also acquired irrefutable evidence to establish that the former head priest was killed under torture. On 5 June 1998, a delegation of the committee members met chief minister Prakash Singh Badal to acquaint him with its findings and to demand the registration of a case, an independent official investigation and prosecution of the culprits. The delegation included former Supreme Court judge Kuldip Singh. The chief minister directed an official inquiry to be conducted by B. P. Tiwari, additional director general of police, Punjab.

Police Quotas for Murders: Interview with an SSP

In the course of investigating the case of Gurdev Singh Kaunke, three committee members were able to secretly tape record their conversation with a senior superintendent of police, which disclosed how Gurdev Singh was actually killed under torture. The interview also revealed the banal world of torture and murder that, in the name of counter-insurgency, had become a routine for a set of police officers to obtain good, powerful positions. We are not releasing the full transcript of the discussion out of respect for an honest officer who risked his career in telling us the truth. The SSP told us the following about what used to happen in the days before the SSP's periodic meetings with DGP K. P. S. Gill: "You can check that up! Before such a meeting with Gill, 300 to 400 Sikhs used to die in Punjab. Every SSP had to report: I have killed 14. The other who said I have killed 28 was appreciated more. The third SSP who had to outsmart the first two had to report 31. The night before - the meeting with Gill, the Sikhs used to die so that the SSPs could vie with each other in showing their anti-terrorist achievements." The B. P. Tiwari Inquiry Committee submitted its report to the government in the first week of May 1999. But the government chose to withhold the report from the public and took no action on its recommendations. In April 2002, Simranjit Singh Mann moved the High Court of Punjab and Haryana for directions to the state of Punjab to make the report public. The high court issued notice, and the state government demanded two months' time to examine the report. In the end, the state government declined to produce the report and the high court ordered another investigation, which is still pending. These pending inquiries belong to the Kafkaesque bureaucracy of denial, diversion and cover-up, and seem to be stock-in-trade of the politics of impunity in India. Upendra Baxi's following words sum up the reality: "Management of organized political violence requires multifarious use of the 'law' as a sustained device of cover-up strategies and operations. What actually happened ought never to be allowed to achieve juridical verification. Judicial commissions of enquiry must be so constituted as to serve as weapons of political warfare; if at all these establish *prima facie* facts of political violence, they must do so in ways that make rights, redress and rehabilitation almost impossible... Investigative agencies should not have autonomous status that allows them to establish the truth of what happened. If appellate courts, especially the Supreme Court, were to investigate matters in ways profoundly subversive of the operative violent multi-party consensus, all efforts must be made to render futile these occasional adjudicative leadership feats. Politically patronized

The CBI's Three Lists of Illegal Cremations

The faults we found with the CBI's investigation are weighty; they go beyond mere technical problems and raise fundamental questions regarding the integrity of the institution's approach to this matter of illegal cremations. Some critical questions, prompted by a comparison of the Committee for Coordination on Disappearances in Punjab (CCDP's) data with the information contained in the CBI's lists, are: n A large number of those cremated were clearly named by the Punjabi press. Why did the CBI fail to identify them? n Families of many victims spoke with the CBI officials and also filed information at their office in Amritsar. Why did the CBI fail to use that information while compiling its lists of cremations? n In many cases, the police handed the bodies to the families and the cremations were carried out at their villages without the police presence. Why did the CBI record these cremations as having been carried out by the police? n Finally, did the CBI purposefully conceal the identities of some of the people it included on its third list of unidentified cremations?

Details of the Lists

According to the CBI, cremation of 2,098 bodies under three police stations of the Amritsar district, namely Taran Taran, Amritsar and Majitha, could be classified into three lists: 582 cremation of identified bodies, 278 of partially identified and 1,238 unidentified cremations. Though the National Human Rights Commission (NHRC) and the Supreme Court orders show a slight variation in the numbers we use these numbers because they represent the current status of the CBI's lists. The lists reveal irregular gaps in time between police cremations which, in the absence of any explanation, are incomprehensible. The *list of 582 identified bodies* under Tarn Taran police district starts with two

cremations carried out by Verowal and Patti police stations on 6 July 1984 and 21 July 1984. The third cremation on the list, with a gap of two years and 10 months, is dated 10 May 1987. There are a total of five cremations in the year 1987; one in May, another in July and two in October. The first cremation in 1988, under Tarn Taran police district, is dated 29 February 1988 and the list shows a total of 23 cremations in that year. The cremations for other years are: 33 in 1989; 43 in 1990; 48 in 1991; 124 in 1992; 53 in 1993 and one in 1994. Under Amritsar police district, the identified list shows the first cremation on 18 April 1988. The second cremation is dated 2 June 1988. The third cremation under Amritsar police district, with a gap of more than 10 months, is dated 28 April 1989 and the list shows a total of four cremations in that year. The two cremations in 1990 are dated 30 August and show a gap of more than one year against the preceding cremation on the list dated 7 July 1989. The cremations for other years are: 23 in 1991; 37 in 1992 and two in 1993. The first cremation on the list under Majitha police district is dated 3 October 1987. The second cremation is dated 24 October 1987 and the third cremation, with a gap of more than eight months, is dated 8 July 1989. The list shows a total of 13 cremations in 1989. For 1990, the list shows only four cremations; the first one on 28 February, the second on 22 March, the third, with a gap of six months, on 27 September and the fourth on 11 December 1990. The cremations for other years are: 38 in 1991; 98 in 1992; 24 in 1993 and one in 1994. The **list of 278 partially identified bodies** under Tarn Taran shows only one cremation in 1984 dated 07 August. The second cremation, with a gap of two-and-a-half years, is dated 7 February 1987 and there are a total of five cremations in 1987; one in February, another in March, two in May and one in December. The first cremation in 1988, with a gap of more than seven months, is dated 25 July 1988, and there are a total of three cremations that year. The cremations for other years are: three in 1989; 14 in 1990; 33 in 1991; 49 in 1992; eight in 1993 and one in 1994. Under Amritsar police district, the list shows three cremations in 1984, two of them on the 11 August and one on the 12 August, carried out by Sadar police station. The next cremation on the list was carried out on 18 September 1987. The list shows two cremations in 1987, both carried out by C-Division police station on 18 September and 5 October. The list then jumps to 26 March 1988, leaving a gap of more than five-and-a-half months, and there are a total of 10 cremations in that year. The cremations for other years are: three in 1989; three in 1990; 17 in 1991; 21 in 1992 and two in 1993. Under Majitha police district, the first two cremations are dated 8 October 1987, carried out by Beas police station. The next two cremations on the list, with a gap of five-and-a-half months, are dated 24 March 1988. Yet another cremation in 1988, with its total of three, is dated 3 May 1988. The first cremation in 1989, with a gap of more than nine months took place on February 16 followed by 14 cremations later in the year. The number of cremations that took place in other years are: five in 1990; 22 in 1991; 42 in 1992 and 12 in 1993. The first cremation on the **unidentified list of 1,238 cremations** under Tarn Taran police district is dated 8 October 1984, and is, carried out by Bhikhiwind police station. The second cremation, with a gap of nearly two years and nine months, is dated 1 July 1987. The list shows a total of 10 cremations in 1987 under Tarn Taran police district. The cremations for other years are: 18 in 1988; 52 in 1989; 102 in 1990; 209 in 1991; 188 in 1992; 59 in 1993 and four in 1994. Under Amritsar police district, the list shows a total of 22 cremations in 1984; 18 of them took place in June, the month in which the Indian army carried out the Operation Blue Star. Three of them, carried out by Kotwali 'E' Division police station, are listed on the 2 June 1984; two, carried out by Chheharta police station, are on the 4 June 1984 and 12, carried out by Sadar police station, took place on 5 June 1984. One more cremation took place on 27 June 1984. Clearly, all these cremations are linked to the deaths that occurred in the course of the assault on the Golden Temple of Amritsar. The list also shows two cremations in August and one in November. With a gap of more than nine months, the list then shows two cremations on 16 and 19 August 1985, then again with a gap of nine months a cremation on 2 May 1986, and two more cremations carried out by Sadar police station on 25 May 1986. The cremations for other years are: 15 in 1987; 23 in 1988; six in 1989; 42 in 1990; 75 in 1991; 51 in 1992 and 12 in 1993. Under Majitha police district, the list shows four cremations in 1984; the first, carried out by Jandiala police station on 5 June 1984, the second, carried out by Beas police station, on August 14, and two other cremations, by Lopoke police station, on 20 September 1984. The list then jumps to two cremations carried out by Kathunangal police station on 26 March 1986, with a gap of one-and-a-half years, and showing a total of five cremations in that year. The cremations in other years are: 33 in 1987; 19 in 1988; 43 in 1989; 59 in 1990; 81 in 1991; 70 in 1992 and 28 in 1993.

Illustrative Case

We will use the case of Manjinder Singh, included in the CBI's list of partially identified cremations, to raise some of the preliminary problems with the information contained in the lists. Twenty-four-year-old Manjinder Singh, son of Thakar Singh and Gurnam Kaur, was a constable in the Punjab police and resident of Pakho Ke village. He was unmarried. After completing his higher secondary school, Manjinder joined the Government Physical College at Patiala for a diploma in sports training. In school, Manjinder had excelled at volleyball and participated in competitive matches at the inter-state level. Due to his sports record, Manjinder was selected for the Punjab police while he was

still completing his diploma at the Patiala college. In 1992, Manjinder returned to his village on leave and did not report back to duty. He was under pressure from several relatives who had been threatened by the militants to make him give up the police service. He had also received indirect threats to quit the police department if he cared to protect his parents' safety. Manjinder decided not to endanger their lives and stayed away from the department. Soon, he began to receive letters from his department to report back to duty, but he ignored the letters. On 28 or 29 April 1992 Manjinder went to Jandiala Guru town for some shopping and, in the market, he met Gurdev Singh, son of Harbans Singh, and Major Singh, son of Jagir Singh, both from his village. Their meeting was coincidental and they walked together to one Bira Singh's watch repair shop. The Jandiala Guru police, led by SHO Udhm Singh, arrested Manjinder and his companions in the market while one of them was getting his watch fixed. The police blindfolded all of them and took them away in a police vehicle. Manjinder's sister Gurnam Kaur was also in the market and, noticing the commotion, she found out that the police had abducted her brother and two others from her village. A large number of people had witnessed the abduction and, since Pakho ke was very close to Jandiala town, the news of the abduction soon reached Manjinder's parents. Manjinder's brother Surjit Singh rushed to the Jandiala Guru police station and learnt that the police had taken all the three persons arrested by the SHO to Amritsar's Mall Mandi interrogation center. The family members tried to make inquiries at the Mall Mandi interrogation center but no responsible officer spoke to them. The Jandiala Guru police registered a case against Major Singh but they did not acknowledge the arrests of Manjinder and Gurdev. On 7 May 1992, Manjinder's family members read a report in the newspaper *Ajit*, which announced his death in an encounter near village Dala Kalan. Another militant named Gurdev Singh Bhutoo was also reported killed. The encounter had allegedly occurred when the police took them for the recovery of weapons. The report quoted police officials as suggesting that some militants lying in ambush attacked the police vehicle and, in the ensuing exchange of fire, both Manjinder and Gurdev died. The police had already cremated the bodies at the Durgiana Mandir cremation ground on 6 May 1992. The families collected the ashes from the cremation ground. The newspaper reports about the encounter clearly identified both Manjinder and Gurdev Singh and spoke about only two killings. The CBI's identified list shows the cremation of Gurdev Singh on 6 May 1992, whereas Manjinder's cremation figures in the CBI's second list of partially identified cremations. In this entry, the CBI gives the wrong name for Manjinder's father; his father's correct name is Thakar Singh. Also, surprisingly, the CBI's list of unidentified cremations, under Sl. No. 397/259 and 398/260, shows two additional cremations carried out by the Jandiala police on 6 May 1992 under the same first information report (FIR) No. 62/92. These entries suggest that either the police killed more than two persons in this alleged encounter or the police cremated two others not involved in the encounter under the same FIR. Manjinder's elder brother Sharanjit Singh told the CCDP members that several CBI officers had visited his house to make inquiries after the Supreme Court ordered an investigation into the matter of secret cremations. According to Sharanjit, the officers recorded detailed statements from all of the families connected with this episode. Sharanjit also claimed to have seen a CBI inspector traveling with SHO Udhm Singh, one of the accused in these abductions and killings. According to him, Udhm Singh's gunmen talked to the shopkeepers in Jandiala town and told them not to admit to having witnessed the abductions. This case highlights three of the issues that will be discussed below: 1. Incorrect names and addresses in the CBI's lists; 2. Failure of the CBI to further investigate the additional people cremated under the same FIR numbers; and 3. Questionable behavior of the CBI officials.

Failure to Properly Identify People

Being the premier investigative body of India, the CBI could easily have accessed victim families, eye-witnesses, newspaper reports and police records for its investigation of the illegal cremations. Here are two simple examples of where the CBI could have used these resources to more fully identify people cremated by the police: n The police killed both Dalbir Singh and his son Teja Singh in the same encounter. However, their names do not appear on the same list. The CBI recorded the father's cremation in the fully identified list under Sl. No. 2/57, but placed his son Teja Singh on the partially identified list under Sl. No. 8/56. Although newspaper reports about the encounter only identified Dalbir Singh, a simple interview with the surviving family members could easily have revealed all the necessary facts. n Under Sl. No. 3/008 of the identified list, the CBI mentions 10 May 1987 as the day of cremation of Virsa Singh, killed in an encounter along with Mangal Singh and Satnam Singh. The newspaper reports clearly identified all three men. However, the CBI chose to place the cremations of Mangal Singh and Satnam Singh on the partially identified list, under Sl. Nos. 4/07 and 5/09. Also, contrary to the information carried in the newspaper reports, the CBI further incorrectly identified Mangal Singh's village. In many cases, family members and newspapers reported that more people died in the same alleged encounter than included on the CBI's lists. Does this mean that the police cremated more than one person per pyre and the CBI, by relying entirely on the police records of the cremations, failed to capture this misdemeanor? Alternatively, does this mean that the police disposed of the other

bodies through methods other than illegal cremation? For example, the families fully identified the bodies of Mohinder Singh and his four colleagues before their cremation. The CBI lists Mohinder Singh and three of those killed with him on their identified list, (Sl. Nos. 66/160 to 68/162). None of the three lists, however, includes his fourth colleague, Dilbagh Singh's, cremation. It is not clear what happened to Dilbagh Singh's body. The CBI's records on the cremations of Jounga Singh and Gurnam Singh, under Sl. Nos. 506/140 and 509/142 of its identified list, question how the CBI verified its facts. The CBI records two cremations on 27 September 1992 that of Jounga Singh, son of Dayal Singh, resident of Lakhantappa, and of Gurnam Singh, son of Swaran Singh, resident of Kala Bakra, carried out by ASI Ranjit Singh of Jandiala police. The CCDP members visited Lakhantappa and discovered that no one by the name of Jounga Singh had died or disappeared from that village during the period of the unrest in Punjab. The committee also discovered that there is no village called Kala Bakra, allegedly the residence of Gurnam Singh. It is not clear how the CBI justifies including these records on its identified list.

Contradictions or Discrepancies in Data

The CBI has presented its lists of cremations without reconciling some basic contradictions in its data. They have not shown, for example, how and why the cremations of persons killed separately was reported under the same FIR number, how and why cremations of persons killed together was mentioned under different FIR numbers, or what happened to the bodies of other persons reportedly killed in the same encounter but not included on the CBI lists. The testimony of the family of a victim and the newspaper reports show that Sukhchain Singh and Mukhtiar Singh were killed together in an encounter under Valtoha police station. The CBI shows the cremation of Sukhchain Singh in its first list under Sl. No. 104/296. The cremation of Mukhtiar Singh, mentioned in the partially identified list, under Sl. No. 24/297, is shown to have been undertaken two weeks later by another police officer and police station. In fact, the FIR number of Mukhtiar Singh's cremation matches the FIR number of cremation of two others, Bagal Singh and Gurdeep Singh Mehra under Sl. Nos. 25/301 and 26/302. How do we reconcile these differences? In a similar FIR muddle, the CBI list includes two cremations done by SHO Darshan Singh of Tarn Taran's Sadar police station on 9 May 1992 under FIR No. 34/92. (Sl. Nos. 177/676 and 178/677) Under that same FIR number, SHO Darshan Singh mentioned two more cremations two weeks later on 24 May 1992. (Sl. Nos. 179/680 and 180/681). Why were the cremations of all four persons mentioned under the same FIR number, by the same police officer, listed different dates? These examples and the questions they generate require the CBI to explain how it conducted its investigations, what sources it relied on, and what methodology it used to investigate illegal cremations conducted by the police. The CBI must provide explanations for the discrepancies in its data. The summaries include references to many more such confusing examples.

Empty Records

The CCDP's data reveals three categories of cremations recorded by the CBI that could not have taken place: (1) Cremations duplicated on more than one list; (2) Cremations purportedly carried out by the police that were actually conducted by family members; and (3) Cremations recorded on dates when, according to the family sources, the victims were alive.

Duplicates

The CCDP's investigations revealed two major errors of duplication in the CBI's lists. The cremation of Niranjjan Singh, s/o Boor Singh, r/o Behla, is included in the fully identified list under Sl. No. 121/392 as having occurred on 18 April 1991. The CCDP spoke to Balwinder Kaur, Niranjjan Singh's widow, and learnt that he had actually been killed on 9 June 1992 when the security forces used him as a human shield to take out three militants who had taken shelter in an abandoned house at Behla. In fact, the CBI's partially identified list correctly shows Niranjjan Singh's cremation on 9 June 1992 listed under Sl. No. 71/705. Thus, the cremation recorded under Sl. No. 121/392 of the CBI's identified list could not have been that of Niranjjan Singh, son of Boor Singh, resident of Behla. Niranjjan Singh's example encapsulates the CBI's failure to use witness testimony and newspaper accounts to resolve cremations even in well known cases. Niranjjan Singh had died along with six others used by the security forces as human shield to storm a militant hideout. The incident resulted in nine deaths. The CBI's partially identified list shows five cremations. Three cremations figure in the identified list. The cremation of Gurmej Singh, one of the six villagers forced to become a human shield and killed in the process, does not figure in any list. The CBI also appears to have duplicated the record of Anrez Singh's cremation. The CBI has fully identified him under Sl. No. 392/78 as the son of Charan Singh and resident of Jalalabad. The CCDP visited Charan Singh and recorded his statement regarding the death of Anrez

Singh. At no point did he mention another son named Amrik Singh. However, under Sl. No. 391/56, the CBI's partially identified list shows the cremation of Amrik Singh, son of Charan Singh, as having occurred on the same date and mentioned under the same FIR. If this record is not a duplication, then who was Amrik Singh, son of Charan Singh?

People Not Cremated by the Police

The CBI's identified and partially identified lists show at least 25 cremations that were actually carried out by the families. The case of Amrik Singh, son of Gurmej Singh Mahajan and resident of Ratoke, is one example that also shows how the CBI failed to conduct even a cursory examination of facts. Amrik Singh, a mason by profession, was married to Joginder Kaur with two sons, Gurnam Singh and Nishan Singh. He focused on his work, commuting between his home and worksite on his bicycle. He reportedly had no political or militant connection and had never been arrested or interrogated prior to his killing. On 9 August 1988 morning, Amrik Singh, as usual, left for his worksite in village Dasuwal where he was building a drainage system. Around 9 a. m., when Amrik and his colleagues had just started attending to their work, the Valtaha police, led by SI Mohinder Singh, got involved in an exchange of fire with a group of militants. The police chased the militants, firing at them. One of the bullets fired by the police hit Amrik Singh in his head and he died instantaneously. His family learnt about his killing around 11 a. m. when Valtaha police took Amrik's father Gurmej Singh down to the site to identify the body. The police officers expressed regret and admitted that they had killed an innocent man by mistake. The next morning, after the post-mortem, the police handed the body over to the family members for the cremation, which was carried out in their village. However, the following day, the newspapers published a report, on the basis of a police handout, stating that the police had killed a militant in an encounter at Dasuwal village. Amrik's family members had neither the resources nor the necessary contacts to challenge the lie and, fearing further reprisals, they decided to keep quiet. The CBI seems to have adopted the police version in its totality, without consulting other sources of information.

Families who Submitted Complaints to the CBI

In these cases, the families themselves filed complaints and provided the CBI with all information needed to identify their loved one's cremations. The CBI, however, failed to fully and properly identify these people in its lists. Why did the CBI fail to record the information personally provided to it? Was there a lack of communication between the different offices of the CBI? After the police killed his son in a fake encounter, Gurmit Singh personally went to the CBI's temporary office in Amritsar to submit his complaint. CBI inspector P. C. Sharma also visited the family's home and recorded the statement of Gurmit Singh's wife Narinder Kaur several times. Despite these efforts, the CBI included the cremation of their son on its unidentified list under Sl. No. 537/304.

Unidentified List

The CBI's competence becomes further questionable by a perusal of the cremations listed as unidentified. In many cases, the CBI easily could have referred to press reports, police records, testimony of family members and even information available in its own files to complete the identifications. Out of the cremations the CCDP has been able to identify from the CBI's unidentified list, six were those of police officers, one cremated person's father was a police officer who had resigned in protest against rampant human rights abuses within the department. In 10 cases, the press reports clearly identified the cremations, in five cases, the families filed complaints and information with the CBI officials, two were soldiers of the Indian Army and two others were prominent leaders of the community. More people could have been identified through autopsy reports seen by families, identification cards on bodies, and other such methods. The CBI's failure to identify these cremations raises very basic questions about its integrity in investigating this matter.

Failures of this Procedure

In many cases, the CBI investigators actually visited the families to obtain testimonies and then chose to ignore them. The families were, thus, exposed to harassment of the local police. Boota Singh was threatened with serious consequences if he pursued the extrajudicial execution of his son Baldev Singh, a soldier of the army, with the CBI. SHO Harbhajan Singh of Chherharta police station, who had abducted Baldev Singh, detained Boota Singh several

times, offering him a “compromise”. Boota Singh reported these incidents to the CBI officials who visited his house to make their inquiries. They assured him that he would be protected and promised to prosecute the guilty. On those assurances, the CBI officials took with them Baldev’s identity card and other papers connected with the case, like copies of telegrams that Boota Singh had sent to Baldev’s commanding officer. Boota Singh never heard from the CBI officials again.

Concluding Case Study

This note will conclude with the case of Udham Singh and his family’s pursuit for justice from the CBI. Sixty-two-year-old Udham Singh, son of Gajjan Singh, was a respected farmer of Thathgarh village under Jhabal police station in Tarn Taran subdivision of Amritsar district. He was locally known as ‘Akali’ because of the contributions of his grandfather Kala Singh and uncle Arjan Singh to the Sikh religious reform movement in the 1920s that witnessed the birth of the Akali Dal and the formation of the Sikh Gurudwara Prabandhak Committee (SGPC) in 1925. Udham Singh was married to Gurmej Kaur and had five children, three daughters and two sons. Udham Singh was deeply involved in Sikh religious affairs in his area and took part in the organization of important events of the Sikh religious calendar. Tarn Taran police had raided his house a number of times out of the suspicion that persons connected with the militant movement visited his house. The police had once detained Udham Singh and his sons, Heera Singh and Hazura Singh, for interrogation. They were later released. On 1 July 1992, around 4 or 5 in the morning, a large group of Punjab police officers raided Udham Singh’s house, entering it after scaling the walls. ASI Dilbagh Singh of Jhabal police station was one of the police officers. Police arrested Udham Singh and his son Hazura Singh and took them away to B. R. Model School interrogation center. Despite loud protest and repeated questioning by Udham Singh’s daughter Rajwant Kaur and Hazura Singh’s wife Ranjit Kaur the police officers did not say where they were taking the arrested persons. At the interrogation center, Udham Singh and Hazura Singh were locked up separately. Hazura Singh does not know what they did to his father. On 7 July 1992, the police released Hazura Singh from the interrogation center. The same day newspapers reported the killing of Udham Singh in an encounter that allegedly occurred the night between 5 and 6 July 1992. The police did not inform the family about the cremation. In 1996, some CBI officers approached the family in connection with their investigation into the illegal cremations matter, as ordered by the Supreme Court. Although the CBI officers did not disclose the purpose of their inquiries, Heera Singh gave all of the details of the case. Around this time, Dilbagh Singh, one of the police officers from Jhabal responsible for Udham Singh’s abduction on 1 July 1992, also approached the family and offered a large sum of money for a compromise on the matter. But the family declined the offer and threatened to report it to the CBI. At this, Dilbagh Singh went away with the words, “Alright! We will then pay the same money to the CBI officers.” Later, the family members came to know that the CBI had filed a closure report in the case. Heera Singh once visited the CBI’s court at Patiala and met the officials responsible for the prosecution of the culpable Punjab police officials. They told him that the legal action was not possible as there was no evidence. They also took Heera Singh’s signatures on some statements that were written in English and which he could not read. The family members suspected that the police officers responsible for Udham Singh’s abduction and murder in a fake encounter bribed the CBI officers responsible for the investigation. The CBI had presented its closure report in this case, No. R. C. 9(S)/97/SI. UXVI/ JMU, on 1 October 1999 before the CBI court in Patiala. The court, vide its order dated 16 February 2000, took the view that the investigating agency should make further efforts to identify the abductors of Udham Singh. The CBI then presented a supplementary closure report on 29 September 2000, which said that no fresh evidence was forthcoming and the case should therefore be closed. The CBI’s closure reports are a surprise since Hazura Singh had been abducted along with Udham Singh on 1 July 1992 morning. Hazura Singh was held at the B. R. Model School interrogation center till the July 7, the day after the Sadar police carried out Udham Singh’s cremation. The B. R. Model School Interrogation center, which operated under the direct authority of Amritsar’s senior superintendent of police (SSP), was well known as a place where terrible atrocities were committed in the course of interrogating illegally detained persons before they were liquidated in fake encounters.

Police Powers

Testimonies of victim’s families provide a depressing picture of the pervasiveness and extent of police power and abuse. Their stories show how innocence and guilt were mere technicalities during the police counter-insurgency operations. One could not predict what mundane daily activities would lead to indiscriminate abuses; there were no precautions one could take. This note attempts to first state the legal principles on the procedure of search, arrest and custody, and then document their flagrant violations and the total powerlessness of the people in preventing them. The

following is a short summary of the legal principles, which were applicable when the abuses occurred. The Supreme Court has since further refined them in *D*.

K. Basu Vs. State of West Bengal, which we shall examine later.

Search

Section 100 (4), (5), (6), (7) and (8) of the Code of Criminal Procedure (CrPC), 1973, require that before making a search, the officer or other person must call on two or more independent and respectable inhabitants of the locality to attend and witness the search. If they express unwillingness, the officer may issue an order in writing to them to do so. Any person who refuses to attend and witness a search under this provision, shall be deemed to have committed an offence under section 187 of the Indian Penal Code (IPC). The search has to be made in their presence, and a list of all things seized has to be prepared. The occupant of the place searched, or some person on his behalf, shall be permitted to attend the search, and a copy of the list prepared, signed by the witnesses, shall be delivered to such occupant or person. All of these principles and their procedural elaborations have been explained in a number of landmark cases decided by the Supreme Court, originating in Punjab.

Arrest

Under section 41(a) of the CrPC, a officer may arrest any one for a cognizable offence, even without an order from the magistrate or an arrest warrant, if there is a reasonable complaint, suspicion or information. According to a full bench decision of the Madhya Pradesh High Court, reasonable suspicion is the minimal requirement. The Law Commission of India, in its *One Hundred and Fifty-Second Report on Custodial Crimes*, explained “reasonableness” of arrest with reference to the *Wednesbury Principles* discussed in two House of Lords judgments in Britain. According to these principles, a person on whom discretion is conferred by the statute, must [a] Exercise it in good faith for furtherance of the object of the statute; [2] Must not proceed upon a misconstruction of the statute; [c] Must take into account matters relevant for exercise of the discretion; and [d] Must not be influenced by irrelevant matters. The Supreme Court of India further explained that the discretion of arrest has to be exercised to balance individual rights against social need. The Court referred to the third report of the National Police Commission and Canada’s Royal Commission on Criminal Procedure to suggest that in normal circumstances, the police should use what is called “appearance notice” to obtain attendance of a suspect at a police station without exercising the power of arrest. The Supreme Court pointed out that arrest cannot be made merely because it is lawful to do so. The police must also be able to justify an arrest on reasonable grounds. The Court also held that: [1] The police must intimate a friend or a relative about the arrest and the place of detention; [2] Inform the arrested person about his rights in law; [3] Make the necessary entries in the diary about the arrest, also showing the person intimated. The Supreme Court held that these obligations were part of requirements under Articles 21 and 22 of the Constitution and it was the duty of the magistrate having proper jurisdiction to ensure that police comply with these requirements. According to Article 21: “No person shall be deprived of his life or personal liberty except according to the procedure established by law.” Article 22 (1) and (2) of the Constitution stipulate that: [1] “No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds of such arrest, nor shall he be denied the right to consult, and to be defended by a legal practitioner of his choice;” and [2] “Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of 24-hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.” The right to be informed about the ground of arrest is categorically affirmed also under section 50(1) of the CrPC, stating: “Every police officer, or other person arresting any person without warrant shall forthwith communicate to him full particulars of the offence for which he is arrested or other grounds for such arrest.” When the arrest is under a warrant, as given in sections 70 to 74 of the CrPC, the officer must notify the person about the substance of the warrant and also show it to him. That is the stipulation under section 75 of the CrPC. Under section 57 of the CrPC, “no police officer shall detain in custody a person arrested without warrant” for a period longer than “24 hours exclusive of the time necessary for the journey from the place of arrest to the magistrate’s court”.

Recognizing the essential connection between Article 22(1) and (2), the Supreme Court has, in several judgments, strengthened their mandate by elaborating the necessary measures to prevent custodial abuse. The right to consult a lawyer aims to: [a] Secure immediate release if an arrest is illegal; [b] To avail bail if the circumstances so permit or

warrant; [c] To prepare for defence; and [d] To ensure that no illegality occurs in the course of police custody. In the *Sheela Barse* case, the Supreme Court laid down the following guidelines, especially for female detainees: [1] Female suspects are to be detained in lock ups selected in good localities and guarded by female constables; [2] Female suspects are not to be held in lock-ups that house male suspects; [3] Their interrogation should be carried out in the presence of female police officers; [4] The police must intimate the arrest to a relative and friend and also the nearest legal aid committee; [5] The magistrate before whom an arrested person is produced must ascertain if there is any complaint of custodial torture or maltreatment. Under section 54 of the CrPC, “When a person who is arrested, whether on a charge or otherwise” asks for a medical examination of his body to establish the commission of any offence against his body, “the magistrate shall, if requested by the arrested person to do so, direct the examination of the body of such person by a registered medical practitioner unless the magistrate considers that the request is made for the purpose of vexation or delay or for defeating the ends of justice”.

Interrogation

According to Article 20(3) of the Constitution, no person accused of any offence shall be compelled to be a witness against himself. This principle and its implications have been elaborated in a number of Supreme Court cases. *Nandini Sathpathy*

Vs P. L. Dani, explains that the principle protects against both self incriminatory and compelled testimony. In other cases about the implementation of this principle, the Supreme Court has affirmed that section 161 (2) of the CrPC is a parliamentary gloss on Article 20(3) and the words “to be a witness against himself” provide protection beyond the judicial process to encompass the giving of any incriminating evidence or information during police interrogation. These judgments of the Supreme Court uphold the right of persons, who are not yet formally charged, to remain silent during custodial interrogation. Section 162 (1) of the CrPC makes statements made by any person to a police office in the course of an investigation inadmissible at any inquiry or trial. Section 163 of the CrPC stipulates that “no police officer or other person in authority shall offer or make, or cause to be offered or made, any such inducement, threat or promise” to exact a confession. Section 24 of the Evidence Act says that “a confession made by an accused person is irrelevant in a criminal proceeding, if the making of the confession appears to the court to have been caused by any inducement, threat or promise.” Section 220 of the IPC mandates punishment of imprisonment up to seven years to any person with “legal authority to commit persons for trial or to confinement” who “corruptly or maliciously confines any person, knowing that in doing so he is acting contrary to law.” Section 348 provides for three years of imprisonment to “whoever wrongfully confines any person for the purpose of extorting “confession or any information which may lead to the detection of an offence or misconduct”. Criminal intimidation is, under 503 and 506 of the CrPC, punishable with two years of imprisonment. This is the law that controls the police powers to search, arrest, detain and interrogate suspects. This note will now show the systematic abuse of the police powers in Punjab and the total powerlessness of the people in preventing it.

Illustrative Case

Twenty-two-year-old Baljinder Singh, alias Balli, resident of Saido Lahil village, was employed by a company called Nijjher Agro Food. He was a matriculate. Baljinder’s work involved interactions with farmers about the precautions to be taken while using insecticides on vegetable crops. The company had given him a scooter to travel. Baljinder Singh used to go to work daily on the company scooter. On 2 August 1991, Baljinder Singh and the personal security officer attached to his company’s owner, a Punjab police constable, were going on his scooter to a village for work. Unknown to him, a militant leader, Manohar Singh, was also driving a scooter in front of him. When identified at a police checkpost, Manohar Singh committed suicide by consuming cyanide. The police officials, out of suspicion, arrested Baljinder Singh and his companion when they came driving up to the checkpost soon after Manohar Singh died. Many who witnessed their arrest became agitated. Soon, there was a huge crowd outside Jandiala Guru police station demanding the release of Baljinder Singh and his companion. When the police did not respond, the crowd decided to block the highway, the Grand Trunk road connecting Amritsar and Delhi. A number of Baljinder’s family members also joined the agitation. The police used force to disperse the crowd and, after a lathi-charge, opened fire. The firing killed three persons and injured many more. Baljinder’s cousin Darshan Kaur, who was married to a man from village Gehri Mandi, was also injured. Later, the police implicated both Baljinder Singh and his companion Jagtar Singh in a case under TADA. Both were jailed for eight months, and then the court released them on bail. Soon after his release on bail, on 10 October 1992, Baljinder married Karamjit Kaur and later had a son. On 10 November 1992, exactly a month after their marriage, a large police force of approximately 50 men, led by deputy superintendent of police (DSP)

Gurmeet Singh of Tarn Taran, raided the farm house owned by Baljinder's father, Jarnail Singh. The raid took place between 8 and 9 p. m. Baljinder Singh was also at home. DSP Gurmeet Singh said that he needed to take Baljinder along to identify some militants whom they had arrested. The DSP promised to release him the next morning. Before taking Baljinder with him, he asked his father to prepare some food for all the policemen who, according to him, had been on duty the whole day and were hungry. Cooking for so many took some hours, and then after they ate, the DSP and his policemen left with Baljinder Singh. DSP Gurmeet Singh had not disclosed where they planned to take Baljinder to identify the arrested militants. The next morning, the family members and other eminent persons of the village first went to Mattewal police station. Not finding Baljinder there, they went to Mall Mandi interrogation center and then to B. R. Model School interrogation center in Amritsar. But Baljinder was not found in any of these places. They then went to the office of SSP Paramjit Singh Gill and managed to meet him. The SSP said that Amritsar police were not involved in the arrest and Baljinder was not in his custody. On 13 November 1992, Jarnail Singh, accompanied by several members of the village council, went to Tarn Taran and there they found out that the police had arrested some persons and brought them back to Tarn Taran. Jarnail Singh recognized some of the policemen who had eaten at his farm house before taking his son away. He was convinced that the police were detaining Baljinder at Tarn Taran. Jarnail Singh then contacted Ajit Singh Bains, former judge of the Punjab and Haryana High Court, who was then heading the Punjab Human Rights Organization. Bains issued a statement demanding the release of Baljinder Singh from his illegal custody. Several newspapers carried the statement on 13 November 1992. On 15 November 1992, Baljinder Singh, Rajinder Singh and Raghbir Singh were declared killed in an encounter that supposedly happened near village Sehbazpur between a group of militants and Tarn Taran police. Director-general of Punjab police, K. P. S. Gill accompanied by the SSPs of Amritsar, Tarn Taran and Majitha police districts and the deputy-inspector-general (DIG) of the Border Range, D. R. Bhatti, addressed a press conference claiming that early that morning at 4:30 a. m., DSP Gurmeet Singh of Tarn Taran police killed three militants in an encounter at a police checkpost set up near village Sehbazpur. The DGP further said that the three militants were in a Canter and had been signaled to stop. The police already had information that the militants had stolen the vehicle from the Tarn Taran bypass and were heading that way. The police force retaliated when the militants opened fire, and in the resulting exchange, killed the three militants. They were identified as: [1] Rajinder Singh, alias Amolak Singh, r/o Rumana Chakk, under Police Station Mehta; [2] Rajbir Singh alias Raju, r/o Dhamana and Baljinder Singh, r/o Saido Lahil. The DGP blamed these terrorists for hundreds of murders, including the relatives of Master Jagir Singh, transport minister in the Punjab government. The DGP also claimed to have recovered a large number of sophisticated weapons from the vehicle: 10 AK-47 rifles, one AK-74 rifle, 17 plastic bombs, 30 detonators, 25 magazines and 925 cartridges. On 16 November 1992, all the newspapers prominently reported the DGP's press conference. This case provides an introductory glance at the extent and type of abuses committed by the Punjab police. In this example alone, the police did not provide the family with any information on who they were and where they were taking Baljinder. Further, they had no qualms fabricating a story for the press, despite the eyewitnesses to Baljinder's abduction. Last, they arbitrarily deprived Baljinder of his right to life. The above discussion shows that not only did the police fail to use the procedure of arrest correctly, they also did not follow the measures necessary to prevent custodial abuse. The police did not display identification; they did not record the arrest, with an eyewitness attesting to it; they did not inform the person about the ground for arrest. They did not give the detainee a medical examination and they failed to send all documents to the magistrate. This note will now focus on the following issues for discussion: n Police response to family requests for information regarding abductees; n Police extortion; n Methods of constructing encounters; n Punjab police's traveling outside of their jurisdiction; and n Obstruction of justice by the Punjab police.

Failure to Inform Victim Families

In the majority of our cases, the police took their victims into custody in the presence of others. However, they did not disclose any information about themselves or their plans for the victims. When families and their sympathizers went searching for information at different police stations, police officials often callously prevented them from entering police stations and did not give any information about whether or not the arrested persons were in their custody. Many times, they never informed the families if their loved ones were alive or dead. When families did get to meet with police officials and question them regarding the status of their loved ones, police officials mostly denied custody and used tactics that kept them running from one place to another, hoping to locate their loved one. Families would often receive vague assurances that the police would release the victims after interrogation. Sukhwinder Singh was arrested from his house early morning on 3 November 1992 by ASI Raj Kumar, in-charge, Manochahal police post. He was arrested in the presence of his family members and other residents of the village. Early next morning, the family members and village elders went to Manochahal police station. The SHO told them that Sukhwinder was still required for interrogation, but he assured them they would release him soon. The family and village elders kept visiting the

police station for the next two days and only to receive the same response. On the third day, the SHO changed his approach. He now denied having arrested Sukhwinder Singh and maintained that Sukhwinder was not in his custody. The village elders got agitated, maintaining that they themselves had seen Sukhwinder in his custody. SHO Kumar ordered them to leave the station. The next day, the family and village delegation went to meet DSP Ashok Kumar and SHO J. Siddhu of Jhabal police station. When the DSP asked them to wait one more day, the delegation assumed he was promising to release Sukhwinder. The next day, however, newspapers reported the death of an unidentified militant. A constable informed the family that Sukhwinder was the unidentified militant referred to in the report. Police officers often went beyond blatant denials or vague comments and actually physically detained people who came for information about detainees. Gurdev Singh's family members, accompanied by the head of the village council and other elders, had gone to Tarn Taran's Sadar police station to look for Gurdev Singh and his brothers. The SHO accused them of helping militants and ordered them to be locked up. Only after a senior Akali leader Major Sing Uboke intervened many hours later did the SHO release them. To ward off inquiries, officers often lied. After reading reports about a press conference featuring his son's confession, Bahal Singh rushed to the B. R. Model School interrogation center. On reaching there, he saw his son Nishan Singh, blindfolded with his hands tied behind his back, was being taken out of the station in a police vehicle. Panicking that the police were going to murder him, Bahal Singh started screaming. The policemen escorting Nishan Singh told him they were taking Nishan to be produced before a magistrate. They asked Bahal Singh to also come to the court. Bahal Singh waited at the designated court all day, but the police did not produce his son. He returned to the police station and there, at the gate, started crying. A constable took pity on him and later escorted him to Nishan Singh, who lay inside a cell unable to move from police torture. Eventually, the police killed Nishan Singh in a fake encounter.

Police Extortion

The police extorted money from families in return for promises of ensuring the safety of their loved ones. Often, the families could not pay large sums demanded by the police officers, even after selling their property and belongings. Other times, even after receiving ransoms, the police killed the detainees. The case of Manjit Singh, included in the CBI's third list of unidentified cremations, illustrates the police use of extortion. It also gives his father's inside account of police abuses, which forced him to resign from the police service. Twenty-seven-year-old Manjit Singh alias Billa, son of Iqbal Singh and Sukhjinder Kaur, was a young farmer from village Nangali. Manjit had spent some years in Germany and had returned home to help his father with his agricultural work. He was unmarried. Manjit's father Iqbal Singh had joined the Punjab police as a constable in 1959 and, after serving the force for 31 years, had taken voluntary retirement in 1990. In this period, he had been posted in several districts of Punjab including Hoshiarpur, Gurdaspur and Amritsar. Iqbal Singh took early retirement primarily because he could not tolerate custodial atrocities his superiors and fellow policemen committed on common Sikhs and their use of their powers to extort money by taking innocent persons into illegal custody and forcing their relatives either to pay or to risk their arbitrary execution. He was particularly appalled by the crimes routinely committed by his fellow policemen when he was posted at Amritsar's joint interrogation center in the period from 1981 to 1983. According to Iqbal Singh, unscrupulous elements within the police force used the situation of violent unrest in Punjab to not only make money but also to obtain speedy promotions by killing innocent persons and labeling them as terrorists. Iqbal Singh had worked directly under SHO Ajaib Singh of Amritsar's Sadar police station who had joined the police force as a constable but rose to become a DSP. According to Iqbal Singh, the majority of lower officials committed atrocities on illegally detained persons on instructions from their superiors. However, there were several officials who tortured and killed their captives to impress their superiors about their anti-insurgency zeal and to obtain promotions and perks on that basis. SHO Ajaib Singh of Amritsar's Sadar police station was one such officer, Iqbal Singh felt. For these reasons, Iqbal Singh took early retirement. His eldest son, whose name we shall not reveal, had already joined the Punjab police and is still serving the force in a sensitive position. His younger son Manjit Singh went to Germany for some years, but then came back to help his father with the agricultural work as his health had begun to deteriorate. Early morning on 24 February 1992, a large police force from Amritsar's Sadar police station along with Central Reserve Police Force (CRPF) personnel raided Iqbal Singh's house and took Manjit away to Sadar police station for an interrogation. The arrest, led by ASI Santokh Singh and head constable Gurbachan Singh, was witnessed by many in the village. The same afternoon, Iqbal Singh, along with his sympathizers, met SHO Ajaib Singh who spoke to him in a very friendly way and assured him not to worry about his son. He also allowed him to meet Manjit in the police lock-up and give him food. Five days later, SHO Ajaib Singh told Iqbal Singh that he had to pay Rs. 500,000 to get his son released from the police custody. Taken aback by the demand, Iqbal Singh reminded the SHO of the time they had spent together working for the police force. He also told the SHO that his son was innocent and he was not in a position to raise half a million rupees. The SHO said that his superiors would not release anyone without collecting

money and it did not matter whether or not his son was innocent. Iqbal Singh promised to collect as much money as possible within the shortest possible period of time to get his son released. Iqbal Singh also sent telegrams to several senior police officials and other government functionaries informing them about the illegal arrest of his son. He met the SSP of Amritsar and the DIG of the Range to demand that his son be either released from illegal custody or produced before a court. He, however, did not inform them about SHO Ajaib Singh's demand for half a million rupees from the fear that the SHO might harm his son. His meetings with the senior officials had no impact on rescuing his son from the illegal police custody. Iqbal Singh raised approximately Rs. 200,000 within 20 days after his son's arrest and offered the amount to SHO Ajaib Singh who rudely told him that he was too late and that he should forget about his younger son. The SHO warned him not to talk about the episode to anyone if he cared for the safety of other members of his family. Iqbal Singh was not even able to know how his son had been killed and his body disposed. Iqbal Singh did not initiate any legal action from the fear that Ajaib Singh and his superiors involved in abducting and disappearing his younger son might also eliminate his elder son who was working for the Punjab police.

Methods of Constructing Encounters

The section of case summaries highlights different ways the Punjab police "constructed" their fake encounters. Many examples show that the persons killed in the same encounters did not know each other. Nor were they abducted at the same time. Numerous examples also show that the police shot and killed young men without warning, despite no sign of danger; they shot people at public places like bus stands and in broad daylight. The following example shows that even when the police admitted to families that they had killed someone by mistake, they still reported the death as an encounter killing. On 24 July 1989, a hot sultry day, Ratan Singh was returning home in the evening around 6:30 p. m., after supervising the construction of a sitting platform in his village. This was a part of his job as a member of the village council. By coincidence that evening, a joint force of the Punjab police and the CRPF, engaged in a chase and hunt operation on the trail of some militants, was approaching Kallah village from the side of Ratan Singh's fields and his house. As Ratan Singh walked down to his house, the security personnel started firing mistaking him for a militant. Ratan Singh was already inside the courtyard of his house and his family members were coming out to welcome him in when a bullet went through his chest and he collapsed on the spot. Ratan Singh's family did not know what was happening and assuming, in their state of panic, that intruders were breaking into the house, they ran out in the direction of their fields. The security personnel stopped firing and, announcing themselves, asked the family members to come back. Then they conducted a search and found Ratan Singh's body. The Punjab police and the CRPF personnel loaded the body into their vehicle and went away. It was already dark and the family members could not do anything. The next day, when his family members and villagers confronted the police officials at Tarn Taran's Sadar police station, they admitted their mistake. However, they still reported his death as an encounter killing. In other cases, the police killed people while they were watering their fields, relieving themselves, or doing their daily chores. The police killed these people without warning and without trying to ascertain whether they presented any danger. On 22 May 1992, around 1:30 p. m., 20-year-old Harvinderjit Singh Gill and his friend Mandeep Singh went to the Sikh Gurdwara Prabandhak Committee (SGPC's) office within the Golden Temple complex in Amritsar. Both of them were carrying their student identity cards and Harvinderjit Singh had, in addition, his educational concessions entitlement card No. 7624, issued to children of ex-servicemen. After meeting some SGPC functionaries in their office, Harvinderjit and Mandeep left the Golden Temple complex. DSP Rattan Lal Monga, who was in plainclothes, caught Harvinderjit by his arm and asked him to get himself frisked. Harvinderjit did not know it was an officer in plainclothes who grabbed him, and he protested loudly about this rude behavior. The altercation led to a physical scuffle and both of them fell to the ground. Harvinderjit still did not know that the man he was quarrelling with was a Punjab police officer when DSP Monga ordered his subordinates to shoot him. Harvinderjit was shot and he collapsed dead on the road. Mandeep Singh, who had been trying to intervene to end the quarrel, was shocked to see his friend shot and lying on the road in a pool of blood. A confused and perplexed Mandeep ran into a tea shop to save himself, but DSP Monga came after him, had him dragged out and shot. Mandeep Singh also died on the spot. Amritsar's Sadar police station registered FIR No. 36 to claim the incident as an encounter. The police often abducted suspects from their homes, their fields, their places of work, at police checkpoints, and other such places. After cordoning villages, police often made all male members of the village assemble in open areas or in front of a gurudwara. Many were then taken away and subsequently killed in fake encounters. The police cremated majority of persons they killed. In some cases, they informed the family members of these cremations. Many family members managed to attend the cremations because they found out about their relative's death through newspaper reports or rumors, and rushed to the cremation site. Often, the police prevented families from attending the cremations, sometimes threatening to use force. In several cases, families insisted that their relatives were still alive in police custody while the police officials claimed

to have killed them in encounters. Harjit Singh's case is an example. The case also shows how the Punjab police thwarted a *habeas corpus* process. Twenty-two-year-old Harjit Singh, son of Kashmir Singh, was from village Butter Kalan. Harjit was a scooter mechanic, but later joined the Punjab State Electricity Board as a casual worker. Since there was violent unrest in Punjab at that time, his father decided to send him to a relative, Joginder Singh, in Karnataka, a state in the south of India, far away from Punjab. Harjit found work there at the Kauda Sai Dam project. He came back to Punjab in April 1992 after the elections when the Congress party formed its state government under the chief ministership of Beant Singh. After reaching Punjab, Harjit Singh heard from his relatives that his family was staying away from their village home at Butter Kalan because of threats they had been receiving from unidentified armed men. Harjit's relatives also advised him not to go to his village. However, after staying with some relatives at Jattan village for some time, Harjit Singh decided to go back to his village and to figure things out for himself. On 29 April 1992 morning, Harjit started for his home village by a bus. On the way, near village Thathian, the police had set up a checkpoint under ASI Ram Lubhaya, in-charge of the police post at Gagar Bhana. The bus was stopped at this checkpoint around 11 a. m., and Harjit Singh was made to get down by ASI Ram Lubhaya, Daljit Singh, a former militant working for the police generally known as a 'Police Cat', constable Satbir Singh and several other policemen. Kashmir Singh, an engineer, was at this time posted at Beas. He received the information about his son's arrest at Thathian around 2:30 p. m., and immediately reached the site of the incident, where the eyewitnesses confirmed the forcible abduction, but were unable to say where the police had taken his son. Kashmir Singh then went to Baba Bakala police post to register an FIR about his son's abduction. The police post in-charge refused to register the FIR but in his presence sent a message on the wireless to his superior that the father of the abducted person wanted to get an FIR registered. Kashmir Singh searched for his son at various police stations and police posts in Amritsar district and also met senior police officials, including SSP Paramjit Singh Gill, IG D. R. Bhatti. He also met DSP Darshan Singh Mann three times, beseeching him to help. But none of them took any interest. On 13 May 1992, Punjab newspapers carried a story about the killing of Harjit Singh in an alleged encounter between militants and the police. The press reports said that he had been killed along with Lakhwinder Singh, s/o Surjit Singh of Chack Jamal Khan and another unidentified militant. First, Kashmir Singh felt shattered, thinking that his son had been killed. Then he began to receive reports from reliable quarters that his son was being held at different police stations and interrogation centers. He made efforts and managed to personally see Harjit at Mehta Chowk police station and then at Mall Mandi Interrogation center. First, he hoped that the police might release him and met various officials to plead with them to release his son. Encountering callousness and disinterest, he moved the high court with a petition for a writ of *habeas corpus*, marked as writ petition no. 615/1992. Justice H. K. Sandhu issued a writ and appointed a warrant officer R. L. Bhatia to go with Kashmir Singh and look for Harjit Singh at Mall Mandi interrogation center. Warrant officer R. L. Bhatia, accompanied by Kashmir Singh, reached Mall Mandi Criminal Investigative Agency (CIA) interrogation center on 17 October 1992 and saw Harjit Singh inside. However, the warrant officer was not allowed to enter the building to get Harjit Singh. The police made him wait until the SP in-charge of the interrogation center, B. R. Sharma, arrived there. By then, the police officials managed to remove Harjit from the interrogation center through a back door. The warrant officer confirmed this sequence of events in his report to the high court dated 21 October 1992. Kashmir Singh continued to receive reports of his son's illegal custody at various places. He saw him for the last time on 4 September 1992 in Kapurthala city. The findings of the warrant officer appointed by the high court led to two more inquiries, conducted by the sessions judge of Chandigarh and later by the CBI. A case filed on the basis of their findings is still pending before the additional sessions judge at Patiala. Amnesty International launched a campaign to demand a transparent inquiry, determination of facts and justice in this case. Kashmir Singh also sent petitions to the highest officials of the Indian state, including the chief minister and governor of Punjab, the Prime Minister and the Chief Justice of India. But these petitions have not had any perceptible impact on the process.

Traveling outside Punjab Boundaries

The following example shows how the Punjab police carried out abductions from other states in India. Twenty-eight-year-old Kewal Singh was a resident of village Fatehpur Badesha. After some years of schooling, he learnt to drive a truck and with his father's help, set up a transport business in Chanderpur, Maharashtra. His younger brother, Tarsem Singh, also joined him in the flourishing business. In 1990, Kewal Singh married Amarjit Kaur who came from Karumuwala village. A family from Amarjit Kaur's native village of Karumuwala, which had migrated to Amravati in Maharashtra, was wanted by the Punjab police in connection with some terrorist crimes. In May 1993, Harike police arrested Amarjit Kaur's father Tega Singh and his son Satta. The police then, led by SHO Surinder Singh, also raided Kewal Singh's house at Fatehpur Badesha village and arrested his father Amrik Singh. The village elders tried to intervene, but were told that the police had to take the family to Chanderpur where Kewal Singh and his brother had

set up their transport company. The Harike police, along with Amrik Singh and Tega Singh, reached Chanderpur on 24 May 1993 morning and arrested Kewal Singh and his brother while they were going to work. The police officers also arrested Amarjit Kaur from Kewal Singh's house and began their journey back to Punjab. Meanwhile, Kewal Singh's business colleagues at Chanderpur lodged a formal complaint with the police about his abduction. Near Nagpur, the Maharashtra police managed to intercept the vehicle in which the Punjab police officials, along with their prisoners, were traveling and detained them overnight in a police station. However, the senior Punjab police officials and their defenders in the Central government were able to secure their release and four days after starting on their mission, the group returned to Harike police station. Kewal Singh's life ended with torture and a fake encounter on 2 June 1993.

The Use of TADA and the Notion of Criminality

Our data challenges the Punjab state's claims that the majority of the people on the CBI lists were criminals. In 100 of the 513 cases we personally investigated, the victim families disclosed criminal and preventative detention proceedings. Fiftyeight of the victims were charged under TADA and related provisions, two faced detention under the National Security Act, 10 were charged under the Arms Act alone, and 30 faced other criminal charges. Strikingly, the court acquitted or released on bail 86 of the 100 people. Out of the remaining 14 who were not released on bail or acquitted, 10 were killed in police custody after magistrates remanded them for further investigation. The CCDP's compilation of data gives a disturbing picture of how police officers used TADA as an additional tool in their counter-insurgency armory. The majority of the cases show that the police illegally detained the victims, tortured them, and then implicated them under TADA or other criminal provisions. The data also shows that the police often charged people with terrorist crimes if they did not fulfill officers' demands for money. Also, the majority of people released on bail or acquitted by the court suffered subsequent repeated detentions and torture by the police, leading to their ultimate disappearance or extra-judicial execution. Even the constitutional principle against double jeopardy and a finding by the designated court that an individual was "not likely to commit any offence on bail" could not save an individual from these repeated detentions. The police killed many of the victims within a year of their release from jail. The case of Ram Singh provides a sober illustration of the use of TADA. The police had repeatedly arrested 32-year-old Ram Singh, who was married and had five children, because they suspected him of sheltering and feeding militants. His father Gura Singh had also disappeared after DSP Paramjit Singh took him into custody in March 1990. In October 1990, DSP Paramjit Singh arrested Ram Singh and other men from his village and took them to the CIA Staff interrogation center at Tarn Taran. SSP Ajit Singh Sandhu and SP (Operations) Khubi Ram brutally tortured Ram Singh. Only after the torture did the police transfer Ram Singh to Jhabbal police station and register a case against him under the Arms Act and TADA. Ram Singh spent one year at the high security prison in Amritsar. On 28 December 1992, Jhabbal police obtained a production warrant for Ram Singh and brought him for interrogation to the station even before obtaining his remand to police custody. The police alleged that Ram Singh died in an encounter that evening around 6:30 p. m. near Dode village. The magistrate rubber-stamped his remand order after his actual death.

Custodial Torture

Article 1. 1 of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 defines torture as: "Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions." Article 2 of the UN Convention against Torture (1984) obligates the state parties to the convention to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under their jurisdiction. The state may not invoke any exceptional circumstances whatsoever, whether a state of war or a threat of war, international political instability or any other public emergency, in order to justify the use of torture. An order from a superior officer or a public authority may not be used as a justification for torture, either. India is a party to the UN Convention against Torture after its Union government, under I. K. Gujral's premiership, signed it on 14 October 1997. The problem of custodial torture is not new to the Indian police establishment. In 1884, the Madras Presidency constituted the Torture Commission of India to investigate complaints that the police and revenue officials used custodial torture as a systematic tool to obtain confessions and recover land revenue from defaulters. The commission examined 519 complaints thoroughly and found that 79 complaints made against police officials and 198 complaints

made against the revenue officials were true. The commission described the prevalent methods of torture in the following words: "Among the principal tortures in vogue in police cases we find the following: Twisting a rope tightly around the entire arm or leg so as to impede circulation; lifting up by the moustache; suspending by arms while tied behind the back; searing with hot iron; placing scratching insects such as the carpenter beetle, on the navel, scrotum and other sensitive parts; dipping in wells and rivers, till the party is half suffocated; squeezing the testicles; beating with sticks; prevention of sleep; nipping the flesh with pincers; putting pepper or red chilies in the eyes or introducing them in the private parts of men or women; these cruelties occasionally preserved until death sooner or later ensued." The Torture Commission's report, published in 1855, concluded: "What wonder is it that the people are said to dread the police and to do all they can to avoid any connection with a police investigation? Deliberate association with the criminals in their gains, deliberately framing false charges against innocent persons on the ground of private spite or village faction, deliberate torture of suspected persons and other most flagrant abuses occur occasionally." The report precipitated a fervent discussion in official circles of the British government in India, resulting in a number of amendments to the Police Act of 1861, the Indian Evidence Act and IPC that created elaborate procedural safeguards against custodial crimes, made custodial confessions inadmissible as evidence, and prescribed stringent punishment for custodial torture by law enforcement officials. These amendments also led to the definition of "injury" under section 44 of the IPC, stating: "The word injury denotes any harm whatever illegally caused to any person, in body, mind, reputation or property." Section 166 of the IPC provides imprisonment for a term of one year and fine for any public servant who disobeys the directions of the law and causes injuries to any person by such disobedience. Section 348 of the IPC prescribes three years of imprisonment and fine to "whoever wrongfully confines any person for the purpose of extorting confession or any information which may lead to the detection of an offence or misconduct". Section 348 provides for punishment to a person who wrongfully confines any person for extorting any confession etc. It also provides for punishment for extortion committed to extract information leading to the detection of offence or misconduct. We do not know whether these penal provisions against custodial torture had any impact on the practice of the police establishment under the British rule. However, the evidence compiled by various police commissions in the country, since Independence, including the report of the Third National Police Commission, repeatedly exposed widespread prevalence of the 'third degree method' during police investigations. The Mahajan Commission on Punjab police, constituted in 1961, indicted the police authorities in the state, especially its CIA, of systematically using torture against suspects in their custody. On 26 August 1994, the Law Commission of India, headed by former Chief Justice of the Supreme Court K. N. Singh, submitted its 152 Report on Custodial Crimes to the Prime Minister with the remark that "revolted by the increasing number of reports of custodial torture and deaths, the Law Commission had taken up the subject *sou motu* for an in-depth study" The commission concluded that the anomalies and contradictions in the law of evidence, especially between sections 26 and 27 of the Evidence Act, have significantly contributed to the pervasiveness of custodial torture. Section 26 of the act holds that "no confession made by any person whilst in the custody of a police officer, unless it be made in the immediate presence of a magistrate, shall be proved as against such person." The commission pointed out that the safeguard provided by this section against custodial torture was nullified by the exemption available under section 27 of the Evidence Act, stating: "Provided that, when any fact is deposed to as discovered in consequence of information received from a person accused of any offence, in the custody of a police officer, so much of such information, whether it amounts to a confession or not, as are related distinctly to the fact thereby discovered, may be proved." Section 27 effectively made admissible discoveries based on confessional statements and the Law Commission of India recommended its repeal. In constitutional terms, the protection against custodial torture is embedded in the fundamental guarantee to right to life under Article 21 of the Constitution. In *Kharak Singh Vs. State of U. P.*, Justice Ayyangar of the Supreme Court of India quoted an American Supreme Court judge: "By the term life, as here used,

something more is meant than mere animal existence. The inhibition against its deprivation extends to all these limits and faculties by which life is enjoyed. The provision equally prohibits the mutilation of the body or amputation of an arm or leg or the putting out of an eye or the destruction of any other organ of the body through which the soul communicates with the outer world." A large number of subsequent cases decided by the Supreme Court have reinforced the injunction against torture, as a part of the right to life. Torture, as an element of punishment in any form and for any reason, is unconstitutional. Even physical restrictions in custody that amount to physical or mental infliction of pain are impermissible. Physical and mental restraint of prisoners, which is not warranted by the punishment awarded by the court and not in excess of the requirements of discipline, amounts to human degradation and cannot be tolerated. In a number of judgments, the Supreme Court has taken a strong stance against officials responsible for custodial torture. In 1932, while India was still a British colony, the Madras High Court ruled that no sanction for prosecution under section 197 of the CrPC was necessary when an officer of the state, who had the power to arrest and hold in custody persons suspected of offences, misused the power to torture him to obtain a confessional

avowal. In 1985, the Supreme Court of India ruled that in cases of custodial torture, where victims are left without any evidence except their own statements, the customary law of burden of proof has to change and courts are free to infer guilt against accused officials. The judgment inspired the Law Commission of India to recommend the insertion of a new section in the Indian Evidence Act. Although the recommendation has not resulted in the necessary amendment, the Supreme Court has upheld the principle in two other important cases. In a 1992 judgment, the Court ruled that “when the other evidence is convincing enough to establish that the deceased died because of injuries inflicted by the accused, the circumstances would only lead to an irresistible inference that the police personnel who caused his death must also have caused the disappearance of the body.” In yet another case involving a person found dead with injuries on his body after the police had taken him into their custody, the Supreme Court held that the “burden was on the state to establish how the victim came to sustain the injuries resulting in his death.” These are lofty principles. But, as we have already seen, their constitutional and judicial professions are diametrically contradicted on the plane of practice. Our data reveals a systematic pattern and practice of torture inflicted on Punjabi civilians by the Punjab police, the Indian army, paramilitary, and the CRPF. Numerous human rights groups have also documented patterns and practices of torture by the Punjab police in the course of their counter-insurgency operations. In this note, we first discuss the Punjab police’s motivations to use torture against the victims of disappearances or extra-judicial executions. Then, we look at the use of torture against family members, addressing the use of torture for the purpose of obtaining information. Next, we highlight other experiences suggested by our case sample, such as those of women in police custody.

Victims of Disappearances or Extra-judicial Executions

The CCDP’s data shows that the Punjab police tortured the majority of victims who they later disappeared or killed, as well as their family members. The following motivations, among others, stand out: [1] Extortion of money; [2] Influences of local vendettas; [3] Suspicion of providing shelter to militants; [4] Suspicion of collaboration with militants because of the family and village connections; [5] Suspicion of sympathy for the militant cause; [6] Involvement with anti-establishment politics; and [7] Belonging to the order of initiated Sikhs, known as the Khalsa. As mentioned in the note on TADA, many people were also tortured in illegal custody prior to the formulation of criminal charges against them and after the court acquitted or released them on bail. Victims of disappearances and extra-judicial executions did not just experience torture immediately before their executions. Much of the torture occurred months or years prior to their eventual death, often leading to their fleeing their houses. Thus, the police tortured detainees for all of the purposes listed in the definition of the UN Convention against Torture (1984). The examples below highlight the police use of torture against the primary victims of disappearance or extra-judicial execution.

Extortion

Twenty-year-old Gulshan Kumar was the eldest son of Chamal Lal and Seeta Rani. He attended school and also helped his parents hawk vegetables. Late in the evening of 22 June 1993, around 10:30 p. m., a large police force, led by DSP Dilbagh Singh and SHO Gurbachan Singh Manochahal of Tarn Taran’s City police station, came to Chaman Lal’s house and ordered them to open the doors. On instructions from the DSP, the police rounded up all of the male

members of the family present in the house and, calling them thieves, started thrashing them inside the house itself. Gulshan was especially targeted for rough treatment; the DSP and other officers repeatedly demanded that he confess to certain thefts and produce all stolen goods. Under torture, Gulshan started screaming. When a large number of neighbors approached the house to see what was happening, the police forced Gulshan, his brothers and his father into a police vehicle and took them to Tarn Taran’s City police station. According to Chaman Lal, the police also tried to take his 18-year-old daughter Inderjit to the police station. However, the neighbors intervened and prevented them from doing so. At the Tarn Taran City police station, SHO Gurbachan Singh Manochahal forced all of them to lie down with their faces to the floor and had them all thrashed. Police pulled apart Gulshan’s legs at 180-degree angles. After his torture, Gulshan could not walk. For the next three days, the police continued to torture Chaman Lal’s family in police custody. On June 26, the police released Chaman Lal and one of his sons after a large group of eminent persons from Tarn Taran visited the police station to intervene on their behalf. Bobby and Balwinder, Gulshan Kumar’s brothers, were released on the June 28 and 30. But the police did not release Gulshan Kumar. The police officials said that they would release him after he recovered from the injuries on his body. A week later, DSP Dilbagh Singh demanded Rs. 200,000 for Gulshan’s release. Chaman Lal was not in a position to pay so much money and pleaded with the DSP to waive the ransom. The DSP told him that he had to raise the money if he cared to see his son

alive. Chaman Lal then met SSP Ajit Singh Sandhu and apprised him of the demand made by DSP Dilbagh Singh for his son's release. The SSP refused to intervene and asked him to speak to the DSP himself. Chaman Lal met DSP Dilbagh Singh again and requested him to reduce the amount of money he was demanding. When the DSP refused to make any concession, Chaman Lal promised to try and raise the money. The DSP allowed Chaman Lal to visit his son in the police station and bring him food and a change of clothes. But the police continued to torture Gulshan. During visits to the police station, Chaman Lal and Gulshan's brothers witnessed his situation becoming increasingly critical. The last time Chaman Lal saw his son in the custody of Tarn Taran City police was on 22 July 1993. Gulshan could not move his body. Chaman Lal tried to feed him with his own hands, but Gulshan could not swallow the food. The story of Gulshan's eventual extra-judicial execution can be read in the section of case summaries. His experiences highlight some of the torture methods used by the police, and the police's use of torture to extract money from families. In many cases, families paid officers and succeeded in freeing their relatives from police torture, sometimes only temporarily.

Sheltering Militants

Dalbir Singh alias Balbir, was 30-years-old and lived at Patti Baaje Ki, in village Sohal under Jhabal police station. He was married and had a daughter. Soon after the eruption of militancy, the police began to suspect that Dalbir sheltered armed militants at his farmhouse. The Jhabal police frequently raided his house, and they arrested and interrogated him regularly under brutal torture. The village elders intervened many times and secured his release. The family also had to bribe the policemen. In 1991, the police implicated Dalbir in a case under the Arms Act and imprisoned him for six months. When he came out on bail, the police started torturing him again. In early 1992, Dalbir, along with his wife and daughter, moved to Uttar Pradesh where his relatives lived. The police then started tormenting his elder brother Kashmir Singh to produce Dalbir at Jhabal police station. Under pressure, Dalbir Singh came back and went to the police station in the third week of April 1992. The police illegally detained and interrogated him under torture for several days and then allowed him to return home. On 29 April 1992 morning, Dalbir Singh went to the farm house of a distant relative, Preetam Singh, who lived in the same village, to recuperate from the torture. The section on case summaries describes how he was captured and killed few hours later. The case of Harjit Singh highlights the savage character of the Punjab police's use of torture. Twenty-five-year-old Harjit Singh had gone to visit his aunt at village Mannan on 1 August 1990. A large police force from Jhabal and Tarn Taran police stations had surrounded villages Lalu Ghuman and Mannan on the basis of information that militants were hiding between the two villages. SHO Gurdev Singh of Jhabal police station arrested Harjit. A large number of people witnessed his arrest. The police took Harjit to Jhabal police station for interrogation. Some hours later, the SHO tied Harjit to a police jeep and had him dragged around on the road outside the police station to make an example of what the police would do to persons who sheltered or supported underground militants. The ghastly spectacle was witnessed by a large number of people in Jhabal. Presumably, Harjit's torture yielded the information enabling the police to arrest Kashmir Singh, son of Dara Singh of Lalu Ghuman village, who was forced to identify the militant hideout.

Family Members

Many cases mentioned in the section on case summaries show how the police tortured the family members to compel them to produce their relatives who had joined the underground militants and for information about their whereabouts. The data shows that the police succeeded in obtaining information only in a handful of cases, suggesting that the majority of families were not involved. Jaswinder Singh's older brother Baljinder Singh was a member of the Sikh Students Federation and a suspected militant. The story of Baljinder's disappearance, the torture of his family members, and the subsequent disappearance of his father and grandfather is recounted in the case summaries. In early 1988, the Tarn Taran's CIA staff police began to raid Baljinder Singh's house to arrest him. They illegally detained and tortured him for two weeks and then released him without pressing any formal charges. In June 1990, they again arrested Baljinder but released him after his father paid Rs. 20,000. After these experiences, Baljinder went underground. The police subsequently targeted his family members. One day in the last week of October 1992, a joint police force comprising the Punjab police led by SHO Major Singh of Sarhali police station and a contingent of the CRPF officials raided Sukhdev Singh's house and took him and his younger son Jaswinder into custody. They were first taken to the B. R. Model School Interrogation center at Amritsar where the police interrogated them under brutal torture about Baljinder's whereabouts. Later that day, both of them were moved to Sultanwind police station and then again to the CIA staff interrogation center at Tarn Taran. For four days, the police ruthlessly tortured both Sukhdev Singh and Jaswinder. Jaswinder described his experience to the CCDP investigation team: "At the B. R. Model School, SHO Major Singh, assisted by six other policemen, interrogated us. I was taken to a big hall. The SHO slapped

me many times and asked me to disclose where my brother was. I did not know and told him so. The SHO said, 'Alright, let me help you remember where your brother is hiding', and had me hung upside down from the ceiling with several policemen beating me with large sticks. After some time, I was brought down and asked the same question. As I was not able to give any answer, the policemen started pulling my legs apart horizontally, rupturing my thigh muscles. Then they tied my hands and legs and started administering electric shocks. All the time, my interrogators kept repeating the same question. I just did not know where my brother was. Otherwise, I would have disclosed it to escape my torture. After two hours, I was taken out of the room and then my father was brought in. I was semi-conscious, but still I could hear my father shrieking in pain. He was tortured for three hours. Later, both of us were forced into a jeep and taken to Sultanwind police station where we were locked up in a cell for two hours. No one tortured or questioned us there. But two hours later, we were taken to the CIA staff office in Tarn Taran where the same process of interrogation recommenced." Sukhdev Singh and Jaswinder were released five days later from the illegal custody after the teachers' union in Punjab threatened to go on a strike. On 31 October 1992, Sukhdev Singh and his father-in-law Sulakhan Singh were arrested again from their house by SI Avtar Singh of Sarhali police station and taken away for interrogation. Both of them later disappeared. This torture of family members often led to their disappearance or physical debilitation. Balwinder Singh's uncle, for example, was arrested by the police because of his relationship to Balwinder Singh and then killed in a fake encounter. The Beas police also tortured his father's brother Bachan Singh, leaving him bedridden for three years and leading to his death. Officers from the Mall Mandi Interrogation center tortured Tarlochan Singh's father Kishan Singh; he has lost the use of his arms. The police used to tie his hands behind his back and suspend him from the ceiling with a rope attached to his hands that went through a big hook in the middle of the ceiling. The police usually failed to procure information from family members through the use of torture. However, the police continued to justify their use of torture for information, even though victims insisted on their ignorance. In Gurdev Singh's case, CRPF officials, led by inspector Tiwari, did not relent on the torture despite Gurdev's repeated denials of their accusations that he was a militant or possessed a cache of arms for terrorist action. The police brought Hardeep Singh into Gurdev's interrogation room and made him repeat the allegations. As Gurdev continued to deny the allegations, the police increased the severity of his torture, until he collapsed and became unconscious. His brothers, locked in a different cell, saw that Gurdev's right hand and left ankle appeared to be fractured. The next morning, the police killed both Gurdev and Hardeep in a fake encounter. In another example, a young boy lied and told DSP Paramdeep Singh Teja of Bhikhiwind police that he had received shelter from Pargat Singh in October 1989. He also alleged that he had hidden his weapons at Pargat Singh's house. When a police search of Pargat Singh's house failed to uncover anything incriminating, the young boy started crying and told them he had lied to escape further torture. The police went back with the young boy, but later in the day arrested and killed Pargat Singh.

Witnesses

Many family members and fellow detainees witnessed the torture of the victims described in this report. In fact, the police did not attempt to conceal their use of torture. In the case of Sukhwinder Singh, a joint party of the CRPF and police led by SHO Raghbir Singh of Harike police station cordoned off the village of Thatian Khurd in Patti subdivision of Amritsar district on 22 September 1992. Around 3 p. m., Sukhwinder and other villagers were standing around the village gurudwara when SHO Raghbir Singh started accusing Sukhwinder of sheltering militants and thrashed him. Although Sukhwinder denied all charges, the SHO dragged Sukhwinder inside the gurudwara and started torturing him there, where villagers could hear Sukhwinder's shrieks. His sister Sukhwant Kaur came running into the gurudwara and lay down over her brother and pleaded with the SHO to not torture him. The officers pushed her aside, stripped Sukhwinder naked and tortured him there in the gurudwara before dragging him into a police vehicle. Sukhwinder was killed in a fake encounter two days later. In other cases, the police allowed family members to meet the detained in custody. Arur Singh's wife brought him food in custody and witnessed the critical condition he was in due to police torture. The next morning, when she returned to the police post around 5 a. m., she saw the police taking Arur Singh to the bathroom. Both of his arms were broken. Arur Singh spoke to his wife, asking her to pursue his case vigorously. The police eventually killed him in illegal custody. The police often brought the detainees back to their houses for search operations. Family members witnessed the police dragging the victims in and out of vehicles because the victims themselves could not walk. In one case, the police actually returned the bodies to the families, although they are listed as having been cremated by the police on the CBI List (See Sl. No. 72/ 183). The bodies bore marks of severe torture. Their finger nails had been removed. Their thighs were bruised from the rolling of heavy logs with policemen standing on them, a common method of torture.

Women

The Punjab police sexually abused the female relatives of people they eventually disappeared or executed. The Jandiala police regularly harassed Rachhpal Singh because they were instigated by locally influential people who Rachhpal had antagonized. The police detained and tortured Rachhpal, implicating him in a criminal case under TADA. Rachhpal was acquitted after one year, but the police continued to harass him. When Rachhpal left home, the police began targeting his family members. The police regularly picked up and tortured family members and other relatives, including women. They did not even spare pregnant women. Rachhpal's sister-in-law, his brother Balraj Singh's wife, and the wife of his cousin Tarsem Singh, gave birth to two children in the police station. Rachhpal's three sisters were often abducted and humiliated in illegal police custody. His father Pargat Singh and brother Balraj Singh were held continuously at Tarn Taran's CIA interrogation center. In another case, the SSP of Tarn Taran, Ajit S. Sandhu, forced the wife of the person they initially wanted to detain to spend a night at his house. Thirty-five-year-old Sardul Singh, son of Puran Singh and Kesar Kaur, was a constable of the Punjab Armed Police and was arrested for participating in the conspiracy to assassinate director general of police, Julio Ribeiro. After three years in jail, he was released on bail and he opened a dairy farm, becoming the secretary of the Verka Co-operative Society. He regularly attended his court hearings. In the first week of December 1992, a group of officers from Tarn Taran police station raided Sardul's house while he was out collecting payments. They told his family that Sardul had to report to SSP Sandhu. Two weeks later, after Sardul failed to produce himself at the station, the officers raided his house again and took his wife Manjit Kaur into illegal custody. They kept her at Tarn Taran police station for 12 days and then at Goindwal police station for six days. Then SSP Sandhu forced her to spend one night at his house. Sardul Singh used a police informer to negotiate his wife's release, but she still had to spend two days at the headquarters of Ajit Singh Phoola, a conduit between the informer and the Punjab police. The story of Sardul Singh's subsequent torture, detention and execution are explained in his case summary.

The Indian Armed Forces

This note will first describe the basic legal framework that guides the use and operation of the Armed Forces, both generally and also during the counter-insurgency operations in Punjab. After establishing the legal framework, the note will describe how the Armed Forces operated as shown in the CCDP's data. The CCDP has limited data on the operations of the Armed Forces in Punjab during the early 1990s. Thus, this note will concentrate on laying the legal framework and highlighting the salient positive and negative examples. It will conclude by raising issues pertinent to the NHRC's evaluation under the jurisdiction conveyed by Article 32 of the Constitution of abuses committed by the Armed Forces.

Legal Framework

Code of Criminal Procedure

Sections 129 and 130 of the CrPC govern the use of Armed Forces in general situations. Under these sections, the use of Armed Forces must abide by three requirements: 1. Their use is limited to dispersing unlawful assemblies or "any assembly of five or more persons likely to cause a disturbance of the public peace"; 2. Armed Forces cannot be used unless other methods fail; first an executive magistrate or police officer in charge of a police station must command the assembly to disperse; then, if the assembly does not disperse, the executive magistrate or police officer may ask any "male person, not being an officer or member of the Armed Forces" to help. Only if these two methods fail, does the executive magistrate "of the highest rank" present ask for assistance from Armed Forces. 3. The Armed Forces must then act according to the laws regarding arrest and searches. They may, under the command of the magistrate, arrest and confine persons composing the assembly. Section 130(3) requires that the Armed Forces "use as little force, and do as little injury to person and property, as may be consistent with dispersing the assembly and arresting and detaining such persons." When the governor of Punjab or the administrator of Chandigarh decided that they needed Armed Forces to aid civil power and declared the area to be a disturbed area, then the Armed Forces (Punjab and Chandigarh) Special Powers Act, 1983 (AFSPA) additionally governed the use of Armed Forces. Punjab was declared to be a disturbed area at the promulgation of AFSPA in June 1984 until the Rajiv- Longowal Accord in July 1985, and again from November 1991 until the end of 1993. It is necessary to lay out the special powers granted to the Armed Forces in disturbed areas in order to properly evaluate their behavior during these time periods. Section 4 of the AFSPA describes the special powers granted to the Armed Forces in a disturbed area. Among other powers, any officer may: in Section 4(a): Fire upon, and even kill, any person who is contravening any law or order in place "prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as

weapons or of firearms, ammunition or explosive substances”. Before firing, the officer must first make sure his action is necessary to maintain public order and then give due warning; n Section 4(c): “Arrest, without warrant, of any person who has committed a cognizable offence or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence and may use such force as may be necessary to effect such arrest” ; n Section 4(d): “Enter and search, without warrant, any premises to make any such arrest as aforesaid” and to recover stolen property, among other things. Section 4 grants other powers that are not specifically relevant to the scenarios presented in the CCDP data. Section 6 requires that any person arrested or taken into custody under AFSPA must be handed over to the officer in charge of the nearest police station with the least possible delay.

Exceeding Legal Authority

Based on the legal framework provided by the CrPC that governed the use of Armed Forces in Punjab when it was not a disturbed area, we can evaluate the actions of the Armed Forces, as reported in the CCDP data, according to the following questions: n Did the situation present an unlawful assembly or assembly of five or more persons likely to disturb the peace? n Did a police officer or executive magistrate first try to disperse the assembly with the police forces, or with private help? n When the Armed Forces were called in, did they follow the general procedures of arrest and confinement? n Did the Armed Forces “use as little force” and do “as little injury to person and property” as the situation required? During the periods when Punjab was declared a disturbed area, we also must evaluate the performance of the Armed Forces under the AFSPA and the Code of Criminal Procedure. Although the act granted the Armed Forces draconian powers to shoot to kill, the Armed Forces could only shoot at unlawful assemblies and arrest those who committed offenses or against whom a reasonable suspicion existed. The Armed Forces also had to depend on the local police for investigation, search of premises, arrest and initiation of trial under criminal law.

The CCDP’s Data

The Committee’s case studies mention several joint police and Army operations, specifically related to the cordoning off of villages and arrests of specific persons. In some of these examples, it is difficult to discern whether the Armed Forces followed the procedures required by law. In others, the abuses are obvious. Below, we highlight the CCDP cases that reported obvious abuses committed by the Armed Forces.

Human Shield

In the most egregious example, the Armed Forces participated in a raid on three militants and used six innocent villagers as a human shield before storming the house in which they were hiding. On 8 June 1992 morning, a large mixed force of the Punjab police led by SSP Ajit Singh Sandhu and SP [operations] Khubi Ram and units of the Army and paramilitary, surrounded the abandoned house of Manjinder Singh, a former member of the Punjab legislative assembly, in village Behla. Apparently, the house was being used as a hideout by militants associated with Surjeet Singh, son of Tarlok Singh from Behla. Surjeet Singh Behla was a renowned militant and the senior leader of the militant group, Bhindranwala Tigers Force. His associates were 18-year-old Sukhdev Singh, alias Maddi, son of Santokh Singh and resident of Behla, and Harbans Singh, son of Mehr Singh from Sarhali in Tarn Taran subdivision of Amritsar district. Before storming the house where these three militants were hiding, the police and Army officers decided to round up seven or eight villagers from Behla to walk in front of the police force and act as human shields. The following are the names of the six innocent villagers who were killed in the operation that ensued: [1] Kartar Singh, s/o Aasa Singh; [2] Niranjn Singh, s/o Boor Singh; [3] Sakatter Singh, s/o Niranjn Singh; [4] Lakhwinder Singh, s/o Channan Singh; [5] Gurmej Singh; and [6] Ajit Singh, s/o Mangal Singh. Twenty-five-year-old Sakatter Singh, son of Niranjn Singh and Balwinder Kaur, was married to Sharanjit Kaur and had two daughters. He was an *Amritdhari* Sikh and was not known to have any political or militant affiliations. He worked as a farmer with his father on their three acres of land. The police abducted him, his father Niranjn Singh, and his brother Sukhchain Singh while they were working in their fields. Sukhchain Singh, who was part of the front column, however, managed to escape after suffering serious wounds. Fifty-five-year-old Niranjn Singh, son of Boor Singh and Kartar Kaur, was married to Balwinder Kaur. He was a farmer and owned three acres of land and also made money by selling milk. Niranjn Singh had four children and reportedly had no political or militant association. Another villager who was forced to be part of the human shield was 20-year-old Lakhwinder Singh, the youngest son of Chanan Singh and Gurmej Kaur. He too was not known to be associated with any political or militant group. He was watering his fields when the forces picked him up.

Ajit Singh, from Behla village in Tarn Taran, was a 60-year-old man married to Preetam Kaur with seven children. He owned a horse driven cart and was employed by a brick kiln owner to transport bricks to his clients. He had no known political or militant connection, or criminal background, nor enmity with anyone in his village. Ajit Singh brought a cartload of bricks to Niranjn Singh's house when the police came and forced him to be a part of the human shield. After entering the house, the security forces discovered that the house had a basement but no door to enter it from inside. They demolished the floor that was the cellar's roof. When the militants holed up inside opened fire, the police pushed the eight villagers in front of them and used them as cover as they fired back. Six villagers and the three militants died. Two others were seriously injured but survived: The sarpanch of the village and Niranjn Singh's other son Sukhchain Singh. The encounter lasted 32 hours. In the evening of June 9, the police removed the bodies of all nine people and cremated them at Tarn Taran. Only Ajit Singh's family was allowed to attend the cremation; none of the other families were allowed to perform the last rites. The Army's participation in this raid and their use of innocent villagers as a human shield obviously surpasses any special powers conferred by the Armed Forces Special Powers Act.

Checkpost and Combing Operations

Another case highlights the violation of section 4(a) of the AFSPA. This section specifically states that the Armed Forces can shoot at any person only after giving prior warning and only if the targeted person is violating any law or order. On 27 March 1991, Sawinder Singh, an 18-year-old boy from village Valipur under Tarn Taran's City police station, and his cousin Jagtar Singh were cycling to village Kherai to visit relatives. The Army had set up a checkpost over a canal bridge on Mughal Chack-Kherai road. As Sawinder and Jagtar crossed the bridge, a soldier from the checkpost opened fire at them, killing them instantly. The soldier failed to warn them and shot at them indiscriminately, despite their innocent behavior. The Army also participated in combing operations with the police. Jaimal Singh, son of Dharam Singh and Mohinder Kaur from village Bhail, was detained by a joint force of the police and the army. That same night, he was reported killed in an encounter. Although the police did not reveal this to his family, the commander of the Army camp at village Thathian Mahantan told them .

Knowledge of Human Rights Abuses

The above example highlights the issues that must be probed to understand the behavior of the armed forces during the counter-insurgency operations. In another example, a commanding officer (CO) transferred his detainee to the Tarn Taran police despite the knowledge that they had earlier tortured him and had burnt his household belongings. The detainee later disappeared. Was the officer aware or complicit in the disappearance? Forty-year-old Gulzar Singh, son of late Harnam Singh and late Phinno, was a *Mazhabi* Sikh resident of village Rataul, Mazhabian di Patti, under Tarn Taran's City police station, in Tarn Taran subdivision of Amritsar district. He was married to Jagir Kaur and they had two sons and a daughter. Gulzar Singh was a naik (a junior commissioned officer) in 2 Sikh Light Infantry. He was not known to have any political or militant affiliations. However, his younger brother Dilbagh Singh had been arrested and implicated in a criminal case. Both brothers were married and lived separately. In April 1991, while Gulzar Singh went home on leave, a large contingent of the Army and police forces surrounded the village. The police suspected that some militants were hiding inside the village. They conducted a house to house search, including the house of Gulzar's brother Dilbagh Singh who was not home then. Since Gulzar Singh was his neighbour, the police asked him about his brother. Gulzar Singh replied that he did not know anything about him. On hearing this, the police started beating Gulzar Singh, arrested him and took him away. They also put Gulzar's house on fire, burning all of his household items. In the meantime, the police arrested Gulzar Singh's brother Dilbagh Singh from the fields. Gulzar Singh sustained serious injuries on his head from the police beating. The police handed him over to the Dogra Regiment of the Army, on field duty in the area of Tarn Taran. The Army unit provided first aid to Gulzar Singh and sent him back to his unit at Jammu. His wife and children also accompanied him to Jammu. Gulzar Singh complained about the ill treatment meted out to him and the head injuries inflicted by the police to his CO. The CO wrote a letter of protest to the SSP of Tarn Taran. In reply, the SSP Tarn Taran wrote that they wanted Gulzar Singh, in connection with the murder of some police officers and that his custody should be transferred to the police. One day, Gulzar was arrested from his quarter by one of his superior officers. After about a month, Gulzar's wife met the officer to make inquiries, but did not receive clear answers. Jagir Kaur waited for two months and then returned to the village. She was never informed by anybody that the Army authorities had handed Gulzar Singh over to the Tarn Taran police. The family learnt about this a long time after the incident when the Army authorities wrote in reply to their letters that Gulzar Singh had been handed over to the SSP of Tarn Taran. The SSP of Tarn Taran, in a letter dated 23 January 1992, had intimidated Gulzar Singh's unit in Jammu that he had escaped from their custody on 22 January 1992 while he was

being taken to the civil hospital for treatment. The Army authorities did not pay Gulzar Singh's service benefits to his family because the family could not produce proof of his death.

Interrogations

The CCDP's cases also reveal Army participation in interrogations, going beyond the powers granted to them for searches, arrests and dispersing unlawful assemblies. In the beginning of November 1992, Resham Singh was called to the Army Camp Headquarters at village Bhoore Kohne where they held him and interrogated him for 10 days. On 14 November 1992, the Army released him after satisfying themselves that he was not involved in militant activities. As required by section 6 of the AFSPA, the Armed Forces had not transferred custody of Resham Singh to the police "with the least possible delay". Under what power and whose direction did the Armed Forces operate in initiating their own interrogations? The matter is further complicated by the subsequent events. Resham Singh was arrested by SHO Sulakhan Singh of Khemkaran police station on November 14, soon after he returned home following his military custody, along with his father. Resham Singh was later arbitrarily executed.

NHRC

The NHRC's proceedings in the matter of illegal cremations are not limited by the mandate of the Protection of Human Rights Act, 1993. Thus, section 19 of the act, which restricts the commission from investigating allegations of human rights abuses committed by the Armed Forces, has no force. In this case, the NHRC is operating under the authority of the Supreme Court and has the all-encompassing powers of Article 32 of the Constitution to reach injustice, no matter who is the perpetrator. Section 7 of the AFSPA and section 132 of the CrPC require sanction by the Central government prior to the initiation of prosecutions against members of Armed Forces. However, the section does not affect the NHRC's proceedings in this case since the Supreme Court ordered the CBI to deal with the issues of culpability and prosecution of responsible officials separately. The NHRC remains free to examine the responsibility of the magistracy in controlling excesses and the human rights violations that took place in the course of joint operations carried out by the Punjab police and the army.

Victims' Property

The Punjab police supplemented their practices of torture, extra-judicial execution, and other abuses with the expropriation, destruction, confiscation, and damage of property belonging to victims and their families. The police prevented many families from cultivating their land and thus sustaining their livelihood. They confiscated household belongings, money, and other possessions. The police destroyed or damaged houses and crops and forced families to flee their property by harassing and abusing them. Many families also had to sell their belongings and agricultural land to pay ransoms demanded by police officers. The Punjab police used these practices to put pressure on the families to produce the person wanted by the police; to get the wanted person to turn himself in; to extort money and property from families for personal profit and to generally harass and intimidate the families. They engaged in these practices especially after the main person they were targeting fled his house or went underground, and also prior to the victim's leaving, during house searches and after they had killed the victim in a fake encounter.

Harassment after Primary Victim Fled

The majority of cases dealing with property expropriation or damage involved abuses inflicted on families after the primary person targeted by the police had fled or gone underground. After Gurjit Singh went underground, for example, the Majitha police illegally detained and brutally tortured his father Mohinder Singh for three weeks. They implicated him in a criminal case under TADA. After Mohinder Singh's release on bail in February 1991, the police continued to raid his house and detain and torture him, his wife and daughters. The police confiscated his household belongings. They then demolished the roof of his house and also removed all doors, forcing Mohinder Singh and his family to seek refuge with their relatives. After forcing them to flee their house, the Majitha police established a police post there. They used Mohinder Singh's house as a police post until the middle of 1994. Many families gave specific details about the property expropriated by the police. The police took all household items and six buffaloes, one wheat harvesting machine, one tractor, three electric tubewell motors, furniture, and 10,000 kilograms of wheat from Nishan Singh's family. Not only did they force Balwinder Singh's family to do forced labor for them at the police station, but

they also confiscated all household goods, bedding, 10,000 kilograms of wheat, 15,000 kilograms of paddy, and farm and milk cattle. The police's expropriation, confiscation and damage of property, left families destitute in addition to being harassed and tortured. The police frequently raided the house belonging to Paramjit Singh, a militant, and detained and tortured his father and brother. The police also confiscated their household goods and demolished their house. After the death of Paramjit, and the implication of his son Surjit Singh in criminal cases, their father Roor Singh now lives in Gurudwara Hazur Sahib. **Property Abuses following Fake Encounter**

Even after killing their loved ones, the police continued to harass their family members. After Paramjit Singh's family returned home from his cremation following his death in a fake encounter, head constable Surjit S. Bazigar reached his house with a police force and burned down all household items, including the tubewell room of his farm and the doors of his house. The family fled the village and did not return for a year. They estimate the loss to their property and agricultural income to be more than Rs. 100,000. Balraj Singh's family suffered a similar fate. The death of their loved one did not end their harassment at the hands of the Punjab police. The police continued to raid his father's house, eventually confiscating all valuable household items and burning down his house. Sukhdev Singh, his father, estimates the loss to be around Rs. 200,000. The police also tortured him and implicated Sukhdev Singh in a criminal case. The court, however, acquitted him after three months.

Extortion

Many families had to sell their land or property to fulfil the ransoms demand of Punjab police officials who held their loved ones under illegal detention. The police had already killed Manjit Kaur's husband and two sons. Thus, when they detained Major Singh for interrogation, Manjit Kaur sold some acres of her land to bribe the police officials so they would not also kill her third son. In the case of Resham Singh, DSP Ashok Kumar and SHO Raj Kumar told Resham Singh's father Tara Singh to pay Rs. 25,000 before they would release his son. After Tara Singh protested, the DSP and SHO lowered their ransom requirement to Rs. 20,000. That day, Tara Singh sold two of his sturdy buffaloes and paid the Rs. 20,000 to the policemen. They told him, however, to come back in six or seven days to take Resham Singh home; he still needed to recuperate from the torture. Tara Singh spoke to Resham Singh who told him that his torturers had threatened to kill him unless he sold his share of the land and paid the proceeds to them. The police continued to torture him even after Tara Singh had paid the Rs. 20,000, and eventually they killed him in a fake encounter.

Police Retribution

When Gurinder Singh's father Bakhshish Singh used the intervention of local politicians to recover his motorcycle from the Chheharta police station after they had killed his son in a fake encounter, SHO Gurmeet Chand instigated the Kang police to arrest Bakhshish Singh and torture him in illegal police custody for seven days. The torture was so severe that Bakhshish Singh could not walk for 15 days after his release.

The Lower Judiciary and Its Role

In the landmark case *D. K. Basu v. State of West Bengal* 75, the Supreme Court of India addressed the fundamental issues of custodial torture and the misuse of police powers, stressing the gravity of abuses committed by the "protectors of the citizens". The Court specifically highlighted the role of the judiciary, focusing on the negative role the judiciary had played in actually encouraging custodial torture. It quoted the *State of Madhya Pradesh v. Shyamsunder Trivedi* case to discuss the standards of evidence in prosecuting errant policemen: "Tortures in police custody, which of late are on a rise, get encouragement by this type of an unrealistic approach of the courts because it reinforces the belief in the mind of the police that no harm would come to them, if an odd prisoner dies in the lock-up, because there would hardly be any evidence available to the prosecution to directly implicate them with the torture. The courts must not lose sight of the fact that death in police custody is perhaps one of the worst kinds of crime in a civilised society, governed by the rule of law." (para 24) This note will first briefly touch on the legal obligations of the lower judiciary to ensure that suspects in police custody do not suffer abuses and violations of their rights. The note will then compare how these legal imperatives square with the reality presented in our cases.

Constitution of Criminal Courts and Offices

Chapter III of the CrPC, deals with the constitution of the courts under every high court. Under section 6 of the CrPC, their hierarchy is defined in the following order: [i] Courts of session; [ii] Judicial magistrates of the first class and, in any metropolitan area, metropolitan magistrates; [iii] Judicial magistrates of the second class; and [iv] Executive magistrates. Article 141 of the Constitution declares that “the law declared by the Supreme Court shall be binding on all courts within the territory of India.”

The Legal framework

Section 190 of the CrPC empowers any magistrate of the second class to take cognizance of any offence on receiving a complaint of facts which constitute such an offence, on information received from any person other than a police officer, or upon his own knowledge. Section 190(a) of the CrPC especially empowers even the executive magistrates in Punjab with these powers of cognizance. Section 267 of the CrPC empowers every criminal court to require the production of a prisoner if it appears that “it is necessary for the ends of justice to examine such person”. Section 344 of the CrPC empowers the courts of session and magistrates of the first class to initiate summary proceedings against anyone who appears to have knowingly and willfully given false evidence or fabricated false evidence to influence the proceedings. Under section 167 of the CrPC, no person can be detained in police custody for more than 24 hours without the authorization of a competent magistrate. In *Sheela*

Barse Vs. State of Maharashtra, the Supreme Court ruled that the magistrate before whom an arrested person is produced, shall ascertain from him whether he has any complaint of torture or maltreatment in police custody. In *Joginder Kumar Vs. the State of Uttar Pradesh*, the Supreme Court repeated the same rule and stressed its scrupulous observance. In the *D. K. Basu* case the court stressed the importance of the judiciary in upholding the fundamental rights guaranteed by Articles 21 and 22 and the role of the judiciary in evaluating evidence against the police. The following principles can guide our analysis of the judiciary’s role in dealing with people in police remand: n The judiciary must take cognizance of custodial abuses, like torture. Thus, any remand to the police for further investigation after claims of custodial torture is complicity in the torture itself. n The judiciary must ensure that the police follow the procedures for arrest described in Article 22 of the Constitution and Chapter V of the CrPC. In this analysis, the court must account for the ground realities of police abuse and cover up.

The CCDP Data

The cases investigated by the CCDP show that the judiciary did not take the minimum necessary steps in countering custodial abuse. In only 16 out of 513 cases did our informants testify that the police brought the victim before a local Punjab magistrate after the last arrest leading to the victim’s disappearance or extra-judicial execution. In two cases, magistrates in other states granted remand to the Punjab police. This highlights that in the vast majority of the cases, the police ignored Article 22 and related statutory provisions. Four cases highlight particularly egregious examples which show that the magistrates either granted remand after the detainee’s death, granted remand from their house and not the court, refused to accept evidence from families regarding the illegal abduction of the detainees, and granted remand to a detainee who exhibited obvious signs of torture.

Remand after Detainee’s Death

After suffering regular police harassment, torture and illegal detention, 32-year-old Ram Singh was tortured by SSP Ajit Singh Sandhu and SP (operations) Khubi Ram, and then implicated in a case under the Arms Act and TADA by SHO Suba Singh of Jhabal police station. Ram Singh had been in Amritsar’s high security prison since 1 January 1992 when the Jhabal police obtained a production warrant for him on 28 December 1992. Ram Singh died in a reported encounter that evening at 6:30 p. m. However, in an act that seriously undermines the claim of judiciary’s independence, the local magistrate apparently did not confirm Ram’s remand to the police until late in the evening, after he had died. This means that the magistrate never physically saw him, as required by law. Thus, without concerning himself with the principles embodied in Article 22 and chapter V, without evaluating how the police obtained custody of the victim and treated him during the custody, the magistrate rubber-stamped the police’s request.

Informal Procedures

The police brought Nishan Singh to the magistrate's residence with an application for his remand to police custody. Without any regard for the formalities required by law, the magistrate allowed the police application from his house. Nishan Singh must have exhibited signs of torture, as well. His father, Bahal Singh, had visited him in illegal custody two weeks before the police produced him before the magistrate. Nishan Singh could not move himself because of his wounds from police torture. He was reported killed in an encounter after the magistrate allowed his police custody.

Refusal to Admit Evidence

The police produced Harinder Singh and Parminder Singh before a magistrate, claiming to have arrested them after an encounter and asked for their remand to police custody. Harinder Singh's family produced copies of telegrams sent to various authorities after the police had abducted the boys over a month earlier to argue that the police claim of arresting the boys following an encounter was false. The magistrate, however, refused to admit their submissions and granted the police remand. Harinder and Parminder were killed in a fake encounter, a day before their police remand period was to expire.

Ignoring Torture Wounds

During one of Satnam Singh's previous detentions, the Verowal police implicated him in a case under the Arms Act after brutally torturing him for 15 days. When the police produced him before the magistrate, they had to physically lift and carry Satnam Singh because he could not move. The magistrate, however, did not take cognizance of this evidence of custodial torture. Instead, he sent Satnam to jail.

Conclusion

In 14 other cases of fake encounters, which followed on the magisterial orders of remand to police custody, the victims had already spent more than 24 hours in illegal police detention in direct contravention of Article 22 of the Constitution. Many of them had also suffered torture. The magistrates, however, did not "discover" these abuses. They granted the police remand and consigned the detainees to their extra-judicial execution.

Medical Note

The CBI's lists only give the post-mortem report numbers and mention the causes of death as recorded in the reports. As we have not seen the post-mortem reports, our analysis of the role of the medical profession in the counter-insurgency operations and human rights abuses must rest on some obvious questions that arise from the comparison between the information contained in the CBI's lists and the CCDP's own data. Three types of cases challenge the post-mortem conclusions regarding the cause of death: (1) Cases in which families received the bodies and witnessed the evidence of torture; (2) Cases in which newspaper reports and post-mortem reports attribute divergent causes of death; and (3) Cases in which doctors treated detainees for their torture wounds prior to their arbitrary execution.

Evidence of Torture on Dead Bodies

Twenty-five-year-old Kashmir Singh had suffered two previous illegal detentions and interrogation under torture in 1986. When the police came to arrest him the third time, he slipped away. SHO Brar of Jhabal police station managed to arrest Kashmir Singh on 26 May 1990 when he was traveling in a truck belonging to Sukhdev Singh of Algon Kothi village. The police took both men to the police station, tortured them, and then killed them that evening in a fake encounter. The police returned the bodies to the families after the post-mortem. The bodies bore marks of severe torture. The nails of all fingers on their hands and feet had been removed, and their thighs were bruised from the rolling of heavy wooden logs, with policemen standing on them, a common method of torture. Despite this gruesome physical evidence, seen by the family immediately after the post-mortem, the autopsy report concluded that Kashmir Singh had died in a "police encounter". Sukhdev Singh's cremation does not appear on any of the CBI lists. Similarly, in the case of Ninder Singh, his father went to the Civil Hospital at Patti and saw the body of his son. His son had been

shot in the head, suggesting a close range execution. Yet the autopsy report concluded that he died in a “police encounter”.

Conflicting Reports

In six cases, the newspaper and the autopsy reports gave conflicting causes of death. Nineteen-year-old Gurjit Singh was an electronic technician and a resident of village Thathian. He had no known militant connection. In the afternoon of 6 January 1991, Gurjit was resting at his house. It was a Sunday and his shop was closed. Around 2 p. m., Kulwant Singh of Jalal Usman village came to his house and requested Gurjit to accompany him to his village to repair his broken video player. Gurjit collected his tools and went with Kulwant. He did not return home that night. On January 8, a village resident informed Gurjit’s father that he had seen Gurjit’s body at the Mall Mandi interrogation center in Amritsar. The DSP of Baba Bakala allowed Gurjit’s father to identify his son’s clothes and told him that the CRPF had killed Gurjit in an encounter. The post-mortem report also gives the cause of death to be an “encounter”. Newspapers, however, reported that an unidentified militant committed suicide by consuming cyanide when surrounded by the police.

Treatment by Doctors

In the cases of Sukhdev Singh, Amarjit Singh and Baldev Singh the police either summoned doctors to treat the detainees’ torture wounds or allowed the families to bring their own private doctors to treat them. All of the detainees were later killed in fake encounters and the post-mortem reports certify the same. As we have not seen the post-mortem reports, it is not possible for us to judge whether they meet the basic standards of forensic principles and the standards of medico-legal ethics in ascertaining the cause and time of death and in describing the conditions that can establish or negate foul play. Only the CBI officials and the members of the NHRC have seen the post-mortem reports and can judge whether they are helpful in revealing the circumstances of death. In the introductory chapter, we have reported the confession of the chief medical officer of a civil hospital in Amritsar district, that the procedure of post-mortem had been simplified to the extent that it meant no more than filling a paper announcing the cause and time of death, with the policemen providing the information. In that case, bungled autopsies, like destroyed lives, cannot be revised.

TWENTY YEARS OF IMPUNITY

Jaskaran Kaur

AFFIDAVIT OF GURBACHAN SINGH

I, Gurbachan Singh aged about 33 years son of late S. Swaroop Singh r/o C-54/A Tilak Vihar, New Delhi 18 do hereby on solemn affirmation state and declare as under:

1. That I alongwith my father late S. Swaroop Singh and other family members were residing in our house No. Y-15 Nangloi J. J. Colony No. 1 Delhi 41.
2. I say that on 31-10-84 my Brother-in-law (wife's brother) S. Amrik Singh and his brother-in-law (his wife's brother) Tarlochan Singh were also with us in our Nangloi House.
3. That on 1-11-84 at about 10 AM five hundred to 700 non-sikhs attacked our house and started throwing stones and big bricks...on us. Within few minutes they set on fire all the three doors of our house. I alongwith my younger brothers Kuldip Singh and Gurmit Singh and two other Sikhs who had also entered our house at that time for shelter were defending ourselves from the top of the house which was a double storey house. We had shifted females of our family alongwith my father Swaroop Singh and relatives Amrik Singh and Tarlochan Singh and children in the house of our neighbourer [sic] known as Patwari on the back side.
4. That we went on defending ourselves tirelessly and were seeing from the top of our house that DTC [Delhi Transport Corporation] buses and Buses of Haryana Roadways, were bringing and boarding down non-sikhs in hundreds who were armed with Lathies [4-5 foot long bamboo sticks carried by policemen]. In about one hours time, the mob swelled into about 2000 persons. We received number of injuries.
5. At that time about 10 Police Officials were also present at the spot and they were encouraging the mob to kill us. I saw Sajjan Kumar, the then Congress (I) M. P. of our area standing amongst the mob and he was directing the mob to attack us with more and more force and kill us.
6. Among that mob I could identify several persons of the locality. Some of them are one Prem Chand Jain r/o Y-149 Nangloi, J. J. Colony No. 1, Delhi, a son of Milk Vendur [sic] of the same locality i.e. 22 Block, son of Dr. Gupta, who is having his shop in the Nangloi chowk. One person "Khal Merchant" known as Tunda, one Karisna Shop Keeper in the back lane and his brother in law.
7. That we all the three brothers were having swords [kirpan worn by initiated Sikhs] in our hands. But the other two Sikhs who took shelter in our house were not having any arms with them. There were two other Sikh neighbourers [sic] also who were armless. All these four Sikhs were killed by the aforesaid persons and mob within four hours. At about 2 PM or 2:30 PM Railway Train from Rohtak side came and stopped near the Gurdwara in our colony. About 2000 non-sikhs alighted from the train, some of them were carrying lathis, while the other some were carrying iron rods and rest of them were carrying kerosene oil containers. All of them attacked us with full force. My father S. Swaroop Singh, brother-inlaw Amrik Singh and his brother-in-law Tarlochan Singh were taken out from the house of neighbourer [sic] and were killed by striking iron rods on their heads and then sprinkling kerosene oil upon them and then setting them all on fire. This is done by Prem Chand Jain and the aforesaid persons as mentioned in para 6 above. At that time Sajjan Kumar M. P. was also present there. Then I and my two brothers fled away from the spot by protecting ourselves with the swords.
8. Subsequently, police refused to record my above statement. Police took me away from the shelter on 3rd November, 1984. When I insisted that my report be recorded with the name of the culprits who committed murders, Ram Pal Rana, SHO [Station House Officer] Police Station Nangloi, reprimanded me and told me that they had already registered the FIR on 1-11-84 and that names of murderers are not to be recorded in the F. I. R. Ram Pal Rana was openly saying to the public as to how we four sons of our father escaped being killed.
9. I say that till today no investigation worth the name have [sic] been conducted by the police as if no murder is committed by any one.

10. That our entire belongings from our house were looted by Prem Chand Jain and his associates in the presence of the police.
11. I say that throughout the day of 1st November, 1984 when we were being attacked time and again by the non-sikh mob, Ram Pal Rana SHO, remained present on the spot.
12. After about one month, I and my brother Amarjit Singh went to bring ration from the fair price shop in Y-Block. We were caught by the Police headed by Dalal Singh Sub-Inspector and were taken to Police Station. There we were detained, beaten and threatened and kept under wrongful confinement from 11 A. M. to 7 PM. Our photographs were taken by them and addresses of our relatives were taken. We were told by Dalal Singh S. I. that in case we tried to name any murderer of our father and other relatives we will be done to death.
13. That I and the remaining members of my family remained in the camp at Gurudwara Guru Sangat Sabha B-Block Tilak Nagar for about one month.
14. I say that Ram Pal Rana had obtained my thumb impression on several papers on 3-11-84 itself. I do not know the contents of those papers nor they were disclosed to me.
15. I submit that when I was taken to Police Station and my brother was also taken to Police Station, the S. H. O. Ram Pal Rana was having one barber in the Police Station and our hairs were got cut from him forcibly, at the pain of death.
16. That when this judicial enquiry was ordered, several persons posing themselves to be Police Officers came and by threatening me, took my thumb impression on blank papers.
17. It looks very strange [sic] that thousands of Sikhs were killed intentionally and maliciously in this carnage but no murdered case is either registered or investigated. But curiously enough in subsequent bomb blast in Delhi, about 49 persons were killed and investigations are made in matter as if the entire Sikh community is to be hanged. Where this law had gone out of the status in November 1984.
18. That unless

CHAPTER 2

Patterns and Characteristics of Violence

Congress-Led Meetings and Distribution of Weapons

While waiting to hear news of Mrs. Gandhi's physical condition on October 31, the group in front of the AIIMS quickly slipped from shock to revenge, chanting angry slogans such as "Khoon ka Badla Khoon Se," or "Blood for Blood." When President Giani Zail Singh, himself a Sikh, arrived at AIIMS around 5:20 p. m., 15 to 20 people stoned his car and made him the first target of their call for revenge. The affidavits show that the violence on October 31, however, remained confined to the areas around the AIIMS, and did not result in the deaths of Sikhs. Placing blame on the entire Sikh community, mobs assaulted Sikhs, pulled them out of cars and off buses, and burned their turbans, but no assailant killed a Sikh. Many people reported that their neighborhoods were peaceful on October 31. During the night of October 31 and early morning of November 1, Congress (I) party leaders met with their local supporters to implement their plan to massacre Sikhs and distribute weapons and money. Congress (I) Member of Parliament (MP) Sajjan Kumar and Congress (I) Trade Union Leader and Metropolitan Councilor Lalit Maken paid 100 Rupees and distributed a bottle of liquor to each assailant. Jagjit Singh of Kiran Garden witnessed a meeting near his house around 8 a. m. where Sajjan Kumar distributed iron rods from a parked truck to about 120 people. The MP instructed the mob to attack Sikhs, kill them, and loot and burn their properties. On the morning of November 1, Congress (I) MP Sajjan Kumar was identified near at least the following Delhi areas: Palam Colony around 6:30 to 7 a. m., Kiran Gardens around 8 to 8:30 a. m., and Sultanpuri around 8:30 to 9 a. m. Raj Kumar of Palam Colony, a Hindu, was returning from the market after deciding not to open his shop on November 1. When he reached the Palam Railway main road, he saw a jeep coming towards him, followed by people on scooters, motorcycles and foot. MP Sajjan Kumar, whom he recognized from Kumar's visits to Palam Colony, sat in the passenger seat. The people

following the jeep told him they were going to a meeting at Mangolpuri. By the time Raj Kumar reached the meeting, Sajjan Kumar had started speaking.

Although Raj Kumar could not hear Sajjan Kumar, he heard the mob's deadly answers to Sajjan Kumar's calls: "Sardaroo Ko Mar Do," [Kill the Sardars] "Indira Gandhi Hamari Ma Hai – Aur Inihoo Ne Ushey Mara Hai" [Indira Gandhi is our Mother, and These People Have Killed Her]. Moti Singh witnessed Sajjan Kumar's meeting at a park in Sultanpuri. Having served in the Congress (I) party for 15 to 20 years, Moti Singh recognized many of the attendees, such as Kumar's personal assistant Jai Chand Jamadar. From the rooftop of his house, Moti Singh heard Sajjan Kumar say: Whoever kills the sons of the snakes, I will reward them. Whoever kills Roshan Singh [son of Moti Singh] and Bagh Singh will get 5000 rupees each and 1000 rupees each for killing any other Sikhs. You can collect these prizes on November 3 from my personal assistant Jai Chand Jamadar. Two policemen, SHO Bhatti and a constable, also attended the meeting. Moti Singh described how early the next morning, these police officers shot and killed his son Roshan Singh, and then shot and killed his two grandsons as they rushed to help their father. Sarup Singh lived across from eminent Congress (I) leader Shyam Singh Tyagi in Shakarpur. On the evening of October 31, he saw MP and Minister of State for Information and Broadcasting HKL Bhagat standing in front of Tyagi's house talking to four or five people. They went inside Tyagi's house, while Tyagi left to gather more people. Sukhan Singh Saini, a Hindu, witnessed the same meeting and recognized Shyam's brother Boop Singh Tyagi, as well as 13 other people. He also saw Bhagat distribute money to Boop Tyagi, ordering "Keep these two thousand rupees for liquor and do as I have told you.... You need not worry at all. I will look after everything." The night of October 31, in Palam Colony, local Congress (I) leader Balwan Khokhar, later identified as leading many of the murderous mobs, convened a meeting at the Ration Shop run by Pandit Harkesh. As Sampuran Singh Chambal slowed down and passed by, they pointed at him and said: "These are the people who had killed Mrs. Gandhi." Shankar Lal Sharma, an active Congress (I) member, also convened a meeting at his shop at 8:30 a. m. on November 1, exhorting the attendees to swear to kill Sikhs. One of the attendees S. M. Umar subsequently went to warn his Sikh friend Sujan Singh to leave Delhi.

Congress party leaders who owned oil depots provided the crucial access to abundant amounts of kerosene – a resource too expensive for most of the assailants to afford. The use of kerosene as the chief weapon demonstrates the assailants' and organizers' intent to kill, rather than injure, the Sikhs, by brutally burning them to death. In Sultanpuri, where over 400 Sikhs were killed, Cham Kaur witnessed an early morning meeting led by MP Sajjan Kumar and Brahmanand Gupta, owner of an oil depot and president of A/4 Block, Congress (I). In her affidavit, Cham Kaur also named 20 other people attending the meeting in Block B/2. As in other meetings, Sajjan Kumar instructed the crowd to kill Sikhs, and to loot and burn their properties. When Cham Kaur heard those instructions, she rushed home to warn her family. Jatan Kaur witnessed the same meeting and also heard Sajjan Kumar's instructions. On November 2, when a mob attacked her house, she recognized Congress (I) leader Brahmanand Gupta – the provider of kerosene – leading the mob. Similar meetings were convened elsewhere, such as in Cooperative Colony in Bokaro, where P. K. Tripathi, President of the Congress (I) local unit and also owner of a petrol pump in Nara More, convened a meeting and provided kerosene to death squads. Cars carrying extra petrol also accompanied mobs. Aseem Shrivastava, a Masters student at the Delhi School of Economics described how motorcycles accompanied mobs in order to provide kerosene, and supplies were continuously replenished: The attack on Sikhs and their property in our locality appeared to be an extremely organized affair... There were also some young men on motorcycles, who were instructing the mobs and supplying them with kerosene oil from time to time. On more than a few occasions we saw auto-rickshaw arriving with several tins of kerosene oil and other inflammable material such as jute-sacks. According to late journalist Ivan Fera, a senior official in the Home Ministry also claimed that subsequent investigations of burned businesses demonstrated the use of a combustible chemical substance, whose provision required large-scale coordination. In its written arguments to the Misra Commission, the Delhi Sikh Gurudwara Management Committee (DSGMC) identified 70 affidavits citing the use of a highly inflammable chemical substance. Eyewitness accounts confirm the use of a chemical substance, in addition to kerosene oil, as well.

Identification and Tracking of Sikhs Killed

In addition to distributing weapons during these meetings, Congress party officials also provided assailants with voter, school registration and ration lists – generated in advance with the particulars of each Sikh resident in the various neighborhoods. In many neighborhoods, the assailants marked the houses of Sikhs on October 31, the night before the initiation of the massacres. The lists provided precise information on the location of Sikh houses and businesses, necessary to distinguish the targets among unmarked residences in diverse neighborhoods. Because many of the assailants were Jats and Gujjars from neighboring villages, and locals from the Scheduled Castes, among others, they

were illiterate; Congress (I) leaders provided the necessary help in reading the lists. These lists allowed the assailants, led by Congress (I) leaders and neighbors, to accurately pinpoint the location of any Sikh, and surpass the mere slaughter of Sikhs in the streets. Aunkar S. Bindra was the only Sikh in a house of seven tenants in Cooperative Colony, Bokaro. When the mob came to kill him on November 1, his landlady insisted that no Sikh lived in the house. The mob however pointed to exactly where he stayed. Similarly, when one of G. B. Singh's military friends came to rescue him from Safdarjung Enclave in Delhi, a mob asked the driver why he was protecting the house of a Sikh. The driver replied that he did not know any Sikhs lived there, but the mob answered with precision: "We know Col. Jagjit Singh lives [here]. Mr. G. B. Singh the gentleman with one arm stays downstairs." The mobs attacked all members of Sikh society, regardless of their stature and position. A relief camp on Palam Road, for example, served survivors who worked for the defense services. Captain Manmohan Singh, a highly decorated officer for his gallantry in the Indo-Pak war of 1971, was attacked persistently by a mob, starting at 9:30 a. m. on November 1. The mob refused to relent despite Captain Manmohan Singh's informing them he was a retired Air Force Officer. At 2:30 p. m., two Delhi Transportation Company (DTC) buses brought more assailants to his house. By 4 p. m., Captain Manmohan Singh faced a four to five thousand strong mob. The assailants broke into his house and attacked him and his family with iron rods. Only then did Captain Manmohan Singh fire his gun, forcing the mob away. The mob persisted, climbing onto the roof of the neighbor's house and throwing petrol bombs at

Captain Manmohan Singh and his family. When the assailants tried to enter his house again, the Captain fired into the air. At 8:30 p. m., police personnel asked Captain Manmohan Singh and his family to surrender, promising them protection. The police subsequently charged him with three murders, failing to take any action against the mob. The mobs did not just kill Sikhs who came their way, but used the lists in an organized manner to track Sikhs killed. Amar Singh of Yamuna Vihar, Delhi, escaped by having two Hindu boys he knew declare that he was dead and drag his body through the street. Later, however, 15 to 18 persons came to his neighbor's house, asking for his dead body. Amar Singh, hiding in the bathroom of his neighbor's house, overheard their conversation. His neighbor told the group that unknown persons had taken his body away. One person in the mob showed the list to the neighbor and said, "Look, Amar Singh's name has not been struck off from the list so his dead body has not been taken away." The group then searched the neighbor's house, luckily failing to find Amar Singh. If Sikhs were not in their houses, mobs easily identified Sikh men because of their distinctive appearance of a turban and beard. Neighbors often helped identify Sikh women. Other Sikh women, however, were sheltered by their neighbors and saved their lives by claiming to be Hindus. When the mob began to throw Anand K. Tuli's daughter into a fire, she saved herself by claiming to be the Hindu landlord's daughter.

Slogans of Extermination

The murderous words and constant refrains chanted by the mobs, on television, throughout neighborhoods, demonstrated a desire to kill Sikhs as a people." *Khoon ka Badla Khoon*," or "Blood for Blood" began at AIIMS, and reverberated across India through the state-owned TV service Doordarshan. Ranjit Singh Narula, retired Chief Justice of the Punjab and Haryana High Court, watched local television on the morning of November 1, amazed at how the crowd outside Teen Murti, where Mrs. Gandhi's body lay, chanted "*Khoon Ka Badla Khoon*" and "*SardarQaum Ke Ghaddar*," or "Sardars are the Nation's Traitors" while the large number of government officials observed without taking any action to stop the inflammatory slogans. This continued on TV the whole day. Even the new Prime Minister Rajiv Gandhi did not stop the chanting mobs. When Shanti Bhushan, former law minister and senior advocate of the Supreme Court, tuned into Doordarshan, he saw Prime Minister Rajiv Gandhi passively listening to the slogans.

Throughout the carnage, the official TV station Doordarshan continued to focus on Teen Murti and the chanting crowds, showing no coverage of the massacres of Sikhs. Television viewers abroad watched in horror, but tight controls within India prevented any coverage. Despite repeatedly showing footage of slogan-shouting mobs, the Union of India told the Misra Commission in its reply to interrogatories that: "Doordarshan did not take shots of persons shouting slogans like '*Khoon Ka Badla Khoon*' and '*Sikh Kaum Ke Gaddar*.' It was a live telecast and TV cameras focus sometimes covered shots of huge crowds lined up to pay homage to the late Prime Minister." Almost every affidavit spoke of mobs shouting slogans to kill Sikhs. Other slogans often heard were: "*Maar Deo Salon Ko*," or "Kill the Bastards"; "*Sikhon do mar do aur loot lo*," or "Kill the Sikhs and rob them"; and "*Sardar Koi Bhi Nahin Bachne Pai*," or "Don't let any Sardar escape."

Rumors

In addition to the assassination of Mrs. Gandhi, rumors served to justify the subsequent attacks on Sikhs, to continue to motivate the killers, and to raise the guards of passive Indians against Sikhs. Numerous deponents testified to seeing police traveling through neighborhoods spreading rumors. In Mangolpuri, New Delhi, a police van came to G block and announced that Sikhs had poisoned Delhi's drinking supply the evening of November 1. Lalita Ramdas, a volunteer with Nagrik Ekta Manch who coordinated a relief camp after the massacres started, received a call from her friend Sarita about the same rumor also broadcast by the police in her neighborhood. She wanted to ascertain the truth of it, and finally a correspondent from *Hindustan Times*

confirmed the lack of truth in the police's announcement. Poonam Muttreja, of Munirka Enclave, New Delhi, heard the following announcement on a public address system the morning of November 1 at 2:30 a. m. : "Aap ke pani mein jahar mila dian gaya hain, kripya pani nahin pee jeaey" [Your water supply has been poisoned. Please do not drink the water]. When she ran to her balcony, she saw what looked like a police jeep exit the colony.

In Shahdra, New Delhi, police spread rumors of Punjabi Sikhs killing Hindus and sending trains to Delhi filled with Hindu bodies, reminiscent of the 1947 India-Pakistan partition violence. In reality, trains were arriving with bodies of dead Sikhs, as Barbara Crossette portrays in her foreword. V. Khosla described how another false rumor was spread in New Friends Colony that Sikhs had gathered in a Gurudwara on Ring Road, armed themselves, and planned to attack Hindus in the colony. Khosla moved his children outside the colony. Aseem Srivastava, the Masters student at Delhi School of Economics, testified about the impact of rumors about celebrating Sikhs: This rumour, which ultimately proved to be entirely unfounded, succeeded in whipping up considerable Anti-Sikh feeling in our locality, even amongst the so-called educated people. At this point I consider it obligatory on my part to say that I did not see any Sikh distributing sweets to celebrate Mrs. Gandhi's assassination or dead bodies of Hindus arriving in Delhi in trains. Nor did I meet anyone who had personally seen such things. In addition to the police, Congress (I) leaders, doctors, and Prime Minister Rajiv Gandhi himself gave substance to these rumors. When Subedar (Retd.) Balwant Singh took his injured son to the hospital after a mob attacked them near Sagarpur, New Delhi on November 1, a doctor refused to give his son a glass of water, using the excuse that Sikhs had poisoned the entire supply. Balwant Singh went and fetched the water for his son himself. In Nand Nagari, Dayal Singh heard Congress (I) leader Narang repeat the rumor regarding the train full of Hindu bodies. Prime Minister Rajiv Gandhi justified the murders, telling prominent Indian journalist M. J. Akbar that the killings were only extensive in those areas where the Sikhs had celebrated the assassination of his mother by distributing sweets.

Attacks on Sikh Dignity, Articles of Faith & Structures

The mobs everywhere came armed with iron rods, lathis or long bamboo sticks, kerosene and inflammable powder, knives, bricks and sometimes firearms. After attacking the neighborhood gurudwaras – of which 131 were reportedly repaired by the Delhi Development Authority and 49 remained unrepaired, the mobs used the lathis and bricks to physically attack houses. After entering the house or scaring the inhabitants into coming outside, the

mobs beat Sikhs with iron rods and used inflammable powder and kerosene to set them on fire and burn them to death. They also used the powder and kerosene to burn their property. Some groups used crude explosives to kill Sikhs hidden inside rooms. According to the Delhi Sikh Gurdwara Management Committee's submissions to the Misra Commission, the mobs used the kerosene to burn Sikhs alive, burn them while unconscious, and burn their dead bodies in bulk. The majority of the victims were burned alive. Before killing their victims, the mobs humiliated them and inflicted specific acts of cruelty. Assailants repeatedly gouged Satnam Singh's eyes with huge needles, before setting him on fire. On November 3, pacifist leader Swami Agnivesh toured Trilokpuri, one of the worst affected areas: The carnage was mind boggling. Half burnt bodies were still lying scattered. Some had been mutilated by gorging their eyes. Some had smoldering tyres around their necks. The houses had been completely destroyed and burnt. In his statement to the Nanavati Commission, Swami Agnivesh described how he saw about half a dozen bodies lying in the muddy water of Yamuna River. Another survivor described how she saw the heads of her two dead nephews separated from their bodies and kept in eating plates. Besides the attacks on the gurudwaras, mobs purposefully attacked articles of the Sikh faith. Assailants forcibly cut the hair of Sikh men – kept unshorn by Sikhs according to religious discipline – humiliating them before killing them. When Baljit Singh's grandfather arrived at his uncle's house in Kanpur, the mob had stripped him of the uniform of an initiated Sikh, articles that must always remain on a Sikh's body. John Elliott, a *Financial Times*

reporter, met two elderly Sikhs in their 60s and 70s at a Delhi gurudwara, who had been assaulted – the gangs had also cut their hair. They defiled the Sikh scriptural canon Sri Guru Granth Sahib by urinating on it or by lighting it on fire with cigarettes. As Balwant Singh, Granthi of Gurudwara of BC Block in

Shalimar Bagh, New Delhi, said to historians and activists Uma Chakravarti and Nandita Haksar, describing the pain of that desecration: We don't mind so much for ourselves. I could have been martyred...I don't mind the fact that my house was looted. After all it was the Parmatma [God] who gave it to me. But what I could not bear was that [H]e who had given everything to me should himself be trampled upon by the looters, that [H]e should be insulted and defiled with urine. The gangs defiled portraits of the Gurus hanging in Sikh houses, taunting the Sikhs to call their Gurus to save their lives now.

Persistence of Death Squads

The assailants made repeated visits to Sikh households to ensure that they had killed those they could identify. Phanda Singh had escaped the riots during the partition of India and Pakistan only to live through the Delhi massacres. He hid in a neighbor's house, unaware of where his two sons, daughters-in-law, grandchildren and wife had managed to hide. He described the deaths of his two sons, one of them named Labh Singh, as the mobs came back to find them multiple times: [H]e [Labh Singh] lay...burning for a long time. He asked for water, for his mother and father. When the mob went off the women gave him water. He was a brave and courageous man, big and strong, so he did not give up easily. He kept struggling. After a time the mob came back and beat him with rods again. Only then he died. Even then I did not know about my other son. He was still alive, hiding somewhere. Only next morning they [the mob] found him at 4 a. m. They pulled him out and they killed him. There was no escape for Sikhs caught in the sight of the mobs. In Trilokpuri, Sikhs defended their Gurudwara in Block 32 until 3:30 p. m. on November 1. Once they succumbed to the attacking mob, two Sikhs ran towards the open fields. They jumped the barbed wire and hid themselves in the tall grass, but the mob set the field on fire from several ends, burning the field and the Sikhs alive.

In Block 32, all but six male Sikhs were killed. In FIR No. 416/84 of Police Station Delhi Cantt., Baljeet Kaur described how the mob returned seven times before finding her father, axing his abdomen and head, and burning him alive. In front of government offices in Shastri Bhavan, one group of assailants even burned down the house of MP Ram Vilas Paswan, because he refused to hand over a Sikh to whom he had given shelter. While Paswan escaped, the Sikh burned to death in Paswan's garage. Assailants purposefully hunted Sikhs, and made sure to kill those Sikh males it identified, even where it could have easily let Sikhs escape. In an interview with Nandita Haksar and Uma Chakravarti, Gurmeet Singh Gill described how a mob chased a young Sikh boy dressed as a girl: [A]s we were standing just near the house, where I was being sheltered, we saw a child of about ten, dressed in a salwar-kameez, who was moving on the road. The child was walking quite normally down the street. He was actually a young boy in the process of fleeing to safety and had been dressed as a girl. Something about the child's appearance made the mob suspect that the child was a boy and someone shouted 'sardar ka ladka hoga (it must be the son of a Sardar).' The child panicked and started running but the mob pursued him and caught him. They asked him where the other members of his family were. The boy was really frightened and he pointed in a certain direction and said that his father was lying there and that he was dead. To my horror the mob dragged the boy upto the father's body, threw the child on him and burnt him saying 'yeh sap ka bachcha hai, ise bhi khatam kar do (This is the son of a snake, finish him off also).' The mob did not act in haste or blindly, comfortable in the police protection. As Madhu Kishwar, founder and editor of *Manushi*, wrote in "Gangster Rule": Many eyewitnesses confirm that the attackers were not so much a frenzied mob as a set of men who had a task to perform and went about it in an unhurried manner, as if certain that they need not fear intervention by the police or anyone else. When their initial attacks were repulsed, they retired temporarily but returned again and again in waves until they had done exactly what they meant to do – killed the men and boys, raped women, looted property and burnt houses. This is noteworthy because in ordinary, more spontaneous riots, the number of people injured is usually observed to be far higher than the number killed.

Instead of being overwhelmed by sorrow from the death of their leader Mrs. Gandhi, as the police and government claimed, or exhibiting signs of coercion or social pressure, witnesses like ND Pancholi, General Secretary of Citizens for Democracy, saw the mobs dancing, laughing merrily as Sikhs burned to death. Aseem Shrivastava, the Masters student from Delhi School of Economics, said the mob "seemed to be jubilant that 'at last the Sikhs were being taught a lesson.'" Madan Lal Khurana, senior leader of the Bharatiya Janata Party (BJP) who later served as Chief Minister of Delhi, saw the mob playing drums in one or two places while people in the mob danced. Gangs of assailants, with the complicity and help of the Railway Protection Force, boarded trains, dragged Sikhs out, burned them, and then

either left them on the platform or threw them onto the tracks. The police watched, and did not bother to intervene or escort Sikh passengers off the train. An annexure filed by the Railway Protection Force, in response to interrogatories from the Misra Commission, reports 46 unauthorized stoppages between stations by gangs of assailants. (See Appendix IV) The complicity and participation of the Railway Protection Force in these massacres is discussed in Chapter 3.

Sexual Violence

The rampaging mobs humiliated, sexually molested and raped surviving Sikh women. In *Manushi*, Madhu Kishwar highlighted the story of Gurdip Kaur, a survivor of the massacre in Trilokpuri. The mob killed Gurdip Kaur's husband and three sons. They raped her in front of her youngest son and then, after he had witnessed the devastation of his mother, they killed him. According to Gurdip Kaur, most of the Sikh women in Trilokpuri suffered gang rape, from nine and ten year old girls to 80-year old women. In several cases, elderly women were raped in front of their families. The rapists then either took the women home with them, or left them naked in the streets. On November 1, after a day of killings, 150 to 200 women took refuge in a park in Trilokpuri while their male family members hid from view. That night, assailants came and, shining flashlights in their faces, took women to shanties. Tehmi Devi described how assailants raped her and threatened to kill her if she screamed. They tore off her clothes and stabbed her in the leg.

After raping her, they stole her jewelry and watch. Sadora Singh described the recovery of two women who were raped all night in Trilokpuri. Victims reported that a Congress (I) block leader had directed the rapists. One victim reported that ten men raped her. Padmi Kaur, from Sultanpuri, narrated the brutal experiences of her family on November 1: After some time the mob arrived, broke open our door and came inside. They caught hold of my daughter Maina Kaur forcibly and started tearing her clothes. In her self-defence my daughter also tore their clothes and also hit them. They tried to criminally assault my daughter. My husband begged them to let her go. They mob said they would kill him "Kohyibhi Sikh ka bacha nahin bachega" (No Sikh son would be spared). They broke the hands and feet of my daughter and kidnapped her. They confined her in their homes for three days. Padmi Kaur listed several members of the mob, including Congress (I) leader Brahmanand Gupta. She related how her daughter was ill and "has become like a mad girl," and how, using an inflammable chemical powder, the mob killed her husband, son, neighbor, two brothers, two nephews, and two brothers-in-law all in front of her. Dr. H. K. Bovenanker, the Medical Officer in charge of Guru Nanak Hospital, Shanti Nagar, Kanpur, went to a relief camp on November 2 with Dr. H. Bhatia. There they saw at least 12 to 13 cases of gang rape of young girls between the ages of 16 and 20. They had been raped on the instructions of Shiv Mangal Singh, a Congress (I) leader. On November 7, the local police recovered six girls from the village of Chilla Gaon, who had been abducted from Trilokpuri. Several factors contributed to the underreporting of rape. First, societal shame silenced the victims. As Gurdip Kaur told Kishwar, "The unmarried girls will have to stay unmarried all their lives if they admit that they have been dishonoured. No one would marry such a girl." Survivors used euphemistic language to describe what happened. Sarabjeet Singh saw his pregnant wife stripped naked in the middle of the road and "dishonoured." After the mob also dishonored his sister-in-law, they poured acid on the bodies of the two women. Second, doctors intimidated women from getting a medical examination and registering complaints. Third, in India, rape cases are medico-legal cases that require special evidentiary procedures which doctors in relief camps could not follow. These doctors failed to refer women to competent hospitals. Fourth, the majority of the investigating officers of the Misra Commission were probably men and failed to elicit the personal testimonies from victims.

Refusal of Medical Care

When survivors managed to reach hospitals, after witnessing the brutal murders of loved ones and risking exposure in the streets, the hospitals refused to treat them either because of animus against Sikhs or threats from assailants. This had devastating consequences for the victims. At the Guru Nanak Hospital in Kanpur, Paramjit Singh was asked to either cut his hair or leave, because an assailant who had been inside the hospital earlier had spotted him. Kuldip Singh, an activist with the national civil rights organization People's Union for Democratic Rights, waited one and a half days at Daltonganj Hospital, after a mob had boarded his train and tried to kill him. He received treatment only after his non-Sikh friends threatened the doctors. Gurdial Singh's son was shot in the head and taken to the Orsale Hospital Parade in Kanpur. His son received no treatment the whole night, and it was not until the next morning, on November 2, that he was operated on. He died the next day. Amarjit Kaur, widowed during the massacres, took her daughter-in-law, a rape victim to the hospital in Kanpur. Dr. B. M. Pandey refused to admit her. At Sri Ganga Ram Hospital in Delhi, the doctor also refused them admission. Only after fourteen days, did she manage to receive

treatment. By then, she was paralyzed from waist down. Doctors often refused to register medical certificates or properly record injuries for further legal investigations. Balwinder Singh was from Sarai Rohilla in New Delhi. He described how the Railway Protection Force shot at Sikhs defending the gurudwara. The mob attacked the gurudwara and threw his son down from the roof. Then they came down and beat his son's head with an iron rod. Sprinkling kerosene oil on him, they set Balwinder Singh's son on fire. His son started running for the house, and miraculously escaped the mob. Balwinder took him to Hindu Rai Hospital but was refused treatment. He then went to the Lok Nayak Jai Prakash Narain Hospital in New Delhi, where his son died on November 2 at 9:30 p. m. The doctors did not conduct an investigation into his death. Dr. I. N. Tiwari refused to prepare a medico-legal certificate and wrote the cause of death as burns and hypovolumnic shock. A doctor at Bara Hindu Rao Hospital also refused to record a medico-legal certificate for Ravail Singh, saying he should be thrown in the nallah (stream). Ravail Singh was inside Gurudwara Sarai Rohilla when the Railway Protection Force fired on it. He managed to escape the gurudwara attack but suffered injuries later when a gang attacked his business.

Attacks on the Media

Assailants attacked journalists trying to capture and record the horrific crimes. As correspondent Mark Litke related, one gang attacked an ABC-TV crew filming in the streets, stealing cameras and equipment. The police and military guards merely watched during the attack. When survivors at the Punjabi Bagh police station started narrating their experiences to a reporter, a police officer expelled the reporter because the victims were allegedly "too depressed" to be interviewed. American television correspondents reported that their satellite transmission facilities were "broken" and they could not send images abroad. Nevertheless, reporters still ventured out to capture the horrors of the Sikh massacres, providing some of the most thorough affidavits to the Misra Commission.

Further Questions

The affidavits provide concrete information on the characteristics of the plan implemented to facilitate the massacres of Sikhs. The organization of meetings and provision of money and weapons; the use of government-issued ration and voter lists; the large-scale provision and distribution of expensive materials, specifically kerosene and combustible chemical substances; and the immediate coordination of transportation, among other things, speak to the prior existence of a plan to massacre Sikhs that merely required implementation. However, we lack information on who designed the plan, when the plan was designed, and what motivated the construction of the plan. How many of those who led mobs, held meetings, and distributed kerosene learned of the plan upon its implementation, and how many participated in the planning process? The cruelty of the mobs in humiliating and degrading Sikhs before murdering them, as well as desecrating their bodies, highlights again the need to understand the perpetrators' motives. After the massacres, when civil society organizations raised an outcry, perpetrators did not excuse their actions by citing coercion or psychological pressure. Instead, like Rajiv Gandhi, they tried to justify the massacres by citing celebrations by Sikhs, among other excuses. When doctors refused to provide medical care, or proper medico-legal certificates, did they act on their own animus, or did they receive sanction from higher levels of the hospital administration? Who sanctioned the coverage by the national state-operated TV station of mobs raising slogans of extermination against Sikhs? Madhu Kishwar's study shows that women suffered sexual violence, although we have no understanding of the extent of rape and other sexual crimes. How many women were abducted and for how long were they forced to live with their captives? How did other residents in the villages, like Chilla Gaon, react when kidnappers brought captive Sikh women to live with them? Although the affidavits allow us to identify the gamut of crimes and the identity of visible perpetrators, the answers to the above questions would explain the depth of the pre-planning of the massacres and the extent of participation by different sectors of Indian society.

AFFIDAVIT OF RAHUL KULDIP BEDI

Affidavit of Rahul Kuldip Bedi son of (late) Dr. Kuldip Chand Bedi aged 33 years and resident of A-14 Niti Bagh, New Delhi 11049.

I Rahul Kuldip Bedi, the above-mentioned deponent, do hereby solemnly affirm and state as under: 1. That I am a staff correspondent with the "Indian Express" newspaper and at the time of the November 1984 riots was based in New Delhi. 2. On November 2 1984, around 11:30 p. m. I learnt of the ongoing massacre in Block 32, Trilokpuri, East Delhi, from one Mohan Singh – later one of the refugees at the Farash Bazaar police station camp. Mohan Singh, who had shaved his head and face only hours before and taken shelter in our office canteen on Bahadur Shah Zafar Marg,

claimed that over 300 people had been massacred by mobs in his block, number 32, Trilokpuri. 3. Mohan Singh had managed to escape under the cover of darkness and head for the safety of our office where he claimed friendship with some “Jansatta” employees. 4. Around 2:00 pm on 2 November 1984, I along with Mr. Joseph Maliakan, Staff Correspondent, “Indian Express” and Mr. Alok Tomar, Staff Correspondent, “Jansatta” newspaper, rushed to Trilokpuri. On arrival at the entrance to the colony we found the way partially blocked by huge concrete pipes and men armed with lathis atop them standing guard. 5. About 300 yards away from Block 32 we found our path blocked by a several-hundred strong mob. Before we could reach them, two policemen, one Head Constable and a Constable, riding a motorcycle, burst through the crowd, coming from the direction of Block 32 headed towards us. 6. I flagged the motorcycle to a halt and asked the Head Constable driving it whether any killings had taken place in Block 32. The policemen said that there was ‘shanti’ [peace] in Block 32. On further probing, he admitted that ‘only’ two people had been killed, no more. Saying this, he sped away. 7. On proceeding further, our car was blocked by the mob, which had turned angry by now and had begun stoning us. A spokesman for the crowd, a short statured man dressed in a white kurta and pyjama, told us to leave or be prepared to face the consequences. Block 32, he said, was out of bounds. 8. We headed for the Kalyanpuri police station and asked the duty officer, a Sub-Inspector, whether there was any trouble in Block 32 Trilokpuri. He too said that the area was perfectly calm and ‘shanti’ prevailed. No deaths, he said, had been reported in the area covered by his police station. 9. A parked truck nearby attracted our attention and on closer inspection we found the back of the vehicle littered with three bodies, charred beyond recognition, and a half-charred, barely alive Sikh youth lying atop them. In his quasi-consciousness, the man told us that he was from Punjab and had come visiting relatives in Trilokpuri. In the early hours of the same morning, a rampaging mob, he said, had killed his hosts. He had been brought to the police station around 11:00 am, about four hours before we spoke to him. He had lain there ever since. 10. When the three bodies in the truck and the half-alive man were pointed out to the duty officer, he denied all knowledge of them saying that they were the responsibility of the Station House Officer, Soor Veer Singh. The SHO, he said, was away ‘in Delhi’ in connection with a post-mortem case and would return only in the evening. 11. We met an army patrol commanded by Colonel P. P. S. Bains who assured us that he would send help to the beleaguered Block 32 in Trilokpuri. We returned to Trilokpuri around 4 pm only to find that no army or police patrols had visited the re-settlement colony. 12. Seeking help, we met an Air Force patrol, led by a Squadron Leader, near the ITO Bridge. The officer however, refused to help on the plea that the Prime Minister, Mr. Rajiv Gandhi, was to visit Shahdara area in a few hours time and he had been instructed to make secure the route leading to the colony. He referred us to an army truck parked nearby. 13. The NCO commanding the truck full of troops said that he had lost his formation and could do nothing for us. However, he asked us to go to the ITO flyover bridge where the army had posted a wireless look-out. 14. The Second Lieutenant manning the wireless post also pleaded helplessness as he too had lost his formation somewhere in the Model Town area of North Delhi, and was in search of it. He advised us to go to the nearby Delhi Police Headquarters building. 15. We arrived at Police Headquarters around 5 pm and went straight to the room of the then Police Commissioner, Mr. Subhash Tandon. Mr. Nikhil Kumar, IPS, Additional Commissioner of Police, manning the telephones in the office, was informed of the situation that we thought prevailed in Block 32, Trilokpuri. 16. Mr. Nikhil Kumar, asserting that he was a “mere guest artist” informed the police control room, the maximum he was prepared to do. The other officers present at this juncture were Mr. N. S. Rana, IPS, Deputy Commissioner of Police (later promoted to Additional Commissioner of Police). These officers were present whenever I went to the Commissioner’s room over the next couple of days. 17. On returning to Trilokpuri around 6 pm, we found the Kalyanpuri SHO, Soor Veer Singh, accompanied by two constables, arriving in a van. Soor Veer Singh said that he had radioed his senior officer, particularly his DCP, Seva Dass, IPS, Deputy Commissioner of Police of the massacre. 18. Soor Veer Singh, walking over the sea of hundreds of charred and mutilated bodies in Block 32, told me “the Mussalmans are responsible for this.” 19. No police force arrived for the one hour I was in Block 32, helping shocked riot victims to safety. 20. On returning to Police Headquarters, we were told by Mr. Nikhil Kumar that he had done his job by informing the control room. 21. At this juncture, Hukam Chand Jatav, IPS, Additional Commissioner of Police, returning from a tour of trans-Jamna colonies – on his own admittance – arrived in the Police Commissioner’s room and declared that “Shanti” prevailed in the entire area, particularly Trilokpuri. He specifically mentioned Trilokpuri as being “calm.” Besides the other police officers mentioned as having been present during these exchanges, others in the room included Mr. David Devdass and Mr. Ashutosh Handoo, both reporters from the “Hindustan Times,” and two reporters from “The Patriot.” 22. When we stressed the urgency of the situation, Hukam Chand Jatav enquired from Mr. Nikhil Kumar as to why he had not been told of the emergency as he was in his office, a floor above, when we appraised the latter around 5 pm. A short argument ensued between the two policemen in which Mr. Nikhil Kumar said that he had called the control room – the limit of his duty. 23. Hukam Chand Jatav arrived at Block 32, Trilokpuri around 7 pm, over 30 hours after the killings had begun on 1st November ’84. Mr. Joseph Maliakan, who stayed back to instill confidence in the benumbed riot victims, met him. 24. The following morning, 3 November ’84, when I alongwith Mr. Maliakan returned to Trilokpuri we found two bodies

smoldering just inside the entrance to the colony. On returning 45 minutes later, after a visit to Block 32, we found two more bodies added onto the pile. 25. Sewa Dass, IPS, Deputy Commissioner of Police, East District, who had just come into the colony was running about confusedly from house to house, trying to make enquiries about the smoldering bodies. Without waiting to investigate, he rushed off to Block 32 in a panic-stricken state.

CHAPTER 3

Role of the Police

As the following discussion shows, senior police officers: □ Ordered their subordinates to ignore attacks against Sikhs; □ Ordered policemen to disarm Sikhs to increase their vulnerability to attack; □ Systematically disabled and neutralized any officers who attempted to deviate from the norm of police inaction and instigation; □ Released culprits; and □ Manipulated police records in order to destroy any paper trail of the violence and protect criminals from the possibility of effective future prosecutions. At all times, if they so desired, the police and their superiors had sufficient force and knowledge to effectively counter the violence. Below, we explore these issues by discussing police inaction, police instigation of violence, police manipulation of records, and their knowledge and potential to counter the massacres. We also highlight similar abuses committed by the Railway Protection Force and Fire Brigade.

Police Structure²⁸⁴

In 1984, there were 73 police stations (PS) in Delhi, each with a Station House Officer (SHO) and, in order of descending hierarchy, Sub-Inspectors (SI), Assistant Sub-Inspectors (ASI), Head Constables (HC), and Constables. Each station had a wireless arrangement to the central control room in police headquarters. The 73 police stations were grouped into six police districts (East, West, North, South, Central, New Delhi), with each police district managed by a Deputy Commissioner of Police (DCP). Each DCP had the aid of several Assistant Commissioners of Police (ACP). The North, East and Central districts were further grouped into Delhi Range, managed by Additional Commissioner of Police H. C. Jatav. The South, West, and New Delhi districts were in New Delhi Range, managed by Additional Commissioner of Police Gautam Kaul. Subhash Tandon served as the most senior officer, the Commissioner of Police (CP), with ultimate responsibility lying in the Lieutenant Governor of Delhi (Lt. Gov.). The Lt. Gov. was P. C. Gavai until November 4 when he was replaced by M. M. K. Wali. The President of India appoints the Lt. Gov.

Police Inaction

At best, police officers did not respond to calls for help and passively observed the violence inflicted on Sikhs, stating they did not have instructions to save Sikhs. A senior police officer, for example, admitted that the police merely watched while a gang of assailants set the house of Swaran Singh, 200 yards from the police station, on fire. At least nine Sikhs were burned alive in the ensuing fire. While patrolling that area, the police remained completely passive – they made no arrests and never opened fire. They registered FIR No. 482/84 when one member of the mob, Rajnish, was injured after Swaran Singh acted in self-defense. FIR No. 485/84 mentions the attack on Swaran Singh's house, but does not mention the killing of his family. Neither the relief numbers broadcast on television nor the emergency numbers worked. When the police did receive calls for help, because victims personally approached them after risking exposure in the streets or called them at the station, officers responded with: “We have no instructions to help or save Sikhs.” The policemen of PS Ganwarganj in Kanpur went further – Inspector Sengal specifically stated that the City Magistrate had instructed them to give the assailants liberty and *not* to interfere in the looting and burning. Even senior officers offered no protection to Sikhs when present during mob attacks. When *Indian Express* reporter Monish Sanjay Suri went to Gurudwara Rakab Ganj around 4 p. m. on November 1, he saw Additional Commissioner of Police Gautam Kaul standing on one side as Congress (I) leader Kamal Nath controlled a mob of 4000 people. When the group charged the gurudwara gate where Kaul stood, Kaul merely stepped to the side. The gang burned several Sikhs alive during the attack. The police also insulted those requesting help, exposing their communal hatred toward Sikhs. On the evening of October 31, Jaya Jaitley and her husband Ashok Jaitley, then an officer of the Indian Administrative Services, drove around the capital to observe the violence. When they asked an officer to intervene and stop a mob from stoning cars, the policeman dismissed the

request, stating: “They are only out after the Sardars.” While 15 to 20 armed policemen leisurely sat in the police station, one Sub Inspector told Nihal Singh, from Sector IX B in Bokaro Steel City, who had come for help: “You bastards are the progeny of Bhindrawale. You Sikhs are worse than Muslims.” When the General Secretary of a

gurudwara in Naraina Industrial Area called the police for help in protecting the burning gurudwara, the police responded: “Isn’t what’s happening the right thing? Wait, you’ll be burned, too.” The police failed to enforce the curfew. Lalita Ramdas, the Nagrik Ekta Manch activist, described how she spent 18 hours outside on November 2, all in violation of the curfew order. The police did not stop or question her once. As Rahul Kuldip Bedi described in his affidavit above, the police’s failure to take action extended even to the brutality of leaving a half-dead Sikh man in their parking lot, instead of procuring medical care for him.

Police Instigation of Violence Against Sikhs

The police performed functions vital to the assailants’ ability to attack and kill Sikhs. The most important, beside their active participation and promises of impunity, was their role in disarming Sikhs of their kirpans, breaking up Sikh defense groups, and sending Sikhs to their individual houses, defenseless. As Gurbachan Singh’s affidavit demonstrates, Sikhs often could hold off assailants by defending themselves collectively with their kirpans. In Mangolpuri, when Sikhs resisted the mob, it retreated and went to the local Congress (I) office. The local Congress (I) leader rushed to the police station to complain about the armed Sikhs. The police then came to Mangolpuri, arrested those Sikhs, disarmed them, and sent them back to their houses. The mob then slaughtered each of them. In Palam Colony, the Sikhs resisted the mob when it attacked them on November 1 and the mob ran away. Two hours later, a local police van came and disarmed the Sikhs of their kirpans. One hour later, the assailants returned and, refreshed by the police participation, began a looting and killing spree against the defenseless Sikhs. Police officers forced Sikhs to return to their houses by reassuring them of their protection or threatening to kill them. After reassuring the residents of Guru Nanak Nagar in Bokaro Steel City of their protection, the police went towards the section of the colony where the poor dairy-men lived. Five to ten minutes after their jeep went there, a gang of assailants came from that side and, aware that the Sikhs were now isolated, attacked them.

If Sikhs used their licensed firearms in self defense or refused to surrender their kirpans, the police often arrested them, beat them, and filed false charges against them. Senior police officers instructed their subordinates to arrest Sikhs acting in self defense. Harbans Singh was the Sub Inspector of Yamuna Puri police station. When he entered the wireless room, he noticed that all messages relaying that Sikhs were defending themselves were accompanied by directions to the police to take action against the Sikhs. For example, he heard the message: “Sikhs carrying kirpans are moving in Anand Nagar area.” The instructions came: “Send force to arrest them immediately.” No instructions accompanied messages stating that gangs of assailants were killing Sikhs. Avtar S. Diwan’s experiences demonstrate the pattern of arrest, torture, and implication in a false case. Diwan lived with 18 other family members in a two-story house. His father, Faqir Singh, had defended India in two wars, the Indo-China and Kargil wars. On November 1, the mob first attacked their colony in Paharganj. On November 3, his father called the military which rescued them and took the whole family to PS Paharganj where they stayed until November 5. On November 5, the policemen told them it was safe to return. That evening, assailants collected in front of their house. After Faqir Singh called the police, SHO Dev Raj and some constables arrived, but they disappeared during the subsequent attack by the mob. Faqir Singh fired in the air in self-defense with his licensed weapon to scare away the mob. When the military arrived, he stopped, and everyone heard firing continuing outside the house. Expecting the military to rescue them, the family was surprised when the military and police lined them up on the road and began to beat Narinder Singh, one of their relatives. Late at night, the police took the entire family to PS Paharganj and locked everyone, including the six month- and 18 month-old babies, in the cell. The police beat Faqir Singh. The next day, on November 6, at 3:30 p. m., the police took them to Tis Hazari Courts, sent the three minor children to a children’s home, placed Avtar Singh, his father, and his two brothers in solitary confinement in Tihar Jail, and placed the remainder of the family in judicial custody in Tihar. They remained there for a week. The police registered a false case against them, claiming they had fired indiscriminately into the crowd and had killed an Army soldier. The police claimed to have recovered four firearms and an air gun, which were actually licensed weapons the family had deposited during their first trip to the police station. Narinder Singh later died from his police beating, and Avtar Singh’s uncle Amir Singh also died at the hands of the mob. On November 12, Additional Sessions Judge K. B. Andley granted bail to Avtar Singh and his family because he found they had *prima facie* been attacked by a mob and fired because they apprehended danger to their lives. On April 30, 1985, a report from the Central Forensic and Scientific Library exonerated them, stating that the bullets recovered from the deceased Army soldier did not match their firearms. However, not until December 8, 1988, more than four years after the massacres, did the prosecution drop the case, resulting in their acquittal. Ironically, the two police officers who had arrested them and beat Narinder Singh – Amod Kanth, then Additional Commissioner of Police, and S. S. Menon, then SHO Paharganj – received Presidential medals and promotions. The actions of the most senior officer, Commissioner of Police Subhash Tandon, reflect this policy of disarming Sikhs. When Tandon arrived at

Rakab Ganj Gurudwara, where Kaul had earlier allowed the mob to attack by stepping aside, the mob had already burned alive two Sikhs. Tandon did not touch a single member of the mob or try to ascertain responsibility for the burning deaths of the two Sikhs. Instead, Tandon chose to arrest a Sikh who possessed a licensed firearm. Similarly, on November 1, Tandon arrested two Sikhs who fired in self defense from inside Motia Khan gurudwara, located in central Delhi. Tandon charged them with attempted murder although none of the assailants suffered any injuries. Again, he acted as if blind to the mob of assailants before him. The mob subsequently burned down the gurudwara. Beyond disarming Sikhs and lodging false cases against them, police officers actively instigated and participated in the looting and killing, also making promises of impunity. ASI Rattan Lal Sinha witnessed the mob's attacks on the house of Narinder Pal Singh of Bhowra Colliery. Promising to save the family, he put them inside their store room and locked the door from outside. The rioters then prepared the house for demolition with oxygen dynamite, targeting the store room. In total disregard for his promises to the Sikh family, ASI Ratan Lal Sinha reassured the mob: "When the management is with us, what could anyone do." The mob exploded the dynamite, burying the family. Through the gaps in the wall, the attackers persisted and hounded the trapped family, killing Narinder Pal's father, injuring his mother, and also injuring Narinder Pal with five bullets. Similarly, in the case of Gurudwara Rakab Ganj, when the mob began to disperse when Sikhs defended themselves and repulsed the initial attacks on the gurudwara, the policemen shouted: "Salas [Bastards] – this is the time that you have got to do whatever you want. Why are you running off?" The policemen reassured the assailants of ample opportunity to attack: "We will return in ten hours." Santokh Singh described how a mob of 5000 to 6000 people, led by prominent Congress (I) leader Panna Lal Pradhan, attacked the Sikhs in Hari Nagar Ashram, New Delhi on the morning of November 1. The DCP, SHO Ishwar Singh, Ved Prakash, Head Constable Mohinder Singh and 50 other

constables reached the scene. Using loudspeakers, they instructed the mob to kill every Sikh and burn their properties. The senior officers then instructed the policemen to participate. When the curfew order was announced at 6:45 p. m. the police declared they would not enforce it against non-Sikhs. They also repeated the rumor regarding dead Hindu bodies arriving in trains from Punjab and fired rounds at the Sikhs, although no one was hit. The military eventually rescued Santokh Singh and his family. Police supplemented these verbal promises of impunity and directions to kill with direct participation in the killings. Three jeeps of policemen fired on Sohan Singh and his family, as Sohan Singh attempted to resist the attacking mob. When the assailants attacked Chinti Devi's house in Bokaro Steel City on the morning of November 1, a uniformed and armed police officer accompanied the assailants. The police officer fired four rounds at her elder son when he tried to defend himself with his kirpan against the mob as it chased him. The son fell, hit by the police officer's bullets. The mob then used his kirpan to chop off his head. The mob also killed her husband and dumped their bodies in fields, where they were traced six days later. In another case, policemen also shot Ajit S. Sawhney, of Kingsway Camp, in his back, although ACP D. L. Kashyap did take him to the hospital. When Bhoop Singh Tyagi, Youth Congress (I) President of the area – who attended a meeting led by MP and Minister H. K. L. Bhagat on October 31, led assailants in an attack on Shakarpur's Sikh residents, four police officials from PS Shakarpur joined him. This gang, including the police, killed Harbhajan Singh's father, brother, and a neighbor who was sheltering with them. Ravinder Singh told the Nanavati Commission that then SHO J. C. Sharma and other policemen lathi-charged Sikhs in Tilak Nagar on November 2. Then, "without any reason... [they] entered our houses, dragged us out and starting beating us." He discussed how the police took the Sikh men to Tilak Nagar police station, tied their hands, and beat them again. The police broke the arm of one of Ravinder Singh's brothers, and beat the other brother Tarminder Singh with an iron chain. After the beatings, the police filed false charges against the Sikh men and they were sent to Tihar Jail. Ravinder Singh and the other men were released on bail two weeks later.

Manipulation of Records and Investigations

Police officers systematically and thoroughly manipulated or destroyed the potential opportunities for gathering evidence of the perpetrators and crimes. The police refused to record or manipulated information regarding attacks against Sikhs; performed casual investigations, if at all, precluding effective future prosecutions; and falsified their records to cover up the carnage and their lawless activities. Well aware of the future need to hide the criminality of their actions, the police records provide us with little information on the role of police officers and government officials in the carnage, as well as of the spectrum and extent of crimes perpetrated against Sikhs during the massacres. Section 154 of the Indian Code of Criminal Procedure (CCrP) mandates that police officers record all information about a cognizable offence, given orally or in writing, and obtain the signature of the person providing the information. This section mandates that police officers record FIRs, or First Information Reports. The failure to register these reports undermines the prosecution of cases. Although FIRs are not considered to be substantive evidence, they are used to corroborate or contradict the complainant, as warranted by Sections 157 or 145 of the Evidence Act. They also

form the basis for further investigation. The police carefully recorded FIRs for murders of non-Sikhs during the massacres. For Sikh victims, the police: □ Refused to record FIRs; □ Recorded omnibus FIRs; □ Refused to list certain names in the FIRs given by victims as the perpetrators of the violence; □ Filed FIRs under reduced charges; and □ Generally falsified FIRs. Numerous deponents from areas such as Kiran Gardens, Sarai Rohilla, Hari Nagar Ashram, and Shastri Nagar, for example, stated that the police would not record their reports. When Gurcharan Singh, the granthi of Gurudwara Singh Sabha in Sarai Rohilla went to the police station to describe how the Railway Protection Force had shot and killed five to six Sikhs on November 1 in order to aid the attacking mob, the police officer refused to record his FIR, stating “such things happened with numerous other Sikhs also.” Baljit Singh of Gandhi Nagar, Kanpur was told by the officer who refused to register his FIR that he should be happy that he had survived. Sham Singh was detained for five days for insisting on filing an FIR; he was released only when he signed a report written by the police that he did not read.

Senior officers specifically instructed the SHOs of police stations to record a fixed number of FIRs, rather than one FIR for each crime that occurred. The ACP Gandhi Nagar, R. D. Malhotra, told the SHOs of Gandhi Nagar, Kalyanpuri, and Shakarpur to register one, three and three cases, respectively, according to directions issued by the DCP East, Sewa Dass. Similarly, according to DCP Special Branch Bhim Singh, ACP Shahdara ordered the three SHOs of Shahdara subdivision to register only one case per day. Following a similar pattern, PS Adarsh Nagar registered only one FIR per day. S. M. Bhaskar, then SHO of Krishna Nagar, told the Nanavati Commission that he received instructions from the DCP to only register one FIR per locality. Amrik Singh Bhullar, who was posted as SHO Patel Nagar during the massacres, told the Nanavati Commission that higher police officers directed him to file all 115 complaints received by him as one FIR No. 556: “A decision to treat all such cases in one case was taken at a meeting which was held by the higher officers where I was also present. The discussion... had taken place in the Office of the ACP Patel Nagar... I was told by ACP that this decision to treat those cases as one case was in consultation with DCP (Central).” The next day, when his cross-examination continued, Bhullar tried to retract his statement and place the responsibility of the decision to file one FIR on himself. In response to interrogatories from the Misra Commission, the Delhi Administration stated that the police filed a total of 228 FIRs in massacres where 2733 deaths are officially acknowledged in Delhi, not including other crimes, such as rape, assault, property destruction, and robbery. Instead of lodging individual FIRs for each crime, as police procedure requires, the police lodged omnibus FIRs of a vague nature, precluding meaningful investigations and prosecutions, as well as destroying crucial evidence. FIR No. 511 of PS Punjabi Bagh, filed on the morning of November 1 by SHO R. C. Singh, states: [D]ue to the brutal assassination of the Prime Minister of India Shrimati Indira Gandhi and due to strong resentment in the people of Delhi, Capital of India, the Public after having illegally associated, indulged in arson looting and general massacre. And there are reports of firing from various gurdwaras and houses of Sikhs which have resulted in the loss of many lives. Such reports have come for East and West Punjabi Bagh, Raj Nagar, Anand Bagh, Sri Nagar (or Tri Nagar) Shakur Basti and from the circumstances it appears that offence under Section 302, 307, 395, 397, 427, 436, and 25/27, 54/59 Arms Act has been committed. It is further stated that gas squad was also sent.

Not only did this FIR give absolutely no details of any crimes that had occurred, making future investigations impossible, the same language was replicated in FIR No. 351/84 of PS Nangloi and FIR No. 174/84 of PS Mangolpuri. Also, this FIR absurdly associated the extensive loss of life with firing from Sikh houses and gurdwaras, not the massacres committed by the mobs. Instead of sending the FIRs immediately to the Metropolitan Magistrate as required by law, the police sent them a week later, suggesting that they actually wrote the FIRs later to cover up their actions. In Sultanpuri police station, the police allegedly lodged FIR Nos. 250 and 251 on November 1. These FIRs also match the language of the FIR from Punjabi Bagh quoted above. The police did not send these FIRs to the Metropolitan Magistrate until November 9. The police protected political leaders and police by refusing to record FIRs or the names of culprits if the complainant identified other police officers or Congress (I) party leaders and workers as the perpetrators. When Sardool Singh went to lodge his report with PS Shahdara on November 12, he named 11 people from the mob. Sub Inspector Tulsi Das called some of those 11 people to the police station and, in their presence, forced Sardool Singh to sign that he had nothing against them. Harvinder Singh of Kanpur went to the police station to record an FIR that would have implicated a Congress official’s son and B. B. Yadav, the police officer in charge of the Fazal Ganj police post. To his dismay, the very same officer was there and refused to record an FIR that would implicate himself. Instead, Yadav threatened Harvinder Singh to leave the police station or get shot. When Sardul Singh Kalsy of Bokaro Industrial Area went to lodge an FIR against Congress (I) leaders Ram Nath Singh, Dr. P. C. Mishra, and Shukla, the police omitted their names and wrote the FIR in Hindi, which Kalsy could not read and, thus, could not verify. In addition to the abuses above, the police edited or completely falsified the FIRs. When Devinder Kaur of Sector III/W, Bokaro Steel City, went to the police station to lodge her FIR, she stated that a Central Industrial

Security Force (CISF) party had rescued her family. The police interchanged “CISF” for “police” despite Devinder Kaur’s insisting otherwise. The police often used preformatted FIRs that did not have columns for the names of perpetrators or the deceased, as well as any facts of the relevant incidents. Police also filed reduced charges, refusing to file complaints of murder. In their testimony before the Nanavati Commission, witnesses Harvinder Singh and Bodh Raj declared that the FIR filed by the police on their behalf stated false information. On November 2, 1984, the police had recorded that they arrived at the scene of arson, arrested 44 people, and opened fire to disperse the mob. Singh and Raj, however, declared that no police came until evening, by which time the mob had burned 16 to 17 shops, including that of Bodh Raj. Making a farce of the proper procedures regarding investigation, which involve conducting identification parades, drawing site maps, and recording statements of witnesses, the police carried out casual and perfunctory investigations, if at all. According to Senior Advocate Harvinder Singh Phoolka, the police closed 300 out of 700 cases as untraced, meaning that they did not conduct any investigation but merely stated they could not locate the culprits. For those that they did investigate, the police only interviewed the complainant, summarized the complainants’ statements and entire experiences during the massacres into vague three to four sentence descriptions, deleted the key perpetrators, failed to correlate related events in order to pinpoint common culprits, or failed to ask the complainants if they had witnessed other crimes. They purposefully told culprits to deposit stolen property on the roadside so that they were not linked to the property, destroying crucial evidence. In *State v. Ram Pal Saroj*, for example, Additional Sessions Judge S. N. Dhingra wrote: Police had not made any other person as witness in this case. In fact, there is no investigation done by the police except recording the statements. Statements recorded by the police are also very sketchy and some times the statements are actually not made by the victims but they have been recorded by the police officials sitting in police station and it is alleged that these statements were made by victims. In most of the cases it is found that in order to help the accused persons police has given wrong facts in the statements. The victims of the riot cases when appeared in the court had given altogether a different story. In *State v. Ved Prakash, etc.*, Dhingra went to the extent of refusing to use contradictions between the victim statements allegedly recorded by the police and those made by the witnesses in court to discredit the victim, declining to make truth and justice “casualty to the vicious nexus between the police and accused persons.” Demonstrating this “vicious nexus,” senior officers like Additional Commissioner of Police (Delhi Range) H. C. Jatav ordered the police to protect the culprits by quickly releasing them from their custody. Jaimal Singh from Model Town, New Delhi described how he and others caught some looters on

October 31 and handed them over to Jatav after explaining what had happened. Jatav immediately released them from his custody. Monish Sanjay Suri, who was an *Indian Express* reporter in 1984, gave a detailed account of the police’s release of culprits after Congress (I) leaders intervened with the support of Jatav: 1. I went to the Karol Bagh police station on the morning of November 5 on hearing that the police had recovered a lot of property looted during the days of rioting and that many persons had been arrested. 2. I heard a lot of shouting going on inside the SHO’s office. I went to the door of the office. I saw the Additional Commissioner of Police, Delhi Range, Mr. Hukam Chand Jatav, sitting in the SHO’s chair. With him was the Central District, DCP, Mr. Amod Kanth. On the other side of the table, among a group of people shouting, I saw Assistant Commissioner of Police, Mr. Murti Sharma and the SHO, Mr. Ranbir Singh. 3. Seeing me, Mr. Jatav angrily ordered a junior police officer present by the side of the door to take me away from there. I had to leave the room, but the shouting was so loud that I could hear everything a few paces away. But then I went round the side and positioned myself near the window through which I could see what was going on in the room, and also hear what was being said. 4. Among the group of people who had come to the office were Mr. Dharam Dass Shastri, then MP, and Mr. Moti Lal Bakolia, Congress-I leader. Both Bakolia and Shastri were shouting in protest against the arrests made by the police. But it was an odd situation. The Congress-I leaders were shouting against Mr. Kanth, the DCP, and his senior, Mr. Jatav was clearly expressing sympathy with the position of the leaders, in a clear rejection of the work done by his own DCP, Mr. Kanth. 5. At one point Mr. Kanth accused the leaders of trying to shield criminals. At this there was loud frenzied shouting on all sides. I saw Mr. Bakoliya get up and reach out at the SHO, as if to assault him. Some others got up and calmed him down. Mr. Shastri was fully backing what Bakoliya was doing. Neither Mr. Jatav nor Mr. Kanth did anything about the rough treatment that the local leaders were trying to give out. 6. In a while Mr. Ram Murti Sharma came out of the office. He said to me that whenever the police try to do any work, the politicians stop them. Obviously disgusted, he pointed to what was going on inside.

7. The shouting continued for a while and then the meeting ended. I do not know what was decided. Outside I met Mr. Jatav. I asked him why as a senior officer he had not been firm in preventing some politicians from misbehaving with his SHO. He said nothing of the sort had happened. I said I had seen it. His reply was that no, you have not seen it. Suri’s affidavit, supported by survivor affidavits, clearly demonstrates how senior officers worked with Congress (I)

leaders to protect the perpetrators of the massacres. ACP Ranbir Singh recounted the same story when he testified before the Nanavati Commission in January 2004. Further tampering with records, senior officers blatantly closed or manipulated their wireless log books and ordered their subordinates not to record wireless messages of attacks against Sikhs. The DCP West, U. K. Katna, kept his own log book closed from 11:00 a. m. to 10:30 p. m. on November 1, and from 9:00 a. m. to 5:30 p. m. on November 2. The logbook of the DCP South actually had pages torn out from the period of the massacres. Jatav's logbook had similar gaps, such as no entries on November 1 from 5:25 p. m. to 7:25 p. m., and from 5:20 p. m. to 6:47 p. m. and 7:35 p. m. to 10:20 p. m. on November 2. Jatav's subordinates rewrote his log book, as evidenced by a comparison of the handwritings of Head Constables and their normal shifts of recording. For example, one constable recorded entries that covered a 33-hour period, although he could not have worked such a long shift. Despite the normal 12-hour shift, another constable recorded entries over a 24-hour period. Jatav's logbook was also missing key wireless messages describing details of attacks on Sikhs, acknowledged by Jatav. The Commissioner of Police, Subash Tandon, never submitted his log book to the Mittal Commission. The logbook of Sewa Dass, DCP East, shows that he remained in his office on November 1 and 2. However, affidavits show that he not only traveled throughout his jurisdiction, but his presence led to further violence against Sikhs. Hardhian Singh Shergil, ASI in the Criminal Investigation Department (CID), had an experience similar to Harbans Singh's above. When he went to Geeta Colony police station, he heard a number of wireless messages detailing attacks against Sikhs. The police failed to record these messages, although police procedure required them to do so. Shergil inquired about this lapse, and the wireless operator told him he had received orders not to record messages about attacks on Sikhs.

The police records also demonstrated basic contradictions. As Anil Dureja, Additional SHO of Connaught Place police station, deposed before the Nanavati Commission, while one record showed senior police officers resorting to firing on November 1, 1984, the daily diary did not provide the necessary corroboration.

Sufficient Force and Knowledge

The police's plaintive claim of insufficient force to control the mob is further discredited because: wherever police did take a stand, the mob dispersed; senior officers purposefully disabled effective and conscientious policemen; and police officers refused offers of support from the Army. Police also cannot plead ignorance of the extent of the violence because they received repeated calls and faxes requesting help and they witnessed the violence themselves. Instead, their brazen action in manipulating the recording of evidence as discussed above shows their knowledge and intent to conceal it. In addition, the police refused to hand over dead bodies in order to further destroy evidence and actively suppress information. In Durgapura, in the midst of at least a dozen dead bodies lying on the ground in a 100 meter radius, DCP East Sewa Dass brazenly told *Indian Express* reporter Monish Sanjay Suri that only two people had died there and then proceeded to justify their deaths: "Mr. Sewa Dass said a bunch of Sikhs from the gurdwara had attacked an innocent crowd outside, killing a girl. So naturally, he said, they hit back and one Sikh had been killed. He said Sikhs had fortified themselves at Durgapura gurdwara." Suri had just visited the gurudwara and had met frightened Sikh refugees and knew the DCP was lying. He saw bodies lying all around and was told by refugees that many more had been removed in anticipation of the Prime Minister's visit. Senior officers actively disabled policemen who tried to counter the violence. First, they rendered them ineffective by not arming them. Second, Additional Commissioner of Police H. C. Jatav transferred police officers who attempted to counter the violence. Importantly, police officers still had room to refuse participation in the massacres – the only punishment they suffered was transfer. Jatav transferred ACP Kewal Singh and SHO/Inspector Gurmail Singh, both Sikhs, the night of October 31 from their posts at PS Subzi Mandi, allegedly because someone had threatened to burn down the police station because he resented the activities of those officers. Jatav also accused the Sikh officers of abandoning their duty during the riots, despite evidence that ACP Kewal Singh had asked for shoot-at-sight orders while actively fighting the violence. They were the only two officers who took preventive action on October 31 itself, arresting 90 people, recovering looted property, and registering a criminal case. Jatav personally supervised the handing over of their responsibilities to their replacements. The police refused Army assistance in controlling the carnage. After the mob attacked his house on November 1, the Central Industrial Security Force (CISF) rescued Aunkar Singh Bindra and took him to the SP's office in Sector I of Bokaro Steel City. Another 500 to 600 victims were there. At this office, Bindra met DIG Srivastava whom he knew well. Bindra requested the DIG to send officers to protect his house, but the DIG claimed that he lacked sufficient force to help. At the same time, a wireless message came through a portable set in the same room where the victims were sitting. Bindra testified to the contents of the message and the DIG's response: The wireless message was in English and we could very well hear the message. Through the wireless the position of Bokaro was enquired. DIG Sri Srivastava reported over the wireless that there were many casualties in Bokaro. He further said that he was trying to control the situation and have [sic] taken the help of CISF of Bokaro Steel Plant. When asked by the wireless message

deliverer whether army was required for Bokaro, Sri Srivastava (DIG) said that he did not require the army at present. Then the deliverer informed the DIG that the SP of Dhanbad had asked for army's help. Upon this Sri Srivastava, DIG replied that army's help may be provided to the SP Dhanbad as requisitioned but the same is not requested for Bokaro Steel City. Raghbir Singh corroborated this account in his affidavit to the Misra Commission. Police also actively engaged in covering up the carnage. Under superior orders, they refused to hand over dead bodies to surviving family members, aware of the potential significance of the physical evidence. On November 2, the East District Control Room sent a wireless message, indicating police attempts to quietly remove bodies: "Deputy Comm'r of Police/East be told to remove eight dead bodies lying in Vinod Nagar." Giani Zail Singh, President of India, called senior BJP leader Madan Lal Khurana and asked for his help in recovering the dead body of a distant relative. Khurana was shocked that the President himself did not have the power to do that. When Khurana went to the Patel Nagar police station and conveyed the request to ACP Ram Murthy, Murthy replied that he had received orders not to handover bodies to relatives. He did, however, allow the family to come to the electric crematorium for the cremation. Smitu Kothari described seeing, with four other friends, a truck, a matador, and a van completely filled with Sikh bodies at police station Kalyanpuri.

Railway Protection Force

Like the police, the Railway Protection Force (RPF) supported and participated in mob attacks against Sikhs. Starting November 1, mobs started forcing unauthorized stoppages of Delhi-bound trains, boarding trains and burning alive Sikh passengers. These stoppages occurred in at least 46 places. No inquiry, however, was conducted into these stoppages. On November 2, at Tughlakad, for example, the Railway Protection Force explained the stoppage of two trains as due to "defective signals." A mob of 1000 people, ready for the stoppage, boarded the train and killed eight to nine Sikhs. The Special Occurrence Report filed by the RPF, however, merely states that the mob "even went to the extent of assaulting the traveling passengers of one community." Despite the extent of the violence on the trains, the RPF, Northern Railway did not make a single arrest and the Railway Administration only recorded two FIRs. Because no inquiry was done, there is no approximate figure of deaths. The two affidavits and one FIR No. 356 quoted in the Misra Commission report alone estimate around 45 murders in the three incidents covered. The Minister of State for the Home Minister, Ramdulari Sinha, announced in Parliament in January 1985 that 179 bodies were recovered from trains in Delhi and four states. The RPF did not start escorting trains until November 4, although the RPF, in its answers to interrogatories, characterized this delay as being pressed "into service immediately and elaborately."

The example of Sarai Rohilla provides further indication of the participation of the Railway Protection Force in the massacres. Around 2:30 p. m. November 1, Gurcharan Singh, the granthi of the Gurudwara Singh Sabha at Sarai Rohilla, announced over loudspeaker that a mob was attacking the gurudwara. He asked Sikhs to help save the gurudwara. An hour after Sikhs had begun to gather in front of the gurudwara, police told them to go inside it. When the Sikhs went inside, the RPF, with a Unit Line across the road, started firing indiscriminately at the Sikhs, killing several Sikhs and one Hindu worshipper. Neither the police nor the RPF fired at the mob as it attacked the gurudwara. The police subsequently refused to record a report. After crossexamining several witnesses, the Misra Commission found that the story of the RPF firing on the gurudwara was *prima facie* true and the firing was unwarranted. RPF records disclosed that they had fired 47 rounds. No action, however, was taken against the culpable officers. The Congress (I) party also used the trains to transport mobs to neighborhoods in Delhi, as discussed later in the report and as highlighted in Gurbachan Singh's affidavit.

Fire Brigade

The Fire Brigade did not respond to calls for help, claiming they did not have instructions to save Sikhs; they also maintained that they did not have sufficient supplies to help. According to the Delhi Fire Services, arson in Delhi continued until November 5, 1984. The fire brigade only reached four gurudwaras out of the over 170 attacked. They did not reach the heavily impacted areas of Mangolpuri, Sultanpuri, Nangloi, Palam Colony, and Delhi Cantt., and only once reached Trilokpuri. When Purshottam Pandey called the Fire Brigade to save a Sikh-owned factory in Dadanagar, Kanpur, they replied that they did not have diesel and could not help. When the fire spread to the wall of a neighboring Hindu factory, belonging to Ashok Masale, the Brigade came and controlled the fire in that factory. The Sikh's factory burned down, but the Hindu's factory was saved. When S. Bansal, the Fire Officer of Bokaro Steel Plant, came to St. Xavier's School relief camp, Aunkar S. Bindra asked him why firefighting vehicles had not been sent. Bansal replied that DIG Srivastava had requisitioned all the vehicles under his control, leaving him with no

capabilities to answer distress calls. Bindra confirmed that he had seen three firefighting vehicles lying idle in the compound of the SP's office.

Further Questions

With the police conducting such a systematic and thorough cover up of the massacres and their role in condoning, instigating and participating in them, the question arises as to who was the ultimate source of their orders. □ Given his behavior in condoning the murderous activities of the assailants, and instead choosing to focus on arresting legally armed Sikhs, was Commissioner of Police Subash Tandon the ultimate arbiter, or did the Lt. Gov. or someone senior to him give the police directions? □ Who instructed the wireless operators not to send instructions to counter the violence against Sikhs? □ Who instructed police officers to ignore requests for help by Sikhs? □ Who gave the ultimate order about how many FIRs to register and the exact language to use? □ Who gave police officers the go ahead to kill Sikhs? The brazenness of the participation by the police, from exhorting mobs to kill over loudspeakers, to tearing out pages from police logbooks, to protecting perpetrators from implication, to blatantly lying about the dead to a reporter, demonstrates that police officers did not have to face consequences for their manipulation and destruction of evidence. Whereas police officers expressed their communal hatred at the individual level, the coordination of their actions, such as the filing of identical FIRs, the disarming of Sikhs, and the ignoring of all wireless messages about attacks against Sikhs, required coordination and consistency at the most senior levels.

CHAPTER 4

Congress (I) Party and the Delhi Administration

Congress (I) Party Planning

Sudip Mazumdar, a journalist, described an illustrative press conference held by police Commissioner Subhash Tandon: The Police Commissioner, S. C. Tandon was briefing the press (about 10 Indian reporters and five foreign journalists) in his office on November 6, 5 p. m. A reporter asked him to comment on the large number of complaints about local Congress MPs and light weights trying to pressure the police to get their men released. The police commissioner totally denied the allegation and when questioned further he categorically stated that he has never received any calls or visits by any Congress for that matter, any political leader trying to influence him or his force. Just as he finished uttering these words, Jagdish Tytler, Congress MP from Sadar Constituency, barged into the PC's office along with three other followers and on the top of his voice demanded from the PC, 'What is this Mr. Tandon? You still have not done what I asked you to do?' The reporters were amused, the Police Commissioner embarrassed. Tytler kept on shouting and a reporter asked the PC to ask that 'shouting man' to wait outside since a press conference was on. Tytler shouted at the reporter: 'This is more important.' However the reporter told the PC that if Tytler wanted to sit in the office he would be welcome, but a lot of questions regarding his involvement would also be asked and he was welcome to hear them. Tytler was fuming. Perhaps realizing the faux pas he sat down and said: 'By holding my men you are hampering relief work.' Senior political leaders, most visibly of the Congress (I) party, carefully orchestrated the violence, providing for details such as deployment of mobs, weapons, and kerosene, as well as for the larger support and participation of the police. As discussed earlier in this report, during the evening of October 31 and the morning of November 1, party leaders conducted meetings where they distributed weapons, money, voter and ration lists identifying Sikhs and their properties, and, in inflammatory speeches, instructed attendees to kill Sikhs. Starting the morning of November 1, Congress (I) party leaders and workers led and participated in the systematic and methodical massacres of Sikhs. The systematic killing did not start until the day after Indira Gandhi's assassination, showing that Congress party officials used the night of October 31 to implement their plans. According to Indian historian Rajni Kothari: Evidence from various sources is mounting that soon after Operation Bluestar and the extremist response thereto in parts of Punjab, a plan of retaliation by identifying Sikh targets ranging from households to commercial establishments to Gurudwaras had been under taken including the planning of logistics and the techniques to be employed. Although Kothari does not provide further evidence in his article, the systematic and methodical nature of the violence necessitated pre-planning. A full accounting of the massacres, however, requires further analysis of Kothari's statement and information on who designed these plans and why and when they did so. In his discussion of the "infrastructure" of terror, Kothari describes how Congress often mobilized well-developed networks of local gang leaders for political rallies, for "storm trooping into courts and commissions of inquiry," and for intimidation and violence. The Congress leaders used these same networks to gather assailants from the

resettlement colonies for the Sikh massacres of November 1984. Victims named Congress (I) leaders as leading mobs and participating in the brutal murders of Sikhs. On November 1, MP Sajjan Kumar killed both of Bhagwani Bai's sons in front of her. Kamla Kaur of Sultanpuri begged MP Sajjan Kumar to spare her family from the assailants. He kicked her aside as the mob killed her family, including her husband and son. Sarwan Singh was sheltering in an Advasi's house from where he witnessed the mob kill his younger son and seriously wound his wife. When his elder son ran out to protect his mother, Inder Dev Dubey, another Congress (I) worker and supplier of kerosene, chased and beat the son. Dubey then cut the skull of the young man with a hatchet. Congress (I) leader Balwan Khokhar convinced Sampuran Kaur's husband, Nirmal Singh, to come with him on the pretext of mediating with the attacking mob. As they approached the mob, Sajjan Kumar came in his jeep and told Khokhar to "start killing." Khokhar handed Nirmal Singh to the mob, saying, "Take this Sardar. Finish him and then finish the remaining Sardars." The mob tied Nirmal Singh with a rope and his turban, and beat him viciously. As a police jeep waited nearby, the assailants poured kerosene on him. When the mob paused, the policeman, wearing a badge that said "Kochhar," demanded, "Why aren't you burning the sardar?" The assailants needed a match stick, which the police officer willingly provided, hastening Nirmal Singh to his death.

Besides arranging meetings and distributing money, several victims witnessed MP and Minister HKL Bhagat leading mobs. Gurmeet Singh of Laxmi Nagar, Delhi, described how Bhagat alighted from his car on November 1 and berated the policemen for not killing all of the Sikhs. After he left, the policemen disarmed the Sikhs and the mob attacked. Dr. Ashok, Congress (I) Councilor of Kalyanpuri, instigated a mob and watched as they burned two Sikhs alive. He assured the mob that "they should fearlessly kill the Sikhs...publically with brutality, and burn them, loot their houses." His assurances insinuated that the police would not take any action against the assailants. Deponents named Congress (I) MPs, councilors, and leaders such as Dharam Dass Shastri, Sajjan Kumar, Jagdish Tytler, HKL Bhagat, Balwan Khokhar, Kamal Nath, brothers Tek Chand and Rajinder Sharma, who were close to Shastri, Dr. Ashok, Shyam Singh Tyagi, and Bhoop Singh Tyagi in Delhi; P. K. Tripathi – owner of a petrol pump and president of the local Congress (I) unit, and Uma Pandey, in Bokaro; Raju Sabharwal and Shiv Mangal Singh, in Kanpur, among others. Appendix VII lists some of the Congress leaders identified as leading gangs during the carnage. Regarding the role of Congress party leaders in protecting culprits and securing their release from police custody, as discussed earlier in this report, on November 7, DCP Amod Kanth wrote a confidential letter to Additional Commissioner of Police Jatav. In it, he named other Metropolitan Councilors who had accompanied Shastri and explained how Shastri and the Councilors threatened "us of dire consequences and further riots if any action was taken against those" who had participated in the violence. He also described how Brahm Yadav, Municipal Councilor and President of the Delhi Pradesh Youth Congress (I), and other Councilors had harassed the police at PS Rajinder Nagar for two to three days when the police arrested 65 of the perpetrators. When opposition leaders tried to raise this issue with Prime Minister Rajiv Gandhi, questioning him about similar reports in the *Indian Express*, Gandhi casually dismissed their concern, claiming that the *Indian Express* was the Opposition's paper. The planning was so methodical that the Congress party was able to effectively utilize many aspects of the state machinery and apparatus to carry out or facilitate the massacres. For example, in several cases, Delhi Transportation Company (DTC) buses transported assailants directly to where Sikhs lived. Satbir Singh, a Youth Congress (I) leader, brought buses filled with people from Ber Sarai and took them to Sri Guru Harkrishan Public School in Munirka. The mob then burned the school building, looted it, and attacked Sikhs all night. Numerous survivors also deposed about armed mobs arriving in trains and buses that delivered them straight to the survivors' neighborhoods. All proper precautions had been taken to limit the targets to Sikhs. When neighbors tried to stop a gang of assailants from burning a car, for fear that the overheard cables would catch fire, the leader of the mob assured them: "Don't worry, we have switched this section off from the mains – we are not fools." Many volunteers running relief camps decided they would not accept government assistance, in lieu of the government's role in the massacres. Dhiren Bhagat reported on the rejection of 200 blankets offered by a senior minister's wife to a camp in Karol Bagh run by Sardar Mehtab Singh because of the role of the Congress (I) party in the massacres. The minister's wife then organized a meeting between the camp volunteers and her husband, who confirmed allegations of Congress involvement. When urged to act against the perpetrators in his party, the minister reportedly said: "Confidentially, in this government my own position is not clear. Till I get close enough to Rajiv how can I put your case before him?" At another relief camp in Janakpuri, demonstrating the survivors' attribution of the massacres to the Congress (I) party, one signboard read: "Sorry, no Cong-I politicians allowed," and an accompanying board read "No stray dogs allowed." The police later removed these boards.

Deployment of Army

The Delhi administration permitted the massacres to continue for several days by delaying the calling in of the Army, and then it purposefully failed to deploy the Army where violence continued. The order to call the Army into Delhi was issued at 2:30 p. m. on November 1, and on November 2 for Bokaro. Subash Tandon, the Commissioner of Police, delayed calling for the need of armed forces, insisting that he first patrol the area even though reports of killings had flooded the police control room. Tandon, however, continued to insist even until November 3 that only between 15 to 20 people had died. The President of India, Giani Zail Singh, a Sikh, was technically the Supreme Commander of the Armed Forces. Numerous eminent citizens, however, testified to meeting him and witnessing his hopelessness in exerting any authority to counter the massacres. Rajya Sabha MP Khushwant Singh called Giani Zail Singh: I said, "What do I do, the mob is here?" And he said, "Why don't you leave the house and go somewhere else and stay with a Hindu friend." I said, "Is this the best the president of the republic can do?" And he said, "I'm afraid at this moment, yes." Early morning November 1, Lt. Gen. (Retd.) J. S. Aurora went with Air Chief Marshall (Retd.) Arjan Singh, former diplomat Gurbachan Singh, and Brig. (Retd.) Sukhjot Singh, all Sikhs, to meet Giani Zail Singh and press him to call in the armed forces. To their surprise, despite being the Supreme Commander, the President replied, "I do not have powers to intervene." The President himself did not know whether the Army was going to be called in, stating that he did not have access to Home Minister P. V. Narasimha Rao. Instead, he asked Lt. Gen. (Retd.) J. S. Aurora to contact the Home Minister. After repeated failed attempts to contact the Home Minister and assertions that he was busy in meetings, Lt. Gen. Aurora, I.K. Gujral – who later became Prime Minister, and Patwant Singh went to the Home Minister's residence and found him available. The Home Minister was utterly indifferent to the violence in Delhi. When Lt. Gen. Aurora suggested the establishment of a joint control room, Rao stated that he would decide that issue when the Army arrived, contrary to the normal procedure of establishing a joint control room prior to the Army's arrival.

When the Delhi administration did finally call for the Army on November 1, it did not provide civil assistance to the Army, and troops remained lost in Delhi streets. The order for the appointment of an Executive Magistrate who would attach himself to the Army and give the required orders to act was not issued until November 3. Section 130 of the Code of Criminal Procedure (CCrP) states, in part, that if an assembly "cannot be otherwise dispersed, and if it is necessary for the public security that it should be dispersed, the Executive Magistrate of the highest rank who is present may cause it to be dispersed by the armed forces." Section 131 allows any commissioned or gazetted officer of the armed forces to order dispersal of the assembly, but only if it is not "practicable" to establish communication with an Executive Magistrate. In Kanpur, Captain Bareth of the Maratha Light Infantry testified that District Magistrate Brijendra refused to allow an Executive Magistrate to give Captain Bareth the orders he requested to control a mob of 5000 people. Brijendra said he himself would take care of the situation, leading to the deaths of all members of two families, except for one widow. The lack of civilian administrative guidance was exacerbated by the failure to provide a joint control room that could coordinate inflow of information from the police on the locations of violence, if any would have been provided, and pass that information on to Army units. *Who Are the Guilty?*, the People's Union for Civil Rights (PUCL)/People's Union for Democratic Rights (PUDR) report on the November 1984 massacres, described the need for a joint control room: An essential ingredient for successful joint army-civilian administration operation is the setting up of a joint control room. During 1947 riots, when Lord Mountbatten was requested by Jawaharlal Nehru to control the communal situation, the former set up a joint control room at Rashtrapati Bhavan in order to coordinate the efforts of the civil administration and the armed forces... Yet from October 31 to November 4... no effort was made to set up a joint control room. The Commissioner of Police was operating from his office at ITO Police headquarters. The Army commander was at the Dhoola Khan cantonment, and the Lt. Governor was at Raj Nivas.

The administration also interfered in the strength and subsequent deployment of troops. On October 31, the General Officer Commanding (GOC), Major General J. S. Jamwal, ordered the 15th Sikh Light Infantry that had just returned from field exercises to Meerut, UP to move to Delhi immediately. It consisted of 1600 soldiers and officers. When the unit arrived at the border of Delhi in the evening, they were stopped there for several hours with no explanation. They did not reach their barracks until 11 p. m. and began their work in the morning of November 1 under the command of Major J. S. Sandhu, a Sikh officer. That very day, a "senior intelligence officer" effectively disabled the 15th Sikh Light Infantry and confined them to barracks for the remainder of the massacres. On the afternoon of November 1, Sandhu and his soldiers decided to investigate a fire they saw from the Safdarjung Development Area. A man who identified himself as a senior intelligence officer blocked their entrance into the residential complex, stating that the Army did not have orders to intervene. The man blocked the entrance with his car. After Major Sandhu warned the man that he would order his soldiers to open fire, the man removed himself. The military approached the house on fire, dispersed the mob, and rescued the family. A few hours later, Major Sandhu and his unit were ordered to report back

to Delhi Cantonment where they were confined to barracks for the remainder of the massacres. No inquiry was done to ascertain who that “intelligence officer” was and who instructed the withdrawal of the military unit on November 1. The Delhi Administration and Indian government subsequently declared before the parliament and the Misra Commission that no Army units were available on November 1. In its replies to interrogatories from the Misra Commission, the Union of India falsely stated that the first Army unit took position in Delhi at 4:00 p. m. on November 1, hiding the earlier deployment of the 15th Sikh Light Infantry. Three more Army units did not arrive until November 2, at 8 a. m. ; and two more arrived at 1:00 and 2:00 p. m. on November 2, as well. GOC Jamwal, in his statement before the Nanavati Commission, described Tandon’s claims as “baseless” that only 19 companies out of 70 demanded were provided to the civilian administration. Army officers criticized the local administration for failing to deploy them where violence continued against the Sikhs. A. S. Brar, then Brigadier General Staff and also a Sikh, told the Nanavati Commission that he had 3000 troops, including 1200 trainees, and did not receive any duties for controlling the violence. He made repeated inquiries with the Headquarters in Delhi because of “distress” calls continuously made to his office, but he did not receive any instructions to respond. Instead, Brar’s troops were assigned ceremonial

duty on the day of Mrs. Gandhi’s cremation, November 3, at Teen Murti House. One Army source spoke to a team of activists from PUCL and PUDR, stating that the deployment of the Army always came after the mobs had ravaged the particular neighborhood. Brar also maintained that troops were sent where there was little violence. Despite the lack of orders, Brar did evacuate families and give shelter to some in his regiment’s mess hall. For this, Brar claims he was “unceremoniously” transferred out of Delhi and that his “biggest crime was that I was stupid enough to interfere with state-sponsored terrorism.” Once the Army became effective on November 3, when Army officials could act without consulting the civil authority, they were the main force that countered the violence and rescued Sikh families. They were able to rescue Sikh families and halt the carnage with a limited number of civilian casualties from Army firing: two deaths and four injuries. In contrast to the government’s purposeful delay in calling for deployment of the Army in Delhi, and the Army’s confused presence there, Army troops visibly patrolled Amritsar, Punjab, although no violence had occurred there after Mrs. Gandhi’s assassination. As Pranay Gupte described in the *New York Times*:

Outside the sprawling temple complex, army troops patrolled Amritsar’s motley neighborhoods of low bungalows, dilapidated bazaars and two and three-story tenements. Since early Saturday, military vehicles that had been mostly out of sight in the month or so since the Indian Army moved out of the Golden Temple have conspicuously roared down the city’s potholed streets. Soldiers walked through byways and alleys, their semiautomatic weapons pointed warily at passers-by. To a visitor, Amritsar for the last three days has seemed a city under siege. Soldiers and policemen are at every street corner, in every bazaar and neighborhood. A curfew is imposed every night at 8 o’clock and it is not lifted until dawn. The Delhi Administration and Union of India did not care to take such precautions in Delhi and other parts of India.

Inadequate Relief Measures

The administration also failed to organize proper relief measures for survivors of the violence, numbering at least 50,000. The administration did not appoint a Relief Commissioner until November 4, although by November 2, 18 informal relief camps organized by social workers had sprung up. Although the Lt. Governor M. M. K. Wali made announcements to the press about providing blankets and mattresses to the survivors, those supplies did not arrive at the camps. Refugees lived without food and “had to urinate and defecate in the corridors of the school building.” As discussed in this report, they did not receive adequate medical treatment. Food only arrived when local Hindu and Sikh communities began to organize meals. Voluntary groups and individuals, such as the non-political group Nagrik Ekta Manch, conducted most of the relief work. On November 6, the government announced a weak rehabilitation scheme, allocating Rs. 10,000 (\$833.33 in 1984 U. S. dollars) for the death of next of kin. In 1996, this was increased to Rs. 20,000. The distribution of compensation was delayed, and many still had not received any money by 1998. Injured people were allocated Rs. 2000. The relief scheme allotted Rs. 10,000 for the total destruction of property, and Rs. 5000 for substantial destruction. Simultaneously, on November 6, the government announced the closure of the relief camps, packing people into buses and sending them to their previous residences, where they had suffered violent attacks. Nagrik Ekta Manch petitioned the Delhi High Court to prevent the government from closing the camps until arrangements were made securing the safety of the survivors. The High Court stayed the closure until November 16, and on November 19, ordered the government to make assurances against forced evacuations. However, the government continued to harass the survivors at the camps. A worker at the Shakarpur Camp told the Citizens’ Commission that the government forced the closure of that camp by shutting off the water supply on November 13.

When Sikhs abroad sent an emergency shipment of blankets for the Delhi winter, customs kept the shipment for six months until the issue was raised in Parliament.

After leaving the relief camps, many survivors moved to Punjab. With their houses destroyed and the perpetrators still living in their neighborhoods, often harassing any Sikhs who returned, most survivors did not feel safe returning to their properties. For example, Prabh Charan Singh had lost 21 male members of his extended family, leaving 21 widows, when a mob led by the neighborhood council chairman attacked his house. He and his family moved to Punjab. According to the Ahojja report, prepared by the Relief Commissioner, Home Secretary R. K. Ahojja, the Relief Commissioner's office settled 1700 claims by March 1985. However, for claims filed after July 1985, the commissioner required death certificates, FIRs, and a copy of the ration card. Many families never received death certificates and police had refused to record FIRs or the names of the deceased. Thus, the Commissioner's new policy precluded relief for these families. The Delhi Administration had also promised to allocate flats at reduced prices to widows. Many widows were given one-bedroom apartments. In 1989, however, the government demanded Rs. 42,000 for the price of a flat in the ghetto of Tilak Vihar, a widows' colony with 1600 families. Making about Rs. 1000 a month, with Rs. 300 going to bus fare, the widows could not afford medical care, much less the price of the flats. State governments, not necessarily Congress (I), across India adopted delay tactics to withhold payment of compensation. In December 1998, the Madras High Court directed the state government to pay Rs. 3,319,033 (\$77,911.57 in 1998 US dollars) still outstanding to 39 families of victims from Coimbatore. The Court chastised the state for adopting delay tactics "bereft of morality, legality and social consciousness and the objects set out, in the preamble to the Constitution." In Lucknow, the one-man committee established by the Uttar Pradesh (UP) High Court in January 2000 to examine whether the families in UP, including Kanpur, received proper relief and whether UP had enforced the recommendations of the Misra Commission, could not operate. The state refused to provide it with funding. UP claimed it had disbursed the required relief to the survivors of 260 Sikhs killed in UP, including the 127 from Kanpur. No action, however, was taken against the district magistrate of Kanpur, Brijendra Yadav, who had instigated police officers and prevented the Army from acting to counter the killings, despite the Misra Commission's recommendation of punishment. In January 2004, the Supreme Court issued notice to the UP government, responding to a survivor's petition stating he still had not received the full compensation owed him.

Censorship of the Press

The administration also actively censored the national and international press to prevent reporting on the violence. James Markham of the *New York*

Times described Lt. Gov. Wali's justifications for seizing material from foreign reporters: Mr. Wali acknowledged that the police had seized film from foreign television journalists at Palam Airport, and he justified the measure by saying that inflammable material could excite passions in the country." You have your right," he said to the journalists seated around him, "but if you are doing something that is sensitive, we have a right to prevent it." Markham further noted that American television correspondents had stated that their satellite transmission facilities were "broken," preventing them from sending any images abroad. The administration also banned Indian and foreign journalists from entering refugee camps run by the Government. Under the orders of its Home Department, the Delhi Administration removed all of the copies of *Surya* magazine the day it appeared on the stands. The cover of *Surya* had pictured the burned bodies of three Sikh men. In Punjab, strict censorship prevented coverage of the massacres of Sikhs throughout India. On November 12, the state government banned periodicals, newspapers, or leaflets carrying any reporting of the massacres of Sikhs. On the same day, Rajiv Gandhi made his first address to the Nation after the massacres and did not mention them once. When Canadian reporter Jonathan Mann attempted to travel to Punjab, he was arrested because foreigners could not enter without special permission from the Home Ministry. They seized Mann's tape recorder, camera and equipment, stating that he was "indulging in objectionable activities near the Golden Temple." Mann had been interviewing residents about the June 1984 Army attack and their views on greater autonomy for Punjab. The authorities charged Mann with traveling in Punjab without required travel documents, punishable with a fine and maximum five-year prison sentence. Government-run television and radio stations carried no news on the pogroms. Local newspapers in Bombay, for example, did not report on the massacres of Sikhs. Sikh families learned about the carnage from phone calls and word of mouth. While censoring independent coverage, the government embarked on its own disinformation campaign. On the evening of November 1, after a day of coordinated killing resulting in hundreds of deaths and calls for the Army in at least nine cities in India, Home Secretary M. M. K. Wali held a meeting with news representatives. Wali maintained that most of the violence consisted of arson, and that few personal attacks occurred. He also stated that only two people were confirmed killed, contradicting reports by wire agencies. As

railway officials and news agencies confirmed reports of Hindu mobs killing Sikhs on Delhi-bound trains, the state-run Indian television rejected these statements as false “rumors.” In contrast, the United News of India gave a breakdown of 55 deaths on trains bound for Delhi; and Delhi Railway Station officials confirmed the arrival of tens of dead bodies of Sikhs.

Further Questions

Affidavits by survivors raise important questions about the extent of planning and involvement of different State institutions. How did the perpetrators of the massacres secure the use of state-owned buses and trains for the transportation of gangs of assailants? Was it by force, or through complicity? Papers submitted by the government merely deny the use of state-owned transportation for the implementation of the massacres, despite numerous eyewitness accounts testifying otherwise. How was the Army, particularly the 15th Sikh Light Infantry, effectively disabled? Who was the “senior intelligence officer” who blocked the path of Major Sandhu and his troops, and gave the order to keep them confined to barracks for the duration of the massacres? Three key Army affidavits, provided by GOC Jamwal, as well as Major Sandhu and Chief of Staff A. S. Vaidya – both of whom have died – have been “lost” by the Misra Commission. What was Home Minister PV Narasimha Rao’s role in the delay in calling for the Army? Despite the eyewitness testimonies describing Rao’s indifference to the massacres, in his statement to the Nanavati Commission, Rao denied his indifference and claimed he “left no stone unturned in the full discharge of duty.” Among other statements of action, Rao claimed he immediately passed complaints to the Commissioner of Police, provided immediate instructions for relief facilities, and visited affected areas. Statements by volunteers who organized relief camps refute Rao’s claims regarding relief assistance. What was Rajiv Gandhi’s knowledge or role in the massacres? After the assassination of his mother, he achieved notoriety for responding to the massacres with: “When a big tree falls, the earth shakes.” As discussed in Chapter 2, Rajiv Gandhi also justified the violence by associating it with rumors of Sikhs’ celebrating the assassination of Mrs. Gandhi. He moved the Lok Sabha elections ahead in order to solidify the increase in Hindu support for his party after the Sikh massacres.

AFFIDAVIT OF NARINDER SINGH

Affidavit of Narinder Singh son of Santokh Singh aged 22 years r/o Gummon Colony, P. O. Maraphari, P. S. Harla, Bokaro Steel City, Distt. Dhanabad (Bihar) presently residing at Village Syell, P. O. Bhanu Laga, Distt. Kapurthala (Punjab).

I, Narinder Singh, the deponent abovenamed do hereby solemnly affirm and declare on oath as under:-

1. That our family got settled in Bokaro Steel City in the year 1971 and since then we were residing at the aforesaid address. I am carrying on the business of pipes and other structural work at my shop “Punjab Boring Co.” Chas. At the relevant time, my father had gone to Baghdad on some foreign assignment and was not with us.

2. That the news of assassination of our revered Prime Minister came at about 6 P. M. on 31-10-1984. At about 8 P. M. on that day I alongwith my Bihari friends had a round of the Karnal Market and we also went to the office of the ADM to see whether the flag there was flying half mast as a mark of respect to the departed soul and as a symbol of national mourning. At that time there was peace in the entire area through which we passed and I did not feel any tension there. After that I returned home and nothing untoward happened through the night.

3. That on November 1, 1984, after we had our morning tea, I heard lot of noise and commotion towards the Joshi Colony which is at a distance of about 400 yards from our residence. After some time I saw smoke coming out from that side and somebody told me that a mob had started indulging in looting the house of Sikhs and that the trucks and house of one S. Kehar Singh had been looted and set ablaze by the mob. After some time, I heard people shouting anti-Sikh slogans like Sikhon ko loot lo-Sikhon ko maar do-Sardaaran ko Punjab bhej do [Rob the Sikhs, Kill the Sikhs, Send the Sardars to Punjab] – etc. All of us got scared and got ourselves secured inside our house. Though we heard lot of noise and saw people running about carrying goods with them but we were too frightened to come out of my house. I saw groups of people from the window of my house.

4. That at about 10 A. M. our following neighbours who are Biharis came to our house:- 1. R. P. Singh alongwith his Khalasi and Driver. (There are two R. P. Singh’s in our area. One is taller than the other. Here I am referring to that who is a bit shorter one. I mentioned the same fact to the Police also.) 2. Chandan Singh. 3. Rajinder Singh. 4. Birgu

Singh. 5. Jamna Singh. 6. Amar Nath Jha. I know all the aforesaid persons very well because they are my neighbours and frequently meet us. They told us that there is lot of danger for Sikhs outside. Sardars are being killed and their houses looted and plundered and set on fire and that we should not come out. We requested them that we may be escorted to the nearest police station so that our lives are not endangered. These persons assured us that they will take care of our house and lives and that nobody dare to look toward us in their presence. They repeatedly swore that they would lay down their lives to save us. They further told us that we should not go with the Police even because the police is also against the sikhs and we shall not be safe if we go with the Police. My mother Amarjit Kaur (aged 45) prepared tea for the aforesaid persons and my younger sister Jagjit Kaur (aged about 17 years who was a student of Chas Kenya High School, Chas studying in Class X) served them tea and snacks. These persons left after about half an hour and while going again repeated their assurance to protect us at every cost. They said that we must have more faith in them than the Police because they had been our immediate neighbours for the last more than 13 years.

5. That after being assured by the aforesaid persons, we remained inside our house. Though I came to know that the sikh families were being rescued and taken to the Relief Camps but, as the fate would have it, we decided to remain in the house. At that time we were the following persons in the room. 1. My mother Amarjit Kaur. 2. My sister Jagjit Kaur. 3. Rupa Singh, our neighbour, clean-shaven sikh. 4. Pyar Kaur w/o Rupa Singh. 5. Tirllok Singh, our neighbour, clean-shaven sikh. 6. Balbir Singh, our neighbour. Rupa Singh, his wife, Balbir Singh, Tirllok Singh and Joginder Singh aforesaid had come to our house to seek refuge and though they thought of going to Relief Camp alongwith Police but on the assumption that the neighbour mentioned in para 4 would be true to their words and save us ultimately decided to stay with us.

6. That on November 1, 1984, at about 6 P. M. we heard that our door was being banged by some persons. On peeping through our window, I found that all the six persons mentioned in para 4 above were at the door. They were armed with revolvers, iron rods, lathis, spears and other sharp edged weapons like knives and choppers. I could not understand their motive because they had earlier posed themselves to be our saviours. The abovesaid six persons were accompanied by other 10 to 15 persons whom I do not know by name but can recognize if produced before me. All of them started hammering our door and started abusing the Sikh Community in most filthy language. I asked them as to what was the matter. They shouted that we should open the door otherwise they would break open the door. However, the abovenamed six accused persons said that they only wanted to loot our house and if we open the door and all the inmates come out, no harm would be done to our person. As the force on the door of my house was mounting and it was a matter of time when the door would peak, we were left with no option but to open the doors, escape and let the aforesaid accused have their way.

7. That we opened the door and came out in the compound. Immediately when we came out, the mob comprising of the aforesaid persons pounced upon us like blood-thirsty animals. The first blow was dealt by Chandan Singh aforesaid who hit my mother with a chopper on the shoulder. She was so dazed by this sudden and unprovocative [sic] attack that she did not even scream and fell down on the ground. The chopper caused a deep cut on her shoulder and she bled profusely. The attackers did not stop after she had fallen but all of them gave her blows with their weapons causing greivous [sic] injured [sic] and thus killed her.

8. That the next to be attacked was my younger sister Jagjit Kaur (about 17 years old). A long knife was thrust into her neck which caused a deep cut and a stream of blood flowed from it. She instantaneously fell down but the aforesaid criminals continued to hit her till they were sure that my helpless sister was dead.

9. That the wife of Rupa Singh was hit by a bullet in the temple. When she fell down, the aforesaid persons gave her further blows till she died then and there.

10. That Balbir Singh and Joginder Singh aforesaid were surrounded from all sides and beaten mercilessly with lathis and iron rods. They dropped down dead.

11. That the aforesaid persons beat me also. I received many lathi and iron rod blows and thus got injuries all over the body. I fell down and the blows continued. Providentially, I had not died, but, the criminals probably took me to be dead and I remained lying on the ground and bled profusely from head injuries.

12. That in the confusion that ensued because of this attack by the aforesaid persons, Rupa Singh and Tirlokh Singh as they were not keeping their hairs but looked like Non-Sikh (Mona), ran away from that place and escaped under the cover of darkness.

13. That when the dead bodies of my mother, sister, wife of Rupa Singh, Balbir Singh and Joginder Singh were still lying in the compound of my house and I was lying down badly injured, I saw that the aforesaid persons started looting our house. They looted everything in the house.

14. That at about 10 or 11 P. M. the aforesaid persons threw me and the dead bodies of the aforesaid five deceased outside on the kacha [dirt] road leading to the main road.

15. That two-three hours after I was thrown out, I mustered some courage to move. With great difficulty, I managed to reach the house of a friend of mine who offered me water and also washed my wounds. At his insistence and much against my wishes, having left with no option, I got my hair cut so as to look like a non-sikh (Mona).

16. That after I had recovered a bit, my friend advised me to go the Relief Camp and I came to the St. Xavier's School Relief Camp. Therefrom I got food and some medical attention.

17. That on 2-11-1984, I recognized the dead bodies of my mother, sister, wife of Rupa Singh (Pyar Kaur), Balbir Singh and Joginder Singh lying in the Bokaro General Hospital.

18. That the dead bodies were handed over to me on... Two more dead bodies were also handed over to me for performance of the last rites and funeral. I performed the funeral of all the bodies aforesaid (including those, my mother and sister) at Chas cremation grounds.

19. That I got highly depressed by the whole incident and ultimately left for Kapurthala (Punjab) in January 85. Since then I am at Kapurthala and have come here to finalize certain business deals. I have no intention at all to come again to place where my dearest mother and loving sister and others have been done to death in the most cold blooded manner and the blood-thirst [sic] wolves are roaming scot free.

20. That if this Honourable Commission really wants to give justice and bring normalcy to the area, the culprits must be punished in accordance [sic] with law expeditiously [sic] and sternly.

THE RISE OF AN ILLIBERAL DEMOCRACY IN INDIA

A Case-Study of the Crisis in Punjab

Sikh Genocide Project

India became the world's largest democracy in 1947 with the end of British colonialism. India, however, has not functioned as a constitutional liberal democracy—"a political system marked not only by free and fair elections but also by rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion and property."^[1] Democracy in India has coincided with the creation of a highly centralized state,^[2] suppression of basic human rights, discriminatory application of law, "tyranny of the majority" and a number of ethno-religious conflicts. In practice, India does little or nothing to protect what David Little calls "belief rights",^[3] the presence of which is an absolute must before a state may claim to practice constitutional liberalism. Based on a case study that focuses mainly on Punjab, we are able to show that India is an illiberal democracy. Punjab has been the home to a Sikh ethno-religious nationalist movement since the Indian Army's invasion of the Darbar Sahib (commonly known as the Golden Temple) on June 3, 1984. The Sikh movement for political sovereignty in Punjab has its roots in Sikh theology and history, with both playing an important role in Sikh ethno-religious nationalist discourse.

Background to the Sikhs of Punjab (1469-1849)

Sikhs are a people with a common religious tradition, a scripture, a linguistic script and several social, political and economic institutions. Approximately twenty-five million people worldwide identify themselves as adherents of the Sikh faith, making it the fifth-largest world-religion. *Gurmat*, the Sikh doctrine, teaches that all human beings—regardless of their religion or beliefs—have the potential to realize God through devotion, truthful living, pursuit of justice and service of creation. The Sikh religion was founded by Guru Nanak (1469-1539) and shaped by his nine successors in the sixteenth and seventeenth centuries in Punjab. The Sikh faith holds that politics and religion are inseparable. The Sikh doctrine, however, rejects the validity of a theocratic state. Historically, all Sikh states in have been based on secular, non-theocratic laws because the Sikhs neither have a priestly class, which may rule in the name of an invisible God, nor do they have a corpus of civil law of divine origin and sanction.^[4]

Numerous scholars have posited that the Sikhs constitute a nation.^[5] Joseph D. Cunningham (1812-1851), an eminent historian of the Sikhs, attributes the development of the Sikhs into a "people" under Guru Gobind Singh (1675-1708), the tenth Sikh Guru, and into a "nation" under Ranjit Singh, who established a Sikh state in 1799.^[6] Khushwant Singh's reference to Sikhs fighting "a national war of independence" against the British in 1848 is consistent with Cunningham's perception of Sikhs as a nation.^[7] Paul Brass argued in 1974 that "of all the ethnic groups and peoples of north India, the Sikhs come closest to satisfying the definition of a nationality or a nation."^[8] Sikh theological and historical sources use the words *Panth* and *quam* to describe the political body of the Sikhs and to give Sikhs a distinct communitarian identity (akin to the Western conception of a "nation" but with subtle differences since no English word can capture the essence of the Sikh conception of a community).

Several historical events led to the crystallization of a distinct Sikh identity, which in turn contributed to the development of a Sikh nation. According to Sikh literature composed by Bhai Gurdas (1558[?]-1636), Guru Nanak, the founder of the Sikh faith, began a new *Panth*,^[9] which was distinct from the way of the Hindus and the Muslims.^[10] With the creation of a seat of Sikh political power through the institution of the Akal Takht (lit. the Eternal throne), Guru Hargobind (1601-1644), the fifth successor to Guru Nanak, greatly emphasized the need for political responsibility for the *Panth*. In consonance with the theology of Guru Nanak, there was to be no dichotomy between religion and politics. At this stage, the Sikhs, led by Guru Hargobind, fought four wars against the Mughal emperor, Shah Jahan. Sikhs were to lay equal emphasis on the development of their spiritual and physical faculties.^[11] Guru Hargobind "encouraged Sikhs to bring him offerings of arms and horses in the future and enrolled an armed bodyguard of fifty-two mounted Sikhs...Ever since that time, armed Sikhs have stood guard to Harmander Sahib (the Golden Temple) and the Akal Takht as a symbol of temporal power of the Guru...the tradition of posting the armed guards continues to this day."^[12]

When the Mughal state arrested and martyred Guru Tegh Bahadur, the ninth Sikh Guru, the Sikhs lived under the fear of persecution. Guru Gobind Singh, the tenth Guru, conceived the idea of forming Sikhs into a religious and military

commonwealth and “executed his design with the systematic spirit of a Grecian lawgiver.”^[13] On March 30, 1699, Guru Gobind Singh ordained a new order, the Khalsa Panth, whose members were mandated to adorn themselves with five articles of faith at all times. These articles of faith, based on a strict code of conduct, served as a uniform with the intent that Sikhs initiated into the Panth could no longer hide their identity, even under extreme conditions. During the times when Sikhs faced genocide from the Mughal state, especially during the reigns of Bahadur Shah (1643-1712) and Farrukhsiyar (1683-1719),^[14] this common identity must have created a great deal of cohesion among the members of the *Panth*, further strengthening their sense of nationality. Furthermore, all members of the *Panth* were required to shed their caste and tribal affiliations in favor of a uniform Sikh identity; Sikh men were to adopt “Singh” and Sikh women were to accept “Kaur” as their last names. The *Panth*, which was founded as a democratic institution devoid of all hierarchy, was to even possess authority over Guru Gobind Singh, its founder.^[15] With a range of religious symbols, collective institutions and internal structures of governance—some that were mature, while others still in their infancy—the Sikhs had now become an “imagined community”, a nation that aspired for state power. In a litany that Sikh congregations, throughout the world, have been reciting for the last three hundred years, Guru Gobind Singh describes the political goal of the Sikhs:

The Khalsa shall rule; and all effective opposition shall cease.
Those in the opposition camp shall eventually come round the right way after many frustrations,
And they shall realize that stability and progress can only thus be assured.^[16]

In *Prachin Panth Prakash* (1841), Rattan Singh Bhangu writes that after the inauguration of the Khalsa Panth, the Guru was pleased with the members of the Panth and asked them to request a boon from him. After much deliberation, the Sikhs requested sovereignty over Punjab. When the Guru inquired whether they wanted other lands, the Sikhs insisted that they only wanted to rule Punjab because they were already settled there.^[17] Regardless of the historical validity of this narrative, it is important because it shows that nineteenth century Sikhs thought that they were sovereigns of Punjab based on divine sanction. When Bhangu was asked by Captain Murray, the British Charge-de-affairs in Punjab around 1850, “From what source Sikhs derived the validity of their claim to earthly sovereignty in the absence of rights of treaty?” Bhangu responded: “The Sikhs’ right to earthly sovereignty is based on the Will of God and, therefore, other inferior sanctions are unnecessary.”^[18] It must be noted that Sikh theology unequivocally rejects the notion of one place being more sacred than another. The Sikh affinity to Punjab, as a result, is not based on theology but on history—this is where the Sikh faith took birth and prospered, and its land is dotted with thousands of historical sites of the Sikhs. At the same time, the notion that Sikhs are sovereign and answerable only to God is deeply rooted in Sikh theology.

In 1710, two years after the death of Guru Gobind Singh, the Sikhs under the leadership of Banda Singh Bahadur (1670-1716) established the first Sikh republic. Formal sovereignty was assumed by the Sikhs with their capital at Mukhlisapur, which was renamed Lohgarh (“the Steel Fort”) and Sikh coins were struck with the following legend on them:

The sword of the central Doctrine of Nanak destroys the evil of both the worlds, the poverty and slavery of this earth and the sickness of the soul hereafter, and we hereby proclaim our sovereignty over both the worlds, the seen and the unseen. The final victory in our struggle has been vouchsafed by Guru Gobind Singh, the Harbinger of the good tidings of the ever present Grace of God.^[19]

The Sikh political ascendancy alarmed the Mughal regime, which called for extermination of the Sikhs. In 1715, the Mughal army surrounded Banda Singh’s forces for several months and starved many of the Sikhs to death. According to Iqbal Singh, “[The Sikh military leader]...his family and 740 of his soldiers were led in chains to Delhi. They were subjected to inhuman tortures and then publicly beheaded on seven successive days. On 9 June 1716 came the turn of Banda. He was forced to kill his infant son and was then beheaded...The governors of Punjab were determined to wipe out the Sikhs and ordered the immediate execution of anyone who wore his hair and beard unshorn...The Harmander in Amritsar was blown up and thousands of men, women and children butchered. The Sikhs fled the plains and bided their time in the Himalayan foothills.”^[20]

For the next fifty years, the Sikhs resorted to guerilla warfare against Lahore, the capital of the Mughals. This period in history gave rise to Sikh *misls* or confederacies that ruled several territories across Punjab with much popular support. In this period, the Sikhs captured Lahore under the leadership of Jassa Singh of the Ahluwalia *misal*. Under

his leadership, the Sikh ruled areas ranging from the banks of the Indus in the west to the Ganges in the east, and from the Himalayas in the north to the desert wastes of Sind in the south.[21] In their fight against invading Afghans, the Sikhs suffered two *ghallugharas*, or holocausts, one in June 1746 and the other in May 1762. During the second holocaust, 10,000 to 70,000 Sikhs were massacred by the forces of Ahmad Shah Abdali, who also destroyed the Darbar Sahib (the Golden Temple).[22] Sikhs worldwide would later recall their history to compare the attack of the Indian army on the Darbar Sahib in June 1984 with Abdali's invasion, and the assassination of the Indian Prime Minister Indira Gandhi in October 1984 to Abdali's untimely death on his way back to Afghanistan.[23] In the popular Sikh imagination, whenever an enemy has sought to commit genocide against the Sikhs, it has invaded the Darbar Sahib on a Sikh holiday.[24]

By the end of 1760s, Sikhs had succeeded in establishing numerous autonomous confederacies. These confederacies were consolidated by Maharaja Ranjit Singh in a united Sikh state with its capital in Lahore in 1799. The Sikh state was largely secular in character and appointed members of others faiths in its administration. By 1824, Ranjit Singh had expanded the Sikh empire from Sutlej to Khyber and Kashmir. The death of Ranjit Singh in 1839, followed by betrayals by Dogra administrators of the Sikh state and intrigue within the Sikh court, enabled the British to defeat the Sikhs and assume full control of Punjab and adjoining Sikh territories by 1849.[25]

Sikh Role Against British Colonialism in South Asia (1912-1947)

As erstwhile sovereigns of Punjab, the Sikhs—who constituted about 1.1 percent of the population of British-India[26]—played a disproportionate role in the struggle to free the subcontinent of British colonialism. The table below summarizes the Sikh contribution in the freedom movement. The data reflects Sikhs serving prison sentences, being deported to nearby islands in exile, facing capital punishment and enlisting themselves in the Indian National Army that was organized to oppose the British.

Type	All Communities	Sikhs	Percentage
Prison term over 1-year	2,125	1,550	75%
Deported	2,646	2,147	80%
Death Sentence	127	92	80%
Indian National Army	20,000	12,000	60%

Table 1: Sikh mobilization for India's freedom struggle[27]

With the possibility of an end to British colonialism in sight, the Sikh leadership became concerned about the future of the Sikhs. The Sikhs and the Muslims had unsuccessfully claimed separate representation for their communities in the Minto-Morley Scheme of 1909.[28] The Congress, led by predominantly a Hindu majority, denied Sikhs their separate identity and labeled them as a sect of Hinduism. Even though the Sikhs occupied 19.1 percent of the seats in the Punjab Legislature, in a document on the future of British-India in response to the Simon Commission in 1927, the Congress leader Motilal Nehru defined the future of the subcontinent in Hindu and Muslim terms.[29] Nehru's report evoked strong condemnation from Sikh leaders.

Diarchy was introduced in 1935, guaranteeing a majority for Muslims in Punjab, which changed Hindu attitudes towards the Sikh demand for reasons of political expediency. The Hindus aimed to reduce the Muslim majority in the Punjab Legislative Council.[30] At this time, the Hindus not only accepted Sikhs as a distinct community, but also supported the Sikh demand for adequate political representation. In December 1929, Sikh leaders were also assured by Motilal Nehru and Mohandas Gandhi that Congress would accept no political situation for the future of British India unless it satisfied the Sikhs.[31] Accordingly, the Congress passed a resolution during its Lahore session:

...as the Sikhs in particular, and Muslims and other minorities in general have expressed dissatisfaction over the solution of communal questions proposed in the Nehru Report, this Congress assures the Sikhs, the Muslims and other minorities that no solution thereof in any future constitution will be acceptable to the Congress that does not give full satisfaction to the parties concerned.[32]

Gandhi stated that the resolution was adopted by the Congress to satisfy the Sikh community.[33] Addressing a meeting at Gurdwara Sis Ganj, Delhi, he said:

I ask you to accept my word...and the resolution of the Congress that it will not betray a single individual, much less a community...our Sikh friends have no reason to fear that it would betray them. For, the moment it does so, the Congress would not only thereby seal its own doom but that of the country too. Moreover, Sikhs are a brave people. They know how to safeguard their rights by exercise of arms if it should ever come to that.[34]

Jawaharlal Nehru reiterated Gandhi's assurance to the Sikhs at the All India Congress Committee meeting in Calcutta in 1946. He declared:

The brave Sikhs of Punjab are entitled to special consideration. I see nothing wrong in an area and a set-up in the North wherein the Sikhs can experience the glow of freedom.[35]

With the Muslims proposing the creation of a Pakistan to safeguard their interests, some Sikhs put forth the idea of carving out a Sikh state of Khalistan.[36] During a prolonged negotiation process during the 1940s between the British and the three groups seeking political power—Hindus, Muslims and Sikhs—the Congress Party continually extended such promises to prevent Sikhs from allying with the Muslim League. To win Sikh support, Jawaharlal Nehru again declared:

Redistribution of provincial boundaries was essential and inevitable. I stand for semi-autonomous units...if the Sikhs desire to function as such a unit, I would like them to have a semi-autonomous unit within the province so that they may have a sense of freedom.”[37]

These pledges of by Nehru and Gandhi on behalf of the Indian Congress were formalized through a resolution in the Constituent Assembly on December 9, 1946:

Adequate safeguards would be provided for minorities in India...It was a declaration, pledge and an undertaking before the world, a contract with millions of Indians and, therefore, in the nature of an oath we must keep.[38]

During a press conference on July 10, 1946 in Bombay, Nehru's controversial statement that the Congress may “change or modify” the agreed upon agreement came “as a bombshell”.[39] As a consequence, Mohammad Ali Jinnah—the charismatic leader of the Muslim League—was forced to seek safeguards for his community through the creation of a separate Pakistan.

After the departure of the British, the Congress Party would repudiate all pledges and Constituent Assembly resolutions promulgated to safeguard Sikh interests.[40] Many Sikhs felt that they had been tricked into joining the Indian union. On Nov. 21, 1949, upon the review of the draft of the Indian Constitution, Hukam Singh, the Sikh representative, declared to the Constituent Assembly:

Naturally, under these circumstances, as I have stated, the Sikhs feel utterly disappointed and frustrated. They feel that they have been discriminated against. Let it not be misunderstood that the Sikh community has agreed to this [Indian] Constitution. I wish to record an emphatic protest here. My community cannot subscribe its assent to this historic document.[41]

India showed signs of illiberalism from the very beginning by reneging on its promises to the Sikhs and by not accommodating the Sikhs as equal partners in the affairs of the new nation. The Sikh leadership was not politically savvy to foresee that the likelihood of Congress' communalism in the colonial period being transformed into liberalism in the postcolonial period was slim.

Further Growth of Sikh National Consciousness (1947-1966)

The Sikhs, whose participation in India's independence struggle was disproportionate to their small numbers (see Table 1), had greater reasons to be worried in postcolonial India. According to Kapur Singh, who was the Deputy Commissioner at Dalhousie and a member of the Indian Civil Service (ICS) at the time:

In 1947, the governor of Punjab, Mr. C.M. Trevedi, in deference to the wishes of the Prime Minister Jawahar Lal Nehru and Sardar Patel, the Deputy Prime Minister, issued certain instructions to all the Deputy Commissioners of Indian Punjab...These were to the effect that, without reference to the law of the land, the Sikhs in general and Sikh migrants in particular must be treated as a “criminal tribe”. Harsh treatment must be meted out to them...to the extent of shooting them dead so that they wake up to the political realities and recognize “who are the rulers and who the subjects.” [42]

Here, the rhetoric of calling an entire religious community a “criminal tribe” shows the communal nature of the top Indian politicians, who from the very beginning attempted to exclude the Sikhs in order to build solidarity among the Hindus of the Punjab. Master Tara Singh summed up Sikh sentiments in his Presidential Address to the All India Sikh Conference on March 28, 1953:

English-man has gone, but our [Sikh] liberty has not come. For us the so-called liberty is simply a change of masters, black for white. Under the garb of democracy and secularism, our Panth, our liberty and our religion are being crushed.[43]

In the 1950s and 1960s, linguistic issues in India caused civil disorder when the central government attempted to marginalize a select group of regional languages. Hindi was imposed as the national language on all Indians by the Hindu elite leading the Congress. “The nationwide movement of linguistic groups seeking statehood resulted in a massive reorganization of states according to linguistic boundaries in 1956. However, Punjabi, Sindhi and Urdu were the only three languages not considered for statehood.”[44] As a result, the Shiromani Akali Dal, the party representing the Sikhs in Punjab, initiated its first major movement in August 1950 that lasted two decades.[45]

The Akali Dal sought to create a Punjabi *suba*, a Punjabi-speaking state. This case was presented to the States Reorganization Commission established in 1953. The Akali Dal’s manifesto declared:

The true test of democracy, in the opinion of the Shiromani Akali Dal, is that the minorities should feel that they are really free and equal partners in the destiny of their country...to bring home a sense of freedom to the Sikhs, it is vital that there should be a Punjabi speaking language and culture. This will not only be in fulfillment of the pre-partition Congress program and pledges, but also in entire conformity with the universally recognized principles governing formation of provinces...The Shiromani Akali Dal has reason to believe that a Punjabi-speaking province may give the Sikhs the needful security. It believes in a Punjabi speaking province as a autonomous unit of India.”[46]

A communal response from the Hindus of Punjab further complicated the Sikh demand. There was a Hindu opposition to the adoption of Punjabi as an official language in the Punjabi-speaking areas. Accordingly, Punjabi-speaking Hindus declared Hindi as their mother tongue in the censuses of 1951 and 1961. Paul Brass notes, “There is a good reason to believe...that the 1961 census accurately reflects that language preference of the people of the Punjab, although certainly not the actual mother tongue spoken.”[47] Why would Punjabi Hindus misrepresent and repudiate their linguistic heritage? According to Paul Brass, “The dominant Hindu majority, unable to assimilate the Sikhs, adopted the tactic of avoiding their language so that the Sikhs, a minority people by religion, might become a minority by language as well.”[48]

The demand for adoption of Punjabi for Punjabi-speaking areas intensified the rift between Hindus and Sikhs of Punjab. As the Hindus raised the slogan of “Hindi, Hindu, Hindustan,”—which translates to “the Hindi language, Hindu religion and Hindu India”—relations between the Akali Dal and the Congress government suffered as well.

The States Reorganization Commission, not recognizing Punjabi as a language that was distinct grammatically from Hindi, rejected the demand for a Punjabi *suba* or state. Another reason that the Commission gave in its report was that the movement lacked general support of the people inhabiting the region, a reference to the Punjabi Hindus who were opposed to the creation of a Punjabi-speaking state.[49] The Sikhs felt discriminated against by the commission.

Hukam Singh of the Akali Dal wrote, “While others got States for their languages, we lost even our language.”[50]

The Akali Dal saw the refusal of the Commission to concede to the Sikh demands as a sign of intolerance against a religious community that spoke a distinct language, which was both linguistically and lexically distinct from Hindi.[51] Fateh Singh, a leading Sikh representative, further noted, “No status is given to the Punjabi language, because Sikhs speak it. If non-Sikhs had owned Punjabi as mother tongue then the rulers of India would have seen no objection in establishing a Punjabi State.”[52]

Language was adopted as a religious symbol by the Sikh elite to advance religious nationalist rhetoric. The Hindu elite also used Hindi as a symbol of Hindu identity, knowing well that Hindi was not spoken by the vast majority of Hindus. Specifically in Punjab, the use of religious discourse enabled the Hindu elite to fuel religious passion among Hindu Punjabis, who readily accepted Hindi over their mother tongue.

The Akal Takht, the temporal seat of Sikh authority in Amritsar, played a vital role in organizing Sikhs to campaign for the Punjabi *suba*. During the course of the campaign, twelve thousand Sikhs were arrested for their peaceful demonstrations in 1955 and twenty-six thousand in 1960-61.[53] Finally, in September 1966, the Punjabi *suba* demand was accepted by the central government and Punjab was trifurcated under the Punjab State Reorganization Bill. Areas in the south of Punjab that spoke a language that is a derivative of Braj formed a new state of Haryana and

the Pahari- and Kangari-speaking districts north of Punjab were merged with Himachal Pradesh, while the remaining areas formed a new state of Punjab. As a result, the Sikhs became a majority in the newly created Punjabi *suba*.^[54] Harnik Deol observes overtones of religious nationalism in this movement:

The main driving force of the Punjabi *suba* movement was the Sikh leadership saw a separate political status for the Sikhs as being essential for preserving the Sikh identity. Thus, the Akali leader Master Tara Singh noted in 1945, “there is not the least doubt that the Sikh religion will live only as long as the *panth* exists as an organized entity.”...It was further argued that the *panth* was based on the common ideology of Sikh religion. A prominent Akali leader argued that the ideology of the *panth* binds its adherents together in “Kinship which transcends distance, territory, caste, social barriers and even race.” By this logic the *panth* was coeval with the Sikh nation.^[55]

Language had become a symbol of group identity. The use of religious symbols by the Sikh leadership during the Punjabi *suba* movement enabled greater cohesion among the Sikhs. Anthony Marx has argued in *Faith in Nation: The Exclusionary Origins of Nationalism* that the exclusion of a minority community by the majority in a state gives rise to nationalism. Marx’ claim can easily be applied to the Punjabi Hindus who increasingly saw themselves as Indians as they lobbied for marginalization of the Sikhs and their linguistic heritage. We would like to extend Marx’ thesis and argue that the struggle of the minority Sikh community against Hindu majoritarian politics created greater coherence within the Panth, giving further boost to the already extant Sikh ethno-religious nationalism. At this point, however, the Sikhs did not attempt to secede from the Indian union.

The Current Conflict (1978-2004)

The creation of the Punjabi *suba* did not solve Sikh problems. In 1978, thirteen Sikhs were killed by the Nirankari group in Amritsar. To provide relief to the assailants, the central government moved the case to courts in the neighboring Hindu-dominated state of Haryana, where they were acquitted, increasing the Sikh alienation from India.

Before the creation of the Punjabi *suba*, Punjab was the master of its river waters. When the Punjabi *suba* was created, the central government—against the provisions of the Indian constitution—introduced sections 78 to 80 in the Punjab Reorganization Act, 1966, under which the central government “assumed the powers of control, maintenance, distribution and development of the waters and the hydel power of the Punjab rivers.”^[56] With seventy-five percent of Punjab’s river water being diverted to non-riparian, Hindu-dominated states of Haryana and Rajasthan, the Sikhs have perceived the central government’s violation of the Indian constitution as a measure to break the Sikhs economically, since the vast majority of the people of Punjab are dependent on agriculture.^[57] Similar river water disputes in other parts of the country have been resolved according to the Indian constitution, reinforcing the perception of the Sikhs that they are being targeted because of their religion.^[58]

The following anecdote describes the helplessness of the judiciary in India when it came to such disputes. According to the Institute of Sikh Studies, Chandigarh:

An organisation of farmers had filed a petition in the High Court, Punjab and Haryana, regarding the unconstitutionality of the drain of the waters of the Punjab to the non-riparian states under the Reorganisation Act. The issue being of fundamental constitutional importance, the Chief Justice, S.S. Sandhwalia admitted the long pending petition and announced the constitution of a Full Bench, with himself as Chairman, for the hearing of the case on the following Monday, the 25th November, 1983. In the intervening two days before the hearing of the case could start, and these two days were holidays, two things happened. First, before Monday, the Chief Justice of the High Court was transferred to the High Court of Patna. Hence neither the Bench could sit, nor could the hearing of the case start. Second an oral application was given by the Attorney General in the Supreme Court requesting for the transfer of the writ petition from the file of the High Court to that of the Supreme Court on the ground that the issue involved was of great public importance. The request was granted; the case was transferred. And there this case of great public importance rests unheard for the last nearly twenty years.^[59]

According to the Earth Policy Institute, Punjab’s water table is falling by one meter per year, which could lead to disastrous consequences for the state and its farmers in the long-term.^[60] This example demonstrates that the Indian constitution is used differently when deciding Sikh-Hindu conflicts and Hindu-Hindu conflicts, which can be seen as a

sign of illiberalism. India has a constitution but the government and the judiciary may not to adhere to it, as in this case, when such conformism goes against Hindu interests.

The Akali Dal led a series of peaceful mass demonstrations to present its grievances to the central government. The demands of the Akali Dal were based on the Anandpur Sahib Resolution, which was adopted by the party in October 1973 to raise specific political, economic and social issues. The major motivation behind the resolution was safeguarding of the Sikh identity in a state structure that was decentralized with non-interference from the central government. The Indian state and the Indian media misrepresented the Anandpur Sahib Resolution as a secessionist document in an attempt to malign the Sikhs. The Resolution outlines seven objectives:[61]

1. The transfer of the federally administered city of Chandigarh to Punjab.
2. The transfer of Punjabi speaking and contiguous areas to Punjab.
3. Decentralization of states under the existing constitution, limiting the central government's role.
4. The call for land reforms and industrialization of Punjab, along with safeguarding the rights of the weaker sections of the population.
5. The enactment of an all-India *gurdwara* (Sikh house of worship) act.
6. Protection for minorities residing outside Punjab, but within India.
7. Revision of government's recruitment quota restricting the number of Sikhs in armed forces.

Along with these demands, the issue concerning the unconstitutional diversion of Punjab's river waters to non-riparian states has been of fundamental importance. Writing about the nature of these demands, *The Wall Street Journal* noted:

The Akali Dal is in the hands of moderate and sensible leadership...but giving anyone a fair share of power is unthinkable politics of Mrs. Gandhi [the then Prime Minister of India]... Many Hindus in Punjab privately concede that there isn't much wrong with these demands. But every time the ball goes to the Congress court, it is kicked out one way or another because Mrs. Gandhi considers it a good electoral calculation.[62]

The early stages of the Sikh agitation for equal rights were peaceful, leading one commentator to note:

...over 100,000 [Sikh] volunteers have been arrested. This high number of arrests is undoubtedly, a national record and so has been the peaceful nature in which the Satyagrahas [protests] of this magnitude have been handled by the Sikhs, with extreme tolerance.[63]

According to an editorial in *The New York Times*:

There was a nonviolent Sikh protest movement, but it was eclipsed when the Prime Minister rebuffed its demands...Since Indian independence in 1947, Sikhs have pleaded for greater autonomy and for specific recognition of their religion in the Constitution.[64]

In a politically charged environment, Lala Jagat Narain, the owner of the Hind Samachar group of newspapers, was assassinated by Sikh militants in September 1981. He had been instrumental in persuading Punjabi Hindus to declare their mother tongue as Hindi. His editorials consistently attacked the Akali Dal's leadership. His assassination led to mob violence by Hindus, who set Sikhs shops on fire and burnt the offices of the *Akali Patrika*, a Punjabi newspaper that represented Sikh interests. The government acted hastily by arraigning Jarnail Singh Bhindranwale, a charismatic Sikh preacher who had risen to popularity in Punjab for his harsh critique of the government.[65]

Interestingly, vernacular press, printed pamphlets and posters —what Benedict Anderson calls “print capitalism”— along with oral forms of communication, such as cassettes, enabled Bhindranwale to transmit his message to a wide range of Sikhs in Punjab and abroad. The political implications of such a movement were immense. It created solidarity and uniformity among practicing Sikhs and it influenced those Sikhs who were not interested in religion to become devout practitioners of faith. Bhindranwale's emphasis on a distinct Sikh identity and his insistence on fighting for justice provided all the needed ingredients to strengthen the Sikh movement for greater autonomy.

On September 1981, Bhindranwale voluntarily offered his arrest in Amritsar, where he was detained and interrogated for twenty-five days, but was released because of lack of evidence. After his release, Bhindranwale relocated himself

from his headquarters at Mehta Chowk to Guru Nanak Niwas within the Darbar Sahib precincts.[66] Many Sikhs today criticize this move because they think that it gave the state an excuse to attack the Darbar Sahib, but this criticism is unwarranted. As we will see, the Indian army attacked not only this important shrine, but dozens of additional shrines across Punjab where there were no Sikh nationalists or militants in residence. Bhindranwale's presence at the shrine, therefore, was a minor factor, if a factor at all, in Indira Gandhi's decision to attack the Darbar Sahib. In fact, "the then deputy commissioner of Amritsar, Gurdev Singh...said that he had categorically informed the highest officials of the Punjab government that if they wanted to arrest Bhindranwale, there would be no major difficulty in organizing it. The chief minister, the governor of Punjab and other senior officials told him that the directive to take action against Bhindranwale had to come from Delhi." [67] These orders never came because Bhindranwale had no outstanding charges against him. Arun Shourie of *The Indian Express* noted, "For all I know, he [Bhindranwale] is completely innocent and is genuinely and exclusively dedicated to the teachings of the Gurus." [68] In December 1983, a senior officer in Chandigarh confessed: "It's really shocking that we have so little against him [Bhindranwale] while we keep blaming him for all sorts of things." [69] Therefore, to think that Bhindranwale invited an attack from the Indian army through his presence at the Darbar Sahib is to ignore an established fact that the army operation was planned well in advance, as stated by S. K. Sinha, a major figure in the Indian Army.

In August 1982, the Akali Dal under the leadership of Harcharan Singh Longowal launched the *dharam yudh morcha*, or the "battle for righteousness." Bhindranwale and the Akali Dal united for the first time; their goal was the fulfillment of the demands based on the Anandpur Sahib Resolution. In two and a half months, security forces arrested thirty-thousand Sikhs for their peaceful demonstrations to the point that protesting volunteers could not be accommodated in the existing jails. [70]

In November 1982, Akali Dal announced the organization of peaceful protests in Delhi during the Asian Games. To prevent Sikhs from reaching Delhi, the central government stopped all buses, trains and vehicles that were headed for Delhi to interrogate Sikhs. Background or affiliation did not matter; all Sikhs were profiled, segregated and searched. The Sikhs as a community felt discriminated against by the Indian state. Later, the Akali Dal organized a convention at the Darbar Sahib attended by 5,000 Sikh ex-servicemen—170 of whom were above the rank of a colonel. These Sikhs claimed that there was discrimination against them in government service. [71]

The situation in Punjab deteriorated as violence escalated with the murders of Hindus and Sikhs. During this turmoil, the Akali Dal began another agitation in February 1984 protesting against clause (2) (b) of Article 25 of the Indian constitution, which defines Sikhs, Buddhists and Jains as Hindus. Several Akali leaders were arrested for burning the Indian constitution in protest. [72]

From the point of view of belief rights, India's defining of its Sikh, Buddhist and Jain citizens as Hindus has serious ramifications. For instance, a Sikh couple that marries in accordance to the rites of the Sikh religion must register its marriage under the Hindu Marriage Act of 1955 [73] in order to be considered legally married. [74] This amounts to a coercive declaration that the couple is a Hindu. The contents of clause (2) (b) of Article 25 of the Indian constitution and the laws based on its understanding are in violation of Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR) calling for free exercise because Sikhs, Buddhists and Jains are forced to identify themselves as Hindus even for the simple purpose of obtaining a marriage certificate. [75] Here India's secular credentials come into question because the state and its legislators arrogate to themselves the authority to define the beliefs of religious communities to which they do not belong. Furthermore, India's overt attempt to categorize its religious minorities as Hindus in spite of strong protests attests to the state's illiberal policies.

The events in 1984 further demonstrate the illiberal nature of the Indian democracy. For over a year, the Indian army had been preparing for an attack on the Darbar Sahib. To legitimize the attack, according to Subramaniam Swami—a member of the Indian Parliament—the central government had created a disinformation campaign. In his words, the state sought to "make out that the Golden Temple was the haven of criminals, a store of armory and a citadel of the nation's dismemberment conspiracy." [76]

The *Surya* magazine published a special report detailing how the Third Agency, a special intelligence outfit created by Prime Minister Indira Gandhi's Secretariat, R. Shankaran Nair, was instrumental in smuggling most of the arms inside the Darbar Sahib. [77] "One week before the Army action, Punjab police had intercepted two truck loads of weapons

and ammunition in the Batala sub-division of Gurdaspur district. But the officer of the Third Agency, in-charge of Amritsar, persuaded the director-general of police (DGP) to release them and send them along safely to the Golden Temple.”[78]

According to plan, the Indian army invaded the Darbar Sahib in an assault that was code named “Operation Blue Star” on June 5, 1984 to coincide with the martyrdom day of Guru Arjan, who had constructed the Darbar Sahib. It is common knowledge that this *gurpurab* (commemoration of Guru Arjan’s martyrdom) attracts an unusually large number of Sikh visitors at the Darbar Sahib, just like a large number of Muslims visit Mecca during the month of Ramadan. Then, why did the Indian army attack the most important Sikh shrine on this particular day? Ram Narayan Kumar notes, “Operation Blue Star was not only envisioned and rehearsed in advance, meticulously and in total secrecy, it also aimed at obtaining the maximum number of Sikh victims, largely devout pilgrims unconnected with the political agitation.”[79]

Cynthia Kepply Mahmood, describing the scale of the attack, writes:

When it [the Indian army] 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 force used in the attack was utterly incommensurate with this limited and eminently attainable aim. Seventy thousand troops, in conjunction 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 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.[80]

The most disturbing aspect of the operation was the targeting of civilians by the Indian army. Contrary to the army Lt. General K. Sundarji’s statement—“We went inside [the Darbar Sahib] with humility in our hearts and prayers on our lips”[81]—for the invading troops “every Sikh inside was a militant.”[82] Mark Tully, in his famous account of the invasion, writes: “Karnail Kaur, a young mother of three children...said, ‘When people begged for water some jawans [soldiers] told them to drink the mixture of blood and urine on the ground.’” Tully records an eye-witness account by Bhan Singh, the then SGPC Secretary:

I saw about thirty-five or thirty-six Sikhs lined up with their hands raised above their heads. And the major was about to order them to be shot. When I asked him for medical help, he got into rage, tore my turban off my head, and ordered his men to shoot me. I turned back and fled...Sardar Karnail Singh Nag, who had followed me, also narrated what he had seen, as well as the killing of thirty-five to thirty-six young Sikhs by cannon fire. All of them were villagers.[83]

C.K.C. Reddy, while writing on the army action notes:

The whole of Punjab and especially the Golden Temple Complex, was turned into a murderous mouse trap from where people could neither escape nor could they seek succor of any kind...The bodies of the victims of military operation in Punjab were unceremoniously destroyed without any attempt to identify them and hand them over to their relatives...The most disturbing thing about the entire operation was that a whole mass of men, women, and children were ordered to be killed merely on the suspicion that some terrorists were operating from the Golden Temple and other Gurdwaras. There had been no judicial verdict of guilt against definite individuals who had been taking shelter in the Golden Temple.[84]

The Indian army’s invasion of the Darbar Sahib, which is remembered as a *ghalughara* (holocaust) by Sikhs much like the aforementioned attacks by the Afghan invader Abdali, claimed as many as “7,000 to 8,000” lives according to some eyewitness accounts.[85] While there is ample evidence to show that Bhindranwale was fighting for the demands articulated in the Anandpur Sahib Resolution and not for the separate state of Khalistan, the Indian army’s invasion was not seen by the Sikhs as “a security operation but a clash between two nations, the first ‘war for Khalistan’”.[86] As Joyce Pettigrew puts it:

The sacrifice of Bhindranwale’s life and that of his followers drew attention to the fact that Sikhs live by a model of society opposed to that for which India stood. They were slaughtered in defense of their conception of what society should be.[87]

The army operation was followed by another government-sponsored initiative, code-named, “Operation Woodrose”, in which the Indian army sought to eliminate all *Amritdharis* (members of the Khalsa Panth) across the villages of Punjab. *Baatcheet*, the Indian Army’s bulletin, made an appeal to all soldiers in June 1984:

Any knowledge of the "Amritdharis" who are dangerous people and pledged to committing murder, arson and acts of terrorism should be immediately brought to the notice of the authorities. These people may appear harmless from outside but they are basically committed to terrorism. In the interest of us all, their identity and whereabouts must always be disclosed.[88]

All initiated Sikhs were “terrorists” in the eyes of the Indian state and were to be killed extra-judicially. *The Christian Science Monitor* reported:

The pattern in each village appears to be the same. The Army moves in during the early evening, cordons a village, and announces over loudspeakers that everyone must come out. All males between the ages of 15 and 35 are trussed and blindfolded, then taken away...Thousands have disappeared in the Punjab since the Army Operation began. The government has provided no lists of names; families don't know if sons and husbands are arrested, underground or dead.[89]

These actions of the Indian state need to be examined closely to see whether Article 2 of the Genocide Convention is applicable since they were “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group”.[90] The fact that the law of the land was disregarded completely when it came to the Sikhs further shows that the fabric of the Indian democracy is not built on individual rights, which have varied according to the religious affiliations of those concerned. Joyce Pettigrew in her case-studies presented in *The Sikhs of the Punjab: Unheard Voices of State and Guerilla Violence* has shown convincingly that some affluent Sikhs with sufficient connection in the government, who did not subscribe to Sikh nationalism, became victims of state terror because of the singular reason that they were Sikhs.[91] State terror directed against innocent Sikhs served as a baptism ceremony for initiation into the Sikh ethno-religious nationalist movement for many Sikhs who would not have joined it otherwise. Here, it should be noted that the state policies against Sikhs and sweeping powers that were given to Indian paramilitary forces would not have existed in a liberal constitutional democracy.

On the morning of October 31, 1984, Prime Minister Indira Gandhi was shot-dead by two Sikh security guards in New Delhi. The assassination triggered organized violence against Sikhs across north India. In the words of Khushwant Singh, on the night of October 31, “Politicians belonging to the ruling Congress party met to decide how to teach the Sikhs a lesson they would never forget.”[92] Ram N. Kumar describes the nature of organization of these state sponsored pogroms against Sikhs:

Early next morning, hordes of people from the suburbs of Delhi were transported to various localities in the city where the Sikh population was concentrated. The mobilization suggested backing of an organization with vast resources. The criminal hordes carried crude weapons...and combustible material, including kerosene, for arson. They were also supplied with lists of houses and business establishments belonging to the Sikhs in various localities. The government controlled television Doordarshan, and the All India Radio began broadcasting provocative slogans seeking bloody vengeance, “*khoon ka badla khoon se lenge* (Blood for blood!)”. Murderous gangs of 200 or 300 people led by the leaders, with policemen looking on, began to swarm into Sikh houses, hacking the occupants to pieces, chopping off the heads of children, raping women, tying Sikh men to tires set aflame with kerosene, burning down houses and shops after ransacking them...In some areas, the Sikh families grouped together for self-defense. The police officials then arrived to disperse them, by force when persuasion did not work...Khushwant Singh realized “what Jews must have felt in Nazi Germany.” He concluded: “The killing assumed the proportions of a genocide of the Sikh community.”[93]

From the perspective of belief rights, with its promotion of hate speech over state-operated national television to incite violence against the Sikhs, the Indian state violated Article 20.2 of ICCPR and Article 7 of UDHR. *Encyclopedia of Genocide* cites these events in its entry on “Genocide of Sikhs”.[94]

Two major civil-liberties organizations issued a joint report on the anti-Sikh pogrom naming sixteen important politicians, thirteen police officers and one hundred and ninety-eight others, accused by survivors and eye-witnesses.[95] In January 1985, journalist Rahul Bedi of the Indian Express and Smitu Kothari of the People’s Union for Civil Liberties “moved the High Court of Delhi to demand a judicial inquiry into the pogrom on the strength of the

documentation carried out by human rights organizations. Justice Yogeshwar Dayal dismissed the petition after deprecating ‘those busybodies out for publicity, who poke their noses into all matters and waste the valuable time of the judiciary.’”[96]

As it is often the case in illiberal states, a number of politicians who organized the pogrom were rewarded with electoral success by the Congress party and by their Hindu constituents. The Misra Commission was appointed to investigate the killings as a tactic to delay and deny justice. According to Patwant Singh:

The Government received the Misra Commission’s report...and took six months to place it before parliament...a full 27 months after the killings. A weak and vapid report, it let key Congress figures off the hook and characteristically recommended the setting up of three more committees...The third committee spawned two more committees plus an enquiry by the Central bureau of Investigation (CBI). When one of these two, the Poti-Rosha Committee, recommended 30 cases for prosecution including one against Sajjan Kumar, Congress MP [Member of Parliament], and the CBI sent a team to arrest him on 11 September 1990, a mob held the team captive for more than four hours! According to the CBI’s subsequent affidavit filed in court, “the Delhi Police far from trying to disperse the mob sought an assurance from the CBI that he [Sajjan Kumar] would not be arrested.” The CBI also “disclosed that [another committee’s] file relating to the case [against him] was found in Sajjan Kumar’s house.” The MP was given “anticipatory bail while the CBI team was being held captive” by his henchmen.

Justice Mirsa became the Chief Justice of the Supreme Court and after retirement chairman of the National Human Rights Commission; the accused MPs, except one, were again given Congress tickets to stand for parliament; one of them, H.K.L. Bhagat, became a cabinet minister; three accused police officers were promoted and placed in high positions...The Sikhs, determined to see those they believe to be guilty punished, continue to press for justice although fully aware of the fact that in India too, as Solzhenitsyn wrote about his country, “the lie has become not just a moral category, but a pillar of the state.”[97]

Here, one cannot help but notice the collusion between India’s executive branch, its legislators, judiciary and law enforcement agencies. Interestingly, as recently as May 2004, two senior Congress politicians, Sajjan Kumar and Jagdish Tytler, “widely cited as perpetrators of the 1984 pogroms against Sikhs by survivors and witnesses”[98] were elected as Members of Parliament, in addition to Kamal Nath who had attacked Gurdwara Rakab Ganj in Delhi. Furthermore, Manmohan Singh, a Sikh who defended India’s indefensible human rights record during the UN World Conference on Human Rights in Vienna in 1993 and does not acknowledge his party’s role in the pogroms against Sikhs, also ascended to the position of Prime Minister of India in May 2004.[99] Twenty years after the pogroms, India continues to operate as an illiberal democracy.

During the late 1980s and the early 1990s, there was a dramatic rise in Sikh militancy in Punjab. While there is no doubt that excesses were committed by the militants, there is no way of assessing the claims of the government. Lack of independent reporting by the press also contributed to defamation of the militants who enjoyed immense popular support toward the beginning of the Sikh independence movement.[100] *The Times of India* reported:

Often and unwittingly...journalists fall prey to the government disinformation which suavely manages to plant stories...The confusion gets compounded when government agencies also resort to feeding disinformation on letterheads of militant organizations since there is no way of confirming or seeking clarifications on press notes supposedly issued by militants who are underground and remain inaccessible most of the time.[101]

Ram Narayan Kumar, a human rights activist with considerable work experience in Punjab, provides remarkable insights into the workings of the state that sought to discredit the Sikh movement. He writes:

My own research on Punjab...suggested that the state agencies were creating vigilante outfits in order to infiltrate the Sikh radical movement and generate a climate of moral revulsion by engineering heinous crimes which they then attributed to armed Sikh groups.[102]

While Sikhs militants purported to fight for their basic human rights, the Indian media attributed to them the crimes of secret Indian agencies. Without validating the Indian state’s reports, the U.S. Department of State, in an irresponsible manner, also outlawed some of these groups as “terrorist” organizations. [103] Last year, the Office of the Historian at the Bureau of Public Affairs, United States Department of State, engaged in group libel against the Sikh community, through its video and curriculum distributed to 15,000 middle schools across the United States in which it classified the invasion of the Golden Temple complex by Indian State as a siege by “Sikh terrorists.”[104] When on March 27, 2003, the representatives of four Sikh organizations met with Marc Susser, the Head Historian, and objected to his use

of “Sikh terrorists” in the video to broadly label the world’s 26 million Sikhs, their concerns were dismissed.[105] The Sikh organizations presented a memorandum to Dr. Susser requesting recall of all videos and curriculum materials that accompanied the videos. The memorandum stated, “...Sikh political activists in the Golden Temple were not separatists. Even if they were, equating separatists with terrorists is simply inaccurate. For example, George Washington was a separatist during America’s struggle for independence from the British. His separatism, however, did not make him a terrorist.”[106] Marc Susser neither responded to the memorandum, nor did he attempt to correct the egregious error he had made in spite of having considerable background in the area of human rights and India during his tenure at the U.S. State Department, a fact he himself revealed to the Sikh representatives.

In a post-September 11, 2001 environment where hate crimes against Sikhs have been common occurrences in the United States, men in key positions like Marc Susser contribute towards the pervasive misunderstanding and portrayals of Sikhs as “terrorists”. Such misrepresentations by senior officials of the United States government send the wrong message to the Indian state that it need not improve its dismal human rights record.

Peace Initiatives

The Indian state has consistently undermined peace initiatives that could have led to peace and stability in Punjab. There has been much reluctance on the part of the central government to recognize Sikh grievances. The one and only attempt of the central government to seek a political solution to the grievances presented by the Sikhs resulted in the Rajiv-Longowal Accord, which took place between the late Prime Minister Rajiv Gandhi and Sant Harchand Singh Longowal, the then President of the Akali Dal who was later assassinated. The accord recognized the religious, territorial and economic demands of the Sikhs that were thought to be non-negotiable under Indira Gandhi’s tenure. While the agreement provided some basis for a return to normalcy, it was denounced by Sikh militants who claimed that the Indian state could not be trusted. Their claim became valid when the territorial transfer of Chandigarh to Punjab—scheduled for January 26, 1986—was first delayed, then postponed and eventually suspended by the central government.[107] The table below provides the solutions outlined in the agreement and the status of their implementation.

Issue	Agreement	Implementation
Implementation of Anandpur Sahib Resolution (ASR) seeking greater autonomy to states	Referred to Sarkaria Commission Report	Oct. 1987: Rejects ASR approach to Center-State relations
Transfer of Chandigarh to Punjab	To be transferred by Jan. 1986. Punjab to compensate Haryana with equivalent territory for a new capital. Other territorial disputes to be settled by a commission.	Three commissions (Matthew/Venkatarmiah/Desai) fail to provide an agreement. Strong opposition in Haryana. July 1986: union government suspends the transfer for an indefinite period.
Sharing of Ravi-Beas Waters by non-riparian states	A tribunal headed by a Supreme Court judge to adjudicate. July 1985 consumption as a baseline.	May 1987: Eradi Tribunal reduced Punjab’s July 1985 level while doubling Haryana’s share.
Prosecution of those responsible for November 1984 Anti-Sikh Pogroms	Referred to Mishra Commission	February 1987: Absolves Congress (I) of responsibility placing guilt on Delhi police.
Army Deserters	To be rehabilitated and given gainful employment	August 1985: 900 out of 2,606 deserters rehabilitated.
Political Detainees	Release of political detainees and withdrawal of special powers	Limited releases. May 1988, Parliament passes the 59th amendment to the constitution. The amendment allowed for the suspension of the rights to life and liberty, habeas corpus, freedoms of speech and association, and the guarantee of fundamental rights.

Issue	Agreement	Implementation
Religious Autonomy	Enactment of an all-India Gurdwara act	Not enacted; May 1988: Religious Institutions (Prevention of Misuse) Ordinance.

Table 2: Rajiv-Longowal Accord (Source: *Ethnic Conflict in India: A Case-Study of Punjab*)[108]

The failure of the central government to implement the agreement led to further alienation of the Sikhs from the Indian state. On April 29, 1986, an assembly of thousands of Sikhs at the Akal Takht made a declaration of an independent state of Khalistan. These events were followed by a decade of violence and conflict in Punjab.

A recent observation by Tapan Bose of the South Asia Forum for Human Rights provides a critique of the Indian claim that normalcy and peace have returned to Punjab and by implication no peace initiatives are needed:

...the silence of graveyard that obtains in Punjab today is not a reflection of peace. The enquiry being conducted by the National Human Rights Commission (NHRC), under the jurisdiction of the Supreme Court in the disappearances and illegal cremations in Punjab, shows the deep social division that is endangering the prospects of justice and peace in the state...Although this matter or police abductions leading to illegal cremations was initiated six years ago before the NHRC, the commission unfortunately has failed to examine a single case of abuse. It has also not heard a single victim's testimony or deposition.[109]

From a peace building perspective, genuine willingness on the part of the central government to recognize Sikh grievances is essential in order to make progress towards the resolution of this conflict.

Concluding Remarks

The Indian state has sought to stifle the basic human rights of the Sikh by creating a culture of impunity where large-scale extrajudicial killings, torture, custodial rape, use of draconian laws by state agencies are natural occurrences that go unpunished.[110] Lack of constitutional liberalism has created conditions for members of different political parties to successfully appeal to the religious sentiments of the Hindu majority through the exclusion of Sikhs and other minorities. Fareed Zakaria, the editor of *Newsweek International*, provides some reasons for the rise of an illiberal democracy in India. According to him, "Massive corruption and a disregard for the rule of law have transformed Indian politics." His discussion on politics in Uttar Pradesh, India's largest state, is illuminating:

Every year elections are rigged, ballot boxes are stuffed. The winning party packs the bureaucracy—sometimes even the courts—with its cronies and bribes opposition legislators to defect to its ranks...The process reached its lowest point in November 1997, when the chief minister of UP secured his parliamentary majority by creating a cabinet of ninety-three ministers...nineteen of them had documented criminal backgrounds...The science and technology minister, Hari Shankar Tiwari, for example, has a police file that names him as a suspect in nine murders, ten attempted murders, three robberies, and three kidnappings. The program implementation minister (whatever that means), Raghuraj Pratap Singh, was being investigated for two murders, three attempted murders, and several kidnappings (twenty-five crimes in all).[111]

Zakaria further suggests that the Indian judiciary is not impartial:

Today, when a party comes to power in any region of India, it finds ways to pack local courts. Judges anticipating this process, now offer their services to political leaders so that they may remain secure in office and be rewarded in retirement... no judge in any part of India has ruled against a powerful politician.[112]

Zakaria's analysis, however, has one major gap. It does not explain how an atmosphere of impunity prevails even after a new party with an adversarial position in relation to the old party replaces the latter and does not lobby for judicial action against the accused members of the old party. For instance, the Indian National Congress and the Bhartiya Janta Party (BJP) represent two rival camps in the Indian political arena. When the members of the former—who had orchestrated pogroms against the Sikh masses—were out of power, why didn't the rival party, namely BJP, bring to justice these perpetrators of war crimes? After all, according to Zakaria, the judiciary is controlled by the ruling political party, which should be more than willing to weaken its opposition through the judicial processes. The only plausible reason is that religion plays a central role in this conflict and because victims in this case are Sikhs, the state policy remains antagonistic to them, even though the governments and the political parties continue to change.

The result is that the exclusion of the minority Sikh community by raising the religious passions of the majority Hindu community enhances cohesion among the majority community giving rise to Hindu nationalism, while alienating Sikhs from India and creating conditions for Sikh ethno-religious nationalism to thrive.

The belief of many Sikhs that Punjab is the Sikh homeland and that the Indian state is hostile to its interests is an important element sustaining Sikh ethno-religious nationalism. Ethnicity contributes to this conflict because the Punjabi language and the Gurmukhi script used to write it are inextricably tied to the Sikh identity. Because religion is the dominant social bond defining the characteristics of the Sikh nation, ethnicity continues to function in the background. The Indian constitution's classification of Sikhs as "Hindu", the suppression of Sikhs' human rights by the state, government's economic policies in relation to Punjab and diversion of Punjab's river waters to bordering Hindu-dominated, non-riparian states are other important contributing factors in the conflict. While the mass media reports claim that "normalcy" has returned to Punjab, impartial observers like Amnesty International claim that the basic human rights of the Sikhs continue to be violated by the Indian state.[113] That the conflict in Punjab is far from over is proven by two recent events. First, on April 14, 2004, Daljit Singh Bittu, who is currently incarcerated in Nabha Jail, founded a new political party, the Shiromani Khalsa Dal, with "establishment of a free, sovereign, and separate Khalsa state" as its primary objective.[114] Second, on April 29, 2004, the Dal Khalsa, a Sikh nationalist organization, began a week long "Khalsa Freedom March" from the Akal Takht in Amritsar with an objective of gaining support for the idea of Khalistan by peaceful means.[115] This shows that the support for the idea of Khalistan still exists in some sections of the Sikh community in Punjab. It would serve India well to seek a political solution to the Punjab crisis through a peace process to avoid additional violence.

[1] Zakria, Fareed, *The Future of Freedom: Illiberal Democracy at Home and Abroad*, New York: W.W. Norton, 2004, p. 17.

[2] Since its independence, India's administrations have encroached on the powers and rights of other branches of the national government and of regional and local authorities. According to Zakaria, "Over the last three decades, the Indian government has routinely disbanded state legislatures on flimsy grounds, placing regions under New Delhi's direct rule." Ibid, p. 17.

[3] Little, D., "Rethinking Religious Tolerance: A Human Rights Approach", *Religion and Human Rights: Towards an Understanding of Tolerance and Reconciliation*, Druid Hills: The Academic Exchange, 2001, p. 3. "Belief" encompasses a meaning that is broader than "religion." *Belief* is a "conviction of the truth of a proposition, existing subjectivity in the mind, and induced by argument, persuasion, or proof addressed to judgment." See, *Black's Law Dictionary*. 6th ed. 1990, p. 1292. According to David Little, "belief rights" include (1) free exercise of religion; (2) nondiscrimination; (3) protection of minorities; (4) protection against religious or racial hatred; and (5) protection against genocide.

[4] Singh, Kapur, "Golden Temple and Its Theo-political Status," <http://www.sikhcoalition.org/Sikhism16.asp> (last accessed May 20, 2004).

[5] We define a nation as "a group of people sharing a collective sentiment or identity, bound by a sense of large-scale political solidarity aimed at creating, legitimating, or challenging states." This definition is based on Anthony Marx' definition of "nationalism" in *Faith in Nation: The Exclusionary Origins of Nationalism*, New York: Oxford University Press, 2003).

[6] Singh, Iqbal, *Punjab Under Siege: A Critical Analysis*, New York: Allen, McMillan and Enderson, 1986, p. 34.

[7] Khushwant Singh, *A History of the Sikhs: 1839-1988*, Vol. 1, 2nd edition, New Delhi: Oxford University Press, 1991, p. 147.

[8] Brass, Paul, *Language, Religion and Politics in North India*, Cambridge: Cambridge University Press, 1974, p. 277.

[9] *Panth* is a Sanskrit word that literally means a path or a road. The early Sikh community was known as Nanak-Panth (followers of the Nanak). After the establishment of the Khalsa, a new order was created by the Guru Gobind Singh—the tenth Sikh Guru—to define the ideal Sikh identity against which all Sikhs, whether initiated into the

Khalsa order or not, were to measure their religiosity. After the establishment of the Khalsa, the collectivity of Sikhs became known as the Khalsa Panth, which was given physical authority to lead the Sikh community under the spiritual authority of the Sikh scripture.

[10] Bhai Gurdas (var 1, pauri 45) writes, *maria sikkha jagat vich, nanak nirmal panth chalaya*, which translates to, “In the world, Guru Nanak established the authority [of his doctrines] and started a new religion, devoid of any impurity.” See Jodh Singh, *Varan Bhai Gurdas: Text, Transliteration and Translation*, vol. 1, Patiala: Vision and Venture, 1998, p. 75.

[11] Singh, Sangat, *The Sikhs in History*, New Delhi: Uncommon Books, 2001, p. 39.

[12] Singh, Iqbal, *Punjab Under Siege: A Critical Analysis*, New York: Allen, McMillan and Enderson, 1986, p. 18. Iqbal Singh writes that this religious tradition, which remained in force during British colonialism, was stopped by the Indian Central Government in 1983 in the face of growing tensions in the Punjab.

[13] Elphinstone quoted in *ibid*, p. 21.

[14] For genocide decrees against the Sikhs, see Singh, Iqbal, *Punjab Under Siege: A Critical Analysis*, New York: Allen, McMillan and Enderson, 1986, p. 22-23.

[15] A composition attributed to Guru Gobind Singh in the *Sarab Loh Granth* declares: *khalsa akal purakh ki fauj; pargatiyo khalsa parmatam ki mauj*, meaning “The Khalsa is the army of God and was came into existence through the Will of God.”

[16] *Rehatnameh Bhai Nandlal* (c. 1707), quoted in Kapur Singh, *Parasaraprasna*, 3rd ed., Amritsar: Guru Nanak Dev University, 2001, p. 38.

[17] Akali, Santa Singh, *Prachin Panth Prakash Steek*, vol. 1, Bathinda: Shromini Panth Akali Buddha Dal Punjava Takht, 2000, p. 115.

[18] Kapur Singh, *Parasaraprasna*, 3rd ed., Amritsar: Guru Nanak Dev University, 2001, p. 126.

[19] The Persian inscription reads, “*sikkah zad bar har do alam, tegh-i nanak vahib ast, fatah-i gobind singh shah-i shahan, fazl-i sachcha sahib ast.*” The English translation of the Persian inscription is from Kapur Singh, *Sikhism for Modern Man*, 4th ed., Amritsar: Guru Nanak Dev University, 2000, p. 71.

[20] Singh, Iqbal, *Punjab Under Siege: A Critical Analysis*, New York: Allen, McMillan and Enderson, 1986, p. 23.

[21] *Ibid*, p. 25

[22] *Ibid*, p. 25

[23] It was Indira Gandhi who ordered an attack on the Darbar Sahib. More discussion to follow.

[24] Such comparisons are regularly made in *gurdwaras*, the Sikh houses of worship. Ahmed Shah Abdali invaded the Darbar Sahib in the period of Vaisakhi celebrations that commemorate the establishment of the Khalsa Panth. (See Patwant Singh, *The Sikhs*, London: John Murray, 1999, p. 89-90.) Similarly, the Indian army chose the day commemorating the martyrdom of Guru Arjan, the fifth Sikh Guru who founded the Darbar Sahib, to maximize the potential casualties. More discussion to follow.

[25] Patwant Singh, *The Sikhs*, London: John Murray, 1999, p. 143.

[26] *Ibid*. p. 33

[27] *Ibid*. p. 33

[28] *Ibid*, p. 35

[29] *Ibid*, p. 36

[30] *Ibid*, p. 36

[31] Ibid, p. 36.

[32] Quoted in ibid, p. 36.

[33] Ibid, p. 36.

[34] Quoted in ibid, p. 37

[35] *The Statesman*, Calcutta, July 7, 1946 quoting Jawaharlal Nehru in ibid p. 37.

[36] For instance, in 1940, Dr. Vir Singh Bhatti demanded the formulation of the Sikh state of Khalistan as a buffer state between Muslim Pakistan and Hindu India.

[37] Congress Records, quoted in ibid. p. 38.

[38] Quoted in ibid, p. 38.

[39] Ibid, p. 38.

[40] Ibid, p. 38-39.

[41] Singh, Gurmit, *History of Sikh Struggles*, New Delhi: South Asia Books, 1989, p. 110-111

[42] Singh, Kapur, *Sachi Sakhi*, Amritsar: SGPC, 1993, p. 4-5. Kapur Singh was one of the officials who received a copy of the memorandum and speaks as an insider.

[43] Kapur, Anup Chand, *The Punjab Crisis*, New Delhi: S. Chand, 1985, p. 45.

[44] Deol, Harnik, *Religion and Nationalism in India: The Case of the Punjab*, London: Routledge, 2000, p. 93.

[45] Ibid, p. 93

[46] Quoted in ibid, p. 94.

[47] Quoted in ibid, p. 95.

[48] Quoted in ibid, p. 95.

[49] Ibid, p. 95.

[50] Quoted in ibid, p. 95.

[51] Ibid, p. 95.

[52] Quoted in ibid, p. 95-96.

[53] Ibid, p. 96.

[54] Ibid, p. 96. The current Sikh population in Punjab is a little over sixty percent.

[55] Ibid, p. 98.

[56] Singh, Gurdev, "Punjab River Waters", Chandigarh: Institute of Sikh Studies, 2002.
<http://www.sikhcoalition.org/Sikhism24.asp> (last accessed, May 12, 2004).

[57] States have full ownership and exclusive legislative and executive powers to their river waters under Articles 246(3) and 162 of the Indian Constitution.

[58] In a judicial decision concerning the question whether the Narmada river—which passes through the territory of Madhya Pradesh, Maharashtra and Gujarat states, but not through the Rajasthan state—could be shared by Rajasthan, it was ruled: "(i) Rajasthan being a non-riparian state in regard to Narmada, cannot apply to the Tribunal, because under the Act only a co-riparian state can do so; and (ii) the state of Rajasthan is not entitled to any portion of the waters of Narmada basin on the ground that the state of Rajasthan is not a co-riparian state, or that no portion of its territory is situated in the basin of River Narmada." See Government of India, *The Report of the Narmada Water Disputes Tribunal*, vol. III, New Delhi, 1978, p. 30.

- [59] Singh, Gurdev, "Punjab River Waters", Chandigarh: Institute of Sikh Studies, 2002.
<http://www.sikhcoalition.org/Sikhism24.asp> (last accessed, May 12, 2004).
- [60] http://www.earth-policy.org/Indicators/indicator7_data2.htm (last accessed, May 12, 2004).
- [61] Deol, Harnik, *Religion and Nationalism in India: The Case of the Punjab*, London: Routledge, 2000, p. 101-102.
- [62] *The Wall Street Journal*, September 26, 1983.
- [63] Sathananthan, S.M. , *Hindu-Sikh Conflict in Punjab: Cause and Cure*, London: Transatlantic India Times, 1983, p. 15.
- [64] *The New York Times*, Editorial, June 8, 1984.
- [65] Deol, Harnik, *Religion and Nationalism in India: The Case of the Punjab*, London: Routledge, 2000, p. 104.
- [66] *Ibid*, p. 105.
- [67] Kumar, Ram Narayan, et. al., *Reduced to Ashes*, p. 34
- [68] Arun Shourie, "The consequences of pandering", *The Indian Express*, May 13, 1982.
- [69] *India Today*, 31 December 1983, page 36.
- [70] Deol, Harnik, *Religion and Nationalism in India: The Case of the Punjab*, London: Routledge, 2000, p. 105.
- [71] *Ibid*, p. 105.
- [72] *Ibid*, p. 106.
- [73] See <http://law.indiainfo.com/personal/hindu> (last accessed May 12, 2004)
- [74] In the colonial period the Sikh marriages were registered under the Anand Marriage Act of 1909, which was named after the Sikh marriage ceremony, the *Anand Karaj*. The Anand Marriage Act was repealed in the postcolonial India.
- [75] Article 18 of the Universal Declaration of Human Rights (UDHR) states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance." (<http://www.un.org/Overview/rights.html>). Also see, Article 18 of International Covenant on Civil and Political Rights (ICCPR).
- [76] Swami, Subramaniam, *Imprint*, July 1984, p. 7-8. Quoted in Kumar, Ram Narayan, et al, *Reduced to Ashes: The Insurgency and Human Rights in Punjab*, Kathmandu: South Asia Forum for Human Rights, 2003, p. 34. (Hereafter, *Reduced to Ashes*.)
- [77] Bajaj, Rajeev, K., "Dead Men Tell No Tales," *Surya*, September 1984, p. 9-10.
- [78] Kumar, Ram Narayan, et. al., *Reduced to Ashes*, p. 34. For full details, see *Surya* cover story, *ibid*, p. 13.
- [79] *Ibid*, p. 35.
- [80] Mahmood, Cynthia Keppley, "Dynamics of Terror in Punjab and Kashmir," Jeffrey A. Sluka, ed., *Death Squad: The Anthropology of State Terror*, Philadelphia: University of Pennsylvania Press, 2000, p. 77.
- [81] Quoted in Brar, K.S., *Operation Blue Star: The True Story*, New Delhi: UBSPD, 1993, p. 74.
- [82] Kumar, Ram Narayan, et. al., *Reduced to Ashes*, p. 38.
- [83] Tully, Mark and Jacob, Satish, *Amritsar: Mrs Gandhi's Last Battle*, New Delhi: Rupa and Co., 1985, p. 170.
- [84] Reddy, C.K.C., et. al., *Army Action in Punjab: Prelude & Aftermath*, New Delhi: Samata Era Publication, 1984, p. 46-48
- [85] For a range of number estimates, see Kumar, Ram Narayan, et. al., *Reduced to Ashes*, p. 38.
- [86] Singh, Gurharpal, *Ethnic Conflict in India: A Case-Study of Punjab*, New York: St. Martin's Press, Inc., 2000, p. 114.
- [87] Quoted in *ibid*, p. 114.
- [88] *Baatcheeet*, Serial Number 153, June 1984. For full text, see <http://www.sikhcoalition.org/Sikhism22.asp>

[89] Mary Anne Weaver, *The Christian Science Monitor*, October 15, 1984.

[90] According to Article 2 of the on the Prevention and Punishment of the Crime of Genocide (“Genocide Convention”): “... genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.

[91] Pettigrew, Joyce, *The Sikhs of the Punjab: Unheard Voices of State and Guerilla Violence*, London: Zed Books, 1995.

[92] Kumar, Ram Narayan, et. al., *Reduced to Ashes*, p. 42.

[93] Ibid, p. 42-43.

[94] Charny, Israel W., ed., *Encyclopedia of Genocide*, vol 2, Santa Barbara: ABC-CLIO, 1999, p. 516-517.

[95] Ibid, p. 43.

[96] Ibid, p. 43-44.

[97] Singh, Patwant, *The Sikhs*, New York: Knopf, 2000, p. 223-224.

[98] <http://blogs.law.harvard.edu/jaskaran/2004/05/14#a211> (last accessed May 20, 2004).

[99] http://www.parliamentofindia.nic.in/rs/kiosk/rsfinal3/whoswho/alpha_m9.htm (last accessed May 20, 2004).

[100] The Press Council of India, *Crisis and Credibility*, New Delhi: Lancer International, 1991, in Sandhu, Ranbir Singh, *Struggle for Justice: Speeches and Conversations of Sant Jarnail Singh Bhindranwale*, Dublin: Sikh Educational and Religious Foundation, 1999, p. xlvi (*Struggle for Justice*, hereafter).

[101] Kumar, Dinesh, “Dispatches from the Edge”, *The Times of India*, August, 11, 1991. Quoted in *Struggle for Justice*, p. xlvi.

[102] Kumar, Ram Narayan, et. al., *Reduced to Ashes: The Insurgency and Human Rights in Punjab*, p. 42-43.

[103] <http://usembassy.state.gov/posts/in1/wwwhpr43004i.html> (last accessed May 14, 2004).

[104] “Terrorism: A War Without Borders” <http://www.state.gov/documents/organization/18262.aspx> (last accessed May 29, 2004).

[105] The Sikh Sentinel, “State Department Tells School Children Sikhs are Terrorists”, July 23, 2003, <http://www.sikhsentinel.com/sikhsentinel0307/statedeptvideo.htm> (last accessed May 29, 2004). Also see, Sikh News Network, “Congress Members Respond to State Department Video”, March 24, 2004, <http://www.sikhnn.com/modules.php?op=modload&name=News&file=article&sid=65> (last accessed May 29, 2004).

[106] From a joint memorandum submitted to the Office of the Historian, US Department of State on March 27, 2003 by Sikh Council on Religion and Education, Sikh Mediawatch and Resource Task Force, The Sikh Coalition, and United Sikhs in Service of America.

[107] Singh, Gurharpal, *Ethnic Conflict in India: A Case-Study of Punjab*, New York: St. Martin’s Press, Inc., 2000, p. 132.

[108] The table appears in *ibid*, p. 133 with minor differences.

[109] Kumar, Ram Narayan, et. al., *Reduced to Ashes: The Insurgency and Human Rights in Punjab*, p. IV.

[110] Amnesty International, “India: Break the cycle of impunity and torture in Punjab”, January 2003. [http://web.amnesty.org/aidoc/aidoc_pdf.nsf/Index/ASA200022003ENGLISH/\\$File/ASA2000203.pdf](http://web.amnesty.org/aidoc/aidoc_pdf.nsf/Index/ASA200022003ENGLISH/$File/ASA2000203.pdf)

[111] Zakria, Fareed, *The Future of Freedom: Illiberal Democracy at Home and Abroad*, New York: W. Norton, 2004, p. 109-110

[112] *Ibid*, p. 111

[113] Amnesty International, "India: Break the cycle of impunity and torture in Punjab", January 2003.
[http://web.amnesty.org/aidoc/aidoc_pdf.nsf/Index/ASA200022003ENGLISH/\\$File/ASA2000203.pdf](http://web.amnesty.org/aidoc/aidoc_pdf.nsf/Index/ASA200022003ENGLISH/$File/ASA2000203.pdf)

[114] Shiromani Khalsa Dal, "Daljit Singh Founds New Party on Idealism and Activism",
http://sikhe.com/htmlpages/2004/0416_skd_pressrelease.htm

[115] Sikhe News Bureau, "Khalsa March for Freedom",
<http://www.sikhe.com/modules.php?op=modload&name=News&file=article&sid=1658>

FIGHTING FOR FAITH AND NATION (EXCERPTS)

Cynthia Keppley Mahmood

A SAINT-SOLDIER

Mark Juergensmeyer suggests the term “religious nationalism” as a descriptor of the many politicized religious revival movements across the globe. Militant Islam is prominent, in its myriad forms from North Africa to the Middle East to Central Asia to the Pacific, but other movements include the Hindu re-vitalization now being expressed in India, the Sinhalese Buddhist nationalism in Sri Lanka, the right-wing Jewish militancy in Israel and the West, and more. Though not all the movements that entangle religion and politics aim at the creation of a state (e. g., the U. S. Christian variety), enough of them seek to either establish or transform one that the term “religious nationalism” is a fortunate one. It has the crucial advantage of being more affectively neutral than “fundamentalism,” with its connotations of backwardness, intolerance, and zealotry.

Juergensmeyer notes in *The New Cold War: Religious Nationalism Confronts the Secular State* that the religious activists with whom he speaks in various parts of the world are “politically astute and deeply concerned about the society in which they live.” “Devout they may be, but they are not necessarily anti-modern, intolerant of others, or bent on converting everybody else to their particular brand of belief.” The West is scared to death of religion,” one Sikh commented at a recent seminar. This refrain echoes throughout Juergensmeyer's work, in which the West's determination to keep church and state separate is silhouetted against a global backdrop of buoyant movements of religious nationalism. Though he may carry this theme too far in calling the global confrontation between religious nationalism and the secular state “the new cold war,” it is clear that there is a deep rift between the world views of most Westerners and that of religious nationalists like Khomeini or Kahane. This rift is exacerbated by the fact that very few people in the West have occasion to sit down and talk with the likes of Khomeini or Kahane and are dependent on the media coverage that naturally emphasizes dramatic acts of violence over conciliatory dialogue. There is in fact a large common ground between secular and religious kinds of nationalism, though differences cannot be swept aside.

I found in my long talks with Sikhs that some of the most interesting and enlightened of them were also the most religious. One granthi (scripture-reader) in particular, was an archetypical “fundamentalist” in that his education was primarily religious in nature, he was a strict puritan in terms of day-to-day ethics, and he brooked no challenges to orthodox readings of the Sikh scriptures. But he also had quite a universalist and pragmatic understanding of what Sikhism was and what a Sikh state could be. His story is interesting not only because of his intelligence and eloquence (which he expressed in fluent English) but because he had grown up with Sant Jarnail Singh Bhindranwale, essentially the founder of the Khalistani militancy. I met him early in my research, and I remember the conversation that took place between us vividly. It shows both the potential for real interaction with “religious nationalists” as well as some of the problematic differences between this way of thinking and our own.

THE MOVING UNIVERSITY

“My name is Iqbal Singh,” he began our interview session, “from Amritsar. I was born in December 1962. My family background was not very religious. My father and mother were Sikhs but they would go to the gurudwara only about once a month. But my elder brother decided to go and learn more about Sikhism. We have a school of Sikh theology called Damdami Taksal, which is in Bhatinda district. He went and studied there.”

“How did you feel when he made the decision to go?” I asked.

“I was too young to feel anything. I was only six years old when he went there. But we were very comfortable financially so I couldn't understand why he decided to go on that path. Anyway, after spending six or seven years there, he moved to Bombay to start his career as a granthi in a gurudwara. I was then in seventh grade. He called up my parents and said that I should learn gurmata [Sikh religious teachings]. He was not making any money, but he said he felt mentally satisfied, and he wanted me to feel the same.

“I still have the letter that he wrote to me at that time. Iqbal. ” he said, 'I meet so many doctors, engineers, and other rich people, but I don't see any peace of mind anywhere. I see myself with my four hundred rupees a month, and I feel

very comfortable because at least I have peace of mind. I don't want you to become a doctor or an engineer. If you really want a happy life then go into this profession. '

"Well, my parents resisted. They were not happy. But they eventually listened to my brother and they sent me to Damdami Taksal. I was only eleven years old."

"Just listening to your parents, really," I commented.

"Right. When you are living in a village and your parents are deciding to send you to a city, you are excited no matter what that is. I was excited to go. Especially to avoid housework!" The young granthi laughed when he said this.

"Tell me what it was like there," I requested. "What were your first few days like?"

"It was not really that good. After spending one month I called my' parents up and I said, 'I don't want to stay. ' "

"Why not?" I asked.

"Because it was a totally different atmosphere. At my home we used to get up around eight or nine, according to our school time. But at die Damdami Taksal there is a discipline that you have to get up early in die morning for meditation, nam simran [the repetition of die Divine Name]. That discipline was painful. I was not used to it. I called my parents up and my brother came and got me."

"What about the other boys there with you? What were they like?"

"They were OK. But I was only eleven years old and I had no friends there. I had never been away from my parents, my five brothers, and two sisters. So after that first month I gave up and went home. But after two weeks I decided to go back again."

"After you were waking up at eight instead of four, you decided it wasn't really so bad?" The granthi was smiling as he recounted his story, so I warmed up to him naturally. He laughed easily and beautifully.

Amarjit, sitting off to one side, told me that at diat time, 1974, die leader of the Damdami Taksal was Sant Kartar Singh Bhindranwale. Sant Jarnail Singh Bhindranwale, who was later to die in die attack on die Golden Temple Complex, was a student there then.

"Yes, Sant Kartar Singh ji Khalsa was the head of Damdami Taksal," my interlocutor condnued. ("Ji" is used in the name as an indicator of respect.) "Santjarnail Singh ji was a student. He was studying there, like me."

"At that time, did you know Santjarnail Singh?"

"We were just friends. We did not then have any picture in our minds diat he was going to be the next head of Damdami Taksal and a great leader. It was very enjoyable, our friendship. We lived like brothers."

"Did you all sleep in a dormitory?"

"Actually there are two sections of Damdami Taksal. One is in the headquarters in Mehta, district Amritsar. Those people who specifically learn harmonium, baja, and tabla [musical instruments used in kirtan, hymn singing], they would stay in that headquarter*. Those who wanted to learn speech and interpretation of Guru Granth Sahib ji. they would travel with Santji [at this point he is referring to Sant Kartar Singh] wherever he would go. I was with that group. The whole year long we would stay two weeks here, two weeks there, two weeks in the next town, and so on. We were always on the road."

Amarjit interrupted." That's why they call it the "moving university' of the Sikhs."

"Yes, the moving university," the granthi assented." We had two buses and one truck and we always went around in diose."

“Were they all boys?” I queried, always on the look out for gender issues.

“All boys. I was the youngest, at the time, of all those in the moving university.”

Did you study other subjects, too? Or just religion? “Just religion. Well, we also covered things like Sanskrit, some history like the rule of Chanakya, and so on. But strictly speaking it all had to do with religion.”

He continued his narrative.” I spent seven years there at Damdami Taksal. In 1977, Sant Kartar Singh ji, the head of the institution, unfortunately died in a car accident. So after that Sant Jamail Singh ji was chosen as head of Damdami Taksal.” “How old was he then?” “Santjarnail Singh ji was then 31 years old.”

“When you say he was chosen, what do you mean? What is the process of being chosen?”

“Actually that was during die Emergency in India—you know about the history of that, imposed by Indira Gandhi. Well. Sant Kartar Singh ji opposed that. He was so against it. So he knew that he could be arrested at any time and that the Indian government might kill him. One time he was in front of the congregadon at Gurudwara Birh Baba Budha Ji, district Amritsar—I know because I was on the stage with him at the time—he announced that if somehow he died, Baba Thakur Singh should be the next head of the Taksal. But after die car accident he did not have time to say anything more. Baba Thakur Singh had the right though to choose to appoint somebody else who could lead.”

Amarjit added, “That Baba Thakur Singh is the acting head of Damdami Taksal now.”

“That was because Sant Kartar Singh had given him the authority,” the granthi contributed.

I was curious.” Are they still functioning in the same way, roving around Punjab?”

The granthi and Amarjit both nodded. I decided to try to pursue more theoretical concerns.

“Let me just back up a minute. In that time, before Santjarnail Singh became head, was there talk about politics among the students at Dam-dami Taksal?”

The granthi thought carefully, then spoke slowly.” I don't differentiate what politics is and what religion is. It is a way of life for us. When someone disrupts your way of life and you try to stop him, for that person it becomes politics. For me it is not politics, it is just a way of life. When someone disturbs the way I want to live, and the Indian government wants me to do it another way, then it becomes politics for them. But not for me. I just have my way of life. I may have to fight for the right to live it that way, but I don't call it politics.”

“Anyway, already during the Emergency years, Damdami Taksal was like a thorn in the side of the Indian government, because its head protested Emergency measures?”

“Yes, they were really after us all because of that.” “And everybody agreed, not just the head of Damdami Taksal but all the people within, they all felt the same about it?”

“Exactlv. There were many protests conducted by Damdami Taksal during the Emergency.”

Amarjit added that there were in fact dozens of protest demonstrations led by Sant Kartar Singh. When I asked whether these were all peaceful demonstrations, both asserted that they were.

“Was anybody talking about Khalistan at that time?” I asked.

“No, there was no talk of anything called Khalistan back then. The question was why the civil liberties of the people were being taken away. But of course that is the real foundation for Khalistan—when it becomes clear that you are not being allowed to live the way you want in India.”

“And Sant Kartar Singh was a very charismatic person,” Amarjit chimed in.

“Yes, he was,” agreed Iqbal Singh. “He was a great man. I feel proud of those three years I spent with him. He used to wash our hair like we were his sons. I can still remember the feeling of his hands in my hair, though I was only eleven years old.”

I reaffirmed, “He was like a father to you.” In this kind of reaffirmation of what somebody said, which I found myself doing often, I felt like a psychotherapist.

“What did you call him?” I asked.

“I called him Babaji [father] and he used to call me Betaji [child] or various other terms of endearment.”

“Was he married, did he have a family?”

“Yes. In fact his son, Bhai Amrik Singh, was a prominent figure in the movement.”

I felt the little internal click that comes when you realize you have made an important connection. Bhai Amrik Singh was the head of the Sikh Students Federation and Bhindranvalley's right-hand man during the occupation of the Golden Temple Complex. He was martyred in the 1984 assault.

“Oh, that was his son?” was in the event all I thought to ask.

“Yes, and I knew his wife and younger son, too.”

“How old were you then, when Santjarnail Singh became head?”

“I was eighteen years old.” “When he became head, did things change?”

“Not in political terms. It was just the same way. The Indian government thought that maybe although they could not stop Sant Kartar Singh ji, maybe Sant Jamail Singh ji would be weaker. That was not the case.”

Amarjit then interrupted with a significant point. “Cynthia,” he said. “Let me tell you that Sant Kartar Singh's death in an accident was not a natural one. There was something behind it.” “Do you believe that?” I asked the granthi.

He thought a moment, then said quietly, “Yes, it is a known fact that there was a conspiracy.”

“It was never officially investigated?” I tried to prompt.

“It's unfortunate, but no one took care of that,” he said.

Amarjit took over this line of thought. “Sant Kartar Singh had been giving indications that he thought something was going wrong. He kept telling Santjarnail Singh that. . .”

Iqbal Singh interrupted to continue the story himself. “As a mystic person Sant Kartar Singh ji was really a saint. I think he knew. One time we were sitting in a village, Mulsehan, in district Jalandhar, and Jarnail Singh ji was not a regular student at that time like we were. He had responsibilities by that time, two sons and a wife, and he had to take care of them. He would come, stay a month, go back, and so on like that. That day when we were ready to leave for our next destination, Santjarnail Singh ji came to Sant Kartar Singh ji and said, 'Allow me to go now. I have to go.' Sant Kartar Singh ji said, 'Why are you going? You will be coming back.' No one understood what he meant. But Santjarnail Singh ji must have thought something. He did so much nam simran [prayer], so much meditation, twenty hours out of twenty-four he was in meditation. He really worked hard, and he had great spiritual powers. Anyway, he went back to his village and the rest of us went on to Solan in the hills. When Sant Jarnail Singh ji heard then what happened to Sant Kartar Singh ji in his absence, he fell so bad. He spent all his time then in the hospital [with the injured Kartar Singh].”

“For thirteen days Santji [Kartar Singh] was in the hospital. When the accident happened, I mean. He kept asking for a pen and a paper, but no one gave him any.”

“He couldn't speak?” I inquired.

“No, he couldn't speak because he had severe damage to his chest and his ear was cut off totally. The first question he asked was about the five articles of faith. I was in that bus, that same bus in which Santji [Kartar Singh] was taken to the hospital, so I was standing by when this happened. He made sure about his kachera, kirpan, and all. Then he touched his head and discovered his comb was missing. Somebody realized that Santji had no comb and gave him one, and he was reassured by that.”

He continued.” After some minutes Sant Kartar Singh ji wanted to write something down, but he couldn't speak. He kept making a movement with his hand, like this.” Iqbal Singh demonstrated a pantomime of writing.” If I could understand that he was asking for a pen and paper, why not the others standing by?”

“No one gave him a pen and paper?”

“No one gave him any. After a while he asked again in the same way, but again no one gave him a pen or paper.”

“And you think that people didn't give him pen and paper on purpose?”

“I think so. It was a big topic of discussion after his death. He wanted to tell something, but was not provided the means to do so.” “Then later on he was cremated?” I asked.

“Yes. He was cremated at Mehta Sahib [headquarters of Damdami Taksal]. He had died in Ludhiana but was brought to Mehta Sahib for the saskar [cremation ceremony of the Sikhs]. At that time the doctor who had treated Sant Kartar Singh ji said something really interesting. That doctor was a Christian, and told how he had explained to Santji that he had to remove the hair of his head and chest for surgery. Santji said, 'You can cut my head off, but don't touch my hair.' That's how devout he was. And he never complained that he had any pain. The doctor said, 'What kind of person is this?' And he said, 'If I can make Santji survive I will see that Jesus has survived.' He thought Santji was so spiritually strong, he was like Jesus.

“After his death the body was cremated and Sant Jarnail Singh ji started as master of Damdami Taksal. We started our journeying again, going around to villages in Punjab, to Bombay, to Calcutta, and so on. We continued with the moving university.”

JARNAIL SINGH BHINDRANWALE

“Was it odd for you that you used to have Sant Jarnail Singh as just your friend, and then he was suddenly in a high position like that?”

“No. We understood that he was now the head. And friendship is . . . well, the friendship was of course still there. But we now showed greater respect to him because of his position.”

He went on.” Sant Jarnail Singh ji was not really very different as head of Damdami Taksal. He was just like he always was. He had a great peace of mind before he attained this position and after. He used to come to our rooms in the dormitory and we would laugh and laugh. He would ask about our troubles and problems and help us with them. He was so strict, too. If we would do anything wrong, he would not spare us!”

The granthi laughed as he remembered, fondly, being disciplined by Bhindranwale.

“Did he call you by your first names?” I asked.

“Yes. But we called him Santji, or Babaji. Not by his first name, to show respect.”

“Would you say he was growing in his spiritual power during that time?”

“He had always made a strong impression on people, even before he was Santji. He was the only person that virtually everybody respected. Even Sant Kartar Singh ji, he would not treat Sant Jarnail Singh ji as a student or a disciple, but as an equal, a real gimikh [true or orthodox Sikh]. He felt his power.

“Sant Jarnail Singh ji had so much respect for gurubani and Guru. Once I know we were sleeping in the same room, and we used to just lie on the floor rather than using beds. There were some prayer books up in the rafters and one time one somehow got loose and fell down at Sant Jarnail Singh ji's feet. He was sleeping and didn't realize what had happened. When he got up and saw the book lying by his feet he cried. This is an insult to gurubani, how could I do that?” He was very disturbed about this and wouldn't eat or sleep. Sant Kartar Singh ji went to him and said, 'Jarnail Singh, this is not your mistake. You didn't do anything wrong.’” But Santjarnail Singh ji was in such pain that he read the whole of the Guru Granth Sahib as an apology.

“You only love gurubani like that when you know it has provided you so much. There are some people who respect it for nothing, it's just a gesture. Just because of tradition they bow before it. Santjarnail Singh ji was not tradition. He was the living image of gurubani. If you wanted to see some Sikh out of the Guru Granth Sahib, Sant Jarnail Singh ji was the one.”

Amarjit added, in a mood of nostalgia, “Sant Jarnail Singh was such a gentle man, a very loving and spiritual person. Everybody felt this from him. You would have really liked to know him.”

Iqbal Singh continued.” On April 13, 1978, I was part of the jatha [brigade] who went to stop the Nirankaris. [The Sant Nirankaris are a sect who believe in a living Guru and are rejected by Khalsa Sikhs as blasphemous] That was really the beginning of the movement, so I'll tell you about this incident. I was there, I was an eyewitness.

“We were staying in Gurudwara Gurdashan Prakash, which had become Santji's headquarters in Amritsar. A group of Sikhs came and told Santji that there was a Nirankari, Gurbachan Singh, who was going to lead a procession in Amritsar and who was saying that on this day, April 13, Guru Gobind Singh created the panj piaras [five beloved ones] and that he would now create the sat sitaras [seven stars]. Santji got really upset listening to that, it being Vaisakhi day and in the city which is the heart of Sikhism and all.

“Let me say this very clearly: if anybody wants to have his own religion, I don't think Sikhs have any problem with that. But when he is challenging the basic philosophy of the Sikhs, when he is actually naming Guru Gobind Singh and suggesting that he is the equivalent of that Guru, that is a direct challenge to our deepest beliefs. If he were saying something else, anything else, that was not directly against the Sikh religion, Santji would be pleased that he should do whatever he wants. Santji used to tell a Hindu to be a better Hindu, a Muslim to be a better Muslim, and so on. But this person challenged the very basis of Sikhism, and Santji got really upset.

“I know about this because I followed Santji when he went over to Manji Sahib Diwan Hall, a huge auditorium that can fit several thousand people. He spoke to the Sikhs for fifteen minutes and very clearly laid out the situation.”

I interrupted.” How many followers did they have, the Nirankaris?”

“There were thousands of them, all over India.”

“How can you account for the attraction? Why did so many people join the Nirankaris?”

“Since the Sikh religion came into existence, the Hindu, the Brahmin that is [the highest caste of the Hindu system], always tried to divide us into sections. Divide and destroy. Let me tell you one incident which related to me personally. One of my brothers came to me at one point and said that he wanted to cut his hair. I asked why. He said that there were some actors coming to do a play in our village and they wanted to give him a role. I told him that he could cut it if he wanted to but that he could not come back in the house afterward. See, it was the policy of those people that they wanted to convert those boys who were amritdhari Sikhs. They would attract them to quit living like an amritdhari by giving them roles in plays which would require them to cut their hair and that sort of thing. They had other attractions, too, like giving small businesses to their followers.”

“You think these were purposeful manipulations?”

“It was clearly a matter of purposeful manipulation. There was free sex and liquor involved, too. They tried to lure people away from . . .”

Amarjit cut in.” You have to look at the make-up of the people who joined the Nirankaris, too. Either they were class one gazetted officers, deputy commissioners could allot land plots and all. or they were the poorest of the poor. The rich went diere like diey would go to a country club. They they used their power to attract greater numbers from among die poor, luring them with money and other things. And the central government, which was the Janata government of Morarji Desai, started manipulating them as a way to undercut the power of Sikhism in Punjab. The sad part was that some members of this government were brought to power by Sant Kartar Singh himself, in leading all those demonstrations and so on. It was very painful to see this happening in a state where Damdami Taksal had itself made such a direct contribution.”

“Your brother finally didn't go with diem?” I asked Iqbal Singh.

“No. In fact I went myself and I told them that if they tried to come into our village diere would be a fight. They did tn to come and in fact there was a fight. But then they did not dare come to our village for the next four or five years.

“Anyway, when Santji was told about die Nirankari procession on Vaisakhi day he tried to get a minister in the government to intervene. But he said diere was nothing he could do about it. So we vowed to go there and protest openly. There was no intention of fighting. If there had been fighting on our minds we would have prepared ourselves better.

“You didn't have any weapons?” I asked. I later learned that this question doesn't make sense to an amritdhari Sikh, because he or she always has die kirpan (dagger or sword).

“We were praving to God the whole time as we marched. It was not because of some kind of fear but to show that we were intent on peacefully protesting. When we reached the Nirankaris, they started throwing cola botdes at us. Then some of them started throwing bricks and stones. Some from our group threw them back. Then the Xirankaris started firing. The police came and they also started firing at our group. Even diough we were intent on having a peaceful march, diirteen Sikhs got killed in diat confrontation.” -

“How did you feel when you heard the shots, when you realized they were firing?”

“We were all pushing each other back, because we had nothing [no firearms]. It is not good to die without a fight. If you are in the battlefield it is all right, but not to die without standing up for yourself. We all pushed each other to go back, and some of us hid under a truck for about half an hour. Then we went back to Darbar Sahib [Golden Temple Complex].”

“Were some of your friends killed?”

“Bhai Ranbir Singh ji, he was my first teacher at Damdami Taksal, he was killed there. Baba Darshan Singh ji was killed, too, and there were others. I knew them personally.”

Amarjit added, “Those who went to protest the Nirankaris were not only from Damdami Taksal but some members of the Akhand Kirtni Ja-tha went as well [a group devoted to hymn singing]. Bhai Fauja Singh was leading that group. Among those who got killed, some were from Damdami Taksal and some were from Akhand Kirtni Jatha.”

Iqbal Singh continued.” Santji wanted to join us to march against the Nirankaris on that day. But five Sikhs got together, including Bhai Fauja Singh, and they said, 'No, we are ordering you to stay here. ' He had to obey diat [because of the panj piaras tradition].”

“They were concerned for his safety?” I asked.

“Yes, they were worried about his safety. They ordered him not to go.” Amarjit continued, “The whole of the Indian press came out in support of the Nirankaris after that episode. Prime Minister Morarji Desai put the entire blame on the Sikhs. Not only that, but the Nirankari head was escorted safely out of Punjab. When the First Information Report was lodged he was the first accused of violence, but he never got arrested. In fact the court was moved out of Amritsar because most of the judges would be Sikhs. Instead the case was brought to Haryana where the judge was a Hindu. The whole thing was heard in camera, so who knows what went on? Finally, the court acquitted all the Nirankaris, and it even passed strictures against the Punjab government for registering the case. As for the Sikhs, they waited patiently while the Nirankari case was being heard. But when the verdict came in and they were all declared innocent, Santji said, 'OK, their justice system has failed, so now our justice system will prevail.' That was why he felt we had to take matters into our own hands—the Indian courts had not lived up to the promise of justice.”

The granthi said, “My parents got really scared when the news came that the thirteen Sikhs had gotten killed. There was one person on that list who had the same name as me, and my parents thought I had been killed. They came the next day to cremate my body.

“The sad part was that the Akali government [Akali Dal was and is the main political party of the Sikhs] was elected because of Damdami Tak-sal's role in the Emergency, as Dr. Amarjit Singh just said. People thought it was kind of Santji's government. When people were elected they would ask for Santji's blessing and they would ask him to tell people to support them. But after this episode there was not much support for Santji. People felt he had let them down because the Akali government let them down. He didn't appear publicly for a few weeks, but he started quietly preparing himself for a fight. . . well, not exactly for a fight in the literal sense, but you could say . . . he was just thinking for some time.”

“He was thinking about what to do next?” I prompted.

“Yes, he was just thinking. He was shocked. He could have expected such a thing from a Congress government but he was stunned that an Akali government, a Sikh government, should be so weak-kneed. Then he came to the conclusion that even the Akali government was no friend of Sikhi [Sikhdom, the Sikh way]. He decided that he would have to do something for the Sikhs, because no one else would.”

“When did you first realize, yourself, that some plan of action was in the works?” I asked.

“It was never actually a 'plan of action,' so to speak. What Santji started doing was baptizing people. He felt that the main task was to make people aware of Sikhi. He would not talk against the Akalis, though, he just said clearly in his words and actions, we are Sikh, we should know-how to live as Sikhs. But then the Akalis started verbally abusing Santji and these insults started going back and forth.”

“This was how the rumor got started that Sant Bhindranwale was really a plant of the Congress government,” said Amarjit. “The Akalis were scared. They had had control over the whole gurudwara system for sixty or seventy years, and then a man of charisma rose up and people started following him. They were not any match for him, so they started pushing this story that he had been bought by the Congress government to defame the Akalis.” 11

“Anyway,” Iqbal Singh continued, “this was the background to the real rise of Sant Bhindranwale. Let me tell you about the key episode at Chando Kalan, a village in Haryana state where we were staying when some police officers came looking for Santji. They wanted to arrest him . . .”

“Why did they want to arrest him?” I asked, trying to follow the story.

“That was for the murder of Lala Jagat Narain, the owner of Hind Sa-machar [a chain of newspapers]. He had written some very nasty things about Guru Gobind Singh ji, and used to challenge Sikh traditions at every step. Santji had spoken against this man many times, so when he got murdered a conspiracy case was filed against him.

“Anyway, when the police reached the village of Chando Kalan they could not find Santji. They beat up one of my friends pretty badly. And they literally looted that whole village. They tortured the women. When they were ready to leave, they burnt our two buses. Those buses were like a library for us students. Everything we had we kept in those buses, including prayer books and all. And the same Santji, who could not tolerate one book falling at his feet while he

slept, how could he tolerate the fact that Guru Granth Sahib was burnt by the Indian government for nothing? Santji said in interviews, 'If the government thought that Jarnail Singh was at fault, if they wanted to arrest me, why did they go and burn the buses? Why did they burn my Guru?' He used to cry, literally weep, when he described that situation.

“On September 20 he surrendered to the police at Mehta Sahib and was taken into Ludhiana jail. They established a court in the rest house there, and Santji was called to appear. And there was one interesting incident that took place there.”

“What was it?”

“There is a tradition in India that they would give you a holy book, sometimes the Cita [Bhagavad Gita, a holy book of the Hindus], and you would say that you wouldn't tell a lie in court. When Santji was there he was asked to put his hand on Gurubani Gutka [a Sikh prayer book] instead. He said to the court officers, 'What is this?' They said, 'It's Gurubani Gutka.' Then Santji said, 'In the constitution you call us Hindus [referring to the controversial Article 25]. But you are asking me to swear an oath on Gurubani Gutka. Why not make me swear on the Gita?' They said, “Well, you might tell a lie then. 'Look,' said Santji, 'you change the constitution then. Recognize me as a Sikh, and I'll happily say the oath on Gurubani Gutka.' The officers kept pushing him for two days, but he kept saying, 'Either change the constitution or change the book!' Finally they decided to skip the oath taking on a book completely. That's how strong Santji was.”

“What finally happened in court, then? What was the verdict?”

“Santji was cleared. They never found any evidence against him.”

“Who in fact killed Lala Jagat Narain?” This question slipped out before I could think about it. This was, actually, the sort of thing I did not want to know. Luckily (and predictably), my interlocutors were more careful than I was.

Amarjit said, “Two others were tried for that murder. But we don't know who really killed him.”

Iqbal Singh added, “The point was that after the Nirankari episode this incident at Chando Kalan really alienated Santji. He became crystal clear on the point that justice could not be expected as far as the Sikhs were concerned.”

Iqbal Singh continued.” After that Santji came out of jail and he never went anywhere after that. He stopped his roaming around and stayed at his headquarters at the Darbar Sahib [the Golden Temple Complex at Amritsar]. Then the real fight began.

“By 1979 I had finished my study at Damdami Taksal and I asked Santji whether I should go on to the Sikh Missionary College. He said that if I wanted to do it, I should. The Missionary College is in Aniritsar, the same place where Santji was staying. He and I stayed together in a hostel, just like old times. My friends were there, too, so it was really just like a family. If I needed new clothes, for example, I wouldn't go to my own parents. I would go to Santji, and I would say, 'Santji. I need new clothes.' “

“Were your parents happy with your decision to stay with Bhindran-wale?”

“Not at first. When I first left Damdami Taksal they told me they didn't want me to go on with this business. In fact they sent me to Orissa to become a car mechanic!”

We all laughed at the thought of this granthi. in immaculate white turban, working on cars.

“I spent three or four months there but my heart wasn't in it. So I went to Sikh Missionary College and spent three years there. I used to teach students at Damdami Taksal, too—there were no real teachers there, it was a system in which the seniors taught the juniors, each generation bringing up the next.

“To tell you the truth, I got the feeling that the government actually wanted to eliminate every single individual associated with the Damdami Taksal. At one point I was at my college studying for an examination, when a friend of mine suggested that we go to his village for a vacation. It was a Saturday. I agreed and we went to get the forms we

had to fill out stating that we wouldn't be staying in the dormitory that night. I had just left the clerk when a police party arrived in three jeeps, all carrying Sten guns. They started asking around for me and that clerk told them that I had already left. He knew I was there but he covered for me, and he showed them my application for leave from the dormitory. Then that clerk sent somebody to tell me to get out of there fast. I was shocked when I got this message, as I had never done anything wrong.

“I took the bicycle of my friend, and headed toward the gate. There was one gunman standing at one side and one gunman at the other. They seemed to be stopping everybody as they left through the gate. When I saw that I would be stopped, I suddenly got an idea. I faced toward the offices of the hostel and I shouted.” How many cups?” as if I were asking whether they wanted tea. I pretended to be just a tea-boy. How many cups?” I veiled toward the offices.”

He laughed, remembering this escapade.” I got through the police check this way. I outsmarted them. However, the police had seen the forms on which I had written my home address, and eventually they showed up at my parents' place. They arrested my mother and father and took them to Patiala jail. They were in there for two days, and they got beaten. When I heard about this, I decided to surrender. Though I hadn't done anything, I didn't want my parents to be punished on my account. So they were released, and I was taken into custody.”

“So what was it like in jail?”

“Well, it was not too bad because my father had connections with some officials. In fact his best friend was a deputy inspector general of police, who told the others, 'You can ask him anything you like, but don't touch him. '

“There were two brothers, Jasdev Singh and Sukhdev Singh, and both were from Damdami Taksal. We three spent two days in jail together. I had been preparing myself for the entrance examination for Guru Nanak Dev University, and the exam was to take place the next day. I explained that I had to be released to take the exam. There was some argument among the officers about whether I should be allowed to take this test or not. On the evening before the test a police guard told us, 'This is your last day, all of you. ' We got worried, and did not know what they would do.

“That night the three of us exchanged our karas [wrist bands]. Then I was released to go and take my exam in Amritsar. I took the exam, and afterward went with some of my friends to a tea stall. I picked up a paper there and was shocked to see that the two boys I had just left the night before had been killed in an 'encounter' with the police. Jasdev Singh and Sukhdev Singh were both dead.”

He held up his arm, so that I could see the steel kara on his wrist.” This is the kara I got from one of them. I have never taken it off.”

“Is that a usual thing to do, exchanging karas like that?” I asked.

“No, it was unusual. It was a sign of love between us . . .”

All three of us were quite emotional by this point in the story. The granthi had a tear splashed onto his glasses, and Amarjit swiped at the corners of his eyes, as he does. I restrained myself from reaching out to offer comfort. I was never sure how such displays would be taken.

“I couldn't drink the tea I had in front me,” Iqbal Singh continued.” They had taken me off to Amritsar, and they took them outside of that jail and killed them.”

“Were those two actually charged with any crime?”

“A bank robbery,” he said.” The first bank robbery in Punjab was in Jandiala, district Amritsar, and we were all accused of being involved in that. Eight hundred thousand rupees had been taken out.”

“They were not really involved in it, they were just charged,” noted Amarjit.

“Right,” said Iqbal Singh.” Those two were good friends of mine. They used to come to Sikh Missionary College and sleep there, and I used to visit them. In our childhood we spent seven or eight years together at Damdami Taksal. They

were like my family, and I know that they were no more involved in a bank robbery) than I was. When Santjarnail Singh Bhindranwale heard about this he just said, They're after the Damdami Taksal. They want to kill everybody in Damdami Taksal. 'I started agreeing with this because I saw it with my own eyes.'

The bank robbery was just a street crime? It didn't have anything to do with Bhindranwale?" I asked, again, not very wisely.

Yes, answered Amarjit." While Santji was around there was always enough money just from donations. After 1984 [his martyrdom] there came a time when militants had to go to the banks to get money for the struggle but as long as Santji was there there was never a need for that sort of thing."

"Yes, Santji always had enough money," said Iqbal Singh. He wouldn't have risked any of us over a few rupees to be gotten from robbing a bank. He used to say that his Singhs were more precious than rupees."

Amarjit continued on this theme." 'A Singh is more valuable than money,' he used to say. He was crystal clear on the point that nobody should lose his life because of money. This was made clear to everybody. This was just a fake case that was made."

After tea, the very sweet and milky chai that is ubiquitous on the subcontinent, Iqbal Singh continued his narrative.

"Then in November of 1982 a friend of mine and I decided to go to Delhi to launch a protest at the Asian games. We were picked up by police from the train, and we were earning protest papers on our bodies, signs and all."

"What did the papers say?" "That Sikhs want justice. That's all."

"You weren't thinking about a separate state or anything at that time?"

"No, there was no talk of Khalistan, nothing like that. But we were pulled off the train, and beaten up at a railway station in Haryana."

"Were you resisting, were you fighting back?"

No. At that time we were not fighting back. Anyway, we were released after two days, in only our underwear. We went to a local gurudwara, where we were given clothes, and we came back. My point is that this was a constant struggle, something we ran into every day."

These sorts of things were happening to a lot of people?"

"Yes, a lot of people were being harassed. But it wasn't until later, maybe 1983, that the name of Khalistan came into existence. Well, it may have been in existence before that, but finally people started talking about it, saying that we needed our own nation.

FIGHTING FOR KHALISTAN

"By the time I was enrolled at KJialsa College, doing divinity studies, I came around to the conclusion that we cannot live any longer with India. But my family was not with me on this; they said that Khalistan was all trash and nonsense and that I should stay away from it. I told them that they could have their opinion, but mine was different."

"What about your brother?" I asked, thinking about the elder brother who had encouraged Iqbal Singh to join Damdami Taksal in the first place.

"Some of my brothers were not into this Khalistan movement. But my elder brother, he is a Khalistani to the core. Because when you are really involved in religion, not just the forms but real spirituality, you can see the problem very clearly. The government was interfering in our practice of our religion, killing off the most devout practitioners of our religion.

“In 1984 came the army's attack on the Golden Temple Complex. This changed a lot of people's minds. I was with Bhindranwale in the weeks before that attack. On May 31, the Central Reserve Police attacked the Golden Temple and eight Sikhs were killed. Some CRP were killed, too, in the exchange of gunfire. On June 1 the curfew was announced and we could smell it, that there would be . . .”

“At that time, you were clear on the point that armed struggle was necessary?”

“Yes, definitely. We were resolved to it and prepared for it by that point.

“Listen,” he stopped and thought carefully.” It was not for offensive purposes, it was for the defense of Sikhi. We needed to defend ourselves. In the courts there was no justice, in the police there was only corruption, in the government there was no friend anywhere. You cannot offend against the sixth biggest power in the world, after all! But defend you can, and you have to.”

“And when you were talking among yourselves about Khalistan, were there some who said, 'OK, we need Khalistan but taking up arms is not a good idea?' “

“You have to understand that arms did not come because of Khalistan. Arms came because of self-defense. Even now, we know that we cannot win in an armed struggle against India, an armed struggle for Khalistan. What we have to do is defend ourselves as best we can, and in that defense we ask for Khalistan. Khalistan is our birthright, die right of the Sikh nation to live as Sikhs.

“And I have to tell you that Santjarnail Singh ji did not so much have a 'plan of action. ' Rather, he was helping Khalistan emerge, letting the nation emerge, helping people become aware of themselves as Sikhs. Let me give you an example of the way Santjamail Singh ji operated.

“One time Mr. Harminder Singh of Ludhiana had some business with a Hindu guy. Santji had been telling us that we should have our own businesses, have our own identity, and Harminder Singh understood this to mean that Santji was saying we should get rid of the Hindus. He wanted to split up his business with the Hindu, but he would owe that Hindu two hundred thousand rupees for his share. He had four girls, and he was not a rich man. So he came to Santji and said, 'Santji, what should I do?' Santji asked him how long it would take him to gather the two hundred thousand rupees. 'Six months,' replied Harminder Singh. Then Santji called his secretary and told him to give that Hindu guy two hundred thousand rupees. 'OK, now the Hindu is out of this.’ Santji told Harminder Singh. Now you pay me back the two hundred thousand rupees in six months. '

Well, Harminder Singh came to Santji the very next day with two hundred thousand rupees. That was the way that Santjarnail Singh ji was trying to create Khalistan. It was a mini-government, a parallel government which he set up for the people. Justice was being done and people were happy.”

“How did Bhindranwale react when he would read what the Indian press was saying about him? That he was a terrorist, a criminal, and so on? Did he feel pained by that?” I asked.

That was an interesting part of his personality. He never got irritated by the press people. He would say, 'I know what you are going to print, that you are working for rupees only. ' He would laugh at them, but he knew they were helpless. In a way he felt sorry for them. He only used to grant interviews and so on in case he might reach other Sikhs through those.”

Were there times when you witnessed him getting angry about anything?”

Well, he had some vengeful feelings toward Akalis particularly. He could expect anything from the odiers—the Indian government, journalists, foreigners—but it was really painful to him to listen to the Akalis, so-called Sikhs, talking as they were. When they accused him of being an agent of the Indian government, after all he was doing . . . Well, he understood that they were living within the system and its corruption had eaten into them, too. But the youth supported him and his ideas, as they were not corrupted.”

“Did any of the Akalis ever go to Sant Bhindranwale and say, 'I was wrong to say these things, I am sorry?' “I slipped into the usage of “Sant” before Bhindranwale's name without thinking.

“A few of them did, at election time. When they needed something from him they would go, like people who go to church only when they are in trouble.”

“They're called 'Sunday Christians,' “I said.

“Sunday Christians! Sunday Sikhs!” echoed the granthi.” They have nothing to do with real religion. A truly religious life is the most difficult life there is.”

Amarjit broke in with his own comments.” Whenever Santji gave somebody some responsibility, whenever they went on some mission, he used to dismiss all the people around him and go inside and pray for hours and hours. God was never far from his mind. Then sometimes people would notice that when they got endangered in some way, sud-denly help would come from nowhere to save them. Singhs became quite confident that Santji's mystic mind and his strong prayers were always with them. That is an important part of all this.”

“Yes,” Iqbal Singh agreed.” One of those who was martyred early in the struggle, Surinder Singh Sodhi, was a good friend of mine. We were like brothers. Wherever he would go he would have a tape of kirtan [Sikh hymns] with him. He used to listen to kirtan, nothing else. Once I asked him. 'Sodhi, why are you driving your motorcycle listening to hymns on your Walkman?' He said, 'No one knows what may happen, when death will come. I want a peaceful death. If I get killed, at least my ears will be filled with the sound of kirtan, not the sound of bullets.’ These people were really saints and soldiers. Not only soldiers. In fact saints first, then soldiers. They never wasted a bullet on innocent people.”

Amarjit added, “Santji said many times that Surinder Singh Sodhi was his right hand, his right arm. On the day that he was killed, Santji said that his right hand had been cut off. That Sodhi could handle anything—car, truck, airplane—and if he had a rocket he could handle that, too! And let me tell you one thing about Sodhi—he was an excellent marksman. One time Bhajan Lai, the chief minister when the Asian games took place, was within his firing range. Now this was a person that Santji had warned against, saying that wherever he might hide, Sikhs would chop off his head. When Bhajan Lai came within Sodhi's range, he could have killed him. But he said, 'Santji told us to chop off his head and I couldn't do that, so I spared him. '

“Iqbal Singh then continued his narrative.

“During the actual assault on the Golden Temple Complex, Operation Blue Star, I was about four miles away at Khalsa College in Amritsar. I knew that the first tank had fired on the Akal Takht [the building in the complex where the militants were headquartered] around 2 o'clock, June 5. Before that they had been fighting with machine guns and other small arms. But on June 5 they entered with the tanks.”

He started drawing a map on the back of an envelope.” Here is Har-mandir Sahib. Here is the Akal Takht. Here is the sacred tank of water You can see that the Akal Takht is right behind the Hamiandir Sahib. They sent troops in from here, and here [showing two positions]. When the tanks in front were ready to fire on the Akal Takht, they had to send a message to the troops in the back to get out of the way, otherwise they might get hit.

“Santji had a wireless set inside, and somehow he intercepted that message. He knew that the area would be open to him and his group for a short time as the rear troops vacated their positions. So some of this group got away through the back. They ran into nearby houses, changed their clothes and went out as regular citizens. Only thirty-five of Santji's close followers died in the assault. The rest, two hundred or so, got out.”

“And those who left at the last moment, they later played large roles in the struggle?” I asked.

“Exactly.”

“And thirty-five . decided they would rather stay and be martyred?” “It was not really like that. It was just part of the overall strategy, just a plan. When the Indian army arrived on June 2, it became clear to everybody that whether we

lost or won just then, eventually we would all have to fight for Khalistan. The Khalistan struggle was not just a matter of everybody dying during that first week of June. Santji said. OK, we are here so we will protect this Golden Temple. We will hold the army while the others get away. ' It was not at all that those who left were cowards, or not also committed to die, or anything like that. Everybody was prepared to give his life for Khalistan. But as part of the whole plan some left some stayed."

"Were many of those who left killed later?"

"Almost all of them, I think. Every one, as far as I know. Well, one or two may have surrendered later, but overall the strategy of having some leave was a good one, a successful one."

And is it true that some of those inside tried to persuade Sam Bhin-dranwale to leave, but that he refused to go?" I asked.

"Yes. And I agree with his decision to die there. It is my personal feeling that though it is a loss for the Sikh community that he died, it is a proud loss. He used to always say, 'I will protect this place, I will die in this place.' If he were to leave . . . Let me put it this way. In the past century and a half at least Sikhs had no experience of the kind of leader who would not say one thing and do another. They had no experience of a Sikh leader with courage. But Santji had courage, he died there and made his point. He was an example of a real Sikh, a real saint-soldier. Why should a saint have to obey the laws of a secular government? He lived on a higher plane.

"I lived with Sant Jarnail Singh ji for seven or eight years. He was a brother, a father to me. I had no doubt that he would die when he said he would die. It was he in fact who sent those other Sikhs out."

Iqbal Singh continued." Sant Jarnail Singh ji was both a strategist and a saint. I think it's a misconception people have, that a saintly person can't be a politician. Santji was both, and being both he knew the consequences of that kind of combination. Saint-soldiers get martyred.

"Anyway, he sent the others out to continue the fight. They fought afterwards, they died afterwards. They told people what had really happened in the Golden Temple. Eventually they went into hiding and spread out all across the world to continue the struggle. Now I believe that if any Sikh says he is not a Khalistani, he only means he is not strong enough to fight.

"After the army action against the Golden Temple, I was on a wanted list. The police came to my house and arrested my father and mother again. 'We have nothing to do with him,' they said. 'If he has done something wrong, he should be punished.' But my father had connections and he was not badly treated. When I went to see him the police gave me a paper to sign, saying that if I signed nothing more would happen to me or my family. The paper said that whatever I had done before 1984 was a mistake, that I had been brainwashed by Santji. But I said, 'No, I can't sign this. I am not sorry, I am proud of what we did. And I am thankful to Santji for the awakening he gave us.'

"A few of my friends, they did sign papers like this. That was the whole idea behind it, so that the government could show on TV that the militants were repentant. In my case, the police gave me half an hour to get away. They did not arrest me. They only wanted to publicize those cases of people who accepted this brainwashing idea. So it was a mutual thing. I ran away. My parents then told me they had no more home for me, so I said I would leave."

"That must have been difficult."

"Yes, it was. But I could see my parents' side, too. They did not want to take a risk, and they had been getting all the wrong information about Santji from here and there. That he was a womanizer, that there were drugs at his headquarters and that sort of thing. They didn't have a clear picture of what he was really doing. So even though even Sikh was against the Indian government for attacking the Golden Temple, that didn't mean that they were for Santji. These are two different things.

"Then I left home, October 1984. I drove a truck for two years, staying here and there with my friends. I remained on a wanted list because I had been a senior student at Damdami Taksal. I had been involved in some of the decisions made in the period before the 1984 assault. So finally I bribed an official, got travel papers, and left the country."

Did your parents eventually come around to seeing your position” I asked.

Yes, they did. Because after the attack on the Golden Temple Complex, Indira Gandhi was murdered, and in the riots after her assassination my sister became a victim. My parents got their eyes opened that it was not because of Santji but because of our turbans, because we are Sikhs, that these problems exist. Then they came to understand the idea of separation.

The concept of Sikhi is in fact universal. Khalistan is a need, not a destiny. It is just a matter of needing some place to enjoy religious freedom. It is a mistake to talk about Khalistan as if it were somehow preordained, an inherent part of Sikhism. Sikhs can live wherever they can live as true Sikhs. They can sit in London and wear blue jeans or listen to rock and roll if they want to—these are cultural things, not matters of faith. But if we have no place to be Sikhs, that is a problem.

So I can actually accept the idea that somebody is not for Khalistan, if he can find another way to live as a true Sikh. But I cannot allow him to say that those who are asking for Khalistan are wrong. If he is not Khalistani, fine. But he should not get in the way of other Sikhs' demand for Khahsun. The people of Punjab are suffering, and that is why they are demanding Khalistan. Nobody should stand in their way.”

I questioned, “You don't feel, then, that anybody who is not with you is against you, as somebody told me yesterday—that those who are silent are in fact complicit?”

“Dr. Cynthia,” he said, “It is clear in my mind that throughout Sikh history there has been a lot of fighting and not everybody was involved in even fight. Each played his own role. The role of every Sikh is to be a true Sikh as best he can. Not everyone feels comfortable with the role of fighting. It should be the policy of fighters not to condemn anybody who is being a Sikh in another way. People are afraid. If you come to me in India and you ask me, 'Are you a Khalistani?' I will say no. Maybe you are Indian intelligence or something. But in my mind I may be sympathetic and when the time comes I may show it.

I am just a reader of scriptures, I am not a politician. But it seems to me that it is a problem that there is no concrete plan for Khalistan, like a constitution or something, to show people what we are really fighting for. What we are fighting against, that is clear, but what are we fighting for? This is the difference between a resistance movement and a real independence movement. We are tired of being with India, fine. But if we ask people to become Khalistani, on what grounds are we asking? We have to be clear on this.”

Iqbal Singh then became deferential, nodding toward Amarjit, who had left the room to make some of the endless phone calls in which he is constantly engaged.

“I'm just a priest,” he said. “You'd better ask the Panthic Committee if you want to know more about constitutions. But there are things . . . rights of women, educational system, rights of minorities, the place of the Hindus, and so on. There is the declaration of independence of Khalistan, but that's not enough.” He again deferred to Amarjit. “He knows more about it,” he said. “I'm just a priest.”

But I didn't want to let this precious strand of conversation drop. “It's a characteristic flaw of insurgent movements that they are so busy fighting the war that they don't think about what will happen afterwards,” I said. “That's why it's important to learn from history and plan ahead.” “The Indian government is the sixth biggest power in the world,” Iqbal Singh responded. “Don't think they are stupid. They plan ahead, all right, and on the Sikh side we have to do the same.”

Then he cut off the conversation as Amarjit re-entered the room. “I came out of India, at Dr. Amarjit Singh's hands,” he said. “Now here I am, just reading scriptures.”

Blue Star

THE KHALSA is like a finely tuned instrument,” it is said. “All it takes is someone to hold his finger on the right note.” In recent times, that someone was Jarnail Singh Bhindranwale. The episode he provoked, the Indian army attack

on the Golden Temple in June 1984, forms the *raison d'être* for the continuing insurgent, populated largely though not wholly by Khalsa Sikhs. In this chapter, I examine the events directly leading up to that confrontation, the battle itself, and the immediate aftermath. Whether or not the current insurgent continues or peters out, this “holocaust” of 1984 is bound to reverberate through Sikh history for a long time to come.

THE PEOPLE

Before 1984, as the conversation recorded in the previous chapter shows, those involved in militant activities were mainly individuals from the Damdami Taksal, the “moving university” of the Sikhs, and the Akhand Kirtni Jatha, a hymn-singing organization. For these people, the confrontation with the Nirankaris in 1978 forms the keystone of their commitment; that was the moment when many of them came to the conclusion that justice within an Indian framework was unattainable. For the great bulk of the Sikh population, however, this event took place somewhat on the margins of mainstream society, among highly religious people. By contrast, all Sikhs were brought up short by the 1984 debacle, which reached even those who had become avowedly secular. The attack on the Golden Temple has been compared to an attack on the Vatican or Mecca. How would Catholics, however lapsed, or Muslims, however disenchanting, feel?

The assault on the Golden Temple Complex was taken by the Sikh community not only in immediate but in deeply historical terms. It resonated with other events in the past in which enemies attacked, laid siege to, and destroyed the sanctum sanctorum. That Operation Blue Star would be perceived in these terms, that analogies would quickly be drawn with Afghan and Mughal times, was recognized by those with personal knowledge of the Sikhs; this community has always had a pervasive awareness of history and the role of the Sikhs in it. Sikhism is after all a very young religion, and the lives of the major figures in it are not shadowy legends but matters of historical record. The buildings they constructed are still around, the clothes they wore for the most part still the everyday dress of the Sikhs, as instructed by their Gurus. And though there is no recognized tradition of genealogically linking oneself to Gurus within the Khalsa, as there is in Muslim societies with regard to the Prophet and caliphs, the strong sense of siblinghood leads orthodox Sikhs to feel a strong emotive tie to members of their “family” who fought and died for Sikhism in the past.

Certainly, this deep sense of historicity helped Jarnail Singh Bhindranwale acquire the following that he had prior to his death during Operation Blue Star. Jarnail Singh was born of a rural family of modest means in Rode village in 1947. He was of Jat background, the caste group that provided the backbone of Sikh militancy from historical times to the present. (Various authors have in fact attempted to interpret Sikh violence as an aspect of Jat culture,¹ an attempt that has antagonized militants today who feel their stance is prompted by religious principle, not cultural tradition.) In any case, Bhindranwale's background was no different from that of thousands of other Sikh boys who grew up in rural areas with minimal but adequate schooling and a strong family commitment to orthodox Sikhism. As the last of seven sons, he was relatively free from family or agricultural responsibilities and from an early age spent much of his time with the Sikh scriptures.

Joginder Singh, Jarnail Singh's father, sent the boy to study at Damdami Taksal after his primary schooling, the seminary described as a “moving university” by Jarnail Singh's boyhood companion and later follower, Iqbal Singh. Taksal means “mint” in Punjabi, and the institution of the Damdami Taksal, believed to have been established by none other than Baba Deep Singh, can be appropriately understood as a place where spiritual individuals are shaped, like coins from a mint. As the presumed founder of Damdami Taksal, Baba Deep Singh's commitment to avenge the destruction of the Golden Temple by the Afghans stands as a continuing model for Damdami Taksal activism in defense of the faith.

Though the Taksal education is purely religious in nature and is hence dismissed by many commentators, I am not the only one to have noticed that its products can be remarkably sophisticated. Mark Tully, the BBC correspondent who closely followed the rise of Bhindranwale and the subsequent debacle at Amritsar, wrote with surprise that a young teacher Mere was able to engage in a complex argument invoking the Bible and the Qur'an as well as the Sikh scriptures.² Certainly the tendency of those with secular educations to dismiss the Damdami Taksal as nurturant solely of fanaticism is both misplaced and arrogant. To be sure, its members (a more appropriate term than “graduates”) did form the core of the original militant; and in that sense it could perhaps be compared with the religious schools at Qom, which nurtured the Ayatollah Khomeini and other key figures of the Iranian revolution. But the articulate quality

of Iqbal Singh, among others, belies the accusation of narrowness directed at the Taksal. Its headquarters at Chowk Mehta, about twenty-five miles from Amritsar, still serves as a fountainhead of orthodox Sikh learning.

Under the stewardship of Kartar Singh, the Damdami Taksals alienation from the central government of India grew. Of course, during the abuses of the Emergent years (1975-1977), many Indians' alienation from the central government grew, but the Mali Dal, the major Sikh political party, was notably outspoken about its discontent with Indira Gandhi's censorship of the press, arrest of opposition leaders, and dramatic enhancement of police powers. The "Save Democracy Protest" launched by the Sikh party resulted in the detainment of some forty-five thousand activists, and gurudwams across Punjab were centers of anti-Emergency sentiment. (The opposition party under the leadership of socialist Jayaprakash Narayan called the Akali Dal "the last bastion of democracy.") Jarnail Singh, like Iqbal Singh, grew to maturity in an atmosphere in which political activities against the central government went hand in hand at Damdami Taksal with the chanting of scripture and theological debate. These were all of a piece, as Iqbal Singh said in the interview when he claimed that it was not "politics" but a way of life, a seamless whole, that engaged the Taksal students in the 1970s.

Kartar Singh, Bhindranwale's predecessor as head of the "moving university," was killed in a car crash in 1977, as Iqbal Singh noted. ' Jarnail Singh was appointed head at the young age of thirty-one and immediately rose to the challenge of continuing Kartar Singh's political activism. He had been married at the age of nineteen and had two sons, but when he was recognized as "sant" Bhindranwale he relinquished most of his family responsibilities to devote full time to the Taksal. In this he followed a long tradition of sants, who were historically an important part of rural Sikh life, bringing news and a quality of entertainment from village to village with their dramatic public sermons and readings of scriptures. The British, it seems, recognized the political potential of the sant role, devoting attention to tracking these wandering holy men ."

By all accounts, Sant Jarnail Singh Bhindranwale was a charismatic personality. Tall and lean, with deep-set eyes, a prominent nose, and a ready grin, his blue turban tied in characteristic tiers, he was as photogenic as he was personally impressive. Though he never learned English, his command of Punjabi was superb, and soon his speeches were making the rounds of Punjabi villages on cassette tapes, radically increasing the range of his influence. He eventually became adept at radio, press, and television interviews as well.

Since Jarnail Singh Bhindranwale was largely responsible for launching the current Sikh militancy, he is now valorized by militants and demonized by their enemies, and accounts from these divergent sources seem often to be referring to two completely different people. Though the Indian press at various times compared him with Rasputin and Hitler, those who knew him personally uniformly report his general likeability and ready humor as well as his total dedication to Sikhism. Joyce Pettigrew, a Scottish anthropologist who had studied the Sikh militancy closely, witnessed the close relationship between Bhindranwale and his followers. A Sikh reared in the West, clean-shaven (that is, not orthodox), told of his first acquaintance with Bhindranwale:

The first thing I noticed about Bhindranwale was that he made everybody feel welcome. Nobody was an outsider with him, no matter what their appearance, clean-shaven or bearded. He was very human, very soft. He was firm on his views, of course, but he had a sense of humor, too. He asked me, "When are you going to become my brother [when are you going to become orthodox, grow a beard]?" I answered, "Well, I'll try." But he laughed and said "If you just stop trying, you'll become my brother quicker. From the facial aspect, I mean!" What he meant was that if I just let nature take its course, if I didn't shave, I would look like a Sikh more quickly. This was the way he would gently remind people to live as Sikhs. He was clear in his example, but he didn't put pressure on me or anything. Everyone would feel comfortable in his presence.

Bhindranwale's appeal was such that the frequency of initiations into the Khalsa rose dramatically across Punjab, as did the level of rhetoric regarding the perceived "assault" on Sikh values from the Hindu community. Bhindranwale and his closest companions, including Amrik Singh, the son of Sant Kartar Singh and head of the All-India Sikh Student Federation, started carrying firearms with them regularly. This action was defended as within the bounds of the Sikh tradition, whose primary symbol, the double-edged sword, was itself a weapon.

One man reports:

After I met Sant Bhindranwale, my son asked me, “How many weapons did Santji have, what kind of weapons did he have?” I said that the weapons of Sant Bhindranwale, nobody has weapons like those in all the world. The way the devotion and commitment to Sant Bhindranwale came, that was some kind of mystery, some kind of mystic inspiration.

There used to be baptism ceremonies at least twice a month, later more often as Santji became more popular. Sometimes thousands of people would get baptized in a single day. Santji's impact was so powerful, people would rush forward not only to get baptized but to join him, to give up their homes and their families to stay with him. He was a great lover of humanity, sensitive to the down-trodden. And he was a very disciplined man, spending hours and hours with the scriptures even in his busy schedule. He expected the same devotion from everybody who joined him. We follow in the footsteps of Baba Deep Singh, he would say, heads in our palms. Such an inspiration he gave, will never be forgotten. Anybody who saw him was touched by him.

The 1978 clash between the followers of Jarnail Singh Bhindranwale and the Sant Nirankari sect at Amritsar was the beginning of the serious turn toward militancy for many who would become leaders in the upcoming struggle. Not only were the core of Damdami Taksal activists involved here, but they were joined by another group committed to orthodox Sikh tradition called the Akhand Kirtnijatha. The Akhand Kirtni Jatha was founded by Bhai Randhir Singh (1878-1961), who had been active in the Ghadr and Independence movements and had been sentenced to imprisonment by the British. It focused on hymn singing (kir-tan) as the path to preservation of orthodox Sikh tradition.

The original Nirankaris had taken a more mystical approach to Sikh-ism (nirankar means “formless”) since their founding in the nineteenth century by Baba Dayal Das. The followers of that Nirankari sect coexist peacefully with mainstream Sikh tradition. But the practices of one group, the “Sant Nirankaris,” were seen as directly heretical to the orthodox Sikhism expounded by Bhindranwale. Not only did they begin to revere their new founder and his successors as Gurus, but they also added their own scriptures to the Adi Granth. The movement grew quickly.

On April 13, 1978, the Sant Nirankaris were to hold a convention in Amritsar. April 13 was celebrated as the founding day of the Khalsa, and the proposed Nirankari convention on this day, in the holy city, was particularly galling to orthodox Sikhs. Some felt, in fact, that the entire Nirankari episode was provoked on purpose by the central government to destabilize and disunity Sikhs. In any case, about two hundred members of Damdami Taksal and Akhand Kirtnijatha formed a procession headed by Bhai Fauja Singh, a prominent member of Akhand Kirtni Jatha, to protest the Nirankari heresy. (Bhindranwale was not present, though he played an important role in launching the protest. 7) It is not clear exactly who provoked whom in the actual encounter: some observers assert that Fauja Singh made a threatening gesture, or swiped at, Baba Gurbachan Singh, the Nirankari leader, with his sword, while others place him inside an auditorium at the time when the fight broke out on the streets. He did have a group of guards, who opened fire on the orthodox Sikhs. A fight ensued, and at the end of the melee thirteen orthodox Sikhs and two Nirankaris lay dead.

Eventually a case was registered against sixty-two Nirankaris by the Akali-led government of Punjab. It was heard in Hindu-majority Har-yana, however, and all sixty-two Sant Nirankaris were acquitted. Lala Jagat Narain, chief editor and owner of the Hind Samachar group of newspapers, appeared as a witness in defense of the Nirankaris, and they received widespread support in the media. Orthodox Sikhs in Punjab mobilized against what seemed to be anti-Sikh sentiment in India nation-all) and began to talk of an outright conspiracy to defame Sikhism. A hukmnama, or letter of authority, was issued by the Akal Takht in which Sikhs were instructed to ostracize the Sant Nirankaris. Bhindranwale stepped up his rhetoric several notches.

In the years following the Nirankari debacle, a series of murders took place in Punjab and surrounding areas, many certainly the work of Bhin-dranwale's group or a newly founded parallel organization, the Babbar Khalsa, which, following its historical namesake the Babbar Akalis, vowed to avenge the deaths of Sikhs killed in defense of the faith. Baba Gurbachan Singh, the Nirankari guru, was killed in 1980, and Lala Jagat Narain, the incendiary newspaper editor, was killed in 1981. The Babbar Khalsa activists took up residence in the Golden Temple Complex as well, to which they would retreat after going on missions to “punish” or “deliver justice to” those who offended against orthodox Sikh tenets. There were episodes of heavily symbolic communal violence: cow's heads deposited in temples; cigarette packages tossed into giirudwaras.

Bhindranwale started urging all Sikhs to buy weapons and motorcycles rather than television sets.” When the Hindus come with their Sten guns, what are you going to do, fight them with your television aerials?” he asked. He believed that all amritdharis, those who had taken amrit, should also be shastradkars, weapons-bearers. Though Bhindranwale was not using the word “Khalistan” and talked in terms of greater autonomy for Punjab rather than national sovereignty per se, he used the term qaum to refer to the Sikh people, a word with the connotation of nationhood. (It had been used, for example, by Mohammed Ali Jinnah in the effort to achieve the Muslim state of Pakistan.) “From the teeth of the wheel to the edge of the sword” —from being ground to death on the wheel of torture to the drawing of swords—was a typical rhetorical leap made by Bhindranwale and other activists.” And draw swords they did, not only against the prominent figures noted previously but against more than a hundred, possibly three hundred, other people perceived as anathema to orthodox Sikhism.

Nearly every academic and media source on the rise of Bhindranwale notes his apparent ties to the Congress party, particularly through Gianj Zail Singh, the president of India, up through the early 1980s. The intent was allegedly to use Bhindranwale as a pawn against the Akali Dal, Congress's chief political rival in Punjab. Several of my interlocutors claim an opposite scenario; that is, that the Akali Dal itself started rumors of Bhindranwale's links to Congress as away of thwarting his growing popularity among its own constituency. There is evidence for both of these possibilities, and I believe Robin Jeffrey may be most accurate in his assessment when he writes that “the evidence suggests that Bhindranwale exercised a cunning independence, playing the factional antagonisms of Punjab politics with knowledge and skill. . . . In this independence lay much of Bhindranwale's appeal. It left him untainted by close association with any of the older political leaders, yet at the same time suggested that he knew how to handle them.”⁹ Whatever ties Bhindranwale may have had with Congress in the early days, it would be misleading to suggest that Congress “created” the Bhindranwale phenomenon. It was, in my opinion, sui generis. Help may have been received from outside, as later the Khalistani militancy would be helped by Pakistan, but the dynamic to be understood here is internal. Emphasizing the role of outside agencies, rather, is a way of minimizing the seriousness of the challenge presented by Bhindranwale himself.

By the early 1980s, the sight of armed Sikhs sitting atop buses or riding around on motorcycles became common, and though the majority of Sikhs condemned the violence of the “extremists,” Bhindranwale nonetheless attracted huge crowds everywhere he went. Increasing discontent with the central government was expressed in other forums as well. The Dharm Yudh Morcha, or “righteous protest,” launched in August 1982 by Bhindranwale and Akali leader Harchand Singh Longowal resulted in the arrest of tens of thousands of Sikhs at a time, overflowing the capacity of the Punjab criminal and judicial system. Riots were set off in September of that year when a bus-train accident resulted in the deaths of thirty-eight Akali protestors, and police fired on a largely unarmed Sikli crowd gathered in protest outside the Parliament buildings in New Delhi. When Bhindranwale was arrested in connection with the murder of Lala Jagat Narain, his supporters sprayed a crowded marketplace in Jallandhar with machine gun fire in retaliation.” By the time of the much-publicized Asian Games, hosted for the first time in New Delhi, Sikhs were seen as a security threat to the capital. Chief Minister Bhajan Lal of Haryana issued orders to stop Sikhs from attending the games, and even prominent military figures like retired Indian air force Chief Marshal Arjun Singh and Lieutenant General Jagjit Singh Aurora, who had accepted the surrender of Pakistan after the 1971 Bangladesh war, were stopped en route and questioned, as was former Foreign Minister of India Swaran Singh. Though the Sikh community as a whole was stunned by this treatment, little about the attempt to prevent Sikhs from attending the Asian Games appeared in the Indian press.

The interesting thing about the growing extremism of Bhindranwale and others was that it was supported by a wide range of people in significant government and, particularly, police and military posts. At one point Chief Minister of Punjab Darbara Singh constructed a list of twenty-two senior government officials affiliated in some way with the extremists, and between 1981 and 1984 Indian intelligence agents drew up a list of some four thousand police personnel with links to the nascent militancy.” As many as 170 army, navy, and air force officers above the rank of colonel supported the Sikh cause. 1- (Because of the Sikhs' traditional prominence in the armed services, many in the state had substantial military training, leading Robin Jeffrey to comment that “Punjab [had] the makings of a formidable people's army.” “) Two top officers (major-generals) from the Indian army, in fact, became advisers to Bhindranwale in the period preceding Operation Blue Star: Jaswant Singh Bhullar, who later fled to the United States, and Shabeg Singh, who was killed in the 1984 assault. Shabeg Singh was of particular importance here, as he was an expert in guerilla warfare who had played a prominent role in training the Bangladeshi insurgents during the 1971 Pakistan war. He was largely responsible for preparing the defenses at the Golden Temple Complex, which, according

to Lieutenant General K. S. Brar, who commanded the Indian army assault, were excellent. M Shabeg Singh has said that it was the humiliation meted out to him at the Asian Games that prompted him to join forces with Bhindranwale.

Already, then, there is something puzzling about the “extremism” and terrorism of the Bhindranwale group, which, it is true, were vociferously condemned by more moderate Sikhs not only in India, but which attracted support from various quarters not obviously allied to the quest for religious orthodoxy characteristic of Bhindranwale's own rhetoric. The police crackdown in Punjab ordered by Darbara Singh, which by 1983 resulted in an average of fifty Sikh youths detained and a half-dozen killed each week, prompted a wider acceptance of Bhindranwale's claim that the government was out to destroy the Sikhs. (BBC correspondent Mark Tully and his colleague Satish Jacob report that Darbara Singh himself admitted that many of the police encounters with suspected militants amounted to cold-blooded murder.” 1) Some eight hundred Sikhs were in jails as suspected terrorists, and extra battalions of police personnel appeared in Punjabi cities. The People's Union for Civil Liberties, an Indian human rights group, accused the Punjab police of behaving like a “barbarian force.” 17 In response, Akali initiatives like Rnsta Roko (Block the Roads) and Kam Roko (Stop Work) drew massive popular support in Punjab. Seven other states also supported Sikh demands for greater autonomy for Punjab and the decentralization of government power. 1”

Meanwhile, violence on both sides escalated in Punjab. Militants raided three armories in April in a (successful) attempt to enlarge their arsenal. Police opened fire on crowds of demonstrators and killed dozens; a bus was stopped by turbaned Sikhs, and Hindu passengers executed on the road. 19 A plane was hijacked to Lahore by Sikh militants in protest against the arrest of Bhindranwale, and bank robberies occurred as well. Punjab was declared a “disturbed area” and President's Rule was imposed in October 1983.

Government figures claimed there were some twenty-five hundred “suspected terrorists” by the spring of 1984. 20 In April organized groups of militants attacked thirty-seven railway stations in twelve districts in a concerted attempt to disrupt Punjab's transportation system. The All-India Sikh Students Federation was banned (it claimed some forty thousand members), and the Central Reserve Police Force and the Border Security Force were called into Punjab. They were fighting against both Bhindranwale's group 21 and the Babbar Khalsa, which feuded and possibly fought each other as well. In addition, there was the Dal Khalsa or “army of the pure,” founded by Gajinder Singh of Chandigarh (one of the hijackers of the plane to Lahore). The militants remained, however, at least temporarily safe in their refuge in the precincts of the Golden Temple Complex. Whether Prime Minister Indira Gandhi would have the nerve to attack it or not was the question on everyone's minds as spring turned to summer in 1984.

The political party of the Sikhs, the Akali Dal, had raised crucial political issues with the central government that remained unresolved as tensions escalated in 1984. These issues included a settlement of a longstanding dispute over the apportionment of Punjab's river waters, the question of the allocation of the city of Chandigarh as the joint capital of Punjab and Haryana, and the implementation of a resolution calling for more autonomy for the state. Furthermore, there were religious demands that were highlighted by the militants at the Golden Temple Complex. Bhindranwale called for the establishment of a “holy city” status for Amritsar, which he believed was unfairly granted to Hindu cities like Hardwar and Benares;--' renaming the train from Delhi to Amritsar as the “Golden Temple Express;” setting up a powerful transmitter to broadcast hymns from the Golden Temple; and arranging for the SGPC, the Sikh organization that governs gurdwaras, to have full control over all historical Sikh shrines throughout India. What happened was that at the last moment Indira Gandhi and her negotiators conceded some of the religious demands, which were from the viewpoint of the government relatively trivial, but the more serious political issues remained unresolved. Meanwhile, the level of violence and counterviol-ence had reached such a point that even as discussions about the issues were proceeding, preparations were being made for a military solution to the crisis.

Such are the bare facts of the events that led up to the dramatic confrontation of June 1984 at the Golden Temple Complex. This spare recitation does not convey the atmosphere of tension that had built to a crescendo not only in Punjab but in neighboring areas as well in the months preceding that face-off. I happened to be in Delhi in the fall of 1983, and saw personally what was happening to totally uninvolved and apolitical Sikhs I knew. They were stopped and searched before going into movie theaters for fear they might be earning bombs. Hindu shopkeepers with whom they had always dealt suddenly refused to serve them. Although my Sikh friends held no brief for Bhindranwale or his methods, they felt insulted and hurt by the presumed association between their turbans and the increasing violence in Punjab. The image of the Sikh community was, indeed, changing. As one Hindu woman told me at the time, “It used to be that if we were riding on a train and saw a Sikh in our carriage, we would feel protected. Now if we see one. we

feel scared.” When I told this to a Sikh friend, he was quite upset. (This person was later missing after the November 1984 anti-Sikh riots in Delhi.)

The broader historical factors that contributed to the rise of a Sikh revivalist movement in the 1970s, and the political and religious context that encouraged various others to sympathize with it, are considered in the following chapter. Here, I concentrate on the epochal battle at the Golden Temple between the militants and the Indian army that has spawned what we now know as the Khalistan movement.” If the Indian army attacks the Golden Temple,” Bhindranwale used to say, “the foundations of Khalistan will be laid.” In June 1984, the army did just that, thus magnifying the danger of Sikh separatism a hundredfold.

CHILDHOOD MEMORIES

“My uncle Sukhdev Singh Babbar [founder of the Babbar Khalsa] took amrit in 1977. After a year there was the Nirankari episode, but I was just a small girl then. I remember how my father and everybody left when they heard what was going on, and when they came back home some of them had been shot and blood was coming out of their bodies. It was terrible. I still have some vivid pictures in my mind from that time. One Sikh was shot on the shoulders and I can still see the blood soaked through his shirt. I later heard how my dad and uncle and others didn't have any guns with them, that they borrowed wooden sticks from a shopkeeper and tried to fight the Nirankaris with those.

“One of the Singhs was killed there, Bhai Fauja Singh. He was a dear friend of my uncle's and after he got killed it was real hard for my uncle to sit around and do nothing. There was another Singh killed, Bhai Raghbir Singh, and his wife was a real nice person. She told us how nobody she knew was doing anything about her husband's death. So my uncle told her that he was her brother too, and that he would do something about it.

“My dad's brother used to go to my uncle's room and he told us that he saw him making arrowheads, sitting there by himself. He wondered whether something was up with my uncle. Within two or three months it seemed he was never home. We later learned that they had established camps where the Singhs could get training in swords and guns.

“One day they all came over to my house and they said, 'Let's go for rehearsal.' They made a statue of Indira Gandhi and stuck it on a tree, and all the Singhs stood in line and shot arrows at her. They were making comments like, 'She's going to get killed,' 'We will get her,' and things like that. That was in 1981 or 1982, I think. I was around ten years old.

“My uncle was a really nice person, really friendly. Like one day he had a fight with some people, and after he became a Babbar and went to live at Darbar Sahib [the Golden Temple] as jathedar the people he had

fought with came to apologize. 'It's OK,' he told them. That was before I had taken amrit. I don't hold a grudge now.' My uncle was not a violent person at all. It was the circumstances that made him do what he did.

“As a child I witnessed some Singhs getting killed myself. But we are taught that it's OK to die if you die with pride. So I didn't feel scared or anything. I was proud of them.

“Police were harassing everybody by the early 1980s. They took all my relatives to jail at one time or another, even my blind uncle. My father then decided that rather than sit around and wait to be picked up, he would join my uncle at Darbar Sahib. We would then go to visit the two of them there during our vacations.

I still have these times in my mind. I can't describe how wonderful it was there. It was the best thing I ever saw in my life. How the Singhs were living together, how they knew so much and how dedicated they were. They would wake up early in the morning and do nain simran, then go to the temple and listen to kirtan. The whole year we waited for vacations so that we could go to see them there. On the last day of the vacation we wouldn't get any sleep, because we wanted to spend as much time there as we could.

We used to live basically in hiding because of my father and my uncle. We stayed inside all the time and didn't go out into the open. Then neighbors would start saying, 'Who are they? Why don't those children go outside?' This sort of thing. Then we would move somewhere else.

I knew all the Singhs who were active at that time. They treated me as a daughter or a younger sister. Whenever a Singh would get killed, we would all feel sad for a few days. But sometimes I would see them in my dreams. Sometimes I still see them in my dreams! They were people we could always count on, for anything. We could always trust the Singhs.

In June 1984 I was at my cousin's marriage when we heard the news that the Darbar Sahib had been attacked. My brothers were there and my uncle's sons were also there, but all the ladies, my mom, my aunts and all, were all at the wedding. But we decided it would be better if we left right away. When we went to the bus some of the people at the wedding tried to stop us, saying that there was fighting going on in Amritsar and that if we went we might get killed. But we left anyway. We went straight to Amritsar.

“We were all feeling happy at that time that if we were going to die we would all die together. Early die next morning at four o'clock when the shooting started again everyone became alert. The Singhs asked the ladies to gather up all the kids, and while we did this they went on with their fighting. We saw one Singh, a very good person, get killed. But it was hard to tell exactly what was happening. There was a lot of noise, a lot of gunfire.

“On June 4 the Singhs told us to leave the building and to go to safer places nearby. But none of the women wanted to leave. They said that if the Singhs were going to die, then they wanted to die, too. At that point my uncle Sukhdev Singh came to the women and he said that we really had to leave. He explained that if the army was going to grab us and dishonor us in front of them, it would be real hard for the Singhs to stand it. That they might be made to speak like that. So to avoid that circumstance, Sukhdev Singh told us we had better leave. Eventually, we did.

We stayed in a house nearby for two days. There was no water in that building and nothing to cook either. All the women did gather together and made prashad [unleavened bread, which Sikhs call by the same” name as the consecrated offerings distributed in temples] for the Singhs who were fighting. One or two of the Singhs would come and get it and somehow take it in packs on their backs to where the other Singhs were fighting. They knew the Darbar Sahib inside and out.

“At night it was real dark because there was a curfew in Amritsar. But we could see the bombs going off at the Darbar Sahib. It was very colorful and noisy, and no one could sleep at all. We were wondering what was happening to the Singhs, how they were faring inside the complex.

“On June 6 most of the Singhs left the Darbar Sahib. My uncle apparently didn't want to go, but then five Singhs came before him, panjpiaras, and said they were ordering him to leave. We need people to organize the struggle after this, they told him. If all of us die here it won't accomplish anything. So he left by a back route.

“That day we were told to come out of the house where we were staying. It was hard for us kids because we were wearing our kirpans underneath our clothes and holding our hands up in the air. One of my uncle's kids was only two and a half years old at the time and he got kind of permanently shocked by that experience.

“When all the people came out of the Darbar Sahib nobody was wearing shoes. Everybody was bare-footed, and people who were watching them started giving them shoes. I just remember all those people with bare feet and all the people passing shoes to them from the streets.

“We then stayed in my cousin's house for about two weeks, surviving on only flour, which we made into bread, and salt. We were worried because ten members of the family had been inside Darbar Sahib, and we couldn't hear any news about them. After the curfew was relaxed, we all piled onto a rickshaw and made for a village we knew. We stayed there some time before we went home. It was like a celebration there when the people saw us return safely.

“Then the police started coming to our home. They knew that many Babbar had escaped, and they wanted to know where they had gone. But we didn't know. We were being harassed in various ways and eventually we decided to leave that place. We hid in Amritsar for five or six years after that, but nobody knew where we had gone, not even my grandparents.

“I couldn't talk to anybody else about my situation, no girl friends or anything like that. Nobody knew I was the daughter of Mehel Singh [currently a major figure in the Babbar Khalsa force]. There was one girl, a Hindu, who

became a good friend of mine, and she was always saying that she didn't like the Singhs who were fighting. She thought this way because that's what they teach the Hindus, that the Singhs are bad and scary people. I kept it a secret that my own family were among the top Singhs in the movement.

“At one point the police heard from somebody that we were in Amritsar and they started bothering another family there by the name of Mehel Singh, my father's name. But they had the wrong Mehel Singh. Then one day we suddenly found our house surrounded, with police on all the rooftops around us. Everything was searched, even my school-books, page by page. But they didn't find anything to incriminate us.

Things had become quite dicey for us, so the Singhs found a way for me to get out of India. Two days after I left, my mother was picked up by the police along with my aunt, and they were taken to the torture center in Batala. They were heavily beaten and the worst humiliation was that the police chief there made my mother drink his urine. He taunted her that it was amrit. Finally my mother was released from there and got admitted to a hospital. I never saw her after that, but she wrote me a letter. She said, 'Don't worry about me, girl, you be courageous and you face whatever is in store for you in that new land.'

“My uncle was killed by the police. And the police then picked up my brother from his college and tortured him and his friend. They got electric shocks, which permanently affected them. They are now hiding here and there, from place to place. They hadn't done anything, as they were quite young. It would be better if they would do something to fight back, rather than just getting tortured and killed for no reason.

Some of my uncles arranged a marriage for me, but otherwise I am entirely alone here. Now I have a son, who was born here. I'm planning to tell him all the things I have gone through and explain what our family has done. One day I asked my husband if we should ask our son to go over there and fight when he grows up. My father-in-law* was sitting there and he said, 'Wait till he grows up? That will be too late. Why not send him now so that he can learn all the things he needs to do?' But I think that if he is educated then he can fight in a more sophisticated way. He should get educated first, then think about the best way to fight.

“Maybe now that Hindu girl has seen my family's pictures in the paper and all, and maybe now she realizes that the Singhs are just ordinary people. Not some kind of devils.”

THE ACTION

I don't propose to give a minute-by-minute account of Operation Blue Star here, which can be found by any interested reader in the various accounts mentioned in the notes to this chapter. Probably the most frequently cited one is Amritsar: Mrs. Gandhi's Last Batik, by Mark Tully and Satish Jacob. The most intricate narrative, from the militant perspective, is that of Lieutenant General K. S. Brar, Operation Blue Star: The True Story. Militant sympathizers reject his account out of hand, but I believe it to be an honest and straightforward appraisal. India Commits Suicide, by Gurdarshan Singh Dhillon,²¹ is slanted in the opposite direction and is most valuable for the first-hand narratives from pilgrims caught in the crossfire at Amritsar during the confrontation. Reports on abuses carried out during the operation can also be found in the Citizens for Democracy report, Oppression in Punjab?*

The Indian army was called into Punjab “in aid of civil authorities” in mid-May, but there was no talk at that time of an impending assault on the Golden Temple Complex. The army set up a command post near the entrance to the shrine as well as laying siege to thirty-seven other gurdwaras throughout Punjab, Haryana, and Himachal Pradesh thought to be sheltering militants. Both Bhindranwale and Harchand Singh Longowal, the Akali leader, called for the army to withdraw, threatening mass demonstrations if it did not. Prime Minister Indira Gandhi went on national television on June 2, calling on Indians “not to shed blood, but to shed hatred,” but it is now clear that as she spoke instructions had already in fact been given to top military officers to prepare for an all-out assault. -5 General A. S. Vaidya, Army chief of staff (later assassinated), Lieutenant General K. Sundarji, Lieutenant General Ranjit Singh Dayal, and Major General K. S. Brar were the major military figures involved in the planning and execution of the assault; some seventy thousand troops were eventually involved.

On Sunday, June 3, all communications between Punjab and the outside were cut off, reporters were asked to leave, and a total curfew was imposed on the streets. Everyone knew that something was up; as Iqbal Singh said in Chapter 3, “We could smell it. . .” Mark Tully describes the eerie quiet that descended on the state:

As the sun rose I saw a spectacle I had never expected—the Grand Trunk Road empty. During the five and a half hours it took us to drive to the border I did not see a single civilian vehicle, not even a bullock cart. The shops in the villages we passed through were all closed and most of the villagers were in their homes. The only trains I saw were troop trains. . . . Punjab was cut off from the rest of the world in preparation for the final assault. '1'

June 3 was the martyrdom day of Guru Arjun, and thousands of pilgrims (though possibly fewer than in previous years) were visiting the Golden Temple Complex when the curfew was imposed. It is important to note that the complex not only contains the Harmandir Sahib (the Golden Temple) and the Akal Takht (the Eternal Throne), the Sikh Reference Library, and other religious buildings, but also incorporates large hostels for the accommodation of visitors as well as offices of major Sikh organizations. The militants had moved from the hostel in which they had been staying to the Akal Takht itself, which they had heavily fortified. As pilgrims walked around the parikrama (pavement), took a dip in the sacred pool, and paid obeisance to the Guru Granth Sahib, they must have been aware of the military preparations that had been made. Even at that point, however, few thought that the army would actually attack the sacred precincts. There were certainly hundreds of them caught at the Golden Temple at the time of the confrontation, possibly thousands.

On June 4, the army operation began. Intermittent fire was exchanged throughout the day, not only to and from the Akal Takht but also between the army and the large towers on which the militants had prepared machine-gun emplacements and other perimeter fortifications. The houses and buildings directly surrounding the complex, many of which were occupied by militants, also came under fire during an initial clearing operation that lasted seventeen hours. During lulls, the army would announce over loudspeakers that the pilgrims should come out, but only a few ventured to do so. Nevertheless, military commanders planned to go ahead on June 5 with the major thrust of the assault, to be directed at the Akal Takht itself.

The widow of Labh Singh, a close confederate of Bhindranwales who was later martyred as head of the Khalistan Commando Force, remembers:

On May 25 I went with my two sons to the Golden Temple to see my husband. My father and mother were with us, as they had decided to ask for baptism on that day. We stayed until June 2, when there was a sudden burst of police fire from all directions. I was coming out of the langar [kitchen] with my husband, Santji, and my parents, and the Singhs immediately got started preparing defensive positions in the Akal Takht. There were announcements being made that all the pilgrims and visitors should leave, as things would likely become quite dangerous. My husband told us to get out and to take his two sons out. My mother and I said, "How are we supposed to take care of them without you? If you are staying, we want to stay, too." But he said, "I can't show my back to Santji. I'll fight with him and face martyrdom in this place. So take my sons out and let me do what I have to do." "Seeing him so firm and determined on this point, we decided to leave. We came out on June 4, 1984, amidst a lot of indiscriminate firing on all sides.

There was an atmosphere of fear all around, but among Santji and his companions spirits were high when we left. During June 5 and 6, there was curfew on in Amritsar, and everything was deadly quiet in the streets. The only thing that could be heard was the sound of fierce fighting at the Golden Temple. Flames were lighting up the whole area and you could smell the smoke from every place in the city. The final hour is drawing near, I kept thinking. In the end Santji and his companions were martyred, and my two sons were spared.

By all accounts, the defense of the Golden Temple Complex by the Sikh militants was far in excess of what the Indian army had been led to believe. Although many had thought that the entire place could be taken within a few hours, it took a pitched battle lasting several days to accomplish the goal. It also took the use of Vijayanta tanks, perhaps the most controversial aspect of the operation,⁻⁷ which inflicted heavy structural damage on the Akal Takht. Tully and Jacob note that "to say that Bhin-dranwale was flushed out would be, to put it mildly, an understatement. He was blasted out."⁻⁸ But the military personnel involved in Operation Blue Star are all clear on the point that they were not to harm the actual Harmandir, the Golden Temple itself, which sits in the middle of the sacred pool. Lieutenant General Sundarji said, "We entered with humility in our hearts and prayers on our lips," and despite some evidence of bullet marks on the Harmandir Sahib, this structure did survive the battle relatively intact.

The Golden Temple Complex is honeycombed by tunnels, and the militants kept the army under withering machine-gun fire from the manholes out of which they would pop up and then quickly retreat. Shabeg Singh had apparently

taught them to fire at knee height on the supposition that the troops would be crawling across the *parikrama*, hence many of the injuries suffered by the army were to the lower legs. Nevertheless, this strategy did stop their advance, and the casualty levels were reaching one-third in some units. (Brar notes the extraordinarily high proportion of officers killed or wounded in Operation Blue Star, which he attributes to the desire to keep the troops under control so as to minimize damage to the sacred buildings. 1'9) Finally, in order to put a stop to the massacre of the troops as well as to forestall the possibility of Sikhs converging on Amritsar as news of the assault spread, permission was requested from Delhi to make use of the tanks.

Though the numbers of rifles, machine guns, and homemade grenades were greater than had been expected, the range of types they represented were pretty much what the army had assumed would be in militant hands. The commanders in charge of Operation Blue Star were, however, shocked to discover on June 6 that the militants in the Akal Takht had two Chinese-made rocket-propelled grenade launchers with armor-piercing capabilities. Against these, the Vijayanta tanks let loose a barrage of high-explosive squash-head shells, which tore off the entire front of the Akal Takht, set off fires in many of the internal rooms (some of which housed precious historical relics), and badly damaged the signature dome. Brar says at this point that "it was amply clear to us now that the Temple of God had been turned into a full fledged battlefield." He blamed, of course, Bhindranwale and his men, who certainly provided the provocation for the incident. But there was plenty of blame to go around.

As for the fighting capabilities of the militants, Brar comments:

"Notwithstanding the fact that by converting the House of God into a battlefield, all the principles and precepts of the ten Sikh gurus were thrown overboard, it must be admitted that the tenacity with which the militants held their ground, the stubborn valour with which they fought the battle, and the high degree of confidence displayed by them merits praise and recognition." "One officer told Satish Jacob, more pithily, "Boy, what a fight they gave us. If I had three Divs like that I would fuck the hell out of Zia [the Pakistan president] any day."

The bodies of Bhindranwale, Shabeg Singh, and Amrik Singh were discovered when the army finally entered the Akal Takht on June 7. There were bodies of other militants in the stairways of the building, which had become scenes of major gun battles, and in its labyrinthine halls. Some had tried to swim across the sacred pool to the Harmandir Sahib and, gunned down in the water, their bodies floated on the surface quickly bloating in the intense heat of summer. Other bodies were strewn across the *parikrama*, toppled from towers or shot on the flat pavement itself. Even-eyewitness comments on the stench.

One of the major disasters of the Operation Blue Star debacle was the fire in the Sikh Reference Library at the tail end of the battle. Each side has accused the other of being at fault; the militants claim that the army set out purposely to destroy a crucial part of the Sikh heritage while the army claims that engagement with the militants prevented it from bringing in fire-fighting equipment once the blaze began. In the middle of a ferocious battle, it is perhaps not unexpected that a fire like this should break out and that the minds of fighters on both sides might be devoted to the battle at hand rather than combatting one of what were at that point dozens of fires. In any case, the library was gutted. When the smoke cleared, everything was gone-irreplaceable copies of the Guru Granth Sahib archives of documents from every period of Sikh history, and artifacts from the lives of the Gurus. Given the place of the written word in Sikh religious tradition, the destruction of the library had an impact that reached well beyond the world of scholarship. One man recalls:

I stood there watching the smoke, black at first then a kind of gray, curling over the rooftops around the Golden Temple Complex. When I found out later that it was the library that had burnt I kept seeing that smoke, smelling that smoke in my mind. It seemed to me that I could feel the pages burning, the precious pages of my Guru Granth Sahib. It seemed like that smoke was stinging my eyes. I cried and cried when I found out about the library. Many people had died, but I was crying most about my Guru [Granth Sahib].

As for the pilgrims, tragedies abounded. Bhan Singh, the secretary of the SGPC that had offices in the complex and an eyewitness extensively cited in the Citizens for Democracy's report on Blue Star, paints a horrifying picture:

On the 6th morning when hundreds of people were killed or wounded, everywhere there were cries of those people who were wounded and injured. . . . Many young people aged between 18 and 22 years were killed and so were some ladies. A lady earning a child of only a few months saw her husband lying before her. The child was also killed on

account of the firing. It was a very touching scene when she placed the dead body of the child alongside her husband's body. Many people were crying for drinking water but they were not provided any. Some had to take water out of the drains where dead bodies were lying and the water was red with blood. The way the injured were quenching their thirst was an awful sight which could not be tolerated.

Thirst played a role in other narratives of pilgrims caught in the complex, as Operation Blue Star took place at the peak of the hot season when sustained temperatures reach over a hundred degrees Fahrenheit. A schoolteacher, Ranbir Kaur, locked herself into a room with the twelve children she was looking after. She reports,

We were all huddled together. We didn't know what was happening. The noise was terrifying. We had not been out of the room for more than twenty-four hours and we had no food or water. It was a very hot summer night. I told the children that we must be ready to die. They kept on crying.

An elder of a Punjabi village wrote a letter to the president of India, Zail Singh, with another story:

The army locked up sixty pilgrims in that room [of the hostel] and shut not only the door but the window also. Electric supply was disconnected. The night between June 5th and June 6th was extremely hot. The locked-in young men felt very thirsty after some time, and loudly knocked on the door from inside to ask the army men on duty for water. They got abuses in return, but no water. The door was not opened. Feeling suffocated and extremely thirsty, the men inside began to faint and otherwise suffer untold misery. The door of the room was opened at 8 a. m. on June 6th. By this time fifty-five out of sixty had died. The remaining five were also semi-dead.

Sikh visitors to the Golden Temple Complex after the army assault were seen touching their foreheads to the fresh bullet marks on the walls of the Harmandir Sahib and sobbing. Others pressed their bodies against the shattered trunk of the historic elaiichi beri tree, whose branches had been blasted off in the attack. One eyewitness saw a woman lie full out on the jjurikrama, the pavement surrounding the sacred pool, spreading out her arms on the blood-stained surface and pressing her cheek against one of its crumbled tiles. Another sat in a quiet corner, sifting bits of rubble and ash through his fingers for hours at a stretch, dazedly repeating, "Waheguru, Waheguru."

In the White Paper published by the government of India after Operation Blue Star, militant and nonmilitant casualties are (apallingly) lumped under the category "civilian/terrorist," and are listed at 493. Tully and Jacob note that this figure leaves 1,600 people unaccounted for, based on a relatively conservative estimation of the numbers of people at the Golden Temple Complex at the time. Citizens for Democracy, a respected Indian civil liberties group headed by the distinguished jurist V. M. Tarkunde, sent an investigative team to Punjab and came out with its own response to the White Paper, *Report to the Nation: Oppression in Punjab*. Though Citizens for Democracy rejects the high claims of six or seven thousand casualties put forward by various Sikh eyewitnesses, it notes that the mounds of dead bodies on the parikrama in the wake of Operation Blue Star and the truckload after truckload of bodies brought out of the Golden Temple Complex, observed by many people, point to a much higher casualty figure than the one claimed by the government. Estimating that about ten thousand pilgrims were at the complex during Operation Blue Star, Citizens for Democracy notes that the actual number of alleged terrorists at the site was quite small relative to the number of innocent worshippers." It was indeed a mass massacre mostly of innocents," their report states.

Most disturbing about the reports that started coming out of Punjab in response to the government's White Paper were those that portrayed the army as committing direct atrocities against unarmed people. Brahma Chellany, an Associated Press correspondent who managed to remain in Amritsar after all the other journalists were escorted out, records the shooting in cold blood of Sikhs who had been taken prisoner, their hands tied behind their backs with their turbans. (He was later charged with sedition.)

As for the number of army casualties, figures range from a low of 83 (White Paper/Brar) to a high of 700 (Nayar and Singh). According to army officers with whom I spoke, many of the casualties could be put down to an abysmal failure in intelligence. The complex layout of the site, with all its tunnels and twisting corridors, was simply not in hand when the operation took place. As important, I believe, was the simple failure of the government to understand just who it was up against that first week of June. Tully and Jacob report that

The failure to estimate Bhindranwale's will to fight is . . . easy to explain Bhindranwale had a reputation for cowardice. He was reported to have ducked out of the march against the Nirankaris at the start of his rise to fame, and he had three times taken shelter in gurudwaras to avoid arrest. . .

It is also understandable that the army underestimated the training of the terrorists. The young men who used to surround Bhindranwale when he held his morning congregations were an unimpressive lot. They used to loaf around leaning against the parapet of the Langar [community kitchen] and chatting with each other. They looked more like thugs than skilled fighters prepared to give their lives for their leader.

This impression, formed without direct knowledge of the militants and passed along by a compliant media, obviously turned out to be wrong. Tully may have thought the companions of Bhindranwale "an unimpressive lot," but they were, when push came to shove, skilled fighters prepared to give their lives. This same underestimation continues, in my opinion/today, despite the lesson of Operation Blue Star. Even as Brar commends the militants for their fighting ability and courage, he describes those who stayed with the gunny bags of cash at the Akal Takht as looking for opportunities of getting away with huge sums of money, subsequently to enjoy their acquired riches." -11 That there were such individuals within the movement is probable. But shouldn't an army commander at least consider the possibility that those same dedicated fighters might try to escape with funding in the interests of pursuing their battle with the Indian Government at a later point? Pursue the battle they did, in fact; Blue Star turned out to be not an end but a beginning. Khushwant Singh, who despised the militants but consistently warned the Indian government of the dangers of launching an attack on the holiest of holy places, commented that

Things have never been the same again. Sikhs who had nothing to do with Bhindranwale or politics felt deeply humiliated. Bhindranwale was killed which gave him a halo of martyrdom he did not deserve. It gave a filip to the terrorist groups Bhindranwale's ghost still stalks the Punjab countryside disturbing the sleep of the Punjabi Hindu and the conscience of the Punjabi Sikh."

Khushwant Singh returned the decoration that had been awarded him by Indira Gandhi, as did several other Sikhs in high positions in the government. So did Bhagat Puran Singh, known as "the bearded Mother Theresa" for his service to lepers, orphans, and other afflicted people. Two Sikh members of parliament resigned their seats. Indian troops mutinied at various locations across India, the largest mutiny occurring at Ramgarh (Bihar) where almost fifteen hundred soldiers tried to desert. Lieutenant General Brar, worried about the boost given to Bhindranwale's reputation by his martyrdom during Operation Blue Star, said that "overnight, Jarnail Singh Bhindranwale became a hero, even with those who had hated his guts and despised his earlier actions." One of my interlocutors praises Bhindranwale and his performance during Blue Star fulsomely:

Sant Jarnail Singh Bhindranwale was a truthful, devout saint-soldier of the tenth Guru. He was not of a type who would care for his safety or security, but he was so much immersed in the love of Guru that he devoted his whole self to the preaching of Sikhism. In our tradition, we believe that Guru Nanak told Babar [a Mughal emperor] that he was a tyrant, right to his face. In the same way Sant Jarnail Singh Bhindranwale stood up to tell the truth, no matter who should feel offended. Our sixth Guru, Guru Hargobind, and our tenth Guru, Guru Gobind Singh, raised their voices against tyranny and had to raise their swords, too. In the same way Sant Jarnail Singh Bhindranwale raised his voice and took out his sword. Sant Jarnail Singh Bhindranwale courageously tread on the path of the best Sikh traditions and values.

Last autumn I had the chance to visit the new Holocaust Museum in Washington, D. C. The power and sorrow of that museum was enhanced for me by the fact that I was accompanied by Amarjit and Iqbal Singh of Chapter 3. I could feel the way the exhibits moved them, and I imagined wordlessly the analogies they were probably drawing with their own community's situation. In one part of the museum there is a walkway inscribed with the names of places in which Jewish communities had been destroyed during World War II. As I watched, a bent old man, apparently blind, was being led by a young boy along the walkway. He was running his fingers up and down the list of place names. Stopping at one, he leaned over and kissed the name, holding his face there against the glass, his eyes shut tight. The boy, presumably a grandson or great-grandson, looked away, embarrassed by the show of emotion. But the poignancy of that old man's gesture was not lost on me, nor on the Sikhs with me. The conversation shifted from the Jews to the Sikhs.

Some Sikhs have in fact taken up the term “holocaust” (ghallughara) to describe the events that befell their community in 1984. As far as I can tell, not many of those who use the term are actually very familiar with the World War II holocaust, which differed in many significant ways from what happened to the Sikhs (however horrific) in 1984. But the holocaust theme has caught on; a newspaper article in one of the radical Sikh papers asked in its headline, “Are the Gas Chambers Next?” Seeing an especially troubling exhibit at the Holocaust Museum in which the shoes of concentration camp victims are piled high, disturbing in their very everydayness, Amarjit and Iqbal Singh got into a discussion about what happened to the shoes of the pilgrims visiting the Golden Temple Complex at the time of the attack, which had been deposited at the entrance-way as required for worship. It was from the number of shoes recovered that some of the estimates of casualties were derived, and the two Sikhs thought that a future holocaust museum at Amritsar might effectively archive this piece of Sikh history. We started talking about the importance of preserving people's accounts of Operation Blue Star and events thereafter and the role that an outsider like myself might play in that preservation. An archivist or a chronicler of the Sikh militancy—that role suited me just fine, and I was happy that the Holocaust Museum brought out this convenient way of discussing and defining my niche. Somebody who takes down people's stories, another Sikh said later that evening, that's what we need. A gatherer of stories was, after all, something like what Geertz recommended for contemporary anthropology: that we should compile a consultable record of what humans have thought and done.

The term ghallughara had been used to describe the massacre of Sikhs near Malerkotla and subsequent destruction of the Golden Temple by Ahmed Shah Abdali in 1762. It was in fighting against the occupation of Amritsar by Abdali's forces that Baba Deep Singh's head was severed from his body, making Bhindranwale's reported comparison of himself with Baba Deep Singh all the more potent. There were other historical resonances as well. The fact that the 1984 attack took place on the martyrdom day of Guru Arjun not only meant that thousands of pilgrims would be worshipping at the shrine at the moment of attack, but also invited a comparison between this first Sikh martyr and the modern-day martyrs defending the Golden Temple. (Why the Indian government allowed this to happen, despite warnings from many prominently placed individuals, is a matter of much speculation.) Finally, the 1984 confrontation took place just blocks away from Jallianwalla Bagh, where in 1919 General Dyer of the British colonial army slaughtered some four hundred people, many of them Sikhs, who had gathered for a rally. As the Jallianwalla Bagh massacre was a founding event in the Indian independence struggle, it was said, so Operation Blue Star would be a founding episode in the independence struggle of Khalistan.” He out-Dyered Dyer,” commented one Sikh about Lieutenant General Vaidya.

Recognizing the potential political power of the martyrdom of Bhindranwale, the government of India initiated a sweeping crackdown on militants across Punjab under the code name Operation Wood Rose.” They always thought that whoever had been with Sant Bhindranwale even for an hour, he had been magnetized, he is virtually a potential bomb, and their only idea was to finish off anybody who was even remotely associated with Bhindranwale,” reported one young man who, indeed, had been “magnetized” by Bhindranwale. Amritdhari Sikhs were particular targets of surveillance; the Indian army newsletter suggested after Operation Blue Star that “any knowledge of the Amritdharis who are dangerous people pledged to commit murders, arson and act [sic] of terrorism should immediately be brought to the notice of the authorities. These people might appear harmless from the outside but they are basically committed to terrorism.” This blanket condemnation of all orthodox Sikhs as terrorists went a long way toward alienating even those who otherwise may have remained, if not committed to India, at least unwilling to applaud the use of violence against it.

The notion that Operation Blue Star was a matter of a secular, pluralist state protecting itself from a few religious fanatics is a much celebrated one, and it is true that there were Sikhs who fought on the side of the army at the Golden Temple (K. S. Brar among them). But it would be misleading to ignore the communal context that helped define the eventual impact of the operation. Local Hindus offered sweets to the troops as they left the front gate of the Golden Temple Complex, while local Sikhs did the same for the militants escaping through the alleys at the back. Though Brar says he sternly ordered his troops not to accept this kind of inflammatory hospitality, the myth of government neutrality was shattered by the thoughtless generalizations about amritdhari Sikhs from other sources. Later, the “communal card” was played shamelessly by Rajiv Gandhi in the elections of 1985. However well-intentioned some army and government leaders were in playing down the communal implications of Blue Star, it was received by Sikhs, and indeed by many Hindus, as an attack not on terrorism but on Sikhism. As Nayar and Singh note, “Punjab's tragedy is that there are no Punjabis anymore in Punjab—only Sikhs and Hindus.”

The clearly distorted account of the event released to the media does not speak well for India's vaunted freedom of press. Stories of prostitutes and drugs at the Akal Takht were printed on front pages one week, then recanted in back pages the next. A story suggesting that Bhindranwale had committed suicide was followed by one describing his body riddled with bullets from head to toe. 49 There is no doubt that an entire apparatus of fear dissemination worked to convince India that the Sikhs were to be distrusted. 50 And, by and large, it succeeded.

Compromises with press freedoms were accompanied by draconian legislation that was a target of criticism from human rights communities around the world, implemented in the interests of combating terrorism in Punjab. The Terrorism and Disruptive Activities (Prevention) Act, known by its acronym TADA, allowed for the detention of a person on mere suspicion in a “disturbed area” and was applied in twenty-two of India's twenty-five states (many of which could not have been said to face a terrorist threat by any stretch of imagination). In the ten years following 1984, some seventy thousand people were detained under TADA though only about 1 percent of them were eventually convicted of a crime. Moreover, TADA cases were held in special courts heard by executive magistrates who were appointed centrally, the cases were in camera, and could be held in locations far removed from the disturbed area itself. The identity of prosecuting witnesses was not revealed, rendering impotent the right of cross-examination. Human rights groups have complained that TADA was most emphatically applied to members of religious minorities, scheduled caste Hindus (former Untouchables), and tribals. Most significantly, the expedited system set up for TADA seems to have completely swamped the normal judicial channels.” Suddenly, there was no more crime in Punjab, only terrorism,” said a former police officer. Retired Supreme Court Justice Krishna Iyer put it concisely: “Justice in Punjab has been crucified on the cross of law.”

There were other innovations in judicial procedure, too, that received less press than the notorious TADA but were equally problematic. Amendments to the Criminal Procedure Code allowed a person to be presumed guilty if she were found at the scene of a crime and to be held without charge for a year. If a person was present where an act of sedition occurred, he was considered guilty of sedition (a capital crime) until he could prove himself innocent. The state could close down a newspaper or seize a book or any other material considered prejudicial to national integration. Under the National Security Act (NSA), an individual could be preventively detained for a year if judged to be likely to behave in a manner inimical to the interests of the country. Modifications to other laws such as the Arms Act and the Misuse of Religious Places Act enhanced the possibilities of judicial excesses in the name of counter-insurgency. Stanley Wolpert, writing in *A New History of India*, notes that “though India had signed the UN Declaration of Universal Human Rights, her legal system now clearly violated its basic provisions and left more and more of its citizens to languish behind prison bars without any stated cause for such action or real hope of freedom.”

The calling in of the Indian army “in aid of civil authority” and the growing militarization of law and order in Punjab worried many people, including some top figures in the Indian armed services. Lieutenant General J. S. Aurora specifically warned of the temptation such an army might feel to take over completely, which of course happened in the case of India's neighbors and thus would be ruled out only by the foolhardy.” You know,” he said, “if you use the army too often, the chances are that they may say we are managing it for them, why not manage it for ourselves? . . . There is no doubt that we are taking dangerous chances.” 55 Lieutenant General Sundarji himself later accused the nation's leaders of forcing the army into political conflicts in which it didn't belong.

The immediate impact of the militarization of Punjab and the cataclysmic implementation of “Black Laws” was the total alienation of the previously minimally involved targeted population. One Sikh militant I interviewed, later responsible for some major “combat actions” in the insurgency, said that “one thing very deep in my mind as I got out of prison was that I had gotten more than my share as punishment than I had actually put in service to the cause. I thought, if they bother me now, I'll become a living hell for them. Now I'll let them know what a Sikh is really like.” Another interlocutor asserts bluntly, “All the Sikhs were wearing black turbans after the attack on the Golden Temple. I had one Hindu friend who taunted me, 'Hey, give me a black turban to wear, too.' I said, 'One day you'll get your black turban.' After that bitch Indira Gandhi was punished I went over to his place and presented him with a black turban.”

Whatever the provocation provided by Jarnail Singh Bhindranwale and his associates, and certainly from the viewpoint of state security it was extreme, it is clear that the major effect of Operation Blue Star was not the eradication of terrorism in Punjab but the creation of a community with nothing to lose. As we all know, this situation is the most dangerous thing a civil society can face. As India faced it, the “largest democracy in the world” became, in fact, noticeably less civil.

A SOLDIER AND HIS WIFE REACT TO OPERATION BLUE STAR

The soldier: "I came from Bhatinda district in Punjab. In my family there were three brothers and one sister. We were not a very religious family. My father had unshorn hair but he was not a baptized Sikh. We were very far from religion and politics, both.

"In 1984 I was employed in the Indian army. I worked at the Bhatinda Railway Station as senior clerk. When I heard that the army had invaded the Golden Temple I felt very shocked and hurt, even though I was not a religious-minded person.

"As I was the seniormost man in the detachment, I heard on the radio what was going on during the attack. Everything was under curfew, so I couldn't really see what was happening outside. I heard on the radio that as news spread about the attack on the Golden Temple Sikh soldiers were deserting their posts and marching towards Amritsar. Then the BBC started reporting that the mutineers who had left their posts were being arrested and killed on the way. The thought came to me and the other Sikhs that the government might kill us here and now, so why not march to Amritsar to try to do something for our religion? We thought like this, but we didn't go. We just listened on the radio and talked and talked.

"After this I became a voracious reader. I tried to get as many Punjabi and other newspapers and magazines as were available. I tried to learn everything I could about my religious tradition and my community'. Then I realized that Sikhs were being killed everywhere and that they were discriminated against in every sphere, and my religious emotions started becoming more intense.

"On 31 October Indira Gandhi was punished by Beant Singh and Satwant Singh for her misdeeds. Sikhs all over India were then murdered cold-bloodedly in retaliation. I was employed at the railway station, and trains used to come there with all the windows broken and dead bodies inside. Some who survived told gruesome stories. After listening to them and after seeing what was happening, I couldn't hold my emotions back. That was such a painful experience.

"The Sikh soldiers, who were coming in on trains and stopping at my station, kept asking me. 'Tell us, what should we do now?' But I advised them not to act in emotion, otherwise we would all get killed, too. 'We have to be organized and do something collectively.'" I said.

"My superior officer, who was a Hindu, kept telling me, 'Why are you stopping the Sikh soldiers and not letting them go to their assigned duties?' I told him. 'The mobs are out to get them and they will be killed if I let them go. ' Then I started using my authority and sanctioned these Sikh soldiers' leave applications. I told them not to go any place at all. to stay right where they were. In the two days following the punishment of Indira Gandhi. I must have stopped around two hundred young Sikh soldiers, who otherwise would probably have gotten killed traveling on trains. Some amongst them were so young and innocent, so unaware; they said, "Why are you stopping us from the performance of our duties? We might be held negligent, so let us go to our posts. ' But I told them, 'You can only be punished for negligence if you arrive alive there. You will likely get killed on the way, so life is more important than duty in this case. '

"After that episode I decided to get baptized as a Sikh. My whole family was baptized along with me. The Hindu officer in charge, however, got annoyed at this action and had me transferred to Rajasthan. I stayed there for almost a year and through my newfound missionary zeal about forty out of the seventy Sikhs in that area started to grow their beards and gave up alcohol. Finally my Hindu OC there got annoyed as well and sent me off to the Madras regiment, where there were no Sikhs at all. After some time the OC there, also a Hindu, told me to either stop my religious activities or take retirement. 'You can't stay in the army preaching Sikhism,' he said. I had been transferred three times within two years, and it was difficult for my family, too.

"So I went back to my home in Bhatinda and started a small-scale business selling refrigerators. By 1989 I became known in my area and I became press secretary for the Akali Dal, the political party of the Sikhs, for my district. After a year I became that organization's general secretary. We tried to work for the Sikhs through democratic means,

demonstrations, processions, rallies and so on, to convince the government that we have some rights as Indian citizens, too. We argued that our rights should not be violated.

“One time when our Akali Dal leader, Simranjit Singh Mann, was Visiting Bhatinda, to attend a rally, police surrounded us and without any warning started beating participants in the rally. Simranjit Singh Mann was beaten so badly he was taken to the hospital and stayed there for many days. I myself was wounded when I tried to protect Mann, and then I was arrested as well. The police charged us with canes, and nine people were seriously injured, one succumbing to his injuries later on.

“After that we used to try to help the villages where people had been victims of police harassment, and we used to help the families of those killed, imprisoned, or tortured with money or in other ways. Once we conducted an agitation for a sewer system for Bhatinda, which had been part of municipal planning but was eaten up by corruption. We were successful in that agitation.

“At that time, I still believed that things could be achieved through the political process. That was what I thought, so I didn't participate in the militant side of the Sikh struggle. But the price for that adherence to peaceful means was that I was taken to the police station, beaten mercilessly, and tortured there.

“When I and others protested another Indian army action against the Sikhs, Operation Black Thunder, we wore black flags on our arms and tied cloths around our mouths. I was arrested and thrown in jail for one month for that. We were not permitted to even hold peaceful rallies or conventions. Whatever date would be announced for our action, we would be arrested before that and we would not be allowed to reach that engagement. The police and the army were disrupting the peaceful process which we at that time believed in.

“Youngsters in our organization, who were being harassed day in and day out, they went into hiding and most of them ended up in the armed struggle. Since I knew them, they used to come out of hiding to visit me and I provided them shelter and food. Some of these freedom fighters revealed during interrogation that they had been to my house, and the police started harassing me continuously.

“Then in February 1992 the government ordered elections in Punjab, and on the call of the freedom fighters the whole Sikh nation decided to boycott the elections. The militants, our sons and daughters, were supported by all the different factions and organizations, and we all stood in solidarity against Indian oppression.

“We were going to hold a meeting about the boycott of the elections in Bhatinda on 8 February, so on 6 February I was arrested. For three or four days I was tortured by the Criminal Investigation Agency in Bhatinda. They tortured me so badly that I started passing blood while urinating. My family didn't know where I was or what had happened to me.” The officers accused me of helping in the boycott of the elections by getting some pamphlets published. They said, 'OK, we'll give you your Khalistan,' in a taunting tone. They accused me of harboring militants and telling them to come to me. I said that as general secretary of the Akali Dal (Mann) party for our district anybody who was a grieved party or in need of assistance could come to me. And anybody who comes to a Sikh's house must be provided food and shelter. This is simply the moral duty of every Sikh.

“It was also our tradition that Sikh Gurus had sacrificed their own sons, their own children, and Sikh martyrs went through all kinds of difficulties but still upheld their values. This Sikh history was my only strength during the time I spent under torture.

“Then the officers started telling me that I would be killed and that they had a list of all my relations, and they would all be killed, too. They wanted me to tell them all the names and hideouts of the militants with whom I had contact.

“I was stripped naked and kept that way during all these days in custody at the interrogation center. They used to hold me by my hair and beat me, and insult me by saying things about the Sikh religion. Eventually I was moved from the detention center to jail, where I was charged under TADA. I was bonded out after a month.

“When I came out of jail I went into hiding, and then eventually I decided to get out of India altogether. I thought for a while of joining the militant movement, but as I have a wife and children I thought that they would be harassed and humiliated if I did that. So I thought it might be more appropriate to continue to serve my nation in another capacity.

“As there is complete censorship on news media in India, its hard to get the truth out. For us overseas, our duty should be to educate people about what is going on and let our people's sorrow be known to the world.

“Our only desire is to be a free people and to join the galaxy of free nations of the world. I believe in peaceful means. But I also believe that the militants have not gone in for militancy as a choice. After I came to this country one of my nephews was killed in an encounter. The other is in hiding and might be killed any day now. What can we do if our children have taken to that? I think we have no choice but to join them.

“Now this is the time for all the nations to stand up for the sake of humanity, for the sake of justice. They should not be silent and they should not allow the great Sikh nation to be killed in the hands of a brutal regime. This is the time for the world to speak up.”

His wife: “I inherited religious teachings and a religious faith. My grandfather was a devout person, and he actually wrote a biography of one of our Sikh saints. My father was in the army. He served in the army for twenty-eight years and was a kind of preacher.

“When I got married I learned that my husband was not really of a religious bent at all. Due to his influence I also veered away from the religious path. It was a fire of modernism which engulfed me in those days! But when we heard that the Golden Temple had been attacked, we were really shocked. And when we saw that the Sikhs inside the Golden Temple resisted the Indian army with so much courage and bravery, my husband got convinced that some spiritual strength comes from Sikhism which can stand against any odds.

“Blue Star made a complete change of heart in my husband. He stopped trimming his beard and later proposed that we should get baptized. He started reading a lot and there was a total change in his behavior. It was like a threshold had been crossed that we didn't even know had been there.

“Though I had a yearning for religion right from my childhood, after my husband got converted we both were strengthened in our resolve and we got baptized. When he went back to his army post after that he got harassed and eventually decided to retire from the army. Then he started working for Akali Dal, the Sikh political party.

“As for me, I was a teacher of vernacular Hindi. I also used to teach my students about how they could defend their religion and what they needed to do. Some of the people opposed me and came to see my principal about the things I taught. Sometimes people would write my name on the walls, and whenever anything bad happened they would say I was behind it. And while I was teaching, I also helped my husband in his political work and became convinced that the militant struggle was the only way to obtain our rights.

“Militants don't come out of the womb of a mother. It is the system, the circumstances, that have converted them. The young boys, those who have time to read, to enjoy life, to travel, if they are in hiding all the time awaiting the hour of their deaths who can say what they will choose to do? Who chooses that kind of life? It is a compulsion. We fully sympathize with them, and we support them since we believe that they have no choice.

“The Indian government is our enemy, and it is clear that we cannot live with them. If they are calling us terrorists or something like that, it doesn't make much difference as they are our enemy and they can be expected to say anything. That only makes us more firm in our resolve that we can't live with these people and the only solution for us is an independent sovereign nation.

“After my husband came to the United States, police raided our house many times. They used to jump over the walls, come inside, and ask whether militants come to the house. One day one police official, drunk, came along with four constables. They said that my husband in the United States was active in political activities there and none of my relatives would be spared. He asked for a list of all my relatives, saying that he would keep it in his pocket. He said that if any of his bodyguards or any of his police were hurt in any way he would kill all the relatives on that list.

I got scared on that night and thought it would not be safe to stay there. I thought they would deal with me as they deal with others, and that is that they enter the houses and rape the women. So I left my house with my children and went into hiding. Five or six days later police came and broke into my house. They took all the furniture and everything else

that was left. I was glad I wasn't there or I would have been raped or humiliated in other ways. Thank God my honor was saved.

“I don't fear being killed but I don't want to be dishonored. My husband and I haven't come to this country out of fear, but out of desire that the world should know what is going on over there. There is such firm control in India that the news about Punjab is totally suppressed.

“We expect that the government of the United States and all human rights groups should help us in achieving our freedom. We are very broad-minded people, we are very nice people, we will have a nation of noble people. We will even forgive those who have done these wrongs, but at all costs we must get our freedom. We want to live in dignity and honor. That's what the whole Sikh nation wants.

“As for my sons, I'll feel proud if they get killed for a holy cause. Everybody has to die, but those who die for honor never die, for they are immortal.

When some Sikh women were in the custody, of the Mughal emperor in Lahore their small sons were put to death right in front of their eyes. They were thrown onto swords and their bodies were chopped up and made into garlands, and the Sikh women had to wear these necklaces made of the chopped bodies of their children. With folded hands they thanked God that their children had stood the test of their faith and had died bravely.

“I have only two sons, and if they get sacrificed it will be the great grace of the Guru that we will be able to give back what was the gift of God to us.

“As for Operation Blue Star, I can say that it gave us a rude awakening. It became clear just what the place of Sikhs was in India. Nobody could avoid facing up to the basic fact that we had no safe home there anymore. I therefore thank the Indian government for that.”

INDIA: BREAK THE CYCLE OF IMPUNITY AND TORTURE IN PUNJAB

Amnesty International

Introduction

Torture and custodial violence continue to be regularly reported in Punjab, despite the end of the militancy period in the state in the mid-1990s.

One reason for the continuation of serious human rights violations after the militancy period is that a decade of armed insurgency and police counter insurgency operations left its mark on the way the police and the criminal justice system function in the state. Another reason is that virtually none of the police officers responsible for a range of human rights violations - including torture, deaths in custody, extra-judicial executions and “disappearances” during the militancy period - were brought to justice, creating an atmosphere in which state officials appear to believe that they can violate people’s fundamental rights with impunity even today.

In this report, Amnesty International (AI) makes the link between the impunity enjoyed by police officers during and after the militancy period and the continuation of torture today. This link sends a warning to states in India presently ravaged by armed conflicts such as Jammu and Kashmir and states in the northeast that perpetrators of human rights violations must be held to account in situations of widespread and prolonged violence, if long-term repercussions for the enjoyment of human rights are to be avoided. (1)

The report focuses on abuses committed in police custody. AI recognizes that during the militancy period torture and other forms of violence were widely used also by armed opposition groups engaged in a conflict with the security forces in Punjab. The organization condemned these human rights abuses in the past and continues to do so in the case of the ongoing conflicts in Jammu and Kashmir and the northeastern states. It believes that torture must be condemned whatever the identity or position of the perpetrator and that victims of human rights abuses by armed opposition groups or other actors have the same right to justice and reparation as the victims of police abuses. (2) The main reason for focusing exclusively on the continuation of torture in police custody in this report is that the majority of the armed opposition groups are today inactive in Punjab and AI has received no reports of acts of torture perpetrated by their members after the end of the militancy period. Similarly, the issue of impunity for abuses committed by these groups during the militancy period is marginal, as most of their members in the state were arrested or killed by security forces in counter insurgency operations in the early 1990s.

This report is part of a series of documents on torture in India produced in the context of AI’s ongoing international Campaign Against Torture. Recommendations made in it should be read in conjunction with the document “*India: Words into action: Recommendations for the prevention of torture*”, submitted to the Indian government in December 2000 and published in January 2001. (3) In March 2001 AI received a two-page response from the government to that report: this pointed out that India’s signature of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in October 1997 marked a commitment to the prevention of torture; that effecting further improvements wherever required was an ongoing process; and that the government was drawing up an Action Plan as part of the UN Decade on Human Rights Education. The letter concluded by stating that we welcome all useful suggestions made in the report and shall have no hesitation in taking steps to implement them.

The present report stands therefore as a further reminder of the urgent need for the Indian government, as well as state governments, to take active steps to translate these commitments into action so that the pattern of torture is ended. It follows a report on violence against women in Uttar Pradesh and Rajasthan and another on torture in West Bengal. (4)

AI sent a draft of the present report to the Government of India and to the Government of Punjab one month before publication, inviting their comments on its contents in a spirit of constructive dialogue. A letter (received by fax), from the High Commission of India in London on 14 January 2003 stated however that “The report on Punjab has been examined by the concerned authorities in India,” and “that in view of the sweeping, judgemental and non-substantiated nature of much of the contents, it really does not merit a formal, written response”. AI greatly regrets that specific cases as well as the larger issues of impunity and the continuation of torture in the state raised in the report have not been addressed by the Indian authorities.

Concerns about the use of torture have been raised by AI during the Campaign Against Torture about a wide range of countries, including Brazil, China, Pakistan, the Russian Federation and the USA.

I. Background: the militancy period in Punjab and its aftermath

A decade of violence shapes policing practices

The decade of violent political opposition in Punjab - which lasted from the mid-1980s to the mid-1990s and is known as the period of militancy and its pattern of unlawful and indiscriminate arrests and killings have left a legacy for policing practices in the state. In a decade of violence about 10,000 civilian lives were reportedly lost, while hundreds of people were detained without charge or trial. Thousands of disappearances or extrajudicial executions were allegedly carried out by the police as part of a deliberate policy to eliminate armed opposition groups as well as their supporters. The unchecked use of torture eroded police professional and investigative skills. The protection from prosecution provided by security legislation during this period weakened police officers sense of accountability to the judiciary and society and encouraged continuing misuse of police powers.

The militancy period began in the early 1980s when a movement within the Sikh community in Punjab turned to violence to achieve an independent state for the Sikhs, which they would call Khalistan. (5) Some sections of the ruling Congress party, whose support base included urban Hindu traders, fomented this radicalization in order to weaken their main parliamentary opposition in the state, the Akali Dal party, which represented the Sikh peasantry with a more moderate agenda. In 1982 the Akali Dal launched a civil disobedience campaign against a decision to divert a river vital to Sikh farmers in the state. A number of Sikh organizations were banned and several leaders of militant groups took shelter in the Golden Temple in Amritsar.

The radicalization of the movement for Khalistan was met with arrests under a series of national security laws that were introduced during the 1980s to meet the terrorist threat in Punjab but were enforced also in other parts of India and maintained for several years after the end of the militancy period in Punjab. The 1980 National Security Act (NSA), amended in 1984 because of the extremist and terrorist elements in the disturbed areas of Punjab and Chandigarh, provided powers to preventively detain people suspected of activities prejudicial to the defense of India, the relations of India with foreign powers or the security of India for up to two years in Punjab and up to one year in the rest of India(6). The Terrorist Affected Areas (Special Courts) Act followed the NSA in 1984. The Terrorist and Disruptive Activities (Prevention) Act, in force from 1985 to 1995, subsequently provided the police in Punjab with sweeping powers of arrest and detention. These laws left the heaviest legacies of the militancy period on policing methods in the state and the rest of the country. They explicitly freed the police from accountability to the criminal justice system for actions undertaken in good faith, allowing officers to believe themselves beyond the reach of law.

The Sikh armed opposition groups responded to the arrests by stepping up their attacks against the police, elected representatives, civil servants and both Hindu and Sikh civilians. In 1983 the Government of India imposed direct rule on Punjab in the face of the increased violence: the state Legislative Assembly and government were therefore dismissed and the administration of the state came under the control of the central government, through the Governor of the state. From this moment the Punjab Police started to take orders from Delhi and so stopped being accountable to any political institution within the state. Tensions with the civil administration in the state reportedly freed the police from any accountability to this civil authority as well.

Human rights violations by the police during the decade of militancy were widespread. Indiscriminate and arbitrary arrests continued in this period, setting a pattern which continued until the mid-1990s. Civilians were often arrested solely for being related to or living in the same village as members of armed opposition groups. Such civilians were often placed on an unofficial blacklist circulated to all police stations and were liable to be arrested again after their release on any occasion when there was a militant action in the area. Arrests often occurred when a quick solution for a case was needed or simply to fulfil an arrest quota. Arrest procedures were frequently not followed and the arrest was often not recorded in the daily log of the police station, thus remaining completely unofficial and leaving detainees vulnerable to further abuses. Detainees were frequently moved from one police station to another, or to unofficial interrogation centers, making it difficult for their families and lawyers to trace them. Torture was widespread and used both as a substitute for investigation and as punishment. The police routinely disregarded court orders to bring detainees before a court, and judges were threatened to deter them from taking action against the police. When detainees died in police custody, the police organized the post-mortems and the cremations before any

independent investigation could be carried out into the cause of death. Undercover agents were also unofficially recruited: these were often former members of armed opposition groups offered not to be killed or tortured in exchange for their collaboration with the police. They were reportedly used to infiltrate militant groups, to kill militants or to discredit them with violent actions in their names. Disappearances and the killing of members of armed opposition groups and their supporters by the police in real or staged “encounters” were frequent. They were tolerated by the police authorities and government as part of a policy to eliminate armed opposition groups(7).

The structure of the police force itself underwent some important changes in order to meet the threat of violent opposition: a system of monetary rewards was set up, reportedly with the sanction of the central government, to encourage police officers to kill militants. The system was not codified in any police manual or law, but a few circulars issued by the Punjab Home Department reportedly allowed for the granting of these rewards. The militants were categorised in different lists, which were given by the Director General of Police (DGP) himself and circulated to the police stations. Rewards were different according to the category the militant killed had been put into, and they could vary from around 50,000 Rs (about US\$ 1,030) to 500,000 (about US\$ 10,300) in the early 1990s. It is reported that the central government created a special fund to finance these rewards, the fund being operated only by senior police officers at state level. At the level of the police stations the system of rewards reportedly generated practices of misappropriation and corruption, the trend being for senior officers to get the major part of the reward for themselves, leaving only smaller amounts to the lower ranked policemen who actually carried out the work. A system of out of term promotions was also set up in this period for those police officers who distinguished themselves killing a large number of militants. This system was reportedly established in order to bring up a new cadre of young officers who, it was believed, would be better equipped for the fight against terrorism.

In 1984 the violence on both the police and the militants’ side reached such levels that the Indian Army was deployed and the Armed Forces (Punjab and Chandigarh) Special Powers Act was introduced in designated disturbed areas of Punjab. In these areas the army was granted powers to shoot to kill, to enter and search any premises, and to arrest any person without warrant and with immunity from prosecution. The army stormed the Golden Temple in June 1984, killing thousands of civilians together with the armed militants who had retreated to its premises. In retaliation, Prime Minister Indira Gandhi was killed by her Sikh bodyguards in October 1984, triggering massive anti-Sikh riots in the Indian capital, New Delhi, and other parts of the country, in which thousands were killed. The alleged connivance of a section of Congress leaders in the massacre and the failure of the authorities to prosecute those responsible further radicalised the Sikh community in Punjab.

In July 1985 the Government of India reached an accord with the Akali Dal, which subsequently won elections for the restored state assembly when direct rule was lifted. The accord, however, was never fully implemented by the central government, causing fresh alignments of some splinter elements of the party with the militants. In May 1987 the Akali Dal state government fell, and direct rule was again imposed. State assembly elections were cancelled amid increased violence. Armed opposition groups assaulted and killed Hindu and Sikh civilians, targeting civil servants, politicians, journalists, businessmen and moderate Sikh political leaders whom they considered to have colluded with the Government of India.

In 1991 a catch and kill counter-insurgency policy was adopted by Punjab Police prior to new elections. These were held in 1992 but were widely boycotted by the Sikh electorate and won by the Congress party. A new Chief Minister, Beant Singh, was sworn into power. Political analysts and commentators affirm that the low rate of support for the Congress government in the state compelled Beant Singh to seek the close cooperation of the Director General of Police K. P. S. Gill and therefore not to interfere with his methods of fighting the armed opposition groups in the state: the police were thus again left almost free from political scrutiny within the state. In an intensified crackdown on the opposition, the police killed several human rights activists as well as many members of armed opposition groups, their families and supporters. By 1993, the authorities declared that terrorism had been defeated and that normality had returned to Punjab. Arrests of members of armed opposition groups are still occasionally reported, although such groups are believed to be inactive.

After the militancy period: what should Punjab do with its past?

A coalition of the Shiromani Akali Dal (SAD) party and the Hindu nationalist party, Bharatiya Janata Party (BJP), won state elections in 1997. The new administration, headed by Chief Minister Prakash Singh Badal, promised the release of detainees charged with offences under the lapsed Terrorist and Disruptive Activities (Prevention) Act

(TADA); improved accountability for police officers; a Truth Commission to investigate human rights violations during the militancy period; and the prosecution of police officers accused of human rights abuses committed during the decade of unrest.

Few of these promises materialized during the SAD-BJP tenure. Only a few TADA detainees were released, and at present the number still detained under the lapsed Act and awaiting trial has been estimated at between 35 and 100. TADA is reported to be still occasionally used to arrest suspects in connection with crimes committed before it lapsed. Some refugees from Punjab - deported to India from western countries in recent years on the ground that after the end of the militancy period they would no more be at risk in Punjab - have been detained and charged under the lapsed Act on their return.

Davinder Pal Singh Bhuller was expelled from Germany after his application for political asylum was rejected. He was taken into custody when he arrived at Delhi airport on 18 January 1995, in connection to his alleged involvement in a car bombing in New Delhi in 1993 in which 12 people were killed and 29 injured. He confessed to involvement in the killings but did so only once, allegedly under torture, and later retracted his confession.

In August 2001 a designated TADA court passed the death sentence on him. In December 2001 an appeal against the death sentence was made to the Supreme Court. While the court was making its decision armed militants perpetrated an attack on the Lokh Sabha (the Indian parliament) on 13th December 2001 and observers believe that heightened rhetoric about the threat of “terrorism” in the country and a hardening of government policies may have influenced the decision. The appeal was rejected by a three judge bench; two judges believed the death penalty should be upheld but, unusually, the other ruled that the accused was innocent. A petition questioning the controversial appeal decision was upheld by a three judge bench of the Supreme Court in mid December 2002. A mercy petition is shortly due to be filed by his lawyers.

No Truth Commission was established. The Government of Punjab failed to take up a proposal made by the Punjab and Haryana High Court in August 1999 that a commission of inquiry could be established by the government itself under the Commission of Enquiry Act, 1952, to investigate reports of hundreds of alleged disappearances in police custody and suspected extrajudicial executions. The authorities did not clearly distance themselves from proposals of an amnesty for at least 500 police officers who have been charged with human rights violations allegedly committed in their official capacity during the militancy period (see below). Similarly, the government sanction required by law to initiate prosecution against police officers involved in criminal cases was often refused in the state.

A positive achievement was the establishment, under the 1993 Protection of Human Rights Act, of the Punjab Human Rights Commission (PHRC) in 1997. In many cases during the last five years, however, the state government has not complied with recommendations made by the Commission, particularly to pay compensation to the victims of police abuses. The role of the Commission is examined in Chapter 5.

In February 2002 state elections brought to power a new Congress government in the state, led by Chief Minister Amarinder Singh. By that time all the themes related to justice and impunity - including an inquiry into human rights violations which occurred during the militancy period and the issue of accountability of the police force - had disappeared from the political debate in the state, which focussed instead on corruption in public affairs, economic development and the financial difficulties of the state. The Chief Minister stated his government’s intention to “forget the past and think about the future” (8), but indicated also that “the state government would fight the legal cases of those police officers who fought against terrorism and secure their release” (9). Police reforms and the isolation of police from political pressures did not seem to be priorities of the new government, which undertook a major reshuffle of all senior police officers in the state as soon as it took office(10), thus potentially establishing channels of influence for the government on the police force. Observers have also pointed to a renewed resort to the political use of the police force by the state government when the police was used to crack down on political opponents in November 2002(11). A strong political will is required if the practice of using the police force for political ends is to be stopped in the state.

II. The fight for justice after the period of militancy

Since the end of the period of militancy individuals and human rights organizations have pressed the Government of India and the National Human Rights Commission (NHRC) to provide justice and reparation to the victims of police

abuses which took place during that decade in Punjab. Their appeals have been met with resistance, refusals or protracted delays.

a.” Disappearances”, possible extrajudicial executions and illegal cremations

In January 1995 the human rights wing of the Shiromani Akali Dal party alleged that it had evidence showing that, during the period of militancy, Punjab Police had carried out secret cremations of hundreds of “unclaimed” bodies in the crematoria of Amritsar district. The party said that some of the bodies were those of people who had “disappeared” in police custody and had been extrajudicially executed.

Jaswant Singh Khalras disappearance

In September 1995 Jaswant Singh Khalra, a member of the Shiromani Akali Dal research team investigating the cremations, was arrested by the Punjab Police and subsequently disappeared while in police custody. His fate remains unknown.

An inquiry by the Central Bureau of Investigation reported in July 1996 that nine police officials were responsible for his abduction, and they were subsequently charged with murder. During their trial, which is ongoing, police officers have delayed proceedings and intimidated witnesses, judicial orders have been disregarded, evidence suppressed and members of the Khalra Action Committee (a group of relatives and colleagues formed to pursue investigations into his fate) have themselves suffered intimidation and abuse(12).

In June 1999 Kuldip Singh, who was an eye-witness to J. S. Khalras murder, testified that he was threatened by police to withdraw a statement filed by him with the Central Bureau of Investigation (CBI) in relation to the case. Kikkar Singh, another witness, was charged with five criminal cases by Punjab Police after giving testimony which implicated police in Khalras illegal detention and torture. Rajiv Singh Randhawa, the third key witness in the case, was detained by police in early July 1998 and again in September 2000; on both occasions his arrest took place just days before hearings of Khalras case were due for recording evidence, including that of Rajiv Singh. In July 2000 the Punjab Human Rights Commission ruled that the charges against Rajiv Singh were concocted by police as a means of dissuading him from giving evidence against police(13).

In an unexpected development after years of delay, the case was recently scheduled for recording of evidence in a Sessions court. By the time evidence started to be recorded in November 2002 Kikkar Singh, following years of harassment, denied having been witness to Khalra’s illegal detention and torture.

A few months earlier a human rights activist following the trial commented on the developments in the judicial proceedings in Khalra’s case: Everyone was ready to give evidence for years but the evidence was never recorded when the witnesses were ready, willing and available. Because of this change in the situation [ie. the witnesses might have turned hostile following police harassment] false cases are now not being registered against the witnesses. No wonder now that the case has been fixed for recording of evidence.

In April 1995 the Committee for Information and Initiative on Punjab (CIIP), a non-governmental human rights organization based in New Delhi, successfully petitioned the Supreme Court for an investigation of these allegations(14). The Central Bureau of Investigation (CBI) was entrusted by the Supreme Court to carry out the investigations and, having analyzed the evidence available in three crematoria in Amritsar, found that 2,097 bodies had been illegally cremated by police, 585 of which were fully identified, 274 were partially identified and 1,238 were unidentifiable. The CBI indicated that it was ready to initiate prosecutions against police officials in several cases but did not make its findings public, arguing that disclosure could hamper further investigations and would cause “embarrassment”.

In December 1996 the Supreme Court ordered the National Human Rights Commission (NHRC) to examine the CBI’s findings. After lengthy disputes over the legal status of its inquiry, in January 1999 the NHRC stated that it would limit its investigations to the cremations of 2,097 bodies investigated by the CBI in Amritsar district and would invite claims for monetary compensation from the families of the victims. This decision excluded from the investigation similar cases of “disappearances” and suspected extrajudicial executions reported from the other 16 districts of Punjab, despite the fact that the CIIP in the meanwhile had submitted to the Supreme Court partial records for over 1,700

additional cases from outside Amritsar district, thus indicating that the pattern of extra-judicial killings might have extended to the whole state. (15) Out of the 2,097 cases finally retained for investigation, in only 88 cases did the NHRC receive claims from the legal heirs of the deceased. Out of these, only 18 cases were forwarded to the State of Punjab for clarification, while the others were considered outside the NHRC's jurisdiction or otherwise "disputed". On the 18 cases received from the NHRC, the State of Punjab took the position that "*without examining the correctness of the claims*" and "*without going into the merits of the matter, compensation may be determined*". On 18 August 2000 the NHRC accepted this position explaining that the government has *neither conducted any detailed examination in these cases on merits nor does it admit its liability but it offers payment of compensation*. The order continued: *For this conclusion, it does not matter whether the custody was lawful or unlawful, or the exercise of power of control over the person was justified or not; and it is not necessary even to identify the individual officer or officers responsible/ concerned.*

In January 2001 all the 18 claimants to whom compensation had been offered, and who were shocked by the inconsistency of this order with the original mandate of the NHRC, demanded that the latter should either restore the original intent of justice and of a thorough investigation or stop further proceedings. The NHRC ordered in February 2001 that investigations should be reopened in all the 2,097 cases.

Pursuant to this order, the NHRC allowed the parties involved in the case to inspect part of the CBI's records of investigation. The inspection revealed that the documents collected by the CBI were not only partly illegible but also contained very little meaningful information. The NHRC thus decided to invite suggestions from the parties on "points of substance", to guide its future work. The CIIP urged the NHRC to examine all available evidence, including the police and families' accounts, to determine whether the bodies were those of suspects or detainees, whether their deaths had been unlawful, whether human rights had been violated in connection with their deaths, and whether any liability of the police could be established in connection with their deaths.

In February 2002 the NHRC eventually spelt out its method of work: it would initially examine the cases of the 585 fully identified bodies to ascertain whether police officers had been responsible for the deaths or for any human rights violations, the liability of those officers and of the government authorities, and whether compensation should be given. It also made clear that the burden of proof would be put on the concerned governments. By November, however, the State of Punjab had allegedly filed affidavits in only 23 out of the 583 cases under examination, producing only cursory responses to the questions raised by the NHRC. A hearing fixed for November 2002 was again indefinitely adjourned.

In AI's view, the Supreme Court's directive to the NHRC in December 1996 to examine these cases marked an opportunity for an impartial investigation into a long-standing pattern of abuses and an invaluable occasion to halt the trend towards impunity in Punjab. It opened up the prospect of establishing mechanisms to deal with large numbers of complaints, to ensure reparation to victims and to make recommendations to prevent future human rights violations. The willingness of the NHRC to assume a significant role in the investigation of disappearances and illegal cremations in Punjab would have set a historic precedent for investigations in areas where an internal conflict is taking presently place, such as Kashmir and the northeast, giving a clear signal that it is not possible to commit human rights violations and get away with it in the long term.

However, AI is concerned that on several occasions during the last six years the NHRC has shown reluctance to seize this opportunity: it imposed on itself narrow limits with regard to the area of investigation when it could have included a much wider range of abuses in its purview(16), it kept a low profile and it showed no will to speed up the process.

Six years after the Supreme Court authorized the NHRC's investigation, no significant steps have been taken to identify the cremated bodies or seek more information from relatives. Justice delayed, these relatives now say, is justice denied.

In addition, the NHRC's mandate and powers in this case are limited by the Supreme Court order of December 1996 itself. The NHRC is in fact examining the responsibilities for deaths and cremations with the sole purpose of awarding compensation and relief to the families of victims. Any recommendations it may make, for example for the prosecution of police officers, are not binding on the police, state or national authorities. The CBI remains - according to that order - the agency in charge of the criminal prosecution of the police officers. There is no guarantee, in terms of the Supreme Court's order, that the CBI will follow up on the NHRC's work with regard to prosecutions.

The failure to bring to justice those responsible for abuses or to provide redress for the victims prolongs the ordeal of the relatives, who may continue to face harassment and further human rights violations, and are losing confidence in the possibility of obtaining justice at all. It also sends a message that the prosecution of those responsible for human rights violations in areas where security forces face violent political opposition is not a priority for the authorities, including the NHRC, thus potentially creating expectations of impunity in other parts of the country where there are internal conflicts.

b. A mechanism to investigate large numbers of human rights violations

Parallel to the developments in the cremation grounds issue before the NHRC, other initiatives to oppose the trend towards impunity in Punjab were organized by the human rights movement in the state, but were met with inaction on the part of the relevant authorities.

The Committee for Coordination on Disappearances in Punjab (CCDP) was formed in November 1997 as an umbrella body for several human rights organizations and individuals seeking a judicial commission of inquiry into the decade-long violence in the state. Their aims were:

- to collate information on disappearances, police abductions and illegal cremations, and to press for justice and redress for the relatives of the victims;
- to evolve a workable system of state accountability, and to build up the pressure of public opinion to counter the bid for impunity;
- to lobby for national laws to be brought into conformity with India's commitments to UN human rights standards, particularly on torture, disappearances, accountability and compensation for victims of human rights abuses; and
- to initiate a national debate on the powers and accountability of state and national government bodies.

In pursuance of this agenda, in December 1997 the CCDP called on the new Punjab government to set up a Truth Commission to investigate all complaints of human rights violations, as promised in its election manifesto. In April 1998, following the refusal by the Government of Punjab to set one up, the CCDP announced its intention to constitute a three-person Peoples Commission on Human Rights Violations in Punjab, headed by a former Chief Justice of the Calcutta High Court. In August 1998, before formally announcing the first public hearing of the Commission, a delegation of human rights bodies handed over to the Chief Minister a list of 2,851 persons missing from police records or possibly killed in police encounters and demanded a judicial commission to investigate these cases. They received no substantive response from the government. The first hearing of the Peoples Commission was therefore held from 8 to 10 August 1998.

Further sittings were however cancelled, because in December 1999 the Punjab and Haryana High Court, reacting to a Public Interest Litigation filed by a lawyer from Chandigarh, set limits on the work of the People's Commission on the basis that it was establishing a parallel judicial system. The objection presented by the People's Commission that it did not intend to take up cases pending in regular courts and that the persons summoned by it were under no obligation to attend the hearings was not accepted. The High Court judgment was upheld by the Supreme Court in May 2000 and the People's Commission was therefore wound up.

During the course of the proceedings in the High Court concerning the activities of the People's Commission, other opportunities were offered to the State of Punjab and India to set up mechanisms to investigate large numbers of "disappearances" and suspected extrajudicial executions, as well as other human rights violations perpetrated during the militancy period. Again, these opportunities were not taken up:

In 1998 the Government of Punjab, in its response to the High Court, suggested that human rights abuses which had taken place during the militancy period could be investigated if the central government amended section 36(2) of the Protection of Human Rights Act (PHRA), so that the Punjab Human Rights Commission (PHRC) could pursue cases of human rights violations more than a year old. As the majority of "disappearances" took place several years before the PHRC was set up (in 1997), section 36(2) of the PHRA, which bars the NHRC and state human rights commissions from investigating alleged abuses which occurred over one year prior to the complaint being made to them, places the majority of these cases outside the scope of its scrutiny. The Government of Punjab's request was refused in February 1999 by the Government of India, on the grounds that extending the limitation period from one to

10 years would *open the floodgates of litigation which would be beyond the capacity of both the NHRC and the Punjab Human Rights Commission.*

The High Court subsequently asked the Government of Punjab whether it was prepared to set up an independent commission under the Commission of Inquiry Act 1952 into past human rights violations, as an alternative to the activities of the People's Commission. In August 1999 the Government of Punjab indicated that it would not consider this option.

AI is concerned at the repeated and formal refusals by both the Government of India and the Government of Punjab to set up mechanisms to investigate the abuses which took place during the decade-long militancy period in the state. The organization is particularly worried to learn that the reason for the refusal presented by the Government of India is that *it would open the floodgates of litigation.* Opening the floodgates of truth, justice and redress not only of litigation is precisely what the state and its agencies should be doing after more than a decade of silence on the matter, even if this would require the provision of additional resources to the agency requested to carry out the task. AI believes also that the prevention of the work of the Peoples Commission is yet another opportunity missed by the Government of India, the Government of Punjab and the criminal justice system as a whole to elaborate mechanisms of coordination with the human rights movement in Punjab in order to shed light on the causes and responsibilities involved in the violence which occurred in the state.

c. An amnesty for police officers?

As a result of complaints filed by the families of their victims or by human rights groups, in mid 2001 about 500 police officers in Punjab were facing trial for criminal offences allegedly committed in their official capacity during the militancy period. These offences included possible extrajudicial executions, disappearances, torture including rape, abductions and unlawful detention. By December 2002 between 75 and 100 police officers had been convicted. AI is concerned at repeated calls for an amnesty for police officers accused of human rights violations in the state.

In 1997 the apparent suicide of a Senior Superintendent of Police who faced several criminal charges for alleged abuses during counter-insurgency operations was followed by requests from police organizations for an amnesty.

In July 2001 police officials in Jalandhar announced that they would return presidential awards for gallantry during the militancy period in protest at the criminal charges brought against police officers for crimes allegedly committed during operations against armed opposition groups. The Union Home Minister announced in August 2001 that the government was contemplating steps to provide legal protection and relief to the personnel of the security forces facing prosecution for alleged excesses during anti-insurgency operations in Punjab, Jammu and Kashmir and the North East, and that this would possibly be some form of general amnesty.

The Home Ministers announcement was welcomed by the Communist Party of India and by the Congress Party, which promised to withdraw all the cases against the innocent cops [police officers] if voted to power. The Union Law Ministry and the Chief Minister of Punjab were more ambivalent. (17) The amnesty proposal has not been formally confirmed or withdrawn since.

AI believes that an amnesty for police officers facing charges for human rights abuses has no basis in law and should therefore be clearly and urgently rejected by the competent authorities. The Code of Criminal Procedure requires the consent of the central or state government for the arrest and prosecution of members of the armed forces and public servants for actions taken in their official capacity(18). However, the Supreme Court has confirmed that government sanction is not required for prosecution of malicious actions that do not fall within the ambit of official duties. (19) Most of the charges brought against the 500 police officers pertain to serious human rights abuses. These acts cannot be considered as falling within the duties of law enforcement personnel under any circumstances.

The powers of pardon are clearly defined under Indian law. The Code of Criminal Procedure allows the granting of pardon to accomplices of crimes on the condition that they make a full and true disclosure of the whole of the circumstances - relative to the offence and to every other person concerned, whether as principal or abettor, in the commission thereof. (20) It also allows the government to suspend or remit sentences for an offence, but only after the sentence has been awarded and this also subject to judicial opinion(21). Similarly, the Constitution allows the President of India and State Governors the power to suspend, remit or commute sentences in certain cases. But the

mercy jurisdiction of the President and the Governors becomes operative only after the courts have delivered conviction(22).

More fundamentally, the right to life and liberty guaranteed by the Constitution must always be protected and redress to its violation provided, even in a state of declared Emergency, which Punjab however never officially proclaimed. No legislation introduced in parliament can retrospectively cancel the legal consequences of violations of fundamental human rights guaranteed in the Constitution of India.

AI is also concerned that, on several occasions in the course of the debate on a possible amnesty for police officers in Punjab, elected representatives have suggested that the NHRC could act as an appropriate substitute for proceedings in the criminal justice system in cases of police officers suspected of human rights abuses. The organization acknowledges the vital role the NHRC has to play in upholding a culture of accountability among law enforcement personnel. However AI does not believe that this institution can act as an appropriate substitute for the normal prosecution process if acting under the PHRA. The NHRC has powers to investigate and recommend action, but it does not have the power to initiate prosecutions. Moreover, it is not empowered to address abuses allegedly carried out by armed forces, or violations dating back more than one year. (23)

d. Reverse the trend to impunity

If human rights violations carried out by the security forces during the militancy period are not promptly, thoroughly, independently and impartially investigated and those responsible brought to justice, the system which allowed them to commit those crimes will remain intact. The officers concerned will remain free to repeat the violations, while expectations of impunity are fostered. AI believes that torture and ill-treatment in police custody continues today in Punjab largely because police officers were not promptly investigated and prosecuted for human rights violations committed during the militancy period and therefore they do not expect now to be questioned about their recourse to custodial violence.

The Constitution of India clearly sets out the right of victims and their families to have access to remedies for the enforcement of fundamental rights when they appear to have been violated (Article 32). The Constitution is equally clear about the fact that the State shall not deny to any person equality before the law or equal protection of the laws within the territory of India (Article 14). This suggests that all victims of abuses have the right to seek justice, irrespective of who carried out the abuses, where and when.

The right to legal remedy is reflected in several major international human rights standards. The International Covenant on Civil and Political Rights, to which India is a party, requires states to ensure that any person whose rights or freedoms are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity (Article 2. 3). The UN Declaration on the Protection of all Persons from Enforced Disappearance states that All acts of enforced disappearance shall be offences under criminal law punishable by appropriate penalties which shall take into account their extreme seriousness (Article 4). The UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions provide further guidelines on bringing those suspected of being responsible for human rights violations to justice. They require that Governments shall prohibit by law all extra-legal, arbitrary and summary executions and shall ensure that any such executions are recognized as offences under their criminal laws, and are punishable by appropriate penalties which take into account the seriousness of such offences (Article 1). The Principles also state that Governments shall ensure that persons identified by the investigation as having participated in extra-legal, arbitrary or summary executions in any territory under their jurisdiction are brought to justice. Governments shall either bring such persons to justice or cooperate to extradite any such persons to other countries wishing to exercise jurisdiction. This principle shall apply irrespective of who and where the perpetrators or the victims are, their nationalities or where the offence was committed (Article 18).

The Committee for Coordination on Disappearances in Punjab (CCDP) shares these views and has significantly observed that The right to know belongs not only to individual victims and their families, as the right to truth about what happened, but also to the social collective, to draw on history to prevent recurrence of evil and to preserve the knowledge of oppression as part of its heritage. It is only from such knowledge that it would ever be possible to dismantle the machinery that allowed criminal behavior to become routine administrative practice. (24)

AI considers that the development of mechanisms to investigate and prosecute large numbers of human rights violations is a matter of urgency, if the trend to impunity in Punjab is to be reversed. As a contribution towards this end, the organization submits a series of recommendations to the Government of India, the Government of Punjab, the NHRC and the Supreme Court, which are enclosed at the end of this report.

III. Torture continues after the end of the militancy period

Reports of torture by Punjab Police continue, although they are less frequent than during the period of violent political opposition. The methods are similar. They often include kicks and blows with sticks and leather belts. Detainees have been strung up, usually with their hands behind their back or their head down. They have been subjected to the roller, a wooden pole or iron rod rolled over their legs by several police officers leaning on it with their full weight, which leads to a crushing of muscle tissue and subsequent kidney complaints. Detainees have been tortured with electric shocks to the genitals and other sensitive areas such as ear lobes and fingers. They have been beaten on the soles of their feet (*falanga*), burned with a hot iron or boiling water, and had chilli peppers applied to their anus or eyes. Police officers have threatened to kill them. As a result of torture, victims have suffered serious physical disabilities, deep states of depression, disturbed sleep and nightmares. (25)

The continuation of torture in Punjab may largely be considered as a legacy left by policing practices due to the informal restructuring of the functioning of Punjab Police during the militancy period: the unchecked use of torture to extract information from suspects led to a police force who lost their ability to conduct investigations; the provisions included in security legislation granting protection from prosecution for police officers, which contributed to weakening the sense of accountability of the police, opened the way to a continuing misuse of police powers; expectations of high extra-salary profits linked to the policing activity raised by the system of rewards persisted beyond the militancy period and made a section of police officers vulnerable to corruption. The *de facto* impunity of a large number of police officers suspected of having committed human rights abuses during the militancy period sent the message to some members of the police force that policing methods used during those days would be tolerated even after the end of violent political opposition.

However, the pattern of abuses has changed rapidly after the end of the militancy period. Torture is no longer used as part of a counter-insurgency strategy. The legal framework governing the limits of policing activity has also changed, as the security laws that facilitated torture during the militancy period are no longer in force or in use: the Terrorist and Disruptive Activities (Prevention) Act (TADA) lapsed in 1995, the Armed Forces Special Powers Act has no more relevance after the withdrawal of the army, the Disturbed Areas (Special Courts) Act has been withdrawn. The National Security Act is still in force in the state as in the rest of India, but since the early 1990s there have been no reports of its misuse or even use in Punjab.

Torture today takes place in two main contexts: in the course of regular criminal investigations and following unlawful and arbitrary arrests.

During criminal investigation police frequently resort to torture to extract information from suspects while they are in their custody. Particular pieces of legislation, including the Narcotic Drugs and Psychotropic Substances Act (NDPSA) and the Arms Act, are reported to be frequently misused by police to detain suspects for lengthy periods, during which torture frequently takes place. The NDPSA in particular is reported to be called by many human rights activists in Punjab the TADA of peace time. This Act, intended to curb the possession and trade of narcotics, provides for wide powers of arrest of suspects and it is reported to be frequently misused by the police for filing false cases against persons whom they want to get in their custody. (26)

Torture occurs even more frequently during unlawful and arbitrary arrests. As such detentions are not acknowledged by police, there is no judicial scrutiny of these cases. The detainee may be held for several days in incommunicado detention without charge or trial, or be charged only several days after arrest and after the 24 hours that a detainee may be legally held by police before their continued detention must be authorized by the judicial authorities.

This was the case for **Kashmir Singh**, a 35-year-old bus driver who was allegedly tortured by police at the police station in Gadian. Arrested and questioned by the Station House Officer (SHO) about a theft on 12 December 1995, he was detained illegally and incommunicado until 24 December, when he was formally implicated in a false case under the Arms Act and subsequently produced before a Magistrates Court in Gurdaspur. When brought to court for the

second time on 30 December he showed signs of assault and was not able to stand or walk without help. The police produced a medical report, prepared by doctors of the Civil Hospital in Gurdaspur and dated 27 December, which stated that he showed no signs of injury. The court, however, ordered his release on bail and further medical examination. He was found to have fractures to both hip joints, required two surgical operations, a long hospitalization and was left permanently disabled. On 5 January 1996 the police reportedly used his thumb prints to falsify a statement in which he apparently confirmed that his injuries resulted from a fall while he was in the Civil Hospital, soon after he was first examined. On 29 January 1996 his father sought an order from the Punjab and Haryana High Court for his release because Kashmir Singh was still held in police custody in the hospital where he was receiving treatment, although the court had ordered his release on bail. (27) He also petitioned the court for an independent inquiry into the assault on his son and for compensation.

On 17 January 1997 the High Court ordered a raid in the hospital in which Kashmir Singh was detained and entrusted investigations to the Sessions Judge in Gurdaspur. In a report submitted on 23 November 1998, the judge exonerated the Station House Officer at the Gadian police station of illegal detention and torture but implicated an officer of lower rank. His report also found that doctors in the Civil Hospital in Gurdaspur had signed a false medical report about Kashmir Singh. On 14 July 1999 the High Court awarded Kashmir Singh compensation of 150,000 Rs. (about US\$ 3,120) and recommended disciplinary measures against the doctors who prepared the false medical report, but did not propose any action against the police. In response to a legal challenge to the High Court order by Kashmir Singh's father, the Supreme Court of India said on 18 February 2000 that the prosecution of police officers in the case could only be initiated by the family filing a fresh complaint with the police. The Court also advised that they bring a civil claim for damages if they wished to receive higher compensation. The family is presently considering filing a complaint with the police.

a. Why does torture take place?

i. A substitute for police investigations

Torture is often used in Punjab to “solve” criminal cases quickly, without time-consuming investigations. It is widely reported that many police officers torture suspects or potential informants - or even persons totally unconnected with the case under investigation - in order to obtain a confession or the information needed to solve a case. Confessions extracted in this way are given by the victim sometimes just to stop torture, and there is no guarantee that they correspond to the facts.

The use of torture as a means of extorting confessions spread during the militancy period, as at that time the Terrorist and Disruptive Activities Act (TADA) allowed for confessions obtained in police custody to be presented as evidence in courts, and the recourse to custodial violence to obtain such confessions became therefore routine. The use of forced confessions is today governed and prohibited by the Indian Evidence Act. Observers and human rights activists suggest however that torture continues to be used today in the state because professional investigative skills have been sapped and no other method of conducting an investigation is familiar to most of the police force in Punjab.

The lack of investigative capabilities of police officers in Punjab is also a result of inadequate resources: at present a very minor part of the budget of Punjab Police is invested in training, research, development and in modernization of investigative techniques. (28) Often police officers are not equipped, during their investigations, with material pertaining to fingerprinting, still photography or videography.

ii.” Teaching a lesson”

Police officers in Punjab are frequently reported to use torture to pursue personal interests unconnected to the maintenance of law and order, to teach a lesson to personal enemies, to favour business friends or to assert their power.

In a case that illustrates the use of torture to settle personal disputes, **Jagdish Rai Jain**, a 52-year-old businessman in the town of Bathinda, died in police custody, reportedly after being assaulted by police officers. He had been repeatedly summoned to the Canal Colony police post in Bathinda and threatened by a police officer acting on behalf of an acquaintance in a commercial dispute, and on 26 September 1999 he was taken to the same police post from his home by two police officers. His son, who followed them, said that he saw Jagdish Rai Jain being pushed around by a police Sub-Inspector and other officers and collapsing after a particularly strong push. He died shortly afterwards,

before his son could take him for medical treatment. When his son filed a complaint the next day at Kotwali police station, he was allegedly made to sign a blank piece of paper. On 15 October he obtained a copy of the complaint form, but found that it said that Jagdish Rai Jain had complained of chest pain when his son arrived at the police post and was taken to a private hospital where he collapsed and died. The accusation he had made against the police was surprisingly recorded in the complaint as abetting the commission of suicide and unlawful assembly, a charge with no clear link with the facts. (29) He wrote complaint letters to the local Senior Superintendent of Police, the Inspector General of Police in Patiala, the Station House Officer of the Kotwali police station and the chairman of the Punjab Human Rights Commission to seek help in correcting the recorded charge, but did not receive any response. An application made in October 1999 to the Punjab Human Rights Commission for action against the police officers involved and for compensation, supported by the affidavits of two witnesses to the incident, was rejected for reasons not known to AI. (30). At the time of writing, no information about developments in this case had reached AI. In November 2002 AI sought the cooperation of the Punjab Human Rights Commission in updating the information in this case but the response received from the PHRC did not mention Jagdish Rai Jain's case.

iii. Extortion

The police often use torture or the threat of torture to extort money.

News media and social commentators widely report that recruitments, transfers and promotions within the police force in Punjab take place on payment of large sums of money by the candidates at all levels. The post of Senior Superintendent of Police of a district, for example, is reportedly sold for millions of rupees, the exact price varying from district to district and decreasing for lower positions. In these circumstances, police officers see the payment of a large bribe for their recruitment or promotion as an investment which they will try to recover by demanding bribes in their turn in return for police services once they get the desired posting. In criminal cases, officers may be bribed to take action or not to take action by one or other of the parties, or may extort money from detainees not to torture them or to release them.

Expectations of "extra wage" profits within the police force are also a legacy of the system of rewards for eliminating members of armed opposition groups during the militancy period. The system of rewards is no longer in operation in the state but these expectations continue, and it is commonly accepted in Punjab that every police activity, including torture, has a price.

Police reportedly demanded 50,000 Rs (about US\$ 1,030) to stop torturing **Jagmohan Singh** in August 1999. In response to an unofficial order by the police, he reported to the Sector 19 police station in Chandigarh on 27 August, where he was stripped and beaten by at least three officers - including the Station House Officer and two Sub-Inspectors - with heavy iron rods and leather belts. They demanded money to release him, and when he refused, he was punched, kicked and tortured with electric shocks to his ears and genitals. He was implicated in a case of theft and on 28 August was produced before a magistrates court and remanded in police custody. The court also ordered a medical examination. A police Sub-Inspector allegedly threatened to kill him and torture his family if he told the doctor the cause of his injuries. The medical examination at EMO Hospital in Chandigarh was reportedly cursory and the doctor recorded no signs of injury, although Jagmohan Singh later said that he was bleeding from his ears and had other injuries. On 29 August he was tortured again and made to telephone his family to ask for money for his release. When he appeared before the magistrates court again on 30 August, the court acceded to his lawyers application for a further medical report. A medical examination later the same day revealed serious injuries. Subsequently, Jagmohan Singh filed a complaint with the NHRC, and an NHRC investigator took statements from Jagmohan Singh, the police and witnesses in October 2001. At the time of writing, the findings of the inquiry were not known.

b. Targets of torture

The targets of torture have also changed since the period of militancy, when the most frequent victims of police abuses were members of the Sikh community, in particular youths and supporters of Sikh political parties and armed opposition groups, together with their families. At that time, anyone deported to India after having sought or received political asylum abroad also invariably came under the scrutiny of the police and became a possible target of torture. Now, the majority of victims are detainees held in connection with criminal investigations, and include members of all religious communities and social groups.

i. The poor

Increasingly the poor and the uneducated - the most vulnerable sections of society - have become targets for police abuse. They do not have influential acquaintances who can put pressure on the police or money for bribes to secure their release.

Gurbax Singh and **Sher Singh**, very poor residents respectively of Kurukshetra district and of Panipat in the state of Haryana, were reportedly tortured following their arrest in August 1999 as suspects in a criminal case. Two lawyers practicing in the district court in Chandigarh noted their poor health conditions and subsequently helped Gurbax Singh to file an affidavit testifying to torture with the Magistrates Court in Chandigarh. He and Sher Singh alleged that they had been tortured by officers and staff at several police stations in Haryana and Punjab - including in Patiala and at the Police Interrogation Centre in Mal Mandi, Amritsar district, both in Punjab - and in Chandigarh, after having been arbitrarily transferred from one state to the other without any court order. They also alleged that they had been denied appropriate medical treatment for injuries resulting from torture. On 25 August 1999 Gurbax Singh lodged a complaint with the NHRC against the Station House Officers at police stations in Panipat, Haryana, and Sector 34, Chandigarh, and against the Incharge of the Police Interrogation Centre in Amritsar. He asked for an inquiry into his case, for disciplinary action against the police officials involved and for compensation. To date, he has reportedly received no information about the progress of his complaint from the NHRC.

ii. Dalits

Members of *dalit* communities (formerly known as “untouchables”) are also particularly easy targets of custodial violence, as in many cases they are in a situation of double vulnerability resulting from their poverty and perceived low social status.

Gaje Singh, a 39-year-old tailor and member of the *dalit* community in Nayagaon, Ropar District, was allegedly assaulted by police on 17 October 2001. Several officers of the 37 Battalion of the national Central Reserve Police Force (CRPF) attacked the village in reprisal after an officer was allegedly beaten up by Gaje Singh and his neighbours in a personal dispute over the money charged for some work. After meeting resistance, CRPF officers in uniform and armed with service weapons returned to the village at about 8pm, ransacked several shops and beat Gaje Singh with iron rods, rifle butts and sticks. A handicapped shopkeeper, **Darshan Singh**, and his 78-year-old mother, **Satpal Kaur**, were also beaten with iron rods. Gaje Singh suffered serious injuries to his head, chest and feet. Darshan Singh's right arm was broken and his mother suffered injuries to her back. Three officers of the regular police who were in the vicinity did not intervene during the attack, nor did any police officer help the injured.

Gaje Singh filed a complaint at Nayagaon police station and the Punjab police registered a criminal case for minor offences against four CRPF officers. However, no arrests were made. To initiate criminal prosecution against officers of a central security force, permission from the Union government needs to be given⁽³¹⁾, but Punjab Police did not take any steps to seek such permission. A senior CRPF officer assured a lawyers organization monitoring the case that disciplinary action would be taken against the officers and that they would be asked to pay the victims medical expenses. He also suspended three of the officers involved in the attack and acknowledged that it was a blatant case of “police highhandedness”. Police officers subsequently tried to convince the victims to settle the matter out of court by offering them some money, but the offer was reportedly not accepted. No formal charges were brought against the officers concerned and the fate of the disciplinary action initiated by the CRPF is not known. The victims are finding it difficult to obtain the money needed to take their complaint further to the Punjab Human Rights Commission and are under pressure from other villagers to drop legal proceedings.

iii. Women

There has been an overall increase in crimes against women recorded in Punjab in the post militancy period, particularly in the context of matrimonial disputes. In response, the police in Punjab have created “women cells” at district level to deal specifically with offences against women. However, these units reportedly lack staffing and other resources such as means of transport.

Women are particularly vulnerable to police abuse. Rape and other forms of sexual harassment are reported to be frequent forms of torture in police custody. Their humiliation is often greater as they are often tortured solely as a means of putting pressure on their husbands and families.

One case illustrates the obstacles a woman can meet while pursuing justice when the alleged offender is a police officer. **Renu Bala**, a resident of Bathinda, was arrested with her husband in the night of 10 June 1996 while searching for their son who had not returned after work. A group of police officers, headed by an Assistant Sub-Inspector from the Cantonment police station in Bhatinda, reportedly stopped and questioned them in the street and took them to a nearby hotel. The Assistant Sub-Inspector allegedly bit Renu Bala's face and tore off her clothes while attempting to rape her in one of the hotel rooms. Other officers forced her husband to drink alcohol and restrained him. The couple was later allowed to escape, after the rape attempt failed. The local police refused to register their complaint about their ill-treatment, but inquiries initiated by the Senior Superintendent of Police and the Executive Magistrate in Bathinda, following public outcry, supported their allegations against the Assistant Sub-Inspector. At that point Renu Bala and her husband began receiving threats from unidentified police officers who said that Renu Bala's husband would be implicated in false cases if they did not stop pursuing the case. The Executive Magistrate noted in his report that, while he was recording witnesses statements, the accused Assistant Sub-Inspector had sent a police employee to his office to threaten Renu Bala's husband. However, although the police subsequently registered her complaint, they took no action to investigate it or to protect her or her husband against further threats by police officers. After about two years the police filed an application to cancel the complaint, and on 12 November 1998 the Chief Judicial Magistrate recorded that Renu Bala did not wish to proceed with her complaint, noted that a compromise had been reached between the parties and accepted the cancellation report. A complaint that Renu Bala had lodged with the NHRC in June 1996 received an initial response only in July 2001, but at that time Renu Bala decided not to pursue her complaint further.

iv. Human rights activists

During the militancy period many lawyers and human rights activists attempted to alert the international community to the human rights abuses taking place in Punjab and to pursue human rights cases in the courts. As a result, they were themselves targeted by the police and a number of lawyers and journalists disappeared. Since 1995 there have been no reports of killings of human rights defenders. However, human rights defenders continue to be under constant surveillance and have been subjected to harassment, threats and violent attacks by the police in attempts to intimidate and silence them. False criminal charges have been brought against some as a form of harassment. AI believes that the authorities share responsibility for encouraging this attitude. Officials have made unsubstantiated and public accusations that human rights organizations are anti-national or support terrorist organizations. Such accusations have been made on several occasions in recent times by, among others, the Director General of Police, Punjab, and by the Union Law Minister in late 2001.

Several lawyers involved in cases against the police have been harassed. (32) **Arunjeev Singh Walia**, a lawyer in the Punjab and Haryana High Court and an active member of the organization Lawyers for Human Rights International, was threatened and illegally detained for several hours on 4 October 1998 at SAS Nagar Central police station, Mohali, in Ropar district, while visiting a client. The abuse he suffered was possibly meant to intimidate him in relation to his activity as a defense lawyer and human rights activist. A petition requesting that the police officers concerned be found in contempt of court for preventing his access to a client is still awaiting a hearing in the High Court.

Veneeta Gupta is a doctor and General Secretary of Insaaf International, a non-governmental organization. On 20 February 2001 about 20 police officers in plain clothes and headed by the Deputy Superintendent of Police (Vigilance) of Bathinda raided her private clinic, apparently because of her opposition to the closure of a hospital in the same town. They refused to identify themselves or show her a search warrant. Dr Gupta requested the Senior Superintendent of Police in Bathinda to register a case of unlawful and forcible entry, intimidation, threat and defamation against the intruders, but no action was taken by the police. On 22 February she was illegally detained and questioned for two hours by the Deputy Commissioner of Police, Bathinda, who used gender discriminatory language, attempted to register a false case against her and accused her of instigating various social and human rights groups to oppose the closure of a hospital. A complaint filed before the Punjab Human Rights Commission in December 2001 about the harassment Dr Gupta was victim of is still pending and is scheduled for hearing in January 2003.

Ram Narayan Kumar, convenor of the Committee for Coordination on Disappearances in Punjab (CCDP), has for several years regularly received anonymous and threatening telephone calls and e-mails, and believes that he is under close police surveillance. On 4 December 2001 he was questioned by the Chief Enforcement Officer of Delhi, whose remit covers financial irregularities and foreign exchange issues, about his past political activities, his involvement in the CCDPs investigations into illegal cremations and his foreign contacts. In October 2002 his laptop computer, containing vital data on the cremation grounds issue, was tampered with by unidentified persons in a hotel room in Chandigarh.

c. Failure to implement safeguards for detention

Legal safeguards for detainees exist in Indian law which, if routinely implemented, would go a long way to prevent the use of torture. (33) Article 22 of the Constitution states that no person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall be denied the right to consult, and to be defended by, a legal practitioner of his choice. Several provisions of the Code of Criminal Procedure provide for judicial scrutiny of detentions, including:

- Section 50, which requires the arrested person to be informed of the grounds of arrest and of the right to bail;
- Section 56, which requires the arrested person to be taken before a magistrate or officer in charge of the police station;
- Section 57, which requires the police not to detain an arrested person more than 24 hours in absence of judicial scrutiny;
- Section 58, which requires the police to report all cases of arrest without warrant to the local District Magistrate;
- Section 167, which requires the police to seek the authorization of a judicial magistrate when it considers that a detainee should remain in police custody more than 24 hours to allow the completion of investigations.

The Evidence Act prohibits the use of confessions obtained in police custody as evidence in court. In 1996 the Supreme Court issued 11 directives to be followed in all cases of arrest or detention, as preventive measures against torture in custody in addition to the safeguards in the Code of Criminal Procedure. (34) They are known as the D. K. Basu guidelines and, in addition to the provisions of the Code of Criminal Procedure, require the police *inter alia* to:

- bear identification tags while carrying out an arrest;
- make a detailed memo of every arrest;
- allow the detainee to inform his or her family or a friend of the arrest and place of detention;
- ensure that the detainee has a medical examination at the time of arrest and subsequently every 48 hours; and
- allow the detainee to meet a lawyer during interrogation.

The International Covenant on Civil and Political Rights, to which India is a party, further affirms that No one shall be subjected to arbitrary arrest or detention Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release (Article 9).

Only by implementing existing safeguards will the police successfully convert the arbitrary policing methods employed during the militancy period to those appropriate in peacetime. AI understands that the Director General of Police (DGP) in Punjab has instructed the police force that the D. K. Basu guidelines be observed - in accordance with the Supreme Court's request to all DGPs. However, they have not yet been incorporated in the Punjab Police Rules, 1935, under which Punjab Police act, or in any other police manual. The cases below, as many others in this report, demonstrate that they continue to be routinely ignored in most police stations.

The story of **Bhag Chand**, a police officer in Chandigarh, illustrates the failure to observe the safeguards. On 1 October 1999 he was arrested while off duty, ostensibly because of a minor traffic offence a number plate on his scooter was not visible. His arrest was not registered at the Sector 36 police station where he was taken and his relatives were not informed that he had been arrested. An Inspector and a Sub-Inspector asked him to confess his involvement in a robbery. When he denied the accusation and told them that he was a police officer, they reportedly stripped him, beat him with sticks, and kicked and punched him on his back and genitals. They allegedly subjected him to the roller torture, leaning with two other officers on an iron rod rolled across his legs, and to have continued to torture him for more than two hours. The next day a team of interrogators questioned him and on 3 October he was

released uncharged, after having been warned not to tell anyone about the torture he had been subjected to. During his detention, he was reportedly given no food and was not medically examined.

He subsequently complained to the Inspector General of Police and a judicial magistrate ordered an investigation and a medical examination. The investigation was carried out by the police and, although the medical examination revealed marks of torture, no action was taken against the officers responsible. Pressure was exerted on Bhag Chand to withdraw his complaint. He also filed a complaint before the NHRC, but his case was not investigated allegedly because an internal police inquiry was pending.

The failure to implement the legal safeguards for detainees, however, cannot be attributed solely to the lack of will of individual police officers to do so, but is in part linked to the difficult working conditions in which most police officers operate in Punjab. They receive little training in investigation techniques. They are under public pressure to inflict “instant punishment” on some categories of suspects. Officers often operate in a poor working environment, lacking proper accommodation, lighting, ventilation and furniture during in their offices. Working hours are not clearly fixed and 24-hour duty for police officers is widely expected.

Safeguards for detention are routinely disregarded also because the police hierarchy in Punjab fails to hold those who violate them to account. In many of the cases in this report, the police authorities or the Punjab Human Rights Commission (PHRC) have initiated or ordered internal inquiries or taken disciplinary action against police officers involved in unlawful practices. It often appears, however, that these disciplinary actions - which would be expected to lead to the suspension and possible transfer of the police officers concerned - rarely involve any consequences for them, as senior officers seem to lack the will to take forward and implement such internal enquiries. Officers due for suspension have often in practice remained on active duty at the same police station in which the offence was committed. Disciplinary actions are internal to the police force and it is often difficult for the judiciary, but also for civil society, to monitor their implementation.

The routine violation of safeguards for arrest and detention and the consequent continuation of custodial violence is rooted in the recent history of law enforcement in Punjab, but is also a reality shared by large numbers of other states in India. This points to the urgent need for a comprehensive review and reform of policing activities not only in Punjab, but in the country as a whole. Since the 1980s various commissions (the National Police Commission, the Law Commission, the Ribeiro Committee, the Padmanabhaiah Committee) have submitted to the Government of India proposals for police reforms but none of these recommendations appears to have been taken seriously by either the central or state governments⁽³⁵⁾. The high level of torture in police custody in Punjab, therefore, stands here as a further reminder of the urgency of such reform.

It points in particular to the desperate need for an effective and independent mechanism to monitor policing practices and to ensure that safeguards are observed at all levels of the police force. District Magistrates at present have powers to monitor the functioning of police at district level, but have been largely ineffective in this area of their responsibilities.

d. The enforcement of the Prevention of Terrorism Act in Punjab

The widespread use of torture in Punjab described above sounds a note of warning in relation to the implementation of the Prevention of Terrorism Act (POTA) in Punjab, enacted at the national level in March 2002. The Act gives broad powers of arrest and detention to the police throughout India; people deemed to be a threat to the unity or security of the country may be detained without charge or trial for up to six months and confessions obtained in police custody are made admissible as evidence in court; immunity from prosecution for police officers acting "in good faith" is also provided under the Act. (36)

The present government in Punjab - as all Congress-led state governments in the country - opposes in principle the implementation of the Act in the state and no case has been registered under POTA until date. AI welcomes this position. The organization believes that the implementation of POTA, which is in itself a piece of legislation open to abuse, would be disastrous in a state like Punjab, where low level of police accountability, its vulnerability to political pressures and the frequent recourse to torture prevail. AI urges any future government in the state not to implement POTA, if human rights are to be protected in Punjab.

III. The role of the judiciary

During the militancy period the functioning of the courts in Punjab came to a standstill: a large number of judges at all levels were threatened by both police and armed militants. Judges frequently absented themselves from court cases to avoid sentencing members of armed opposition groups or remanding them in police custody. Magistrates in lower courts routinely accepted without question police reports of deaths allegedly resulting from armed encounters with members of armed militants and refused medical examinations in cases in which detainees alleged they had been tortured. This abdication of responsibility by the judiciary led to post-mortems being carried out at police hospitals; in other cases, the courts failed to investigate allegations that witnesses and complainants were intimidated by the police or by armed opposition groups or to ensure that arrests ordered by the courts were carried out at all.

The situation has improved since the militancy period. Judges have slowly begun to assume again their proper role, stimulated by legal actions brought by human rights lawyers active in both district-level courts and High Courts. Isolated convictions of police officers for offences including torture of detainees during and after the militancy period have occurred since the end of violent political opposition. Such convictions, although very few in number(37), convey the message that the police can be held accountable for their actions to the judiciary and the public.

However, many concerns remain about the functioning of the judiciary and its ability to ensure accountability for acts of torture, especially at district level.

a. The lower judiciary

In lower courts at district level, there remains a high degree of tolerance by public prosecutors and by judicial officers magistrates and Sessions Court judges of both procedural inaccuracies and unlawful practices by the police during arrest, investigation and prosecution, which allow torture to take place.

An overview of the constraints under which the lower judiciary operates is crucial to understand this apparently passive attitude. Its members are seriously overburdened by the number of pending cases. They are reported to try as many as 100 cases on an average day, with the result that most hearings take less than 10 minutes each. The pressure on judicial officers for rapid decisions leads to shortcuts in observing safeguards. The courts do not always question police failures to comply with legal requirements on arrest and detention for example when detainees are not produced before a magistrates court within 24 hours of arrest or with the D. K. Basu guidelines. In theory, police officers who do not follow the guidelines could be charged with contempt of court under the definition of civil contempt under the 1971 Contempt of Court Act (Section 2). As this rarely happens, the result is that police continue to consider these guidelines as not binding.

In addition, the lower judiciary does not take a proactive role when police officers are charged with torture or ill-treatment of a detainee: the absence of a specific and clearly defined offence of torture in the Indian Penal Code even allows the courts to operate double standards and to show more leniency to police officers accused of torture than to other citizens. Judicial officers and public prosecutors have for example accepted charges framed by the police for lesser offences such as voluntarily causing hurt or wrongful confinement which allow the accused to be released on bail. (38) If the public prosecutor or the court does not bring more serious charges, such as voluntarily causing hurt to extort confession or compel restoration of property(39), the accused police officer is likely to be released immediately on bail. In some cases, courts even grant preliminary bail without serious scrutiny of the merits of the charge: the accused police officer simply signs a personal bond and avoids arrest altogether. Courts have also granted bail in some cases in which police officers have been charged with non-bailable offences. Police officers released on bail have intimidated witnesses or improperly induced or bribed a complainant to withdraw their complaint. Even when a complaint is not withdrawn, the officer can file a cancellation report on the case before the Chief Judicial Magistrate in the hope that the report may not be seriously scrutinized or that the court may agree to delay prosecution until an informal settlement has been reached between the police and the victim or their family.

The case of **Sham Lal** illustrates how such settlements can encourage impunity. On 4 September 1997 Sham Lal, a 28-year-old driver, was reportedly killed after a fight broke out between police officers and residents of the village of Ajnali in Fatehgarh Sahib district, who were resisting the arrest of a man in the village over a dispute with electricity workers. It appeared that Sham Lal may have been hit by police with a rifle butt. Local politicians and demonstrators called for the police officers to be brought to justice and compensation paid to Sham Lals family. The family filed a

complaint with the police of culpable homicide not amounting to murder. (40) On 8 September they also complained to the PHRC which requested the report of the state authorities on the incident and the post-mortem report.

The states report, produced after repeated adjournments, said that Sham Lal had died after falling in a canal (*nullah*) and not at the hands of the police. The post-mortem found that his injuries were not the cause of death. In April 1998 his relatives and other eye-witnesses confirmed the police account, in contradiction of their original complaint. The changed position of the witnesses had allowed also the cancellation of the complaint filed by Sham Lal's family, under an order of the local Subdivisional District Magistrate. However, the PHRC obtained further medical analysis of the post-mortem report from a doctor of Chandigarh hospital who highlighted several inaccuracies in the report and argued that all the injuries on Sham Lals body could not have been caused by a single fall. The PHRC concluded in October 1999 that the victim had suffered these injuries obviously either at the hands of the police officials or at the hands of the PSEB [Punjab State Electricity Board] employees. However, the PHRC also concluded that a compromise agreement had been reached privately between the police and Sham Lals relatives, and that there was therefore insufficient evidence for it to establish liability or to take any action on the case. The PHRC commented:

It is unfortunate that even after the dawn of Independence about half a century back, the basic character of the Nation has not emerged as even the relations of the deceased have wilted under the pressure of the police. To crown it all, it is noticed by the Commission in all the cases of custodial deaths or torture or rape that the senior officers of the Police Force manning the districts are prone to give shelter to the misdeeds of their subordinates for the reasons best known to them. The matter does not rest here as even the medical officers posted in the districts are also amenable to the influence of the police.

Corruption can also ensure judicial decisions favorable to police defendants. Lawyers and human rights activists in Punjab have reported that the lower judiciary is sometimes susceptible to bribes and pressure from rich or otherwise influential defendants, including police officers, operating in the district courts through touts. Bail or a light sentence each has its price, and judicial officers refusing to accept these practices are reportedly a minority. AI was informed that a post in the lower magistracy may be sold for about 2,500,000 Rs. (about US\$ 52,050), as a result of the huge demand for such a post. Again, as in the case of newly appointed police officers seen above, if such sums are paid for being appointed, then the money will need to be recovered as soon as possible by the magistrate through the practice of demanding bribes. As a result, justice for those who cannot afford to pay bribes may become virtually inaccessible.

The police can exert pressure on the lower judiciary by means other than the payment of bribes. During the militancy period, judicial officers under threat from armed opposition groups often required police protection and this reportedly became a way for police to constantly keep them under pressure. Since the militancy period, judicial officers are reported to be routinely assisted by police officers in their professional as well as private life; this assistance is today considered simply as a privilege attached to the status of judicial officers, but it entails that it may be embarrassing for the latter to prosecute police officers.

In terms of career prospects, the lower judiciary may fear that convicting police officers of torture or ill-treatment could harm their career prospects: the judicial hierarchy above them is not likely to appreciate such a stance for the reasons seen above and they could therefore be excluded for example from elevation to the High Court.

b. Punjab and Haryana High Court

Police influence is reported to be weaker at the level of the Punjab and Haryana High Court than in the lower courts, and corruption and bribery much less common. This more positive attitude may be linked to the higher sense of responsibility felt by the judges in this court, as well as to the fact that High Court judges earn almost double the salary earned by judges in district courts, approximately 40,000 Rs. (about US\$ 830) a month, which makes them less susceptible to financial corruption.

However, police influence is not absent: since the militancy period a pattern seems to have emerged of compensating the victims of police torture while failing to prosecute the officers responsible. As noted above, this approach is inconsistent with Indias commitment under the International Covenant on Civil and Political Rights to provide effective remedies for human rights violations, including those committed by officials. (41)

The High Court reportedly shares the lower courts tendency to ignore police violations of the safeguards for arrest and detention. Some judges apparently consider non-compliance with the D. K. Basu guidelines as unfortunate but unavoidable. In 1998 the Punjab and Haryana High Court dismissed an application for officials who were found not to have complied with the D. K. Basu guidelines to be charged with contempt of court, reportedly on the grounds that such a ruling would not be practically enforceable.

A further weakness of the judicial system at High Court level is the lack of secure tenure of public prosecutors. Unlike public prosecutors in the district courts, who are appointed by the state government on a permanent basis through the Punjab Public Service Commission, public prosecutors at the High Court are recruited on a contract basis. Each new state government can bring in its own team of public prosecutors, which may be therefore vulnerable to political pressure, including for a lenient line of prosecution in cases of custodial violence: police investigations or the way charges are framed against police officers alleged to have committed human rights violations are therefore rarely questioned by the public prosecutor. The UN Guidelines on the Role of Prosecutors states: States shall ensure that selection criteria for prosecutors embody safeguards against appointments based on partiality or prejudice. (42) The same text highlights also that “Reasonable conditions of service of prosecutors, adequate remuneration and, where applicable, tenure, pension and age of retirement shall be set out by law or published rules or regulations.” (43)

c. The Legal Aid Service in Punjab

Defence lawyers have a crucial role in ensuring that safeguards for arrest and detention contained in law are strictly implemented and that an accused person is not put in an environment where torture is allowed to take place: the presence and active involvement of a lawyer in a case can ensure that established periods of police remand are strictly observed, that medical checks take place during the detention period and reports reflect the true physical condition of the detained, that the detained is physically produced in court and that applications for bail are made at the appropriate time.

According to the Constitution of India and to the D. K. Basu guidelines, every arrested person has the right to be represented by a lawyer of their choice at every step of their detention and prosecution. Provisions exist, in addition, which ensure that legal aid is provided free of charge to detainees who cannot afford to pay for a defence lawyer. AI is however concerned that the Legal Aid Service in Punjab does not appear to ensure effective assistance to accused who cannot afford to pay for a private defence lawyer. This situation introduces an element of further discrimination in the criminal justice system in the state, as it entails that poor accused enjoy potentially a lower protection from custodial violence than those who can afford to pay for a private legal practitioner.

Legal aid lawyers in district courts are normally appointed by a Sessions Judge on the recommendation of the President of the District Bar Association. Any lawyer who has completed three years of practice can be appointed as Legal Aid lawyer. Once appointed, each counsel is attached to a specific area. (44) AI received reports indicating that many Legal Aid lawyers are inexperienced and not sufficiently familiar with criminal codes and procedures when they enter the Legal Aid Service.

Lawyers and human rights groups in the state indicate that when an accused is arrested, police rarely take the initiative of informing him/her of the right to obtain free legal aid. If a Legal Aid lawyer is eventually assigned, he/she does not always question arbitrary police or magistrate’s attitudes which may facilitate custodial violence and in a significant number of cases do not meet or interview the accused at all, nor does he/she appear in court when the accused is produced there. Some magistrates do not question the absence of the Legal Aid lawyer in court, nor do they put it on record in the case proceedings.

Legal Aid lawyers are reportedly not always above corruption. Reports indicate that some of them demand bribes from the family of the accused to conduct a proper defence or to file a bail application.

IV. The role of doctors

Doctors can play a central role in both preventing and detecting cases of torture, as medical evidence is a crucial part of the investigation of allegations of torture.

A doctor should record the state of health of detainees in police custody shortly after arrest. The D. K. Basu guidelines state that the arrestee should, where he so requests, be also examined at the time of his arrest and major and minor injuries, if any, present on his/her body, must be recorded at that time. The inspection memo must be signed by both the arrestee and the police officer effecting the arrest and its copy provided to the arrestee.

The guidelines also require that the detainee should be subjected to medical examination by a trained doctor every 48 hours during his detention in custody.

However, in practice, medical examinations on arrest or during police detention are extremely rare in Punjab. The detainee is often not aware of the possibility of such examination and no information is provided by the police. In any event, no arrangements reportedly exist for medical examinations to take place.

Nevertheless, doctors have a role to play in the detection of torture during later stages of the detention and in relation to any subsequent trial. According to the Code of Criminal Procedure, when brought before a court a detainee may request a medical examination (Article 54). Further medico-legal examinations can be ordered by the court at subsequent stages of detention. In all cases where there is any doubt regarding the cause of a death, the police must send the body for examination by a doctor. (45) Under an NHRC directive in December 2001, the post-mortem must be videotaped in all cases of death in custody where the preliminary inquest or a complaint has raised suspicion of foul play. Such post-mortems must be carried out according to guidelines issued by the NHRC.

Evidence emerging from torture cases in Punjab, as well as from doctors and lawyers practicing in the state, suggests however that health professionals have often refused to carry out medico-legal examinations or even to treat torture survivors. They are also alleged to have provided incomplete or false medical evidence, sometimes under pressure from the police, but also pursuing their own interest or as a result of improper inducement. Certain practices are particularly widespread:

- Doctors are sometimes threatened, pressured or bribed to exaggerate the objective findings of a medico-legal examination, often to build evidence of an assault on the patient. Their report might subsequently be used to file false charges in a case in which the patient seeks to figure as the victim of an assault rather than the aggressor.
- The post-mortem is often delayed, by which time decomposition has begun, making signs of torture difficult to detect. Bodies are often kept unrefrigerated for this reason before the post-mortem.
- Doctors may deliberately delay a post-mortem until evening in order to be able to produce a report which cannot be challenged by further examination of the body. The family, wanting to follow tradition and to cremate the body before sunset, may in fact carry out the cremation before seeing the post-mortem report. Once the cremation has been performed the police inform the doctor, who is at this point free to draw up any report as its accuracy can no longer be challenged. As most people are not aware of this practice, no efforts are normally made to get a court order requiring that the post mortem is shown to the family and their lawyer before the cremation. In cases where the family asks to see the post mortem before performing the cremation, they reportedly have to face resistance from the police or their middle men at local level.
- Post-mortem reports often do not differentiate between the blue marks of post-mortem stains and bruises on the body which may indicate torture, thus making the report inconclusive. Practicing doctors have reported that if the doctor carrying out the post-mortem avoids making this differentiation, it cannot be made on the basis of a videotape of the post-mortem that might be available in the case of a death in police custody.
- Doctors often refrain from giving a provisional cause of death until they have received the report of the forensic examination of the viscera from the chemical examiner, even in cases where this report is not relevant to determine the cause of death. This practice causes unnecessary delays in court proceedings and allows the doctor to avoid taking sole responsibility for drawing any conclusion on the causes of death. Bribery and other pressures on forensic experts are reportedly widespread, so that it is possible to obtain tailored results.
- In cases where medico-legal examinations or post-mortem examinations result in objective physical findings, doctors often do not draw conclusions as to their probable cause, as they are reluctant to take the responsibility for linking symptoms and findings to torture practices. The Istanbul Protocol on the investigation and documentation of torture affirms that the medical expert should include in his report an interpretation as to the probable relationship of the physical and psychological findings to possible torture or ill treatment. (46) The Protocol includes Principles to guide such investigations which make clear that a doctor's examination of a person alleging torture should include: the case history, including alleged methods of torture or ill-treatment, the times when torture or ill-treatment is alleged to have occurred and all complaints of physical and psychological symptoms; physical and psychological examination; and an

opinion on the findings.

- The way the medico-legal report is distributed by the doctor may hinder the victim of torture from contesting its contents. The practice is that the doctor is likely to give the report to the victim if the injuries found are minor. However, if the report was produced as a result of a formal complaint by the victim to the police, it is given to the police. If it was produced at the request of a magisterial inquest, the report is sent to the magistrate and the police are likely to be informed of its contents. This means that the police get the report irrespective of the circumstances, while the victim gets the report only after directions of the court. This is inconsistent with the Istanbul Protocol which states that medical reports should be provided to the subject of the report and to the authority responsible for investigating the allegation of torture or ill-treatment. (47)

- AI has been informed by practising doctors and human rights groups that it is common to find in each district one or two doctors who are sought after by other doctors doing medico-legal examinations to assist them in making a 'convincing' false report. This, if confirmed, would be an indication that the practice of producing tailored medico-legal evidence is developing into an elaborate technique.

- After the reorganization of the Punjab Health System in 1995, a fee was reportedly imposed on medico-legal services requested by one of the parties in a trial(48). This exacerbates the difficulty for low-income torture victims in accessing medico-legal expertise.

There are many reasons for the apparent cooperation of some medical professionals in covering up cases of torture. Doctors often come under heavy pressures from police officers involved in torture cases. Police officials, for example, are often present during medico-legal examinations and post-mortem examinations, and in some cases supervise the work of the doctor. Pressures on doctors may include direct threats and intimidation or the registration of false criminal charges against them. A large number of the government doctors who are entitled to perform medico-legal duties also run private medical practices which they are not allowed to do by law and accept bribes to treat patients. This makes them vulnerable to police pressure.

Another source of pressure is the medical and bureaucratic hierarchy to which doctors are accountable. Ultimately the health authorities are accountable to the civil administration of the state(49) which, through the Punjab Public Service Commission (PPSC), makes decisions on permanent recruitments and promotions in the health service. At district level, both the Civil Surgeon, the most senior health official, and the Senior Superintendent of Police, the most senior police official, are directly accountable to the District Magistrate, the three working in close coordination. This entails the possibility for the police to exercise pressure on health authorities at senior level through the civil administration. Practising doctors informed AI that senior officials of the administration and medical officers, themselves reportedly subject to the influence of senior police officers and politicians, have sometimes put pressure on a doctor to review a non-compliant attitude so as not to damage all their career prospects.

Government doctors are an easy target for bribery by police officers accused of torture who demand medico-legal reports helpful to their case. Doctors who have paid bribes themselves to the administration(50) to gain their posting may seek to recover their investment by in turn demanding bribes for their services.

The inaccuracies and poor quality of many medico-legal reports reflect also the difficult working conditions in which government doctors operate. There appears to be very little training in medico-legal duties within the three-month general training organized by the Health Department for junior doctors recruited to government service. Most of this training is theoretical; it usually includes a visit to the mortuary and observation of a few post-mortem examinations. It is the posting and not the qualification that entitles a government doctor to carry out medico-legal duties. (51)

The shortage of equipment also seriously hampers government doctors working in post-mortem centers that often lack basic facilities such as proper lighting and tools. Doctors rely upon old techniques of physical examination and outdated X-ray machines. In the cases where hospitals have modern scientific equipment, doctors may not be trained in how to use it to detect injuries resulting from torture. The Model Autopsy Form issued by the NHRC is routinely not followed because it requires skills, equipment and infrastructure which are not available in most of the post mortem centers.

AI recognises that doctors who acquiesce in the cover-up of police torture in Punjab are often themselves caught in a net of influences and pressures. Nevertheless, it is as crucial for medical officers involved in illegal practices to be held accountable as it is for police officers and members of the judiciary.

Since the militancy period, however, there have been almost no reports of medical officers being prosecuted for failing to carry out their duties. On rare occasions the High Court and the PHRC have summoned doctors to explain why they have refused to carry out medical examinations ordered by the courts⁽⁵²⁾ in torture cases and have openly expressed dissatisfaction, but have not recommended any action being taken against them. Similarly, the criminal law has not been invoked against doctors who have submitted false or incomplete medical reports to the courts. ⁽⁵³⁾ In a few cases, disciplinary measures have been taken by the Health Department but no information is available on their implementation and the sanctions imposed do not appear to have entailed any bar to promotion for the doctors concerned.

In the following case, the PHRC recommended that there should be no prosecution of a medical officer because disciplinary action was reportedly being taken, but in practice neither disciplinary measures were carried out nor was compensation paid. In August 1999 **Tarlok Singh** was detained at the Central Jail, Gurdaspur, awaiting trial on charges of involvement in a murder. On 27 August he told his wife that he was being held in solitary confinement and that he feared being killed by the jail staff. His wife asked the Superintendent to have her husband removed from the solitary confinement cell (Phansi Kothi), but he demanded a bribe of 40,000 Rs (about US\$ 830) which she did not have. That night Tarlok Singh apparently suffered from severe mental stress and breathing problems but was not given any medical care or taken to hospital. On 28 August, when his wife again visited the jail, she was told by officials that her husband had committed suicide during the night. She was not permitted to visit the cell or to see the body of her husband. Other inmates told her that he had been crying and screaming for help the whole night. The Deputy Commissioner of Police, Gurdaspur, ordered an inquiry. It found that the jail officials were not at fault.

On 30 August 1999 Tarlok Singh's widow filed a complaint with the PHRC, alleging that he died as a result of negligence and failure to provide medical care on the part of the Superintendent and the Medical Superintendent. ⁽⁵⁴⁾ The PHRC directed the Inspector General of Prisons to file a detailed report and to present the post-mortem report, inquest report and video recording of the post-mortem. The Inspector General's report stated that Tarlok Singh had committed suicide as a result of chronic mental disorder, and the post-mortem confirmed that he had died by hanging. On 24 February 2000 the PHRC concluded that he had committed suicide but found the Deputy Superintendent and the Medical Superintendent to have been negligent in failing to monitor the detainee regularly as required in the Jail Manual. No prosecution was recommended by the PHRC as internal disciplinary action was reportedly being taken against the officers, and interim compensation of 200,000 Rs (about US\$ 4,150) was awarded to his widow. However, she was obliged to initiate legal action in the High Court to effect payment of the award. ⁽⁵⁵⁾ She also had to file a fresh complaint with the PHRC to request that disciplinary action be taken against the officials responsible for her husband's death. In November 2002 AI wrote to the PHRC seeking information about the outcome of this complaint, but this case was not mentioned in the PHRC's response to AI.

V. The Punjab Human Rights Commission

The Punjab Human Rights Commission (PHRC) was set up in May 1997 under the 1993 Protection of Human Rights Act (PHRA). Its purpose is to inquire into human rights violations and to promote respect for and awareness of human rights in law and practice. In its first year of operation it received 195 complaints of human rights violations; by 2001, the number reportedly exceeded 6,300.

The PHRC is composed of a Chairperson and four Members, selected for a five-year term by the State Governor acting on the advice of a committee chaired by the Chief Minister. The selection of the first members was controversial. Several local human rights organizations expressed concern that some PHRC members did not appear to have the record of involvement in the protection and promotion of human rights that is required under the PHRA (Section 21). They were also concerned that members of the human rights movement in Punjab had been excluded from the PHRC.

In August 2002 new members were appointed to the PHRC, after the term of the previous ones expired. According to the PHRA, the PHRC shall be constituted by "a Chairperson who has been a Chief Justice of a High Court; one Member who is, or has been, a Judge of a High Court; one Member who is, or has been, a district Judge in that State; and two Members to be appointed from amongst persons having knowledge of, or practical experience." These provisions appear not to have been complied with in the appointment of the new members of the PHRC.

AI believes that appointment procedures contained in the PHRA should be strictly adhered to. Public confidence in human rights institutions around the world depends in part on the membership of those institutions, and it is the responsibility of the appointing authorities to ensure that, in all cases, the best qualified candidates are selected to hold these important positions. In its 1997-98 Annual Report the PHRC stated that “the method of appointment and removal from service of the Chairperson and Member of the Commission, statutory guarantee of their tenure, their status, the manner in which staff of the Commission, including its investigative agency, [. . .] the financial autonomy of the Commission, all describe the Commission’s authority and autonomy.” (56)

AI received disturbing reports that after the appointment of the new members, the PHRC passed orders concerning the granting of bail to accused, despite the fact that this institution has not the powers to issue such orders, but has only recommendatory functions. In September a human rights group in the state filed a Writ Petition in the Punjab and Haryana High Court seeking a review of the recent appointments to the PHRC. The petition was listed for final arguments for December 2002.

As of December 2002, in addition, there were three vacancies out of five posts in the PHRC. AI learnt that as a consequence in late 2002 cases were adjourned without proper hearing to as far ahead as February 2003. A petition seeking the filling of the three vacancies in the PHRC has been filed in the Punjab and Haryana High Court by a human rights group and is presently pending.

Almost five years after its establishment, it is very difficult to assess the PHRCs work as it has not published annual reports or records of deaths in custody or other patterns of human rights violations in the state. The annual report for 1997-98 has been produced and placed before the Punjab Legislative Assembly, but it has reportedly not been published so far. Under the Protection of Human Rights Act (Section 28), every state human rights commission should produce an annual report and present it for discussion to the state Legislative Assembly before publication.

The PHRC seems to have circumscribed its role mainly to responding to individual cases of human rights violations. Activities related to the promotion of human rights in the state appear to have been very limited so far. (57) The PHRC also stated its commitment to engage in a dialogue with the human rights movement in the state(58) in order “to not only promote human rights culture, but also to propagate its (the PHRC’s) message of transparency”. It further identified areas of possible cooperation between the PHRC and non governmental organizations, such as the identification of human rights violations, their investigation and the development of specific recommendations. (59) AI is not aware of the progress made by the PHRC in this program of cooperation.

As far as the PHRCs powers to investigate individual cases of human rights violations is concerned, they are limited by the PHRA itself. In particular, it may not investigate human rights violations more than one year after they occurred, which effectively excludes any examination of human rights violations committed during the militancy period. In addition, it does not have the authority to make any binding order to the state government or its agencies, although it may make recommendations. (60)

Further limitations arise from the composition of the PHRCs investigative staff. At present two police constables, headed by an Additional Director General of Police, reportedly compose its Investigation Wing, with the result that they are effectively investigating human rights violations allegedly committed by their own colleagues. This raises serious concerns of conflict of interest, especially if the officers remain accountable to the police hierarchy and are likely to return to the police force after completion of their service in the PHRC.

The number of investigators is also very low in relation to the number of complaints received. The posts sanctioned to the Investigation Wing number 33, but only three of these posts appear to have been filled so far. As a result, few PHRC investigations are undertaken by its Investigation Wing. The majority are carried out directly by the Punjab Police on behalf of the PHRC, leading again to a situation in which the police are both investigators and suspects. In cases where the police investigation does not satisfy the PHRC, it may entrust further investigation to a retired judicial officer.

The functioning of the PHRC is reported to be bureaucratic and unhelpful towards the victims of human rights violations. Complainants often require the services of a lawyer simply to file their complaints, hindering the access to justice for the poorest and weakest sectors of society. One complainant told AI:

I visited PHRC recently and was appalled to see people sitting outside the rooms of chairman and members with their lawyers waiting to be called as in courts. Each member of PHRC was holding a court separately and churning out dates without bothering to see that for poor people it is not easy to afford traveling from far off places and afford other secondary expenses. The common man cannot even think of representing [himself before the PHRC] without the help of a lawyer. I had to hire a lawyer to deal with my representation to PHRC. The Commission [PHRC] called me for personal appearance and sent [me] back to be called again. I had to spend money on lawyer and travel to state capital and also time. I am already repenting that I ever sent copy of my representation to them.

These weaknesses have limited the effectiveness of the PHRC, particularly in delivering justice to the victims of torture and to the families of detainees who have died in police custody. A large number of complaints about torture and ill-treatment in police custody are dismissed on technical grounds, for example that the case is *sub judice* (before a court of law) or that an internal police inquiry has not concluded. (61) In other cases, the family of the victim may not pursue a complaint before the PHRC because an informal settlement has been reached with the police.

The following case illustrates how pressure on victims families or financial inducements can thwart the PHRCs investigations into human rights violations by the police. **Baljit Kumar Balli**, a 30-year-old rickshaw puller and resident of Patiala, was arrested at his home on 14 June 1998 after an argument with a neighbour. He was taken to the Kotwali police station in Patiala where he was allegedly tortured with electric shocks to his genitals and the skin around his penis was cut. Following protests by his family and the intervention of a local politician, he was released on the afternoon of 15 June, in great pain and bleeding heavily. He died as a result of his injuries in Rajindra Hospital on 18 June 1998.

The family filed a complaint in which they said that Baljit Ballis brother and another eyewitness saw him being tortured by officers at the police station and having difficulty in walking. The police registered a case of culpable homicide not amounting to murder against an Assistant Sub-Inspector, a Home Guard Officer and a Special Police Officer. (62) The Assistant Sub-Inspector was reportedly detained for a few hours, then released and suspended from duty. A post-mortem examination by a team of doctors which included the Head of Forensic Medicine at the Government Medical College in Patiala, found swellings on the knees, thighs, penis and scrotum but gave no opinion on the cause of death.

A local lawyers organization registered a complaint before the PHRC, calling for an investigation and for compensation to be paid to the victims relatives. (63) However, during the PHRC investigation, the police produced new affidavits and statements by relatives of Baljit Balli, including by his widow and brother. In these statements, his relatives said that his injuries resulted from an accidental fall during which a heavy bag of potatoes had landed on him. When the PHRCs investigating officer asked the doctors who had carried out the post-mortem whether this account was credible, they said that it could not be ruled out. As a result, the case against the three accused officers was closed. The PHRC commented that: In view of the stance adopted by the widow of the deceased and his other close relatives, the commission has no option but to accept *fait accompli* with which it has been presented by the police.

In another case, the PHRC made several efforts to investigate a case where it was suspected that financial inducement had prevented the truth emerging about a death in police custody. **Jagan Nath**, alias Jagnoo, a member of the *dalit* community living in the village of Pasla, District Jalandhar, was arrested on 31 August 1997 after he allegedly abused police officers. He was reportedly seen by a relative lying unconscious in the police station in Goraya on 1 September. He died later the same day in hospital. After a post-mortem, the police organized the cremation of his body.

An inquiry was opened by the Sub Divisional Magistrate. On 3 September the Superintendent of Police in Jalandhar opened an investigation into charges of murder and wrongful confinement against an Assistant Sub Inspector of the Goraya police station. (64) A complaint was also filed before the PHRC, which asked for a report from the state government and the post-mortem report. On 4 March 1998 the police, speaking on behalf of the state authorities, told the PHRC that the father of Jagan Nath had lodged a statement with the police in Goraya that his son had died as a result of an epileptic fit. The post-mortem had not been video-recorded because Jagan Nath's death was not considered to have occurred in police custody. The post-mortem report stated that the cause of Jagan Nath's death was cardio-respiratory arrest resulting from shock and haemorrhage and that he had 21 injuries on his body. The PHRC concluded that these injuries could not have resulted from a fall following an epileptic fit and directed the police to conduct a criminal inquiry. The police report, submitted on 30 November 1998, stated that, although Jagan Nath's death was suspicious, the relatives said it resulted from natural causes and no final opinion can be given due to lack of evidence.

The PHRCs Investigation Wing investigated the case and came to the same conclusion but said that there was a general rumour in that area that, although the deceased had died from the results of police torture, due to monetary consideration the relations of the deceased were supporting the version of his having died due to injuries suffered after a fall in an epileptic fit. The PHRC sought to question the relatives and adjourned the case on several occasions to allow Jagan Nath's father to appear, without success. The complaint was finally dismissed by the PHRC for lack of evidence on 21 October 1999.

The PHRC allows the state ample time to file its reports in response to allegations of torture and deaths in custody, and it seldom summons police officers to respond to the allegations made against them. Even in cases in which the PHRC recognizes that there is *prima facie* evidence of torture, it usually tends to recommend monetary compensation for the victim or their family but does not recommend the prosecution of any officers involved. As far as AI is informed, no police officers were recommended for prosecution in connection with the 26 cases of deaths in police custody taken up by the PHRC between 1997 and 2001.

Efforts to compensate victims are to be welcomed, and AI acknowledges the role played by the PHRC to this end. However, redress should not take the form of monetary awards alone but should include the prosecution of those responsible. Prosecutions of officials should be pursued more vigorously and other aspects of reparation for victims addressed. Adequate and effective reparation for victims should incorporate the following:(65)

Restitution: steps should be taken to restore the victim to the situation they were in before the violation occurred, including restoration of their legal rights, social status, family life, place of residence, property and employment;

Compensation: steps should be taken to compensate for any economically assessable damage resulting from violations including physical or mental harm, emotional distress, lost educational opportunities, loss of earnings, legal and/or medical costs;

Rehabilitation: steps should be taken to ensure medical and psychological care if necessary as well as legal and social services;

Satisfaction and guarantees of non-repetition: steps should be taken to ensure cessation of continuing violations, public disclosure of truth behind violations, official declaration of responsibility and/or apologies, public acknowledgement of violations, as well as judicial or administrative sanctions, and preventive measures including human rights training.

The PHRC's lenient attitude is sending a signal to the public and to the police that a police officer who violates human rights will suffer no adverse consequences. Such a message allows the cycle of violence to continue, in which impunity leads directly to further torture.

The effectiveness of the PHRC is further reduced by the failure of the state authorities to implement its recommendations. Refusal to award recommended compensation or delay in making payments is common. In such cases the complainant must obtain a writ from the High Court to direct the state to comply with the PHRC's recommendations. This has inevitably resulted in victims of human rights violations filing complaints directly in the High Court, without passing through the PHRC. Similarly, PHRC recommendations for the transfer of police officers found to have committed human rights violations are often ignored by the authorities. Even orders issued by the PHRC to the state government and requesting it to file reports in specific cases are often ignored: in a case concerning the dilapidated conditions of the judicial lock up in the old court in Ludhiana,(66) the PHRC had to request from the state government an interim report on the progress made in the construction of a new lock up at least five times. Although in some cases the PHRC has itself initiated legal action in the High Court to have its recommendations effected, follow-up action of this sort is not routine.

One case illustrates the difficulties faced by the PHRC in getting its recommendations implemented by the state authorities. **Pala Singh**, aged about 24 and living in the village of Bhai Bakhtaur, District Bathinda, was arrested on 29 August 1997 on suspicion of involvement in a theft. He was detained by police at the house where the theft had taken place and was allegedly made to drink a liquid chemical. He reportedly died at the Civil Hospital in Mour. His family alleged that some villagers had bribed the police to harm him. The police said that he was not in police custody, but that he had committed suicide at the house after becoming depressed about being suspected of theft.

A non-governmental organization in Chandigarh filed a complaint with the PHRC, which concluded that Pala Singh had committed suicide by deliberately drinking the chemical. (67) The PHRC also said that it considered Pala Singh to have been held in police custody and that the police had been negligent in allowing him to commit suicide. It therefore ordered the police to pay 50,000 Rs (about US\$ 1,030) in compensation to the family within two months. The brother of Pala Singh also filed a petition to the Punjab and Haryana High Court seeking an investigation of the case, and the police refused to pay the compensation recommended by the PHRC until the High Court decision was known. (68) The PHRC had to issue a specific order in February 2000, making clear that the pendency of the case before the High Court had no bearing on the payment of the compensation recommended. In December 2002 the PHRC wrote to AI stating that the compensation had finally been paid to Pala Singh's father. (69)

In another case, the police ignored an order of disciplinary action issued by the PHRC. In the early hours of 29 April 2001 about 35 police officers reportedly arrested **Balwinder Singh** and his sons **Gurmukh Singh** and **Dilbagh Singh**, residents of Gurdaspur, and **Sukhwinder Singh**, resident of village Hamrajpur in Gurdaspur district, at a house in Bhukera village. They were allegedly severely beaten over a two-day period at a police interrogation centre in Gurdaspur. The following day **Manjit Singh**, **Randhir Singh Dheer** and other members of their family were allegedly arrested. All were reported to have been beaten and tortured with electric shocks at a police station in Batala, before being released in the evening of 30 April. When the first group of detainees were brought before a Sessions Court in Gurdaspur, the police told the judge that Gurmukh Singh, Sukhwinder Singh, Manjit Singh and Randhir Singh Dheers had been arrested on 1 May 2001 in a vehicle packed with arms and explosives. The accused disputed the police report, which allegedly contained several inconsistencies. The police also reported that medical examination of the detainees during their detention revealed no signs of torture or other ill-treatment.

The four detainees and their relatives complained to the PHRC of forcible entry, illegal detention and torture by the police. On 12 June the PHRC directed that charges against them should not be put before the court until the PHRC had scrutinized the complaint. Despite this ruling, on 27 July the police brought formal charges of illegal possession of arms and explosives against Gurmukh Singh in the court of the Chief Judicial Magistrate in Gurdaspur. In early 2002 Gurmukh Singh was reportedly still detained in the Central Jail, Gurdaspur, while AI received no information about the whereabouts of the other three detainees. The PHRC recommended to the police that disciplinary action be taken against the officers who ignored its order in this case and sought a report from the Home Secretary on the matter by 30 April 2002. No action appears however to have been taken against any policeman, on the base of police's allegations that the accused were planning to commit terrorist acts. In November 2002 AI wrote to the Punjab Human Rights Commission asking for an update on the status of Gurmukh Singh's case but the response received from the PHRC did not mention it.

The setting up of the PHRC in 1997 sent a reassuring message to the international community, anxious for international human rights standards to be respected in Punjab after the militancy period. However, AI is concerned that the PHRC has so far not been given the powers, resources or institutional autonomy to function effectively as a check on torture and ill-treatment in police custody.

Conclusions

The police and criminal justice system in Punjab are slowly moving in the direction of a greater accountability to the public compared with the period of militancy. However, much remains to be done to transform these institutions so that they can fully perform their statutory functions, including to prevent torture and ill-treatment in police custody or to provide full redress for the victims of human rights violations.

AI's research demonstrates that the continuation of torture after the end of the militancy period is the result of the impunity for past abuses. The case of Punjab shows how impunity and further torture stand in a causal relation, the first feeding the continuation of the second. There is an urgent need to break this circle and the recommendations in this report are made as a contribution towards this objective.

The policy adopted in Punjab to deliver justice to victims of abuses during the period of militancy is watched closely in states such as Jammu and Kashmir and in the northeast, where armed conflicts continue. The path taken by Punjab is in fact assessed by many as to its viability for the other states once conflicts end there. It is therefore crucial to demonstrate that, although the criminal justice system ceased to function properly during the militancy period in

Punjab, the victims of that period of violence can still have justice and redress and that the procedures and attitudes which facilitated abuses during the period of militancy can be dismantled.

VII. Recommendations

The following recommendations are being made to the relevant authorities in light of the findings set out in this report. The “recommendations for the prevention of torture in Punjab” reflect those made to the Government of India and contained in the report “*INDIA: Words into action. Recommendations for the prevention of torture*”, published in January 2001.

A. Recommendations to end impunity in Punjab

Recommendations to the Government of Punjab and to the Government of India

- The Government of India should fully implement its obligations under international law with respect to allegations of human rights violations in Punjab committed during the period of militancy. Specifically it should ensure prompt, effective, independent and impartial investigation of all allegations of human rights violations; the right of victims to receive redress and reparation; and that those identified as being suspected of perpetrating human rights violations are brought to justice in trials which meet international standards for fair trials.
- With this aim, a mechanism should be established to investigate and prosecute large numbers of human rights violations. Special care should be taken to ensure that: the agency charged of investigations under this mechanism is not the one whose members are accused of having committed the abuses; an in-built guarantee - as the admissibility of the findings of the enquiry in trial - exists, ensuring that the result of investigations lead directly to judicial prosecutions, where appropriate; adequate resources are provided to any agencies entrusted with the task.
- The Government of India and the Government of Punjab should make every effort to facilitate and cooperate fully with investigations into human rights violations in Punjab. In the cremation grounds case they should fully cooperate with the NHRC, providing all documentation and other evidence which can help clarify the case.
- The Government of India and the Government of Punjab should take steps to ensure non-repetition of past violations. In addition to bringing those suspected of perpetrating human rights violations to justice, this should involve provision of systematic and continuous training in human rights for police and security forces. (see also recommendations below).
- The Government of Punjab should state clearly that illegal practices carried out by the Punjab Police in past years will not be tolerated and that those suspected of such practices will be prosecuted in accordance with the law.
- The Government of Punjab should ensure that disciplinary and criminal action is taken against police or administrative officials who attempt to subvert the process of investigation.
- Those participating in the investigation of human rights violations - including the complainant, lawyer, witnesses and those conducting the investigation - should be given protection against ill-treatment, intimidation or reprisal.
- Any proposal for an amnesty before trial and conviction which would cover crimes under international human rights law for law enforcement officials operating or having operated in areas of armed conflict should be immediately rejected.
- In cases where the crimes were carried out by police under the order of a senior officer, that officer should also bear criminal responsibility and be brought to justice for ordering, soliciting, or otherwise inducing the commission of such offences. Similar responsibilities, if any, of administrative officers or elected representatives in unlawfully facilitating or covering up the alleged crimes should be urgently and thoroughly investigated and prosecuted accordingly.
- The criminal justice system should be considered as the first and most appropriate method of investigation and prosecution of alleged fundamental rights violations by law enforcement personnel. The normal functioning of the NHRC cannot be considered as a substitute remedy to the proceedings of the criminal justice system, unless the Commission is specially mandated to do so by the Supreme Court and it is provided with necessary resources.
- The Government of India should ensure that the recommendations of the Advisory Committee made in 1997 -- that the restrictions on the powers of the NHRC including the time limit for its investigations be removed and that it be authorized to investigate all allegations of violations by agents of the State -- are implemented immediately and that adequate resources are provided to the NHRC to meet its enlarged mandate.

Recommendations to the National Human Rights Commission

- The NHRC should look beyond monetary compensation and ensure that its recommendations include means to ensure restitution, rehabilitation, satisfaction and guarantees of non-repetition.
- AI understands that the NHRC's choice to investigate initially only the cases of the identified bodies illegally cremated in Amritsar during the militancy period is a pure methodological choice, and that after the completion of this task the NHRC will turn its investigations to the cases of the partially identified cremated bodies. A public commitment by the NHRC to the continuation of the investigations in this direction will be welcome.
- The NHRC as well as the Government of India and the Government of Punjab should take up any opportunity - and in particular the one represented by the cremation grounds issue - to elaborate mechanisms of coordination with willing human rights organizations in the state in order to shed light into the causes and responsibilities involved in the decade-long violence in the state.

Recommendations to the Supreme Court of India

- In the cremation grounds case, where the NHRC does not act under the PHRA but under a Supreme Court order, it should be given powers by the Supreme Court to accept complaints from any individual in the state of Punjab whose relative has been missing since last seen in the custody of the police. These would include cases of "disappearance" and extrajudicial execution as recognised under international law. Bearing in mind that this task is likely to lead to the investigation of a large number of complaints, the NHRC should be given additional resources for investigating this specific case.
- The findings of the NHRC investigations in the cremation grounds issue should be made admissible in court, to ensure that a link between the process of investigation and of prosecution is established.

B. Recommendations for the prevention of torture in Punjab

Recommendations to the Government of Punjab and to the Government of India

1. Publicly condemn and never tolerate torture

- Officials at all levels of the administration should publicly condemn all forms of torture and ill-treatment whenever they occur. They must make clear to all law enforcement officials, public officials, members of the judiciary and members of civil society that torture will never be tolerated. Talk of degrees of torture or torture of certain groups of "hardened criminals" or "terrorists" as being "acceptable" should be condemned promptly and publicly.
- Public officials should lead by example. Any public officials found responsible for committing acts of torture or ill-treatment whether in their private or public capacity should be publicly condemned and prompt action taken against them.
- The authorities should institute public education programs to educate people about the unlawfulness of torture and ill-treatment in all their forms.
- The Government of Punjab should make a public commitment to end impunity for torturers as an important signal that torture will not be tolerated.
- The Government of India should issue a standing invitation to visit India to special procedures of the UN Commission on Human Rights, and especially to the UN Special Rapporteur on Torture.

2. Address discrimination

- Implement existing legal sanctions against police officers found responsible for illegal actions based on discrimination, including when the targets are poor, *dalits*, women and human rights defenders, and initiate disciplinary action against police officers found to have acted in a discriminatory manner towards individuals.
- Ensure that any program of police reform includes steps to eradicate discrimination within the police and to specifically prohibit acts of discrimination which lead to torture or ill-treatment. Reforms should include ensuring representation within police and security forces of all sections of society.
- The authorities should ensure that training programs for law enforcement personnel include training on the prevention of violence against women, on the inviolable right of every person to respect of their dignity and physical integrity and on prohibiting discrimination on such grounds as racial, ethnic, caste and religious orientation.
- All police stations should hold and display in regional languages copies of relevant legislation enacted to protect certain vulnerable groups from violence and abuse.
- Incidents of torture and other human rights violations should be carefully monitored with a view to determining

correlation of their occurrence with victims belonging to certain marginalised categories in society. Statistics should be published and steps taken to provide special protection on the basis of this information. Monitoring mechanisms should involve the statutory commissions established to protect particular groups in society as well as non-governmental bodies and individuals who come from or represent these groups in society.

3. Prohibit torture and ill-treatment in law and amend or repeal legislation which facilitates it

- The law should lay down an active duty on the part of public officials to protect human rights and prevent torture or ill-treatment rather than a passive one of merely abstaining from it and should include offences of ordering, preparation, participation, encouragement and complicity in torture. Article 5 of the UN Code of Conduct of Law Enforcement Officials, which states that it is a duty to disobey any order from a superior to inflict torture or ill-treatment, should be incorporated in relevant laws, including those governing policing in Punjab. Such a provision should be included in training of and instructions to anyone who may be involved in the custody or treatment of detainees.
- Protection should be provided for those refusing to carry out orders to inflict torture in addition to the prosecution of those who gave such orders.
- Evidence elicited as a result of torture should be excluded in all trials.
- The Government of India should ratify the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment as a matter of urgency. Domestic legislation should be enabled and brought in line with the Convention.

4. Address institutional problems which facilitate torture

- AI urges the Government of Punjab to actively cooperate with the Government of India in order to initiate a comprehensive program of police reforms, including training programs, a review of the system of appointments and promotions, amendments to laws and creation of new oversight institutions. In the development of proposals for police reforms the Government of Punjab should thoroughly consult and include the Punjab Human Rights Commission (PHRC), human rights organizations and other members of civil society. Any proposals for police reform should be made public in full.
- Police reforms should specifically address the problem of human rights violations in custodial situations and structural problems which have been identified as facilitating torture and ill-treatment and other human rights violations. They should also incorporate international human rights standards, particularly those relating to arrest and detention procedures and safeguards against discrimination. They should incorporate a code of ethics for police officers.
- Police reforms should ensure that police are able to operate independently in the interests of the whole community and are not, as they are now, open to political and other influences which commonly lead to abuses of the law including torture and ill-treatment.
- Police reforms should ensure that transparency and accountability inform appointments, transfers and promotions of police officers at every level. They should ensure that police officers found to have accepted or offered bribes while performing their duties or with the aim of obtaining career advantages should meet strong departmental action. Information about the implementation of these actions should be accessible to the public.
- Working conditions of police officers in the state should be reviewed. In particular the problem of long duty hours should be addressed.
- The Punjab Police Rules of 1935, as well as all police manuals the state, should be urgently updated and brought in line with existing and any future national legislation and jurisprudence which provides safeguards to detainees. Any new legislation or manuals governing the operations of police should be kept under regular periodic review to ensure that the protection of human rights remains central.
- The Government of Punjab should continue to refrain from implementing the Prevention of Terrorism Act in Punjab, in consideration of the fact that the present functioning of police in the state does not guarantee that misuse of the Act would be prevented.

Criminal justice system

- The problem of overload within the criminal justice system must be urgently addressed recognising that it contributes to public tolerance of violence as a means of justice and the use of torture and ill-treatment by law enforcement officials as a means of “instant punishment”, and prevents victims of torture or ill-treatment from obtaining prompt

redress.

- Urgent attention must be given to ensuring that evidence in criminal cases is collected through proper investigation by police and presented to the courts after careful consideration by members of the prosecution service. It should be made clear to all within the criminal justice system that the use of torture and ill-treatment as a means of coercing confessions from the accused or testimony from witnesses is unlawful and that all, including police, lawyers (including those provided through legal aid), prosecutors and judicial officers, play a crucial role in ensuring that such actions do not form part of processes for bringing people to trial.
- Mechanisms should be developed to isolate judicial officers from pressures by police, especially when they prosecute charges of custodial violence.
- The appointment of public prosecutors at all levels should be informed by transparency and accountability and should not be open to pressures or influence from the executive power.
- The problem of the ineffectiveness of the Legal Aid Service in the state must be urgently addressed. Magistrates should be made aware of their duty to ensure that effective legal representation is provided to every accused, irrespective of their economic situation, and that absence of a Legal Aid lawyer in court is put on record in the case proceedings.
- Legal Aid lawyers must be provided proper training to ensure that they have the necessary competence to perform their role.
- The names of Legal Aid lawyers attached to each court should be notified on the notice board of each court as well as of the District Bar Association, enabling the accused and their families to approach them.
- A mechanism to monitor the effectiveness of the Legal Aid Service should be put in place as a matter of urgency.

Political and administrative system

- The link between corrupt practices within the political and administrative system and the use of threats or force often amounting to torture or ill-treatment must be acknowledged and addressed. In particular, corrupt political influence over police and the resulting resort by police to threats or force against individuals must be addressed by taking relevant steps to remove the police from such influence and initiating criminal proceedings against public officials found to have abused their positions of authority for corrupt or malicious purposes.

5. Provide adequate safeguards for detainees during arrest and detention in law and practice

- Police powers to arrest during investigation and without warrant should be strictly limited and adequate safeguards for arrest ensured. Police should be required to clearly demonstrate in writing the need for arresting an individual as a means of reducing the number of unwarranted arrests at the instigation of vested interests.
- Records of all arrests should be kept in a police record with bound and numbered pages and including details of the officer arresting, the full name and details of the arrestee, the time and place of arrest, any witnesses and any other relevant details. There should be periodic unannounced checks by superior officers or by a visiting body and action taken against officials found not to have followed procedures.
- Safeguards for detainees on arrest which have been set out by the Supreme Court, particularly in *D. K. Basu vs. State of West Bengal*, should be incorporated in relevant statutory law and all police manuals, including the Punjab Police Rules, as a matter of urgency. Measures should be put in place to monitor their implementation and statistics published periodically.
- Magistrates should play an active role in monitoring strict adherence to the guidelines set out by the Supreme Court in *D. K. Basu vs. State of West Bengal* and they must not tolerate any failure by police to comply with them. Any such failure should be construed as contempt of court and should therefore attract prosecution of the police officers involved.
- Resources should be allocated to ensure that these safeguards can be implemented in practice by police and security forces including the provision of basic materials. Regular training should be given to police officers incorporating these safeguards and any future safeguards set out by the courts or in law to ensure that police officers are aware of how such safeguards can be implemented in practice and how they are an essential part of their role in safeguarding the rights of citizens.
- All detainees and accused should have a right in law to be informed about their rights in custody. These should be read out to them in a language they understand (recognizing the low literacy levels in many areas of the country) and be publicly displayed in all police stations in relevant languages.
- Where unrecorded detentions have been proven, those responsible should be disciplined and prosecuted for unlawful

imprisonment and the victims granted compensation for illegal detention.

- Police manuals, codes of practice and standing orders should be publicly available documents and be presented at police stations on request.
- Resources should be made available so that magistrates are able to apply themselves fully to the important role they play in assessing the lawfulness and monitoring the condition of detention of detainees. It should be a requirement that magistrates ask detainees questions which will clarify their identity.
- In order to ensure a safe environment in which detainees are able to bring complaints of torture before a magistrate, there should be an opportunity for detainees to be heard by the magistrate in the absence of those police officials who have brought them from the police station and may have been responsible for their arrest, interrogation and detention. Magistrates should question detainees brought before them to ascertain that they have not been tortured or ill-treated, have not made involuntary confessions and are not being held in conditions amounting to ill-treatment. In doing so, they must ensure that detainees are not withholding relevant information from them for fear of reprisals by law enforcement officials and make it clear to detainees that in the event that a complaint is made steps will be taken to protect them against reprisals.
- Judges should pursue any evidence or allegations of torture and order release if the detention of an individual is found to be unlawful.
- Detainees should have an enforceable right to a medical examination and should be informed of that right. A copy of the examination report should be given to the detainee or their nominated representative such as their lawyer or relatives. Medical personnel required to carry out examinations of detainees or to provide treatment to detainees in custody should be independent of police and should be duty bound to file an official report of the examination indicating any injuries found.
- Women should be detained separately from men and this should be carefully monitored by independent mechanisms.
- Recognizing the practice of arresting or detaining innocent relatives, particularly women, against whom there are no charges, as a means of forcing suspects to surrender or provide information about wanted people, this practice should be clearly identified as illegal and constituting the offence of “wrongful confinement”. Reports of such practices should promptly be investigated and action taken against those responsible.
- The treatment of children who come into contact with the law must be in line with international standards on the administration of juvenile justice.

6. Provide adequate safeguards for interrogation

- The role of proper investigation within the policing system should be strengthened to reduce reliance on confession as the lynch-pin of evidence against the accused. Detailed guidelines should be drawn up for the interrogation of suspects in consultation with lawyers, Bar Associations, human rights groups and medical professionals. Guidelines should be published and reviewed periodically to ensure they remain an effective mechanism to prevent torture and ill-treatment.
- The authorities should keep under systematic review interrogation rules, instructions, methods and practices with a view to preventing any cases of torture in line with the Convention against Torture. Those involved in interrogation should receive regular training on how to implement such rules and regulations.
- Lawyers should be present during interrogation of suspects. Detainees should be given the opportunity to contact their lawyer or seek the services of a lawyer through legal aid prior to interrogation.
- All officials involved in interrogation should clearly identify themselves to the detainee and their lawyer.
- Female security personnel should be present during the interrogation of women detainees, and should be solely responsible for conducting body searches in accordance with the directions of the UN Human Rights Committee and reflected in the Supreme Court’s judgement in *Sheela Barse vs. State of Maharashtra* (1983 2 SCC 96).

7. Provide effective independent monitoring mechanisms to ensure implementation of safeguards

The government should ensure that there are in place independent monitoring mechanisms to scrutinize police and security force behaviour in all districts of the state. Their independence should be assured by ensuring that they consist of persons of integrity respected in the local community for their independence of judgement and political impartiality. Their members should be fully aware of international human rights standards and national law as well as any new legal judgements which provide enhanced safeguards for those arrested or detained. Given that human rights organizations play an important role in the detection of cases of torture and other forms of ill treatment, AI believes that they should

play a role in monitoring custodial situations.

- Monitoring mechanisms should have adequate powers and resources to undertake their work including powers of unannounced, immediate and unhindered access to all places where people may be held in acknowledged or unacknowledged detention; access to interview detainees in private; and access to judicial processes. They should also have powers to obtain any documentary evidence necessary to check for implementation of legal provisions and to promptly obtain information on the enforcement of announced departmental action against offending police officers. Failure by police, security forces or judicial officers to cooperate with these mechanisms should be an offence and the government should take immediate action against any official who fails to cooperate promptly and fully.
- Monitoring mechanisms should forward any evidence of non-implementation of safeguards to the PHRC or NHRC and to relevant superior officers requesting further investigation or recommending action to be taken. They should regularly publish the results of their findings including information on specific provisions of law which have most commonly been violated, details of police stations which have been identified as abusing legal provisions, and information on the background of victims of human rights violations as a means of identifying particularly vulnerable groups in society and identifying the need for special protection.

8. Ensure investigations into torture

- The government should ensure prompt independent investigations into all allegations of torture or ill-treatment (including rape and death in custody). Investigations of allegations of torture or ill-treatment should incorporate the Principles included in the Istanbul Protocol. Those investigating the allegations should be fully independent of the alleged perpetrators and have the necessary powers and expertise required to open prompt criminal investigations wherever there is reasonable ground to believe that an act of torture has been committed. They should have the necessary resources and powers to carry out investigations promptly and effectively, including powers to compel witnesses to attend and to obtain documentary evidence including powers to commission investigations by medical or other experts.
- Public officials suspected of involvement in torture or ill-treatment should not be allowed to be associated with the investigation into the allegation of torture in any manner, and should be removed from any position of influence over alleged victims or witnesses for the duration of the investigation and any trial proceedings. Firm action should be taken against any police officers found to have colluded with colleagues accused of torture or ill-treatment in the cover-up of the crime including harassment of the victim or witnesses.
- Complainants, witnesses and others at risk should be protected from intimidation and reprisals: a witness protection program should be established in Punjab.
- Police and other officials not promptly or truthfully complying with the orders of judicial or other investigating officers should be subject to immediate disciplinary proceedings.
- Methods and findings of investigations should be made public and the victim or the victim's family must be allowed access to the complete records of the enquiry including post mortem reports and be given the right to be represented through a competent legal counsel during the inquiry, if necessary with the help of legal aid.
- The government should consider setting up effective, adequately resourced and independent police complaints investigation mechanisms at district level, the membership of which should include members of civil society as well as executive and judicial representatives. These bodies should maintain and publish uniform and comprehensive statistics on complaints of torture and ill-treatment by law enforcement personnel.
- The Government of Punjab should institute a review of the numerous cases of alleged torture by police which are pending investigation and prosecution to determine the reasons for delays and to take action against police officials found to be deliberately interfering in the investigative or judicial process.

9. Ensure adequate procedures for medical examination of torture victims

- Facilities should be made available for medical examination by an independent medical practitioner on arrest at the request of the detainee.
- Those who allege torture or ill-treatment including rape and other forms of sexual abuse should be immediately examined by an independent medical practitioner. Police should not be present during the examination and detailed records of the examination should be kept in accordance with Principle 6(b) of the Istanbul Principles.
- Steps should be taken to protect medical professionals carrying out post mortems and medical examinations of alleged torture victims from police pressure. As a step towards this, police officials should not be present during post mortems or the medical examination of detainees. In addition, the victims relatives or their representatives should have the right to request any registered doctor of their own choice to be physically present while a post-mortem is actually

being conducted. Strict departmental action and legal prosecution should be initiated against police officers found to be interfering with the medico-legal work of doctors. Appropriate instructions should be issued at this purpose by the Director General of Police.

- Medico-legal reports should be promptly provided to the subject of the report and to the authority responsible for investigating the allegation of torture or ill-treatment. This should be clearly communicated to all government doctors by health authorities at district level.
- Training of all medical professionals should incorporate medical ethics and in particular the UN Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Training of the Health Department for junior government doctors, in particular, should include: suitable sessions of forensic practice; information on the impact of their reports on the course of justice and hence on the lives of torture victims; information on their obligation to comply as far as it is technically possible to the standards set for post mortems by the NHRC and by Principle 6 of the Istanbul Principles, including their duty to indicate an opinion about the possible causes of death or injuries; information on their legal obligations when dealing with a court and of the legal consequences any illegal behaviour may attract. The cooperation of human rights organizations in designing these trainings could be usefully sought. Similar trainings should be made available periodically also to government doctors already in service.
- Adequate resources and proper equipment must be provided to all post mortem centres in the state.
- Any mechanism charged of independently monitor the implementation of arrest and detention safeguards (see above, recommendation 7) should be empowered to monitor also the medico-legal activity of doctors reporting on possible cases of torture or ill treatment.
- Strict departmental action, including possible suspension, barring from promotions or removal from service, should be taken by the Health Department against doctors found to have participated in the cover-up or facilitation of torture. Information about the implementation of these actions should be available to the public.
- The PHRC, NHRC, as well as the judiciary in Punjab should take serious notice of attempts of doctors to cover up torture cases and should respectively recommend and initiate prosecution against offending doctors, according to the Contempt of Court Act, 1971, and to section 177 of the Indian Penal Code.
- The Indian Medical Council should take serious notice and appropriate action in cases in which its members are involved in cover up of torture.

10. Bring to justice those responsible for torture

- The authorities should bring to justice anyone involved in acts of torture, and no leniency should be made in consideration of the position held by the accused. The definition of those responsible should include those who may have given orders as well as those who carried out the actions. Officials who are found to have ordered or tolerated torture by those under their command should be held criminally responsible for their acts. An order from a superior officer or a public authority must never be invoked as a justification for taking part in torture. All officials must be made aware that they have a duty to disobey a manifestly illegal order and will themselves face criminal prosecution for such acts. There should be no amnesties for public officials found guilty of torture.
- Any public official indicted for infliction of or complicity in torture or ill-treatment should be suspended from duty and not permitted to occupy any public position with responsibility for people in detention.
- All legal provisions which require government sanction for the prosecution of police should be removed.
- The granting of bail to individuals involved in acts of torture must be carefully assessed by the courts, in consideration of the fact that the accused, if released, could intimidate the victims and their families. No bail must be granted for non bailable offences.
- Those found guilty of torture or ill-treatment must be punished in a way commensurate with the seriousness of the offence, but excluding the death penalty and other punishments which are themselves human rights violations.
- In cases in which “departmental action” has been taken against individual police officers, information should be publicly provided on the exact nature of that action.

11. Provide reparation to victims of torture

- Verification mechanisms should be put in place to ensure that orders for compensation are implemented promptly by the authorities and that they are paid directly to the awardee. Judicial officers should however take notice that granting

compensation to victims of torture is in no way a substitute to prosecution and punishment of the police officers involved.

- Medical care and rehabilitation should be provided through institutions established with state support.

12. Strengthen and support the Punjab Human Rights Commission

- The Government of Punjab should publicly state its commitment to human rights and in that regard its support for the work of the PHRC. Adequate resources should be provided for the full and effective functioning of the Commission including provision of investigative staff delinked from Punjab Police. The posts already sanctioned to the PHRC should be filled as a matter of urgency.

- Provisions contained in the PHRA and related to the appointment of members of the PHRC should be strictly adhered to. In particular, the requirement that the members should have “knowledge of, or practical experience in, matters relating to human rights” should inform the appointments.

- The PHRC should be given the power to visit custodial institutions without having to previously notify state officials.

- Recommendations of the PHRC should be promptly complied with. As a means to this, it should be given explicit powers to refer cases in which it has found sufficient evidence to merit prosecution for a human rights violation directly to the prosecuting authorities so that appropriate action can be taken against individuals concerned. The Government of Punjab should provide information on the nature of departmental action taken against police officials.

13. Provide effective human rights training to police

- Training programs for law enforcement officials and others should include practical methods to prevent torture and not just theoretical teaching of legal provisions and human rights standards. Human rights education or ethics training should be integrated into training focussed upon increasing the professionalism of the police. Training should acknowledge the context in which violence has become accepted as a way of “solving” problems and that this situation increases the use of torture.

- Training should include the issue of sensitivity towards groups already suffering discrimination in the criminal justice system.

- In selecting and training of law enforcement personnel, the qualification of respect and sensitivity to human rights protection should be a prerequisite, kept under review and counted toward assessment of their performance and future prospects.

- Human rights training including gender sensitive training should be provided to police, judiciary and medical professionals, in addition to programs already undertaken. The training should be provided to all ranks from the highest to the lowest and should be given at periodic intervals, not just at the start of the job.

- The absolute prohibition against torture and ill-treatment should be reflected in the training and all orders given to officials involved in arrest and custody. These officials should be instructed that they have the right and duty to refuse to obey any order to participate in torture.

- Training manuals should incorporate the following international standards:

UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

UN Code of Conduct for Law Enforcement Officials;

UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;

UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment;

UN Convention against Torture, and Other Cruel Inhuman or Degrading Treatment or Punishment.

UN Declaration on the Protection of All Persons from Enforced Disappearance.

14. Increase cooperation with national bodies in the fight to end torture

- The Government of Punjab should recognise the crucial role that many human rights organizations play in detecting and publicising incidents and patterns of torture, pursuing justice for victims and their relatives and identifying problems in the system which facilitate torture or prevent justice. It should effectively respond to the observations and

recommendations made by various organizations in India and include them in discussions on how to prevent torture.

- The Government of Punjab should encourage the holding of expert meetings of human rights activists, lawyers, medical professionals and others including international experts, on torture and other human rights issues.

Recommendations to the Punjab Human Rights Commission

- The PHRC should monitor, record and publish the numbers of complaints of torture and ill-treatment which are brought to them, including a separate category for the number of complaints of rape or sexual assault in custody. These records should provide a breakdown of the profile of victims by gender and social background in order to provide information on patterns of torture.
- An annual report of activities should be regularly prepared by the PHRC and tabled in the Punjab Legislative Assembly for discussion, as per section 28 of the PHRA. The publication of press releases and other special reports marking the position of the PHRC on different issues touching on the protection of human rights would contribute in engaging it in a dialogue with the human rights movement and the general public in the state.
- The PHRC should examine its practices and procedures to ensure that they meet standards of impartiality and rigour and that its standards of human rights protection are in line with international human rights standards and do not compromise human rights in any way. Methods of investigation set out in the Istanbul Principles should be incorporated into the methodology and training of officials of the PHRC to ensure professional and impartial investigation.
- The PHRC, under section 10 of the PHRA, can institute its own procedure for “rendering effective, speedy and inexpensive justice to the victims”. A procedure should therefore be designed to help complainants to file their complaints before the Commission, or otherwise provide them with free legal aid at state expenses.
- The PHRC should establish a mechanism for reviewing its recommendations on a periodic basis as a means of checking whether its recommendations have been implemented and followed up by the authorities.
- The PHRC should be clear that complicity by police in acts of torture is an offence and that “communicating its displeasure” to senior officers who have witnessed torture and taken no action or taken steps to cover up torture is an insufficient response for such crimes and the identification of such practices by the PHRC should be followed by investigation and criminal prosecution.
- The PHRC should undertake or facilitate proper medico-legal training for doctors.
- The PHRC should recommend, when appropriate, the prosecution of all person found guilty of human rights violations as a means to provide redress to the victims, in addition to the granting of a monetary compensation.

(1) This report is based on a number of different sources, including press items, published and unpublished reports and research studies, legal proceedings (on which all individual cases are based) and information kindly forwarded to AI by individuals and human rights groups in the state. These include the Committee for Coordination on Disappearances in Punjab, Lawyers for Human Rights International and Insaaf International. Other organizations and individuals who contributed to this report with valuable information do not wish to be named. The Punjab Human Rights Commission also responded to AI's request of information on its activities.

(2) See Amnesty International, India: Words into action: Recommendations for the prevention of torture, January 2001 (AI Index: ASA 20/003/2001).

(3) India: Words into action: Recommendations for the prevention of torture, January 2001 (AI Index: ASA 20/003/2001).

(4) India: The battle against fear and discrimination. The impact of violence against women in Uttar Pradesh and Rajasthan, May 2001 (AI Index: ASA 20/016/2001) and India: Time to act to stop torture and impunity in West Bengal, August 2001 (AI Index: ASA 20/033/2001).

(5) Sikhs are numerically the third largest religious minority in India.

(6) Under the NSA political suspects may be preventively detained without charge or trial; in the first 15 days of detention they do not have the right to know the grounds of their arrest. AI expressed its concerns about the inconsistency of the provisions of this act with international human rights standards in the document India: New

National Security Ordinance in India. Background and Amnesty International's Concerns, October 1980 (AI Index: ASA 20/03/80).

(7) Human rights violations during the conflict have been documented in various reports by Indian and international human rights organizations, including: Committee for Coordination on Disappearances in Punjab (CCDP), Enforced Disappearances, Arbitrary Executions and Secret Cremations: Victim Testimony and India's Human Rights Obligations. Interim Report, New Delhi, 1999 (thereafter referred to as CCDP's Interim Report); Human Rights Watch/Physicians for Human Rights, Dead Silence: The Legacy of Abuses in Punjab, New York, 1994; Amnesty International, India: An unnatural fate, 1993 (AI Index: ASA 20/042/1993) and India: Determining the fate of the (disappeared) in Punjab, October 1995 (AI Index: ASA 20/028/1995).

(8) The Tribune, 1 March 2002.

(9) The Tribune, 1 March 2002.

(10) The Tribune, 5 March 2002.

(11) The Tribune, 11 November 2002.

(12) For more information on Khalra's case see Amnesty International, India: A Mockery of Justice, April 1998 (AI Index: ASA 20/07/98).

(13) For more information on the harassment of witnesses in J. S. Khalra's case, see Amnesty International, India: Persecuted for challenging injustice. Human rights defenders in India, April 2000 (AI Index: ASA 20/14/00) and India: Arrest of witness points to continuing police harassment, September 2000 (AI Index: ASA 20/049/2000).

(14) Criminal Writ Petition, No. 447/95.

(15) For a detailed description of the developments until mid 1999, see Amnesty International, India: A vital opportunity to end impunity in Punjab, August 1999 (AI Index: ASA 20/024/1999).

(16) The reference here is to the contents of the order of January 1999. AI notes also that the NHRC could have chosen to give a much wider interpretation of its role in the cremation ground issue even before that Supreme Court order. International human rights standards, in fact, state that "acts constituting enforced disappearance shall be considered a continuing offence as long as the perpetrators continue to conceal the fate and the whereabouts of persons who have disappeared and the facts remain unclarified" (Declaration on the Protection of all Persons from Enforced Disappearance, 1992, Article 17). According to this text, it is open to the NHRC to consider "disappearances" in Punjab as human rights violations which are presently taking place, and therefore not to be bound in these cases by Article 36(2) of the PHRA which bars the NHRC from "inquiring into any matter after the expiry of one year from the date on which the act constituting violation of human rights is alleged to have been committed". The NHRC could therefore have taken action on the cremation grounds case under the PHRA, without waiting to be mandated to do so by a Supreme Court order.

(17) The Tribune, India, 24 August 2001.

(18) See Sections 45 and 197 of the Code of Criminal Procedure.

(19) Shembhoo Nath Misra Vs. State of Uttar Pradesh, AIR n. 2102 of 1997

(20) Sections 306 and 307.

(21) Section 432.

(22) Articles 72 and 161.

(23) AI expressed its concerns on the proposed amnesty for police officers in Punjab in an open letter sent on 24 August 2001 to the Minister of Home Affairs L. K. Advani. The organization has received no response to that letter.

(24) CCDP, Interim Report.

(25) See also: Physicians for Human Rights, *The Shadow of Police*. Report of a Fact Finding Mission to Punjab, Denmark 2000.

(26) The pattern of registered offences after the end of the conflict in Punjab shows how widely the NDPSA is used: since 1994 the NDPSA is one of the acts under which the majority of criminal cases are registered in the state, second only to cases registered under the Indian Penal Code (and in some years to those under the Excise Act). It is closely followed by the number of cases registered under the Arms Act.

(27) Criminal Writ Petition, No. 134 of 1996.

(28) The largest part of the budget of Punjab Police is spent on salaries and fuel for vehicles. See J. K. Jain, *Management of District Police. A Study*, PhD thesis submitted in Guru Nanak Dev University, Amritsar, through Punjab Police Academy, Phillaur, 1999.

(29) First Information Report No. 234.

(30) Complaint n. 1587 of 1999.

(31) Code of Criminal Procedure, Section 197.

(32) The cases were reported in Amnesty International, India: *Persecuted for challenging injustice (Human rights defenders in India, April 2000 (AI Index: ASA 20/008/2000).*

(33) For an analysis of strengths and weaknesses of the Indian law relating to arrest and detention and of the safeguards for detainees contained in it, see Amnesty International, India: *Words into action: Recommendations for the prevention of torture, January 2001 (AI Index: ASA 20/003/2001).*

(34) *D. K. Basu vs. State of West Bengal (Writ Petition, No. 539 of 1986).*

(35) For a more detailed account of the debate about police reforms in India, see Amnesty International, India: *Words into action: Recommendations for the prevention of torture, January 2001 (AI Index: ASA 20/003/2001).*

(36) See Amnesty International, India: *Briefing on the Prevention of Terrorism Ordinance, November 2001 (AI Index: ASA 20/049/2001).*

(37) In mid 1997 30 police officers were reported to be in jail serving sentences following conviction, 100 were on bail and 140 others were facing prosecution. By December 2002 police officers convicted for human rights abuses were reported to be between 75 and 100.

(38) Indian Penal Code, Sections 323 and 342 respectively.

(39) Indian Penal Code, Sections 330 and 331.

(40) Indian Penal Code, Section 304.

(41) Article 2. 3

(42) Article 2. a.

(43) Article 6.

(44) AI was informed that Legal Aid lawyers in Punjab are presently paid around 1,100 Rs. (about 22 US\$) per case. Part of the amount is paid to them when they take up the case, while part is given once the judgement is passed. Every lawyer can get around 10-15 cases a month.

(45) Code of Criminal Procedure, Section 174.

(46) Principle 6(b)(iv) of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Principles are a valuable tool for training doctors in documenting torture. They constitute an appendix to the Istanbul Protocol: a Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

(47) Principle 6(c) of the Principles included in the Istanbul Protocol.

(48) Exemptions from this fee exist on paper, but they have reportedly never been implemented in the case of medico-legal services.

(49) □ The hierarchy in the Punjab Health System is constituted of: Medical Officer, Senior Medical Officer, different Heads of wings (like immunization, family planning etc), Civil Surgeon (head of the district), Joint Directors, Additional Directors and Director Health. Up to this level all are professional doctors. They report to the senior civil administrators (Indian Administrative Service officials), including Additional Secretaries, Joint Secretaries and Secretary Health. The post of Principal Secretary, who heads of Health Department, was added recently.

(50) Permanent recruitments of doctors are made by the PPSC, while temporary recruitments are made by the Health Department.

(51) Private doctors are allowed to conduct medico-legal examinations, although not post-mortems. However, they are increasingly reluctant to offer treatment, even in emergency cases, where there are medico-legal aspects, for fear of police harassment and to avoid time-consuming court appearances over several years.

(52) Refusal by a doctor to carry out a medical examination ordered by a court can be construed as an act of (civil contempt) (under the Contempt of Court Act, 1971).

(53) Section 177 of the Indian Penal Code prescribes the punishment for furnishing false information to any public servant.

(54) Complaint No. 1087 of 1999.

(55) Civil Writ Petition, No. 7261 of 2000.

(56) Annual Report 1997-98, p. 8.

(57) The PHRC organized a one day seminar on "Human rights education" on 4 March 1998 and encouraged ten educational institutions in Punjab to celebrate Human Rights Day.

(58) This commitment is spelt out in the Annual Report 1997-98, at p. 8 and 14.

(59) Annual Report 1997-98.

(60) For an analysis of the limitations of the PHRA, see Amnesty International, India: Submission to the Advisory Committee established to review provisions of the Protection of Human Rights Act 1993, October 1998 (AI Index: ASA 20/26/1998).

(61) Legally, the fact that an enquiry internal to the police force is taking place should not block the PHRC from taking up a case.

(62) Indian Penal Code, Section 304.

(63) Complaint No. 419 of 1998.

(64) India Penal Code, Sections 302 and 342 respectively.

(65) These recommendations are based on the UN Draft Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Violations of International Human Rights and Humanitarian Law.

(66) Complaint n. 37 of 1997.

(67) Complaint No. 12 of 1997.

(68) Criminal Miscellaneous Petition, No. 21627. M of 1997.

(69) Letter n. 12/97/PSHRC/2002/3873, dated 4 December 2002.

WRITING THE BONES

Cynthia Keppley Mahmood

Brief Biography

Cynthia Keppley Mahmood received the Ph. D. in Anthropology from Tulane University in 1986 and is currently Associate Professor of Anthropology at the University of Maine. Her academic work focuses on ethnic and religious conflict in Europe and Asia. Her book on Sikh militancy, *Fighting for Faith and Nation*, was published by the University of Pennsylvania Press in 1996, and she directs a series of books on *The Ethnography of Political Violence* at that press. She is frequently called on as a consultant on Sikh affairs by government agencies in the United States, Canada, and the United Kingdom, and serves as expert witness in courts of law on cases relating to Sikhs. Cynthia Mahmood is currently working with human rights groups in Punjab to document the disappearances and cremations that occurred during the recent period of political upheaval in that state.

Writing the Bones

I am an anthropologist. We anthropologists deal in bones - at least, that's what the general public usually thinks of us: the excavators of pots and bones, the documentors of the past. But my kind of bones are of a different variety; dust has not had time to accumulate on them, loved ones have not yet turned the images of their deceased to distant memories. The grief is fresh.

The moment I decided to become involved in human rights is clear in my memory. I was sitting in a living room with a group of Sikh women and men, taping their narratives of terror and resistance for my book on the Punjab conflict. I had been invited to lecture at a human rights forum to be held in Calgary, and I was discussing with the Sikhs whether this was or was not an appropriate role for me as a scholar. A product of late twentieth century academia, I knew all the ins and outs of professional ethics, "protection of human subjects," and so on, and so on. (We have all become, if nothing else, good talkers.) In the midst of elaborate discussion the Sikh gentleman next to me, who had been silent up to this time, took my hand and placed it on his blue-jeaned thigh. I was shocked to realize that my hand was actually resting directly on his bone, that his upper leg was grotesquely devoid of muscle and flesh. He was literally skin and bone, this concealed by the bagginess of trendy denims. I saw the folded-up wheelchair in the corner of the room at the same time as I noticed this man's eyes, welling up with tears which fell, then, down over his cheeks and into his black-as-ink Sikh beard, full and proud. He didn't say a word still then, just sat and looked silently, straight ahead, my hand, immovable, on his thigh.

"The Roller" is a particular contribution of the Indian police and security agencies to the global technology of torture. A heavy log is placed on the upper legs of a person, and is rolled up and down the legs while officers weight the ends by standing on them. The effect of "the roller" is excruciating pain, with - in most cases - no permanent medical evidence. In this case, those purveying the agony of the roller went too far; the individual's muscles were crushed and torn irreparably. I later learned that the police officer responsible for this Sikh's crippling was in fact known; people called him "The Roller" as a nickname, so enamored was he of this characteristically Indian technique.

What can one say of an ethnographic moment such as this one? Words fail. In this case, our conversation was cut short; we sat in silence, then moved on to other topics. I understood that I would speak on human rights, and everyone around me understood that also, I believe. Some things just cut right through all manner of academic hesitations and contortions, and having one's hand right on the bone of another human being is one of them. I spoke at that Calgary symposium, and have continued to speak and to write and to testify since then.

I believe in what Ruth Behar calls a "vulnerable" anthropology, one which doesn't exclude human-to-human responses and attachments but celebrates them. The vulnerability here refers to the anthropologist, by the way, not to her "informants" (old term) or "interlocutors" (new term), who have always been somewhat vulnerable in the context of the power relations that classically framed anthropological research. Making ourselves vulnerable to those we learn from is another thing; it really is "anthropology that breaks your heart," as Behar subtitles her essay on this posture.

Though this is now considered to be part of a newly-empowered feminism in anthropology, women have long written about their involvement in cultural studies in deeply personal terms. Edith Turner dared to write, of her fieldwork

among the Ndembu with Victor Turner in the 1950's, "I would like to call [this] advocacy anthropology in the female style, that is, speaking on behalf of a culture as a lover or a mother." Laughable in the science-oriented culture of academic anthropology in the fifties, writing as a lover/mother has become, if not exactly respectable, a part of the anthropological scene that will not go away. Many of us, trained by that fifties generation to keep our distance from our interlocutors scrupulously, have now had to relearn the basics of tears, warm embraces, outbursts of anger, and shared confidences that mark human relations everywhere. A Sikh stranger, with a single eloquent gesture, reminded me that the anthropologist I was playing at being was not really who I was. I am not a person who can ignore the fact that people with crushed leg muscles are sitting next to me, and that I am in a position to help them.

When we write ethnography in these circumstances, we are vulnerable as authors in a way that more "neutral" scholars are not. Open to the other, we take him into ourselves, we live, eat, breathe Sikhs with bony thighs and shiny wheelchairs. When we write, this writing comes very easily - spills out, gushes out - because it is coming from within ourselves. A longtime student of Zen, I am familiar with the notion of "writing down the bones," the practice of so absorbing a subject that it is embedded in one's very skeleton, then simply expressing it outward. Many people know about Zen archery, but as far as I know nobody has imagined a Zen ethnography. But that is what I do, now with some existential sort of confidence - I write bones, my own and those of the Sikhs, irrevocably entangled, turning to dust in tandem in this unique brief moment they and I share on this planet earth.

The Story of Khalra and Dhillon

Jaswant Singh Khalra was a Sikh who rose to a leadership position in the Akali Dal, the main political party representing this religious minority in India. The Sikhs, about two per cent of the total population there, are largely congregated in the state of Punjab in the northwest, the heartland of the Sikh faith. The "Singh" in Jaswant Singh Khalra's name appears in every male Sikh name; it means "lion" and was a title bestowed upon the Sikhs by their tenth Guru, Guru Gobind Singh. Jaswant Singh Khalra kept the five signs of the Sikh: the unshorn hair bound up into a turban, a comb symbolizing purity, a steel bangle, a special sort of undershorts, and an omnipresent dagger or sword. The Sikh community, begun with its first Guru in 1469, is committed to principles of monotheism, equality, truth, and compassion.

In 1947 when the Indian subcontinent was partitioned by the departing British, most of the Sikh population ended up on the Indian side. In the over fifty years since Independence, this distinctive minority has had several key moments when its interests clashed with those of the central government. In the 1960's, a movement for the protection of the Punjabi language resulted in the creation of a Punjab state where, for the first time, Sikhs wound up as an electoral majority. In the next decade this new state faced serious issues regarding economic matters such as the distribution of river waters (critical for the irrigation on which this "breadbasket of India" depends) and hydroelectric power (critical for Punjab's underdeveloped industrial sector). It also faced the remaining political question of a capital city - Chandigarh, oddly, being designated as the shared capital of Punjab and the neighboring Hindu-majority state of Haryana. There was also the continuing undercurrent of religious grievance, of the sense that the Sikhs were the target of discrimination in the Indian polity and of the fear that Sikhism as a separate religious identity would fade as Sikhs were absorbed into a wider Hindu-Indian identity. By the early 1980's, these issues came to a head in the formation of an armed Sikh separatist movement which sought an independent nation of Khalistan - a proposed Sikh homeland analogous to Pakistan, created out of British India in 1947 as a homeland for the Muslims. The crackdown against this insurgency was drastic; human rights abuses skyrocketed, thousands upon thousands of Punjabi Sikhs were detained, tortured, raped, and extrajudicially executed.

The Akali Dal political party developed a Human Rights Wing as troubles between the Sikhs and the Indian government escalated during the 1980's. Jaswant Singh Khalra became the Chairman of this unit, assisted by its General Secretary, another turbaned Sikh named Jaspal Singh Dhillon. Reports reached the Human Rights Wing of the Akali Dal that Sikhs throughout Punjab were disappearing without a trace, claimed by government officials to have fled abroad to join the insurgents fighting for an independent Sikh state of Khalistan, but declared by many of their relatives to have been innocent and uninvolved civilians. In 1994 - after about ten years of full-scale insurgency and counterinsurgency - Khalra and Dhillon embarked on a quest to discover and document what had happened to the disappeared Sikhs. The end result of this investigation was that Khalra himself was "disappeared" (later discovered to have been tortured and killed) and that Dhillon was taken into police custody on charges of conspiracy to aid militants in a planned jail break. Khalra's widow now pushes on for justice in the memory of her husband, Dhillon remains in

jail today, and other human rights workers have taken up the cause of finding out what happened to the missing Sikhs. The numbers of missing appear to be minimally in the thousands - possibly in the tens of thousands.

Although unidentified bodies had been found in Punjab's fields with regularity over the past ten years of political turmoil, and although Sikh bodies with hands tied behind their backs with their turbans were frequently fished out of canals not only in Punjab but in nearby downstream states as well, Khalra and Dhillon focused their investigation on cremation grounds. (It became known colloquially as "the cremation grounds investigation.") Their suspicion was that most of the missing persons had been extrajudicially executed by police and security forces and that most of the bodies may have been secretly and untraceably disposed of through mass cremations. So they began their investigation by examining records of three major crematoria, those of Durgiana Mandir, Patti, and Tarn Taran. In these three alone, records showed that police cremated three thousand bodies as unidentified and unclaimed during the ten-year period 1984-1994. It is believed that there are, in total, fifty such cremation grounds used by police across Punjab.

The Khalra-Dhillon team found that the largest number of cremations took place at Durgiana Mandir in Amritsar. Although officials at the cremation ground refused to allow the investigators access to their own records, they directed Khalra and Dhillon to the Amritsar Registry of Births and Deaths. This municipal registry cited two thousand cremations by police during the ten-year period. Looking closely at 1992 - the first year of Chief Minister Beant Singh's government, committed to a crackdown against militancy - Khalra and Dhillon found that 300 bodies were burned by police at Durgiana Mandir in that single year.

At Patti, cremation grounds records were made available from 1991 to 1994, during which time 538 bodies coming from ten different police stations were burned. At this crematorium, Khalra and Dhillon had a chance to talk with officials directly involved in the disposal of bodies. They reported that

Officials at the cremation grounds informed us that on some days only 2 bodies were brought by police while on other days even 10 bodies were brought together. Although firewood was purchased for the cremation of one or two bodies, on many occasions several bodies were cremated together. Another official, who got posted to the Patti cremation ground about 7 months back, informed us that the bodies brought back by the police were never cremated on the built up concrete platform but were cremated in the ditches and neglected portions of the grounds. As more than one body was cremated with the firewood sufficient only for one body the limbs would mostly remain half burnt or charred. This official on assuming charge of the cremation ground gathered a large number of limbs and after sealing them in a bag dumped them in the Rajasthan feeder [canal] close by. _

A prominent citizen of Patti whose land adjoins the cremation ground told the investigators that stray dogs would often carry half-burnt limbs to his fields, which he would periodically gather together and cremate himself.

Receipt books showing the allocation of firewood at Tarn Taran note that 700 unidentified/unclaimed bodies were brought by police during the ten-year period 1984-1994. Tarn Taran was a hotbed of militant activity, and "encounters" with police and security forces were a near-daily occurrence. Newspapers showed graphic photos of slain "terrorists" (some of whom were indeed militants and others of whom were innocent civilians), and the numbers of "terrorists" killed went up as cash bounties were offered to police. The road to promotion and advancement among Punjab's police was indeed through the slaughter of "terrorists."

Though few people questioned how police could at the same time identify someone as a 'terrorist' and then cremate him as unidentified/unclaimed, a few individuals did investigate further. Mr. Baldev Singh, whose son Pragat Singh was reported as having been killed in an "encounter," testified that he went to the hospital where his son's post-mortem examination was to be carried out. An employee at the hospital told him that the police had already taken his son's body for cremation, whereupon Baldev Singh rushed to the cremation ground. He says,

The pyre had already been lit. Pragat's head was burning but the rest of the body had not yet caught fire. I removed the logs from the pyre. The body was indeed my son's. There were many bullet marks on his body under his left shoulder. The police were burning him as an unidentified person, whose body no one had come to claim. There was nothing I could do.

In 1995 the Human Rights Wing of the Akali Dal filed Writ Petition No. 900 in Punjab and Haryana High Court to request an inquiry into the possibility of mass illegal cremations in Punjab. However, the High Court dismissed the petition on grounds that it was too vague, and that the petitioner had no standing in the matter. Following this, a human rights group known as the Committee for Information and Initiative on Punjab moved the Supreme Court of India under Article 32 of the Constitution to demand a Central Bureau of Investigation (CBI) inquiry into the matter. It alleged that persons had been cremated as unidentified and unclaimed, not because their identities were not known or knowable, and not because there were none to claim them, but by virtue of a systematic policy of extrajudicial execution and secret disposal of corpses.

While the petition before the Supreme Court was still at the preliminary stage of hearing, uniformed constables of the Punjab Police abducted Jaswant Singh Khalra from outside his house on 6 September 1995. According to affidavits sworn by Khalra's colleagues and acquaintances, among them some of the most prominent citizens of Punjab (a former High Court judge and the head of the foremost religious organization of the Sikhs), Khalra had been receiving threats from the Senior Superintendent of Police of Tarn Taran, one Ajit Singh Sandhu. They testified that Khalra had been told to stop the investigation into the matter of illegal cremations and that he had been warned explicitly that "we can make one more body disappear, too." Khalra's wife petitioned the Supreme Court for a writ of habeas corpus, and the Court then instructed the CBI to investigate not only Khalra's abduction, but also the larger issue of illegal cremations.

The CBI eventually held police officials of Tarn Taran responsible for Khalra's abduction. It submitted a report on illegal cremations to the Supreme Court in December of 1996, which the Court opted to keep secret. The Supreme Court observed however that "the report discloses flagrant violation of human rights on a mass scale," and it ordered India's National Human Rights Commission (NHRC) to look into the matter further. The NHRC is a body with a limited mandate, however: it cannot investigate wrongdoings by security forces, it is unable to investigate cases more than one year old, and it can only make recommendations not policy. A complicated legal dispute arose over whether the NHRC could actually carry out the mission assigned it by the Supreme Court. As the process of investigation and exposure appeared to be stalled, independent human rights groups took up the challenge of continuing Khalra's work. Khalra himself was at that point considered "disappeared," presumed dead. His associate

Jaspal Singh Dhillon pushed on.

On 9 November 1997 the Committee for Coordination on Disappearances in Punjab came into existence as a coalition of various human rights organizations and individuals working on the Punjab issue. It sought to: a) develop a voluntary mechanism to collect and collate information on disappeared people from all over the state of Punjab and to ensure that the matter of police abductions leading to extrajudicial executions and illegal cremations proceeds meaningfully and culminates in a just and satisfactory final order; b) evolve a workable system of state accountability, and to build up the pressure of public opinion to counter the government's bid for immunity; c) lobby for India to change its domestic laws in conformity with the UN instruments on torture, enforced disappearance, accountability, compensation to victims of abuse of power, and other related matters; and d) initiate a debate on vital issues of state power and its distribution and to work for a shared consensus on these matters with communities and organizations all over India. Ram Narayan Kumar, a Hindu-origin human rights activist who had previously worked with victims of the Bhopal Union Carbide disaster, was selected as Convenor of the Committee, and the first meeting was held in honor of the disappeared Jaswant Singh Khalra and conducted by retired Supreme Court Justice Kuldeep Singh.

From the Committee for Coordination on Disappearances came the notion of a Peoples' Commission, modeled on the "truth commissions" that were proceeding in Guatemala and South Africa, to examine complaints of illegal abductions, custodial torture, enforced disappearance, summary execution and illegal cremation. Three retired justices formed this Peoples' Commission: Justice D. S. Tewatia, formerly Chief Justice of the Calcutta High Court, Justice H. Suresh, formerly of the Bombay High Court, and Justice Jaspal Singh, formerly of the Punjab and Haryana High Court. The Commission's initial aims were to hear evidence and to give findings on the following: a) whether from 1979 to 1997 the agencies of the State carried out and tolerated, directly or indirectly, any atrocities and thereby committed violation of human rights as guaranteed under the Constitution of India and international covenants; b) whether agencies or individual agents of the State have prima facie committed any offense under the law of the land or international law; and c) to further suggest the remedies available to the victims of atrocities including entitlement to compensation from the State and its agencies.

An incident report form was drawn up after consultation with various international models, and fieldworkers of the Committee for Coordination on Disappearances began to collect evidence of specific cases. Substantial public support for the work of the Committee for Coordination and for the Peoples' Commission began to develop, and claims of abuse began to accumulate rapidly. People came from far and wide to attend meetings of the Peoples' Commission - some of whom could not even understand English, the language in which the proceedings took place. Lobbyists overseas began to bring the situation in Punjab to the attention of diasporan Sikhs as well as to various Western governments. But in India, problems arose.

On 24 May 1997, newspapers reported that Ajit Singh Sandhu, the former police superintendent from Tarn Taran who had been charged with the abduction of Jaswant Singh Khalra, committed suicide by throwing himself in front of a train. K. P. S. Gill, former Director General of Police for Punjab - under whose watch many of the most significant human rights abuses occurred - castigated human rights groups for their "ingratitude" toward "heroes" like Ajit Singh Sandhu, who had saved India from disintegration but instead of valorization were facing the humiliation of being charged with crimes. A vast media campaign identified the human rights groups with separatist militants, and many individuals associated with the Committee for Coordination and the Peoples' Commission found themselves harassed, threatened, and outcast by former friends. Even the liberal human rights community in the rest of India looked askance at those working in Punjab, whose ultimate sympathies with the Indian nation were beginning to be perceived as suspect. The fact that a police officer under Sandhu's command came forward as an eyewitness to Khalra's seizure, torture, and murder did little to quell the mood of intolerance for human rights activists. Khalra's widow, Paramjit Kaur Khalra, was threatened, detained, and charged with attempting to bribe a witness.

On 18 July 1998, three members of the Committee for Coordination on Disappearances in Punjab came out of India for the first time to speak about human rights efforts at a symposium at Columbia University. These were Ram Narayan Kumar (Convenor), Amar Singh Chahal (from Lawyers for Human Rights), and Inderjit Singh Jaijee (from the Movement Against State Repression). Along with these three, I spoke at the symposium, and so did Mary Pike, a New York City attorney representing Sikhs in the U. S., and Ami Laws, who had recently done a study of torture in Punjab for Physicians for Human Rights. Just days after the seminar, word was received that Jaspal Singh Dhillon, the associate of Jaswant Singh Khalra who had taken over the investigation after his disappearance, had been picked up by police and thrown in jail. It was alleged that he and several others had conspired to smuggle cellular telephones and explosives into Bureil jail in Chandigarh in an attempt to aid imprisoned Sikh militants in escaping. As of this writing (April 1999), Dhillon remains in detention. His colleagues believe that this episode was staged in order to further destabilize the human rights community and to thwart continuing efforts to document the atrocities that took place in Punjab.

The National Human Rights Commission has been given the limited mandate to investigate the original cremations exposed by Jaswant Singh Khalra - those at Durgiana Mandir, Patti and Tarn Taran cremation grounds. Believing this to be but the tip of the iceberg, the Committee for Coordination is pursuing its broader mandate to investigate all abuses across the whole of Punjab, and intends to present evidence to the Peoples' Commission as planned. It remains to be seen whether this will be possible. Justice Jaspal Singh of the Peoples' Commission spoke with me in New York recently, reporting that he is facing ongoing threats because of his work and that the other justices are experiencing the same. He told a gathering of some six thousand Sikhs celebrating the 300th anniversary of the Sikh siblinghood that the Peoples' Commission would however push on with determination, in the interests of truth and of & healing. Meanwhile every member of the Committee for Coordination suffers frequent harassments and threats, some of a very serious nature. It is only international attention, such as that provided in this forum, that can offer some meager protection for these workers as they move ahead.

Disappearances, Cremations and the Absence of Bones

The United Nations Declaration on the Protection of All Persons from Enforced Disappearances states in Article 7 that no circumstances whatsoever may be used to justify enforced disappearances. This is some of the strongest and most unequivocal language in any of the UN documents. It is not surprising, given international support for the clearest possible condemnation of "disappearance" as a tactic of state security, that India is less than enthusiastic about attempts to uncover what appear to be enforced disappearances on a massive scale in the state of Punjab.

The UN Declaration further lays out, in Article 13(3), that steps must be taken to ensure that those involved in the investigation into disappearances must be protected against "ill treatment, intimidation or reprisal." In 13(5) it states

that anyone engaging in such ill treatment, intimidation or reprisal must be punished, and moves on in 16(1) to state that any official being investigated for involvement in disappearances must be suspended from duties during the investigation. Obviously, none of these have happened. Far from being suspended from duties, police personnel accused of involvement in disappearances have in fact been promoted - most notoriously, K. P. S. Gill, Director General of Police for Punjab during the height of the atrocities, who went on to receive the honor of being appointed President of the Indian Hockey Federation (under which guise he visited the United States for the Atlanta Olympics, over the protests of many expatriate Sikhs) and is now a member of India's National Security Council.

The right to life of citizens, which the State must protect in all circumstances against all arbitrary violations, is also at the heart of India's Constitution. Derogation from this right is impermissible under Article 21 and Amendment 44 of that Constitution; it is a guarantee which according to India's own Constitution may not be abrogated even in a state of emergency. But in 1988, as the Sikh insurgency in Punjab became more intractable, the Indian Parliament passed a 59th Amendment which enabled the suspension of Article 21 on grounds of "internal disturbance." Punjab was then declared a "Disturbed Area" under the Disturbed Areas Act of 1991. This astonishing move, though unheralded in the international press, meant that India was legally suspending protection of the right to life against arbitrary violation in one of its key states. That this was also a state in which the overwhelming majority of India's Sikhs live made the move all the more inflammatory, if underpublicized. As atrocities escalated, accusations of genocide started finding their way into the rhetoric of Sikh and other human rights activists.

The impression that the crackdown was taking place not against insurgent separatists but against the entire Sikh population was established in the earliest days of the conflict in the minds of many Sikhs. The founding event was the Indian Army's storming of the Golden Temple Complex in Amritsar in 1984; holiest site in the holiest city of the Sikhs, many of its buildings were reduced to rubble in the attempt to rout out the band of militants who had taken refuge there. The key problem was that the scale of the assault was way out of line considering the threat that the band of militants actually posed to the Indian state. There were about two hundred armed insurgents at the Complex on that day, but the army responded with some 70,000 troops who used, among other things, tanks and CS gas in the attack on the Complex. There was a complete news blackout and total curfew in Punjab at the time, and, significantly, the attack took place on a Sikh holy day when thousands (possibly about ten thousand) entirely innocent Sikh pilgrims were worshipping at the Golden Temple.

We now know that many hundreds, probably thousands, of the pilgrims were slaughtered in the crossfire at the Golden Temple Complex, as well as some thirty-five militants. Bodies bloated in the sacred pool that surrounds the Golden Temple; the water in the drains ran red. The entire front was blown off the Akal Takht - the second most important building after the Golden Temple itself - and the Sikh Reference Library burned to the ground. This last fact had a particular significance to many Sikhs, who perceived that the Indian government was trying to destroy their heritage with the aim of erasing their identity as a people. (The Indian government alleges that it was the embattled militants who set fire to the Library, an allegation supported by very few Sikhs.) Milan Kundera's comment resonates with this community:

The first step in liquidating a people is to erase its memory. Destroy its books, its culture, its history. Then have somebody write new books, manufacture a new culture, invent a new history. Before long that nation will begin to forget what it is and what it was . . . The struggle of man against power is the struggle of memory against forgetting. _

After Operation Blue Star, as the June 1984 attack was code-named, Sikhs immediately set about "remembering" what had happened. Paintings of the shattered dome of the Akal Takht, the bullet-pocked facade of the Golden Temple, and the torn and broken bodies littering the sacred pavement appeared on walls; eulogies to the "martyrs" who died in the assaults made the rounds of village bards and started being recorded on smuggled cassette tapes. Six months later, a few Sikhs used the inspiration from these quickly-enshrined memories as motivation to assassinate Prime Minister Indira Gandhi, held ultimately responsible for the assault. And after the assassination, more memories: some three thousand Sikhs, probably more, massacred in the streets and alleys of Delhi by what were first described as "enraged Hindu mobs" and later turned out to be hired squads led by police officers and members of the powerful Congress party.

During the next ten years, a pattern of arbitrary detention, torture, custodial rape, and extrajudicial execution became established in Punjab. International human rights groups were not allowed to visit this troubled state, and control over

the media meant that people in other parts of India had little idea of what was going on in Punjab other than that “terrorism” was posing a major security problem. The population of India has consistently shown that it is in fact unwilling to protest abuses of rights where national security is perceived to be at stake, as it was in this sensitive border state housing an assertive non-Hindu minority. (The only other state without a Hindu majority is Kashmir, where a separatist insurgency and abusive counterinsurgency also flourish.) Renascent Hindu nationalism has drawn in a substantial proportion of the citizenry, who see a tough stance toward minorities as key to the consolidation - and survival - of the Indian/Hindu nation.

After the incendiary events of 1984, the Indian government turned all efforts toward the rebuilding of the Golden Temple Complex, much as today the attempt is toward “rehabilitation” of the Sikh militants, restoration of “peace and normalcy,” and, in fact, purposeful forgetting of what the past fifteen to twenty years have done to the people of Punjab. The human rights workers attempting to document this history are accused of being “anti-national” since they do not participate in this great white-washing, but rather subvert it at every turn. Not for India the refusal of the Mothers of the Plaza de Mayo to reclaim their children’s battered bodies, so that closure could be achieved and the past safely buried. Those attempting to keep the wounds fresh are treacherous. Foreigners who point out that in other countries, revelation of the truth is seen as a first step toward healing and reconciliation, are ignored. History is rewritten by a new crop of scholars, well-funded and appropriately celebrated, to reflect not minority agony but national victory as the central phenomenon of late twentieth century Punjab.

Since cremation rather than burial is the traditional mortuary rite of both Sikhs and Hindus, there are few forensic remains in Punjab for medical examiners to consider as evidence of the “decade of disappearance.” The disappeared have floated away as ash on Punjab’s rivers or been carried skyward as smoke into Punjab’s scorching heavens. The few bits of evidence we have therefore shock and repel us: a photo of a heap of partially-burned bodies, eerily reminiscent of the Holocaust, preserved by the Committee for Coordination; another grainy polaroid print of a wild dog tearing at the charcoal remains of a human leg. We have the testimony of neighbors of crematoria who remember, horrifically, the smell. But the smell might be of the legitimately cremated, hence less atrocious: who can say for sure at this point how many bodies there were, at which cremation grounds, and most importantly - who was responsible? There are no bones left, no evidence that DNA tests can unravel and relatives can mourn over. In the absence of bones, all people have is memory.

The Indus River, of which Punjab’s five rivers are tributaries, was one of the great cradles of ancient civilization.” Is that the same Indus where . . . informed archaeology students ask me. Yes, it’s the same Indus.” Yes, this is the same immense peninsula where the Buddha lived, where Jainism was born, where Mahatma Gandhi, our favorite apostle of nonviolence, is celebrated as a national hero. India has been a cradle of democracy in a region where dictatorships have flourished. Its stature as a fulcrum of spirituality of the most diverse and complex sort is undisputed. And yet, India is a place where innocent people die, where canals are clogged with bodies and crematoria sweep away nameless ashes, where human rights workers disappear or are thrown in jail. It is both a cradle and a grave.

As an anthropologist, I have become an advocate for the human rights of the Sikhs, though not a partisan of the separatist movement for Khalistan. Most of the people with whom I interact, save those of obviously political motivations, understand and accept this delineation. More importantly, I use my ethnographic knowledge of the Punjab conflict to extend a critique of India as a whole, whose overarching image of harmony and pacifism interferes with every attempt to document globally the atrocities committed in its name. This type of activism in anthropology remains controversial, though accorded legitimate status in the American Anthropological Association’s new code of ethics. I, with others, am still working out how to celebrate relativism while insisting on a minimum standard of universal rights - how not to use our discipline’s bulwark of hands-off description as an excuse for moral cowardice where rights abuses occur.

Nancy Scheper-Hughes insists that anthropologists are not only “spectators” accountable to science but also “witnesses” accountable to history. She writes that

Anthropologists who are privileged to witness human events close up and over time, who are privy to community secrets that are generally hidden from the view of outsiders or from historical scrutiny until much later - after the collective graves have been discovered and the body counts made - have an ethical obligation to identify the ills in the spirit of solidarity.

Agreeing with Scheper-Hughes, some of us write about atrocities because we cannot bear that the suffering of people we have come to love should go unwitnessed, should be cremated, forgotten. And this is not just a matter of professional responsibility, it is a matter of our very identities as human beings, who define themselves through their relationships with others, as Martin Buber suggests. _ For anthropologists, our Alters are sometimes dauntingly exotic, but our venerable field method of on-the-ground, human-to-human, ethnography makes them as intimate to us as our own families. It's not a joke about being workaholic, but an accurate comment on what ethnography is, when someone says that we live, eat and breathe the people we study. They in fact become part of the essence our ourselves. That's why there is a certain loneliness to the business of anthropology - how many of our acquaintances here know enough about the people of Pongo-Pongo to really understand? - and a certain over-absorption in our topics. For some of us, today, the people we have so taken to heart are facing dislocation, death, and eradication from the annals of human history. So we write bones, shuddering, in the tremulous hope that the bones we write will last longer than the bones of our friends who have disappeared, traceless.

This inaugural issue of The Human Rights Review marks a critical confluence among academicians of various stripes, lawyers, doctors, policy makers, artists, poets and indigenous activists, who for too long have been artificially separated by institutional arrangements and intellectual histories. The conjoining of scholarship and activism in the sphere of human rights offers a radical challenge to established patterns of interaction in the human rights arena, hopefully one which will educate and empower us all as we seek to make the twenty-first century more humane than the twentieth has been. Let us commit ourselves to making this new millenium the one that sees the eradication of all forms of abuse to the lives and dignity of persons.

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Figure 1: Brief Chronology of Events

- 1978-1983 - heightening tensions between Sikhs and Government of India; beginnings of Sikh militancy
- 1984 - Indian Army action against the Golden Temple Complex; anti-Sikh pogroms following the assassination of Indira Gandhi
- 1986 - independent Sikh state of Khalistan declared by separatists
- 1987 – “war without quarter” begun as President’s Rule imposed in Punjab
- 1988 - 59th Amendment to the Indian Constitution enables abrogation of prohibition against arbitrary violation of right to life and extends President’s Rule
- 1989-92 - increasing rights violations in Punjab as conflict escalates; Punjab declared a “Disturbed Area”
- 1992 - Beant Singh administration elected as rural Sikhs boycott polls; declared intention of eradicating Sikh militancy
- 1993-95 - cremation grounds investigation led by Jaswant Singh Khalra reveals mass illegal cremations
- 1995 - Writ Petition to Punjab and Haryana High Court to inquire into cremations dismissed; Chief Minister Beant Singh assassinated by militants; JaswantSingh Khalra “disappeared;” Supreme Court orders investigation
- 1996 - National Human Rights Commission considers issues surrounding its inquiry into disappearances and cremations
- 1997 - National Human Rights Commission stalled in its efforts; Committee for Coordination on Disappearances in Punjab established to conduct independent inquiry; Peoples’ Commission founded to evaluate findings
- 1997-98 - attempts to interfere with work of Committee for Coordination on Disappearances; calls for impunity for human rights offenders; work of Peoples’ Commission challenged at High Court

1999 - National Human Rights Commission instructed to restrict investigation to three cremation grounds; mobilization to support independent effort toward fuller accountability internationally

1998 Amnesty International, *A Mockery of Justice: The Case Concerning the "Disappearance" of Human Rights Defender Jaswant Singh Khalra*

1996 Amnesty International, Harjit Singh: *The Continuing Pursuit of Justice*

1995 Human Rights Watch, *Encounter in Philibit: Summary Executions of Sikhs*

1995 Amnesty International, Punjab Police: *Beyond the Bounds of Law*

1994 Amnesty International, *The Terrorism and Disruptive Activities Act: The Lack of "Scrupulous Care"*

1994 Human Rights Watch, *Arms and Abuses in Indian Punjab and Kashmir*

1994 Human Rights Watch/Physicians for Human Rights, *Dead Silence: The Legacy of Abuses in Punjab*

1993 Amnesty International, *"An Unnatural Fate: Disappearances and Impunity in Punjab and Kashmir*

1991 Asia Watch, *Punjab in Crisis: Human Rights in India*

1991 Amnesty International, *Human Rights Violations in Punjab: Use and Abuse of the Law*

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Ruth Behar, *The Vulnerable Observer: Anthropology That Breaks Your Heart* (Boston: Beacon Press, 1997).

Edith Turner, *The Spirit and the Drum: A Memoir of Africa* (Tucson: University of Arizona Press, 1987).

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1965).

I would like to gratefully acknowledge and respectfully salute Ram Narayan Kumar and his colleagues, who soldier on in the struggle for rights in Punjab, hearts and bones exposed. Without their work I would not have the honor of being a small part of the Punjab human rights effort. The Committee for Coordination on Disappearances in Punjab can be reached at 742, Sector 8, Chandigarh (tel. 544920) or 56 Todarmal Road, New Delhi (tel. 3714531); email disappear@nda.usnl.net.in.

DEATH SQUAD: ANTHROPOLOGY OF STATE TERROR

Chapter 2: Cynthia Keppley Mahmood

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 militants 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 Liberation 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 counterinsurgency 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 domino 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 counterterrorism 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 were being 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 democracy 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 responsibility for elucidating just what the effects of state terror are at grassroots level as well as researching the dynamics of resistance to it. The ethnographic 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 environment of terror? And (not to be ignored) how do the militant movements 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 (in various combinations depending on one's political sympathies)? The reality, minus the intimidating weapons, in the comforting twilight of the guest house, was deceptively 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 Kashmir — 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 Mujahideen 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 remaining 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 violence 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 vulnerability 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 resistance. 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 rewards 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 *indecent* 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 Khalistani 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 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 overwhelming 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. Scholars 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 religion 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 *gurudwaras* (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 overcoming! See how nothing stops us! Christ on the cross, after all, provokes both sorrow and joy — and is the continuing inspiration for some Latin American 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 resistance. 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 conjunction 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-Sharif 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 *gurudwaras* 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 desecrated 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 deceased every so often after the death, which are the occasions for cementing 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 counter-grievance 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 Himalayas 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 purpose 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 philosophy 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 movements 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 *willingness* 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 indignities 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 described 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 atrocities 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 anthropological 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 conceive 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 Pettigrew (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 circumstances and no matter what the repercussions. Some were willing to martyr not only themselves but the cause, if necessary, to meet the moral challenge of bringing down the man they hold responsible for the thousands of abuses that occurred in Punjab during his watch.

The fact that "terrorist" acts are often more expressive than instrumental 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 combat 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 delegitimizing 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 militants, 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 military 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 shaping of nations. We cannot address this without moving beyond individual experience to the notion of collective identities, shaped in point/counterpoint 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 dictatorship 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 seemingly just punishment for treason is death. India, as a young and weak state torn up by centrifugal forces of linguistic, ethnic, and religious diversity, asserts its boundaries boldly (if extrajudicially) by eradicating those who step outside the line. This is a common scenario all over the world, as the geographic spread of the chapters in this volume tragically 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 identities—a framework which shapes discourse, and death, on both sides.

The "Black Cat" phenomenon in Punjab and Kashmir points illustratively 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 betrayed, 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 repellent, 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 characterized 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 militants 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 proclamations that make publicly clear what the symbolism of the boundary means. But there is an added factor in the Sikh and Kashmiri insurgencies that muddies these waters further, and that is the equation of religious 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 movements 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 antagonized 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 ambivalence; 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 demonstrated 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 independence 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 Kashmir. 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 religiously 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 Resolution in the Sikh case and the implementation of Article 370 of the Indian Constitution in the Kashmiri case, but in terms of the utter rejection 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 notions 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 participation in conflict

actually means to the people involved. No amount of negotiation over borders in 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 Kashmiris 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 et al. 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 "oppressed," 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 protested 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 fortuitous 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 sentiments of hostility toward the non-Hindu minorities and the celebration of Hindu purity as the foundation of Indian nationalism, but in the hegemonic 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 attention 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 Blue Star, 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 (Operation Woodrose) when many young people disappeared. The army operation 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 Declaration 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 rural 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 language, 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 development 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, disappearance, 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 combatants," 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 capacity could be identified. Special units then went in to eliminate them. There was a joint purpose.

In the post-1984 years young people became fighters 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 disputes and factional rivalries, thereby heightening the traditional divisions 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 influence 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 movements 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 solidarity with those fighting for an independent state of Khalistan were shaken by what they took to 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 staying" (Stille 1992:189).

Retired army personnel, particularly, appeared to be targeted because of their associational linkages, and many ex-servicemen were kidnapped 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 abduction of the following categories of person: political activists; persons suspected of having association with them; lawyers² who defend families whose human rights have been violated; journalists who write about such violations; and human rights workers who record their complaints. However, the largest body of those held comes from a wide range of persons uninvolved with political activity. Once abducted, they are detained in unofficial interrogation centers which include schools, houses, forest bungalows 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 reports³ have suggested, additionally, that Hindu temples provide facilities 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 an extrajudicial execution. It renders the political 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 CRPF, or the CIA. Whatever their composition, the gunmen concerned subsequently prove to be unidentifiable. However, their activities have identifiable effects on families: the disappearance,⁷ torture, and frequent extrajudicial killing of their sons either in cross fire⁸ or in an encounter. Such activities have been documented by international human rights bodies and the United Nations.⁹ They have rarely been documented by anthropology which, as Nagengast (1994:112) notes, "has not been in the forefront 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-contained community that did not include the state."

According to a village informant with much experience of police activity (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 has never 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 ordinary 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 checkpoints 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 militants came to them for food and shelter.¹² Moreover, ordinary police accompanied these special police units to give directions as to the whereabouts 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 information was obtained as to the whereabouts of certain militants, the services 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 counterinsurgency 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 policy 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 population by kinship, affinal, and friendship ties, was totally porous. It is certainly 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 hindering the development of new loyalties. In its fight against terrorism police interfered in marital disputes¹³ and land disputes¹⁴ 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 conflicts to advance their mission against terrorism. Incidents were processed 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 themselves 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 cultural 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 belong 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 children's 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 Amritsar district had lost seventy young men. Buttar Kalan, in Gurdaspur district, lost twenty. Each village has not kept a separate account of its losses. Erring on the conservative side, but keeping in mind the material emerging 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 figures 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 destroyed, his education interrupted, and his parents taken to the police station. 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 children's 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 contacted by relatives, the aim being to prevent or reduce any form of intervention, 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 sometimes 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 building 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 distinguishing 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 articulation of fear would not have been acceptable. Moreover, any such expression would have been regarded as indulgent, since so many other parents had similar

experiences. Additionally, in rural Sikh culture, the expression of fear is associated with shame. For these three reasons, fear surfaces in ways that are respectable. For example, indicators of parental anxiety emerge in parents' concrete actions when their children disappear. Anxieties surface in telegrams¹⁶ to the president and prime minister 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 affidavits¹⁷ requiring the signatures of a doctor and a lawyer are obtained and letters are sent to influential MPs and judges.¹⁸ Hearings are demanded with the senior superintendent of police and the deputy commissioner 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* (baptized) 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 particular 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. Additionally, 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 available and were channeled into finding out about the son's disappearance. However, all families do what they think is appropriate, in the circumstances, 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 personnel 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 disreputably 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. Indeed, it is because of this multitude of small people refusing to be silenced 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 accomplished 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 as well 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 discreditation of the militant cause earlier mentioned. In their fight against militancy, high-ranking police officials protected the officers who organized 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) of Baba Bakala (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 newspaper 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 October 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 police 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 matters. 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 experienced were also extended to his lawyer. On one occasion police surrounded 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 Lakhnpal, 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 innumerable dates when witnesses could not obey summonses to attend the court, either because they had been murdered or because of intimidation.²³ On several occasions the various parties presented themselves before 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 harassed. 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 erstwhile 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 colleagues 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 bureaucratically 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 Punjab. Perhaps because of inadequate support structures in the village or through lack of associational ties, not all parents can respond in as persistent 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 searching 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 interrogation.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, therefore, 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 district, 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 protect their sisters or indeed some other family member, some young militants and their sympathizers have compromised and become informers.

It is standard police practice to use young men who come from guerrilla 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 circumstances, the pressure put on young boys with no previous criminal conviction 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. Families refused shelter even to the wives and children of dead guerrilla fighters, fearing their own elimination. Thus the mother of a noted guerrilla 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 resistance. 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 situation: "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 violence 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 support, 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 missing. 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 intertwined among the Sikhs. The text of the letter is contained in Nayar and Singh (1984:160-163).
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 unclaimed bodies to the Tarn Taran municipality cremation grounds; and 2,000 bodies were cremated and unclaimed at the Durgiana Mandir Amritsar. An attendant 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 Punjab by 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 others.
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 occasion 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 everyone 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 Human 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 supporters 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, Amritsar, 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 extrajudicial 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 Miscellaneous 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 needles 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, Gurdaspur 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 Lakhnupal, advocate, High Court of Punjab and Haryana.
 23. Amnesty International (1995b: 7) quotes from a civil writ petition of a Chandigarh 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 detenu 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 Superintendent 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 in judicial 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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SPIRIT OF ORIENTAL POETRY: CHAPTERS 1-2

Puran Singh

I

THE DIVINE POET

We love our poet rather than his poetry; our artist rather than his art. Hours spent with the Beloved in sweet calm, mingling our breath with His, are diviner by far than the chant of His songs without His presence. In exuberance of inspiration nothing suffices but His person; the touching of His Lotus feet brings the honey of eternity.

Mere literature is starvation. Unless we see His tent somewhere in the forest the landscape is empty. To that messenger alone do both man and nature give their love and sacrifice, who proclaims where the camp of the Beloved is pitched to-day.

Our idea of the poet is that of a man who can, by the mere opening of his own eyes, enable others to see the Divine; whose one glance can be our whole knowledge." How do you realise the Brahman?" the wise men of the East asked the poet in the forest, as we read in the Upanishadas. He smiled and they bowed down saying, "Our doubts are dispelled, we know the Truth. The knots of our hearts have opened, the Lotus has bloomed in us, and we have attained peace."

The poet reveals to our souls his own self-realization, and in an instant we undergo the growth of centuries. The power of giving peace to the life—beaten man we see only in our poet; he is as the banyan tree which affords shade to the sun—beaten wayfarer. The poet is not one of us, he is the messenger of God, His Prophet; he is God in human clay. In Hindu phraseology he is an *Avatara*. It is born in no one to do what he does. Mohammed, in his self—concentration, talks to angels and gods. No one else can talk like him with the Invisible. The miracles and the miraculous accompany the poet like his shadow. It was as simple for Jesus Christ to heal the sick and raise the dead as it was for those who stood by to watch. The poet has the gift of gods whom we on earth know not; his powers are not acquired, but are as natural to him as light is to the sun. The poet has the whole abundance of heaven at his back and his will is the will of God.

The poet's eye is so eternally fixed on the beauty within that he sees outside objects in an unbroken trance. Shiva is always in samadhi, but as the God opens his eyes, Parvati, his devotee, is ready with her bowl of green herb; he drinks and closes his eyes again! If the poet's ecstasy is no cure for the suffering of man, nothing else can be. His greatest work is to maintain His divine breath. To him life is the highest altruism.

The poet (or, as we call him, the Guru, the Master, the Buddha, the Christ) fills the hungry soul, and enriches the poor. Desire dies and we are satiated and nourished by his touch." None may be idle where the king—poet has pitched his tent." The musician, the poem—maker, the dancer, the singer are mere rank and file. In the peace of His presence thinking is sickly restlessness. It is the dominion of soul over the splendours of mind.

Poetry is a perennial stream that flows out of this *fountain of life*. It is the *samadhi* of ages. The infinite behind the poet infects us with life. No other poetry can equal, in its subjective effect upon us, the simple saying of these poet-prophets. There are poems in their aspect; their words are life; their memory is fragrance of soul. Fixing our attention on them is the most practical way of discovering our own soul. The remembrance of their names is our ethics; repetition of the sacred names is our religion. They are our perennial inspiration.

Repeat Christ, Buddha, Guru Nanak, Upanishadas and the Koran, basking in the joy of soul they give; do so for years and you cannot exhaust their meaning, nor effect. Like particles of radium, those words go on forever emitting their rays. Millions daily read the Koran and the Bible, and there is life for millions more in them. Lenins may hang the bishops, but every grass blade will stand up to vindicate the faith of Jesus Christ.

What art can be so generous as the supreme art of the Lord of peace. Sakya Muni bathes the world in peace and ecstasy. Nirvana is realized by widows, girls, beggars and princes. The courtesan cries: "I am Buddha! I am Buddha!"

A *gopika* of Vrindavanam is going with her red earthen pitcher to fetch water from the river Jumna. The blue Krishna shoots the arrow from his bow as she is wending her way homeward with the pitcher full of water. His arrow breaks the pitcher. She turns round, sees Krishna and abuses him. The Master bathes on old comrade of His once again in love. He drenches her, and “dyes” her in the colour of the divine soul. The spell breaks and the *gopika* sings: “I am Krishna!”

The poet’s word blesses and alleviates tile lot of the heavy—laden. Read his poetry and a million angels fill your soul with joy. Bliss is under the invisible wings of the Immortals; we are transported, the air of our prison-cell becomes light and fragrant. The poor peasants and toilers of the Ganges plains find a solace in the reading of *Tulsi Ramayana*, such as no civilization can ever derive from the glitter of mere appearance. We desire the company of the Beloved in our soul. Ah! What is the depth and strength of my love-intoxication akin to that of Omar, when I am cast alone, resourceless in eternity? That is the question. How strong is my personality, and what gives it strength?

Whoso has realised God in his soul every moment breathes out the breath of Nam; all is poetry that issues from them into space and time. Precious are their daily talks, which are our Gitas—celestial songs. Take away our songs, we die. Mere bread and butter is starvation. Poetry is not simply a momentous pleasure, it is our very life.

The poet whose face dispels the darkness of our soul is our personal visible God. Religion is the art of absorbing the joy born of the inner freedom gained by His touch. Here the pain of self—sacrifice becomes a pleasure the like of which no feverish excitement of our senses can give us. Some dead semblance of it we realize in sound sleep. It may be paradoxical, but it is true, that though imprisoned in the physical, we still attain to Nirvana through His love. The candle and the moth is a true instance of complete self-denial in full affirmation of personal love for the Beloved. This lavish wealth of renunciation is the mysterious strain of tile divine poetry of our scriptures. Moth and candle is the supreme motif.

If He chose to speak He employs the throat of the whole creation. If not, one single word in His presence is blasphemy. Spiritual joy is always autocratic, it obeys no law, but that of its own being. The tempest of the seas is its bugle horn, so is the silence of death!

No soul that has failed to find its own centre can participate in the pleasures and pursuits of life with good grace. Divine poetry does not please everyone; it is the refuge of the desolate. The way to find it lies through the knowledge of ignorance and of the illusions of life. Once reached, all is silent there; the disciple stands face to face with the Beloved. What can be sweeter than this meeting? Truth is realized; the tree of life is in blossom, its fragrance floats in the air, and man forgets all else. The great illusion has melted into truth itself. Thenceforward life is pure rapture. When the soul is full of Him, perfection is everywhere; nothing mars the sense of the Infinite.

Whatsoever weighs down the inner self and seeks to imprison it in illusion is foreign to the spirit of poetry. It is irreligious. True poetry must free us. There is no freedom in excitement, however intense it may be. There is no freedom in sorrow and renunciation, however perfect. Freedom lies in the full realization of the Divine within our own soul. The full richness of our soul lies in its own centre. In that ever un-balanced balance of our repose lies salvation. I do not believe that nature or man can make us free unless we, through His grace, realize for ourselves the truth of things and engraft ourselves on the Infinite. What has not yet gained its own freedom cannot free us.” Let me but once engraft myself on Thee, O Infinite! as a branch on a whole tree, and then let me slowly drink the life sap of Thy immortal Being and just blossom there.” —*Guru Nanak*.

“Just blossom there” is poetry, spirituality immortality. Life is lightest in its own blossom!

Touch me with a song; if it be the song of the Emancipated One, I shall straightway be borne away in His arms above illusion into the verity of all things. The true song is immortal, ministering supreme fulfilment, where nothing is lacking! He takes me there and says “Behold the glory—God’s soul runs through all things. As beads are strung on one thread so all things are in Him. It is all God.” —*Guru Arjun Deva*.

The sun shall pass away and the moon,
And all shall pass away,
But ever abideth the word of the
Emancipated One!

It must come to pass.

(From *Guru Grantha*)

Our highest poetry, therefore, is the birth of God on earth. It is as silent and as loud as tile burst of the white lotus on the blue waters. The Name alone is the highest of the vitalising song.

Out of the deep and the dark, a sparkling mystery,

a shape, something perfect, comes like tile stir of the day,

One whose breath is an odour, whose eyes show the roads to stars,

The Breeze on His Face,

The Glory of Heaven on His back,

He steps like a vision hung in air, diffusing the passion of eternity;

His abode is the Sun-light of morn, the music of eve His speech;

In His sight, One shall turn from the dust of the grave and move upward to tile woodland.

—*Y. Noguchi*.

To forget Him is to die. In this realization of the ineffable delight in the presence of the Beloved, we find our all. Its artistic expression in our language at best is as the statue of Sakya Muni carved in the stone of Gandhara. Verily *dhyanam* is the fruition of all life. This we call love, and they who have this light burning in their hearts are on the way to the city of Eternal Bliss.

If places made of pearls, bedecked with rubies, be before thee,

If the walls and floors be plastered with sandal musk and agar,

Take not thy eyes from the vision of the Reality.

Forget not, O Disciple! the name of the Beloved!

When taken away from the Beloved,

My soul takes fire, it is burnt down!

Forget not, O Disciple, the name of the Beloved!

If thy whole estate be made of jewels and gems,

And all thy halls are filled with veins of pleasure,

And wait upon thee the silver—limbed damsels with their ruby lips, whispering words of passion in thy ears,

Take not thy eyes from the vision of the Reality,

Forget not, O Disciple! the name of the Beloved!

If all magical powers be thine,

And thou canst become invisible at thy will,

And crowds worship thee!

Take not thy eyes from the vision of the Reality!

Forget not, O Disciple! the name of the Beloved!

Even if thou be a Sultan,

And cohorts wait thy command,

It is all insanity,

Take not thy eyes from the vision of the Reality,

Forget not, O Disciple! the name of the Beloved!

—*Guru Nanak*.

“The Name of the Beloved” —this alone is the secret of the life of the spirit, says Guru Nanak. Our poet is the incarnation of “Logos”. None is ranked as a poet whose flesh is not scented with the perfume of God.

The invisible celestials, the disembodied adepts throng round the name of the Beloved in the consciousness of the devotee. Guru Nanak has told us that the disciples enraptured in the *samadhi* of Nam meet dwellers of the higher worlds of life beyond death. For such, there is no solitude, no hunger.

He is the poet who converses with the beings of light from tile inner realms of the soul—the self— and here on earth represents God more than man. Any below this level of inspiration of rapture and prophetic vision is poetic, but not the poet. The poetic among us are the highest men who, in higher altitudes, touch the footprints of the sacred poets that come down to us as inspired beings from on high.

When song of love is service
 He lives who loves God's Person.
 No one else is alive.
 —Guru Nanak.

The poet of the East, the *bhakta*, is bare like a child, playing in God's sunshine, clothed in his own transcendent innocence, and filling his soul with the gladness of the honey-bee. He is always wending towards the shrine of the Beloved. He burns with an inextinguishable desire for the divine. The life of the palace sickens him. Tolstoy had the tastes of an Eastern poet, though he made his mind sick with renunciation.

The deep sincerity of Omar Khayyam, rich with the red of the grape, comes to every poet of the East who rebels against the glaring hypocrisy of the priest.

The Sadhu's *dhuni*—the fire of life—is ever burning! Shiva sits before his *dhuni*, from whose glowing depths curl ever upward the clouds of purple, scented smoke.

The poet casts all that he sings behind him, dropping petals of roses on his path as he travels in aimless musing. He grows weary of the sky above him and of the earth beneath him. His life is like the fluttering of an imprisoned eagle who pants for freedom. In the wild simplicity of the infinite expanse of his own self, he seems in his verse almost insane. But his abundant childlike carelessness is balanced well in the wisdom of self-realization. The divine mind directs his hands and feet, his impulses seem omniscient in relation to the exact fitness with the general schemes of things. His response is accurate and timely. His mind is informed of God's own sympathy. It talks with stars, drinks wine with flowers and “exchanges his turban”¹ with the red poppies. It is he who has torn asunder the veils of conventional lies, half—truths, compromise, and lusts of all kinds. He is God, who has driven man into the Street and occupied the temple of the human body as an ever new palace of life.

The disciple's eye is “love—dyed” and it is this “love—dyed” eye that sees everything with the ever fresh, ever new passion that says all is divine. The intoxication of absolute knowledge is the same as the intoxication of absolute passion. The soul, like a dew drop swinging on a strand of the cobweb of maya, realizes its own share of the absolute balance in the sunshine of its own song. The disciple is unwilling to let himself slip even an hair's breadth from the supreme state of life, for here he is at one with God, he is God. And why should he go astray Man is God, and to feel this is the supreme moment. This sublime repose of self in Self sets an eternal standard in the bosom by which to judge things and men, literature and religion. The life—givers who appreciate the glint of crystals in the glory of His Name, consider every thing from this standpoint; they call things “heavy” or “light”, “false” or “true”. They feast on the joy of all that delights them and pass days in one single rapture.

Spiritual criticism of things is purely subjective, inexpressible, or expressed only in an “aye” or a “nay”. If anything—a book, a poem, wealth, intellect—intervenes but ever so little between their eyes and the face of their Beloved, the All—Blazing reality, or disturbs in the least their sympathy with the inmost chord of their being—Love—they cast it into the river, however beautiful its form and colour, for of what use is it if it tends to dim their vision Their criticism is just for one moment and for one particular mood. They do not look at things once and forever. Sometimes they like the bitter and discard the sweet; on other days the reverse. Of what use is life if the divine idea grows less in proportion to the illusion that already overwhelms us To be in sympathy with the Universe by being ourselves is our vocation; all else matters nothing.

Maulana Jalaluddin Rumi, the great mystic of Persia, took his erudite essays on theology, religion and life to Shamas Tabrez, the emancipated, who was sitting in a great mosque on the edge of a marble lake, hoping to win some praise from this great teacher. The sage took the manuscripts and threw them into the lake!

With us the service of love is the poetry of life. When we cook in His Name and feed the Lord, it is religion. Guru Har Rai, the seventh Guru, never ate anything outside his own kitchen, in the severe, ancient style of the orthodox Brahman, and then only at particular hours. One day, as he was riding, he stopped his horse before the door of a lowly cottage where lived the disciple. And as he stopped he said “O, daughter! Bring me the bread you have cooked for me.” The disciple's wife, almost beside herself in worship, in supreme transcendence of the joy that his love awakened in her, came out and offered him the bread. The Guru ate it as he sat in the saddle, blessed her and rode away across the fields. Next morning the attendants offered bread again to him while he was riding thinking that he had changed his

hour of meal.” No!” said the Guru, “the bread I ate yesterday was the bread for which God himself comes into the body. It is festal day when I have such bread.”

Once our poet, Bullah Shah (the King Bullah) was passing through a street in Lahore. His black locks hung about his neck and his blazing eyes swept round, contemplating all things. A young girl was plaiting the tresses of a new bride into braids and decorating her with jasmine and roses.

Bullah Shah: What art thou doing, O, good lady?

The Girl: I am braiding her hair, for tonight her husband cometh home.

Bullah Shah: Wouldst thou do mine, for I, too may meet my Lord?

The Girl: Come, good man! I will do yours, too.

The great saint sat before her on the ground and she braided his locks like those of the bride and adorned his head with jasmine and roses. Then Bullah Shah arose and went away, for he lived far from the city.

Towards nightfall a jealous neighbour complained in secret to the bridegroom that his wife had touched the hair of a stranger. The foolish Punjabi began to upbraid his wife. He was small in his jealousy; she was noble, large, spiritual and heroic in her innocence. In the midst of the altercation there came a knock at the door, at about midnight.” Open the door, O sister! Untie my hair. Untie it quick, O sister, for my husband beats me”.

This feeling is faqiri of the East, its poetry, and its religion. We are bond slaves of this God-like omniscience of sympathy for love and freedom.

Krishna calls on his old friend, Sudama. Sudama’s wife, intoxicated with devotion, peels the plantains for Krishna, but offers him the husks and throws away the kernels. Krishna partakes with great delight of the husks of the plantains; he was eating of the very feelings of his disciple. When judging poetry or any other thing, we do not set down to a meal of cream and plantains, we wish only for a loaf of Bread from the hand of love. Where is life is our cry, whose touch, whose glance, would make us “alive”, whose love make us God!

Shri Rama meets in the forest the outcast and despised Bhilni, whose task it was to sweep the roads and houses of the Brahman saints of the locality far—famed for piety, occult powers, virtue and learning.

Bhilni had the fire of divine love in her heart. In her leisure she had gone to the forest, gathered berries and tasted them. The sweet ones she brought home and stored for Shri Rama and the sour ones she ate herself, waiting for him.” My Rama will one day come”, thought she. She sang her song of waiting all her days, from middle life to ripe old age, sweeping the streets as she sang. At last he came. She brought him the old dry berries. The king of saints, the master, partook of them and blessed Bhilni. The berries? Each was a work of art, each a thing of soul and love. Rama disdained the hospitality of the saints to eat of Bhilni’s offerings. The man so sensitive to love is the true critic of the East, he is the life—giver. His presence is our religion. He is our God-personality. His word is our everlasting life.

It may be true or false, the life—givers of the East pay little heed to mere brilliance of intellect, to musical execution, or outward form. The art of “*doing*” is small, the art of “*being*” is all. A dancing girl may be perfect in skill, yet her art is of no value. But when she renounces all, puts the song of her grief to tune, and sings at the shrine unto His presence, she is light as a winged angel, and the tear in her eye draws another in the eyes of the saint. All living things are made of light, both the good and the bad”, says Guru Nanak. Things grow light when they renounce their little selfishness in the joy of His love.

What a joy it is to hear an emphatic, democratic “Yes” from Sakya Muni in this caste-ridden, colour— ridden world of duality and hatred.

The Blessed One passed by my house,
My house—the barber!
I ran, but He turned and awaited me,
Awaited me—the barber!
I said, “May I speak, O lord, with Thee?”
And He said, “Yes” ; “Yes” to me—the barber!

And I said, "May I follow Thee?"
 And He said, "O, yes", even to me—the barber!
 And I said, "May I stay, O lord, near Thee?"
 And He said, "Thou mayest," even to me—the poor barber!

I know the "brother" never tastes meat. Almost from his birth he eats fruits and nuts, milk and green vegetables. He thinks it good that the birds should not be killed. Once he was the guest of a kindly, innocent villager, who loved God and goodness. This man used to go every morning to catch quails from the green wheat fields of the other village, and his net would be full. He never could think that the "brother" eats no meat; all eat meat, he thought. He went out very early with his net, returned, late, and was trembling when he placed before the "brother" bread and two roasted quails, which he had cooked with his own hands." Forgive me, O honoured brother! I am most unlucky today. Every morning I used to get more than a dozen of birds for myself, but for thee I could get but two. I am ashamed to place so poor a repast before thee!" The "brother" smiled and blessed him and said "How good is this repast." And he did partake, with a tear in his eye, of what his devotee gave him.

The water from the pitcher, the red earthen pitcher that my love goes to fill from a distant rivulet and brings home, singing all the way, has the fragrance of her soul. In the dim light of the dawn, like a bird, she rises from her bed and takes the corn, grinds it with her own hands in the hand-mill, all the while singing the songs of the Guru into the white flour; she is like a dream, an ideal. With milk and flour in her hand, with a song of Baba Nanak on her lips, there springs under my roof a gladder morn than morning. Through her strainer falls "the white flour like raining light." She kneads it and bakes it into bread. When the red fire comes out of the embers she has collected with her own hands, and kindled into flames by stealing a spark from her own glowing heart, there rises on my hearth a redder East than, the morning East!!

"Disciple! Up! Un tiring hasten!
 To bathe thy breast in the morning red."

When the armies of the victors entered the Golden land, as is told in the Ramayana, the new king, Bhabikhan, offered a string of rubies to Hanuman—the devotee of Rama. Hanuman broke open every gem to see if there was the image of Rama as it is as in his own soul! He broke every ruby and threw the string away, it was "heavy".

Footnotes:

1. In the Punjab by "exchanging turbans" strangers become brothers for all life.

SEX AND SIKHISM

Sirdar Kapur Singh

1. Victorian prudery had banned public reference to sex even through innuendo or oblique suggestion. Sex was ungentle and highly inelegant. Even an inevitable indulgence in it had to be heavily veneered with patriotic respectability: young ladies were taught to mutter to themselves “God save the Queen”, or “Rule Britannia, Britannia rule the waves”, to remain clean and unpolluted by a direct experience of orgasm. During the thirties when this writer was a young student at Cambridge, he was obliged to cross the English Channel to procure and read a copy of *Lady Chatterley’s Lover*, by D. H. Lawrence. In India, where the imperial shadows of Queen Victoria have been rather lengthy and deep, an urbanite Hindu sect that arose in the Punjab, in the seventies of the nineteenth century and which tailored the Veda to their personal requirements, has inserted in their ‘scripture’ the directive that, throughout, during sexual congress, the parties must keep their minds off all thoughts of sex and continue muttering, “Om, Om,” The purifying name of God.

2. Now, in the seventies of this century, pre-marital sex experience, teen-age sex involvement, group sex, wife-swapping, promiscuity, homo-sex, oral sex, and public propagation of all kinds of sexual behavior and deviations, through cinema and television, through journalism and fictional literature is a tolerated part of the European social scene.

3. In India, less than a thousand years ago, magnificent temples in utter devotion and absolute veneration to the greatest and the holiest of the holy gods were raised, such as at Khajuraho (10th & 11th C) and Konark (13 C), whose grandeur and cost in gold and labor, whose high artistic skill and architectural scale and aesthetic form are amazing and breath taking for the modern viewer. The exterior embellishments of these grand and holy structures depict and portray, sex unions between men and women, in frieze after frieze, in infinitely varied postures, of skillfully chiseled stone entablatures that show not only the highly matured artistic sensitivity of the sculptor but also display a masterly knowledge of Hindu Erotica. It would appear that, in the mental climate of the times in which these sacred edifices were created, some deep and fundamental relationship between the erotic and the *numinous* experience was perceived and commonly accepted.

4. Early Vedic culture aimed at kindling sex passions of male and female, *purshagni* and *yoshagni*, as highly desirable and legitimate human pursuits. [1] *Rigveda* teaches Aryans to pray to the Fire-god for immortality, that is birth of children through sexual activity. [2] The *Rigveda*, does not merely suggest a nexus between the sex activity of man and his deepest desire and yearning for a final escape from death but it also seems to lay down the doctrine of equating his sexual virility with the *summum bonum*, the highest goal, the highest achievement and the ultimate success: “He achieves not, he, whose penis hangs limp between the thighs; achieves he, whose hairy thing swells up when he lies” (X 86. 16). [3] This Vedic libidinal insight seems a remarkable precursor of the insights of certain modern utopians who see liberation of man through liberation of his instincts. Herbert Marcuse argues that modern man has been paralyzed by the “surplus repression” imposed by political and economic monopolies of our technological society, which bondage and predicament can be removed only by “eroticising the entire personality” of man, so that, he may “once again learn to love and create.” [4]

5. Manu, the great custodian of the Vedic tradition, considers sex as one of the two pre-eminent elements in the dynamism of the psyche of man, the other being “hunger” and declares that the basic occupational lifestyle of man alternates between “sex” and “hunger”. [5]

6. The Great-god, Mahadeva, of Hindu trinity, Siva, bears one of his ontological names as, Erect Phallus, *Urdhavamedhar*, and also, as Penis Holder, *shulpani*, indicative of auto-sexuality. This underlines the Hindu Vedic insight into the sex-dynamics being at the core, not only of the human psyche but also as the central element in the structure of God-head. Sigmund Freud may have revolutionized European understanding of the human nature in the 20th century by showing the ‘libido’ as relentlessly controlling the centrality of human psyche, and by making the ‘Oedipus complex’ and ‘penis envy’ as household words, but the ancient subtle Hindu mind has nothing to learn from this Vienna savant.

7. Whereas in centuries’ old pious Hindu sculpture and representation, god Siva, is depicted as holding his penis in hand or otherwise bearing an erect phallus, the heterodox and equally ancient and venerable, the non Vedic Jaina tradition, by taking due notice of the centrality of sex in the structure of the divine psyche, invariably depicts and

portrays its divinised men, *tirthankars*, as ‘down-penis’, *pralamb linga* such as is shown in the *gometeshvar*, giant statue at Mysore. This is to proclaim the Jaina doctrine that subjugation and subdual of sex is a pre-requisite and high watermark of the spiritually evolved and evolving man. This shows that the ancient as well as the modern scientific thought unanimously concede to ‘sex’ a primary ontological status in the structure of human psyche, and there is apparent and clear consensus that the role it plays is central and significant.

8. There are two basic questions involved in the problem of sex:

- (1) what is the status of ‘sex’, as an element in the basic structure of human psyche, and
- (2) whether structurally fundamental or an emergent element during the history and development of human psyche, what is its role in the personal and social life of man?

9. Generally, the sex is assigned a triple function in human life:

- (1) sex as an intrinsic pleasure and an anodyne to psychological discomforts, disharmonies and complexes,
- (2) sex as tool of procreation and subservient to continuity of life,
- (3) sex in relation to man’s spiritual evolution and progress towards perfection.

Reference has already been made to certain recent developments in the West towards freeing sex from restrictions and inhibitions and the new outlook on the subject represented by D. H. Lawrence, Freud, and Marcuse culminating in the sexual revolution of the sixties in the western societies that upholds the primacy of the pleasure-principle. The primacy of its procreative function is accepted in the Rig Vedic exhortation to man, to achieve the only available immortality, that is, through progeny. The soteriological function of sex as per se bearer of the *numinous* experience or as a catalyst towards it, is clearly and forcefully taken up in the ancient Hindu tradition, that of Tantra, greatly developed in Shakta cults and Buddhist mystic cults of *Vajrayana*. *Agam*, in the Tantra, is the opposite number of *Shruti*, the revelation, in the Vedic tradition. An *Agam* verse declares that, “Sexual coitus is the highest watermark of Yoga leading to transmutation into the First Master of Yoga.” [6]

In the ancient Hindu thought, deposited in Upanisadic texts, the highest consciousness, realization of the Absolute Reality, is referred to as constituted by three distinct characteristics, *sat*, *cit*, *anand*, ‘Being’, ‘Consciousness’ and ‘Bliss’. *Chhandogya* text tells us that while *sat* is independent of *cit*, the third element, *anand* is indissolubly tied to it, for, *anand* must be experienced, *vijnani* so that it is what it is. The modern British philosopher, F. H. Bradley (1846-1924) in his famous book, *Appearance and Reality*, holds the same view, by saying that, “the Perfect means the identity of idea and existence, accompanied by pleasure.” From the earliest times up to the modern Hindu savant, Aurobindo Ghosh, (d. 1950) there has been profound and persistent speculation in India, with regard to the true nature and content of *anand*.

Further on, it will be pointed out that in Sikhism these previous notions of *anand* have been rejected in favour of new connotation thereof, to show how this new connotation has a bearing on the status and significance of ‘sex’ in the Sikh scheme of things. In the *Vajrayana*, *anand* is equated with *sukha*, felicity, or *mahasukha*, the highest felicity. This *mahasukh*, according to the identical experience and consciousness that results at the moment of a successful sexual intercourse commenced after a hearty meal of meat and wine. [7]

A Tantra text is unambiguously clear on this point.” Good wine and well-cooked meat, and also a fish preparation for a hearty meal, and then sexual intercourse along with prescribed postures, verily, these are the five pre-requisites of the Mystic Technology of Tantra that constitute a sure guarantee of spiritual Liberation for man, here and now, in all ages and to the end of Time.” [8]

10. This curve of change, from prudery to free, uncensored sex in the western society during the twentieth century, is the result of certain scientific insights gained and popularized by two great modern psychologists: Sigmund Freud and Karl Jung. Freud tended to interpret all numinous and emotionally significant experience as derived from, or substitutes for, sex, physical and romantic sex, whereas Jung tended to interpret even sexuality itself as symbolic, numinous experience in that it represented an irrational union of opposites, and was thus a symbol of wholeness. Thus, sex in Freud is exclusively a biological function, while Jung views it as a vital force capable of being directed through creative channels through sublimation.

This latter strain of thought it is that is embedded in the *Vajrayana* of mystic Buddhism and the *yab yum* techniques of Tibetan Buddhism.

11. In Islam, Muhiyud-Din Ibn 'Arabi (1165-1240), the great Spaniard mystic, exegetises over the trilogical *hadith* of Mohammad, wherein the Prophet declares that "three things of the world have been made worthy of love for me" wherein he found 'freshness of his eyes,' that is, consolation. These "three things" *thalathun*, are 'woman,' 'scent' and 'prayer,' *'aurat'*, *'itar'*, *'abadat'*. Ibn 'Arabi explains that "when man loves woman he desires union, that is to say, the most complete union that can be possible in love; and in the form composed of elements, there exists no union more intense than conjugal act." [9] He explains further that "man's contemplation of God in woman is the most perfect" and not so "purely interior contemplation." "One would never be able to contemplate God directly, in absence of all support, for God, in his Absolute Essence, is independent of worlds." [10] Man is "placed as an intermediary between the Essence, *dhat* (God) from which he emanates and woman who emanates from him, [11] and he who loves woman "only for voluptuousness remains unconscious of that which is really in question", [12] the contemplation, *mushahadah*, of God in woman, of the numinous essence in the orgasmic experience of the conjugal sex. This is the apex of anabasis of sexual mysticism of Islam in which is grounded its fundamental social structure, *ash-shara*, that strictly forbids celibacy, monasticism and sex-maceration, but the real efflorescence of Islamic mysticism, the phenomenon of 'Sufism', has achieved its true dimensions independent of and outside this frame-work of sexual mysticism of the triad of the Prophet Mohammed consisting of 'woman, scents and prayer'.

12. It is this substratum of sexual mysticism which is rejected and repudiated in Sikhism by stating that, the Numenon of holiness and the perception of the sacred is grounded in transcendental enlightenment and emotional equipoise and not in obfusatory thrill; as *ex hypothesi*, the supreme experience is characterized, through and through, by the highest mystic principle, *sattava*, equipoise of the three mystic Principles, *triaguna*, that permeate and bind the structure of the cosmos, while the orgasmic experience is admittedly a hybrid of the other two, and inferior *gunas*, *rajas*, and *tamas*,

"Nanak approves of that union of polarities only wherein one term of this union is the Sovereign Transcendent Enlightenment, [13] which is *sattava* in character."

Likewise, Sikhism refutes and rejects another postulate of Tantric sexualism that upholds the technology of exhausting and destroying passions through passions. A verse in the prestigious Kularanavatantra states that, passions can be surmounted and contained through indulging in them exhaustively. [14]

Sikhism refutes and rejects this postulate as grossly misconceived and demonstrably false, by declaring that,

"No one has ever achieved passionless calmness through unbridled indulgence in passions. Can a blazing fire ever be quenched and put off by adding more and more fuel to it? The abiding peace that knoweth no ending, is nearness to and communion with God." [15]

As a general insight into the nature of all human somatic passions, the Sikh scripture declares that:

"All unregulated human passions, eventually are generative of sorrow and disease". [16]

And:

"Uncontrolled passions are the gateway to sorrow and disease, and the end product of servility to senses is invariably sickness and trouble. [17]

"Turning his back on God, man seeks fulfillment in sensuality and passions and reaps the harvest of distemper and disease. [18]

Did not the incomparable Bhartri Hari the Sanskrit literateur, the Hindu savant, the enlightened king, a sensitive aesthete and analyst of human emotions, and the master Yogi who defied death and instead entered into a deep seedless trance, so as to stage a physical resurrection at the appropriate moment in future, record in his: *Vaira gyashat kam* that after a life long controlled and regulated indulgence in pleasures of the senses, he had woefully realized that he was mistaken in believing that it was himself, who was enjoying sense pleasures, particularly the erotic, while in fact, these sense-pleasures were, all the time eating up and corroding into his own personality and mind? [19]

13. This sex, about which such extreme and polarized opinions and attitudes, firm and fanatical, have been held by man in different cultural structures, societies and ages, must be something profound and mysterious, fundamental, compulsive and pervasive, to move and condition man in this manner.

14. Ancient Greek wisdom, the Judaic mature thought and ripe understanding of man almost everywhere and in all societies have realized and agreed upon two things:

(1) that life of man is too short, evanescent and fleeting to justify his conceiving and achieving any serious and enduring purpose or project, and

(2) all earthly achievements of man are perishable and vain:

” It is alas, too true that human life is perishable and a passing show like the stuff of a dream. And man’s all earthly achievements are exposed to decay and death having no make substance than the shade of a cirrus cloud.” [20]

The human life as it appears, has no in-built aim and therefore, it cannot be explained by itself and as such, it has no meaning, no value, no point, it is too short, too unreal, too ephemeral, too illusory, and mayaic for anything to be demanded of it to be built upon it, to be created out of it. Its whole meaning lies outside it, elsewhere and on another plane. It is an exanthem of the point earlier made in this book (*Sikhism For Modern Man*) that, all that is visible is rooted in the invisible.

15. Our physical birth is intimately connected with ‘sex’, with the division of the sexes and with their attraction to one another with love and the artistic creativity which this love generates and sustains. This attraction of the sexes to one another constitutes one of the chief motive forces and its intensity and its formal proliferation determine all other qualities and characteristics in man. A serious thought on sex makes it clear and obvious that the first and foremost aim of sex is the continuation of life and the securing of this continuation. This orgasmic thrill of sex is the most elemental and intense experience available to an ordinary man.

16. Here in lies the mystery and the secret of sex, the pitfalls and dangers of sex, the morphinism of its clash and clamour, its flash and sparkle, and confusion and nescience born out of its profusion and promenade. Its original aim, that of procreation and continuation of life, recedes and is lost and no understanding of its, possibly, other and higher aims arises. Man vainly seeks significance and meaning of sex in the orgasmic experience itself and thus ends in endless degeneration and down-fall, self-destroying, sorrow and suffering, suicidal ennui and emptiness. It is towards this tragedy of man that the Guru Granth Sahib makes a poignant, picturesque reference:

“O, my foolish mind, have you ever carefully witnessed as to how they capture and enslave a free elephant in the forest. They manipulate the great mystery of sex created by God. A life-like paper-she-elephant is placed on a concealed pit from which there is no escape or exit. Thus it is enslaved for life, to obey and to labour for his master and to suffer cruel wounds of the iron goad. [21]

This mysterious and terrible hold of sex to lure the unsuspecting beast from all life forms has been manipulated, in our time for the purpose of gaining victory in the titanic current struggle for shaping the nature of man and programming and computerizing his destiny, through equating man with God. The struggle is for achieving mind-control, a Pavlovian mastery through planned conditioning. Sex and hypnosis is the single, most vital component of mind-control. Drugs and sex combined to remove conscious resistance as a prelude to hypno-programming is capable of making man into an unwitting robot thus making the question of sex almost irrelevant for the individual and rendering, whatever ultimate purpose God might have had in creating the Universe, as infructuous.

17. A rationalization of orgasmic thrill in itself being a goal of nature, is, sometimes, made out in the immense surplus of sex energy created by nature, far in excess of that understandably required for procreation of species. It is argued that if procreation and maintenance of its levels through sex were the main and exclusive aim of nature the excessiveness of the surplus of individual’s sex energy would not have been so much out of proportion, as it is, to this main and exclusive aim. It is, therefore, obvious, this argument proceeds, that, the nature intends sex-indulgence as desirable in itself as a necessary element in and pre-condition of human physical and mental normalcy.

18. This is the basic argument out of which the current sex behaviours legitimatising free libido, unshackled and uncensored eroticism originate and take their cue.

19. That this argument is by no means conclusive and misses a point or two can be demonstrated.

20. The obvious excessive surplus endowment of sex-energy does not necessarily prove that the excess is for sheer enjoyment and for no other purpose. Other plausible purposes and acceptable aims can be seen and shown.

21. By considering how small a proportion of sex-energy is actually used for the continuation of life, we can understand the hidden principles of many aspects of nature. Nature creates an immense pressure, and immense tension to attain an aim so that although an infinitesimal fraction of the created energy is used for the actual attainment of the aim, and yet this original aim would not be attained without this immense upsurge of energy that can enslave and blind man to serve nature, without which surplus energy a conscious throttling and thwartment of the aim of nature can not be eliminated and frustrated. It is the immensity of this surplus energy that forces man to serve the aim of nature in the belief that he is serving himself, his own passions and his own desires. This is the point made out in the Guru Granth Sahib, when the maya is spoken of as “deceitful stratagem” [22] of nature that appears to be, what it is not and which approaches and achieves a fixed goal deviously, diplomatically, and not directly, so as to eliminate anticipatory opposition, through incapacitation, as a “boa constrictor immobilises its prey by compression in its coils.” [23]

22. The dis-easement, mental tensions and psychological distortions that ensue from an unsatisfying unduly suppressed and blocked sex life, a perceptive investigation of which syndrome, during the early decades of this century in Europe, has created the pseudoscience of psycho-analysis and the voodoo of ‘psychiatry’, are, in fact, secondary developments, of mishandled sex and their resolvment and cure is not necessarily or mainly through unshackling the libidinous reservoir, as has been misunderstood by the modern western man.

23. There is another way out merging into the highway leading to a high destiny for man that Sikhism points out and teaches.

(i) Nature has endowed man with excessively surplus reservoir of libidinous energy, enormously disproportionate to minimal requirements for purposes of procreation and maintenance of its proper levels.

(ii) Normally, a blockage or coercive control of this energy results in distortion and disfigurement of psychological harmony and easement of man.

(iii) But blasting off its embankments and dismantling of all reasonable barriers and censorious controls built to regulate its free flow, in the form of instinctual imperatives and abundant precautions, is even worse, as are the current diagnosis and cures conceived by some pseudo-sciences or plausible voodooos in the West, in particular, and accepted and approved by the modern man in general.

(iv) Sex-energy is central to human psyche and all other energies, intellect, with feelings and emotional efflorescence feed on the surplus of sex-energy and there is no other energy, endowed to man by nature, that can replace sex-energy.

(v) Sex desires and sex sensations, in themselves, are neither a necessary or basic ingredient in the purest and highest level of human consciousness, not do they provide an unerring cue to such a level of human consciousness. Nevertheless, there are, in the emotional experience connected with genuine love, even infatuation as it lasts, strange sensations inexplicable from an ordinary point of view, and such strange sensations are also integral to sex experience, or orgasmic thrills, that carry a taste of melancholy and sadness, vividly hinted at and portrayed in almost all romantic poetry in all ages, akin to the sensations of farewell at parting and of an imminent journey towards a strange and foreign, unfamiliar land. [24] The fact of the matter is that, in all such experiences new levels of consciousness arise wherein new emotions that are born cause previous intense emotions of love and sex to fade and disappear. This is the mysterious junctional point of the sex-based emotions and the mystical experience, not yet the numinous experience. This junction is no proof of the identity or sameness of these two categories of experiences and that explains why a contact with this junctional point merely leaves an autumnal taste behind, [25] a taste of something that must cede its place to something else but provides no positive taste of this something else. But in the light of the genuine mystical experience this junctional experience of amorphous melancholy disappears [26] and when the effulgence of true

numinous experience shines, the first experience completely disappears and the second is submerged and consumed by the numinous effulgence. [27]

(vi) Undoubtedly and demonstrably, there is some strange and elusive relationship between mystical experiences and experiences of sex; and of all ordinary human experiences only sex experience and sensations approach those which we call, the mystical and the numinous. This is the relationship and the fact apparently accorded public recognition in the external erotic representations on the Khajuraho and Konark temples and it is precisely this similitude that has lured and misguided the Tantric Hindu systems and Buddhist varieties of sexual mysticism. This explains why, in the Guru Granth Sahib, the Shaktic ways of life [28] are bracketed with the other two: (1) deviation from truth [29] and (2) non-authentic living [30] as the most dangerous pitfalls to be avoided by a man of religion.

(vii) 'Normal' sex-life, 'natural' sex-life 'proper' sex-life, or whatever the normative adjective applicable here might be, is neither, in exaggerated development of sex energy, through pathological, mental and physical preoccupation and indulgence, which is degenerative and "the straight road to hell," [31] the only "exit out of which is transmigration, birth and death, again and again, endlessly," nor, in complete abstinence from sex and asceticism, whether in the mistaken belief that, "sex-ejaculation is death and complete sex-continence is conquest over death," [32] or in the erroneous postulate that "ascetic abstinence is the first pre-requisite of and step in a life or religion." [33] Sikhism pertinently asks that "if complete sex abstinence is, in itself, a guarantee of summum bonum, then why do not all born eunuchoids go straight to heaven?" [34]

(vii) Sikhism teaches that a normal and proper sex-life is a regulated and duly controlled life in which sex functions are coordinated to the entire psyche of man, his instinctual, emotional and intellectual functions, so that he lives and develops as nature has intended that he should and God has designed that he ought to. A man's thoughts, emotions, instincts, aspirations and intuitions, nothing contradicts sex, nor does sex contradict any normal element in human psyche. Sex, therefore, is completely justified in the inwardness of man. Any contradiction arises only when such a harmony and coordination is not achieved." Such is the marked distinction of Sikhism that it points out a high road to man for the achievement of summum bonum through a harmonious, well-disciplined worldly life in which the emotions, desires and hopes of man are in mutual coordination and harmony." [35]

24. Within this frame-work of Sikh understanding of the status and significance of sex in human life, the Sikh Prophets teach mankind

(1) to accept and adopt a practically monogamous and permanent marriage-based family as the inerodible foundation of all social organisation [36] and

(2) to endeavor to employ this monogamous family, based on mutual love and purity of marital faithfulness [37] for transmutation of the excessive surplus of human libidinous human libidinous reservoir for his highest spiritual evolution, through the specific Sikh discipline of Namayoga. The Sikh marriage ceremony called, the Anandkaraj, meaning, "A blue-print for attainment of abiding Bliss," is formed by ritual recitation of the Sikh scriptural text, the anandu, in which are detailed the four progressive steps designed to guide the married couple on to the discipline of orientation and coordination of the somatic marital relationship with the spiritual development and evolution of the couple, in unison, to reach the summum bonum.

25. Through acceptance and implementation of these two precepts, man will restore and regulate sex to its proper place in his psyche and life, he will avoid the dangerous pitfalls of pathological and degenerative sex, and he will be enabled to evolve, so as to realize his highest potentialities and thus to build up and sustain a sane, civilized, spiritually evolving society which is "the ultimate purpose of the Creation, epiphany of the Perfect Man." [38]

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[1] Chhandogya, v 7. 1, 8. 1.

[2] *prajabhir agne amrt-tvam asyam. --Rigveda.*

[3] *na sese rambhate antra sakthya akaprit, sedise yasya romasam niseduso vijrimbhate. --Rigveda (10. 86. 16)*

[4] Dissent, N. Y. 1955.

[5] *narahvai sashanodro ratah.*

- [6] *maithunen mahayogi mamatulliyo na samshayah.*
- [7] Westernitz, History of Indian Literature. I.
- [8] *madyam masam cha meenam cha mudra maithunameva cta, ene panchamakarasa, moksadaya yuge yuge-*
- [9] Angela Culme-Seymour, Fasmus al Hikam (English rendition), Beshara Publication, U. K. 1975, p. 119.
- [10] Ibid., p. 120.
- [11] Beshara Publication, U. K. 1975, p. 120.
- [12] Ibid., p. 133.
- [13] *gian rau jab sejai avai tau nanak bhog(u) karehi.* --Gauri M1, SGGS, p. 359.
- [14] *yair eva patnam dravyaith siddhis tir eva codita* --Kularnavatantra.
- [15] *bikhia(n) mai(n)h kin hi tript(i) na pai jio(n) pavak[u], I(n)dhan(i) nahi dhrapai, bin[u] har(i) kaha aghai.* --Dhanasri, M5, GGS, p. 672.
- [16] *jete ras sarir ke tete lagah(i) dukh.* --Malar, M1, GGS, 1287.
- [17] *bahu sadoh(n) dukh(u) prapat hovai, bhogahu rog su ant(i) vigovai.* --Maru, M. 1, SGGS, 1034.
- [18] *khasam(u) visar(i) kie ras(u) bhog, ta(n) tan(i) utth(i) khaloe rog.* --Malar, M. 1, SGGS, 1256.
- [19] *bhoga na bhukta vaymeva bhuktah.* --Veragyashatak Bhartri Hari.
- [20] (i) *jhutha tan(u) sacha kar(i) manio jio(n) supna rainai*
(ii) *jo disai so sagal binasai, jio badar ki chhai.* --Gauri, M9, SGGS, 219.
- [21] *kalbut ki hastani, man baura re, chalit(u) rachio jagdis, kam suai gaj bas(i) para man baura re, ankas(u) sahio sis.* --Gauri, Kabir, SGGS, 335.
- [22] *mai maya chhal(u).* --Todi, M5, GGS, 717.
- [23] *maya hoi nagani jagat(i) rahi liptai.* --Gujari Var, Sloka M3, GGS, 510.
- [24] (a) *ham kahin dur kahin dur chale jaenge* --Sahir Ludhianavi
(b) *rahie ab aisi jagah chal kar jahan koi na ho* --Ghalib.
- [25] *man(u) pardesi je thie sabh(u) des(u) praia.* -- Suhi, M1, GGS, 767.
- [26] *ohu ras(u) pia ihu ras(u) nahi bhava.* -- Gauri Kabir, GGS, 342.
- [27] *kahai Nanak(u) hor(i) an ras sabh(i) visarai ja har(i) vasai man(i) ai.* -- Ramkali, Anandu, M3, SGGS, p. 921.
- [28] *birthi ki sakat arja.* -- Gauri, Sukhmani, M5, SGGS, p. 269.
- [29] *eko dharam(u) dridhai sach(u) koi.* --Basant, M1, SGGS, p. 1188.
- [30] *jahi karmi tahi puri mat(i), karmi bajhon ghate ghat.* -- Sri rag, M1, SGGS, p. 25.
- [31] *he kamang narkam bisraman bahu joni bhar- mavanah.* --Slok Sahaskriti M5, SGGS, p. 1358.
- [32] *marnam bindu paten dhaeanat bindu jivanam.*
- [33] *kanchan kanya paritajyami.*
- [34] *bind(u) rakh(i) jau tariai bhai, khusre kio(n) na param gat(i) pai.* --Gauri Kabirji, SGGS, p. 324.
- [35] *sat(i)gur ki aisi vadyai, putra kalitra vichai gat(i) pai* --Dhanasari, M1, SGGS, p. 661.
- [36] *sagal dharam main grihast pradhan hai* --Bhai Gurdas.
- [37] (a) *eko nari jati hoe par-nari dhi bhain vakhanai* --Bhai Gurdas
(b) *par-nari ki sej bhul supnehu na jαιο* --Guru Gobind Singh
(c) *par-triya rup(u)na pekhai netar* --Gauri M5, SGGS, p. 274.
- [38] *Sant het(i) prabh(i) tribhavan dhare.* -- Gauri M1, GGS, p. 224.

SIKH RAHIT MARIĀDĀ

The original *Rahit* was verbally communicated by the Tenth Prophet, Gurū Gobind Singh, to the Five Beloved Ones on the Vaisākhī Day in 1699. Following that event, the *rahit* was primarily transmitted orally. During the eighteenth century, some individuals wrote down what they understood of the *rahit*. These written versions are ascribed to Bhāi Nand Lāl, Bhāi Desā Singh, Bhāi Daī Singh, Caupā Singh, among others. None of these written versions, however, seem to have comprehensively captured the original verbal communication to the Five Beloved Ones. It could also be that over the years, the original versions of Bhāi Nand Lāl's *rahit* or the *rahit* written by others were altered. Caupā Singh's *rahit* is problematic because Caupā Singh was a Chibbar Brahmin, and he has chosen to write the *rahit* according to his ideas and not those of the Gurū. For instance, Caupā Singh says that Brahmins should be considered supreme or that women should never be trusted. So, all existing written *rahits* seem to be unsatisfactory for one reason or another.

After the Gurū, one person, in any case, cannot document the *rahit*. The Gurū transferred his authority to the Gurū Panth and the Gurū Granth. So it is the Panth, the collective of all committed Sikhs, who have the authority to draft the *rahit* in light of the teachings of the Gurū Granth. This would mean building a consensus among all the members of the Panth, which may seem to be a tall order for our community.

Through the eighteenth and nineteenth century, however, such consensus did exist. The Khālsā would assemble at the Akāl Takht, or elsewhere when the Takht was inaccessible and make decisions for the Panth through consensus. We have at least one eye witness account from 1805 when John Malcolm was present at a Sarbat Khālsā in Ammritsar. The *rahit* during these years was never disputed and it remained an oral tradition, although disputes on the correct code of conduct starting becoming prevalent. The debate on meat, for instance, seems to have started as early as the middle of the eighteenth century, about fifty years after the passing of Gurū Gobind Singh. But such debates never became the focus of the Khālsā's attention, as there were other more significant issues to deal with.

By the end of the 19th century, the *rahit* Sikhs practiced had deteriorated so much that the Sikh identity was pretty much lost. As with the Buddhists, the Sikhs had been engulfed into the larger Hindu fold. This was partly due to the Hindu or Aryan approach towards undermining and swallowing up any Indic creeds that sought to assert a separate identity and challenge the Hindu caste structure. The other reason was the Sikhs were complacent about their practices and identity. In the later half of the 19th century, Sikhs woke up and several reform movements started that sought to revive the original intent of the ten Sikh Prophets. One of these movements was the Singh Sabhā *lahir*. These movements also addressed the issue of the community not having a uniform *rahit*.

In 1925, after much debate and discussion, a *rahit* was drafted by scholars from several differing schools of Sikh thought. This draft *rahit* was then sent to Sikhs all over the world. This was a serious attempt at building consensus among the community. Principal Tejā Singh was convener of this effort. Other people involved in this effort included notable Sikhs such as Bhāi Vīr Singh, Akālī Kaur Singh and Bhāi Kāhn Singh Nābhā. So serious were these Sikhs about hearing from Sikhs worldwide, they sent this draft to Canada, USA, Kenya, Malaysia and other Diaspora countries. Remember this was 1920s, when air travel did not exist. After eleven years of debate and discussion, during which some Sikhs chose to walk out of the process because they did not get their way, a final version was agreed to in 1936. This version is what most mainstream Sikhs accept as the Gurū Panth's *rahit*. Some Sikhs revere this document because it reflects the closest Sikhs have come to a consensus in a long time. *Rahits* written by individuals, regardless of how great their practice of Sikhī, still remain the ideas of just individuals. Bhāi Randhīr Singh, Bābā Gurbachan Singh Bhindrāmvāle and other such Sikhs were no doubt devoted Sikhs, but were not the Gurū, and cannot speak for the Gurū Panth. Their ideas are those of individuals, and their *rahits* are not any more acceptable than those of Caupā Singh or Desā Singh.

The Gurū Panth's *Rahit*, therefore, is the 1936 version accepted by the SGPC in 1945 and other Sikh institutions. Note that this *rahit* is not the SGPC's *rahit*; it is the Panth's *rahit*. The SGPC is one organization that accepts and prints this *rahit*. Other smaller organizations such as the Sikh Missionary College also print this *rahit*. This *rahit* has seen three small changes in the 1940s (the addition of eventual hope of Sikhs to freely visit shrines in Pakistan), 1960s (the addition of a fifth Takht) and 1990s (the addition of reading the complete Anand Sāhib during *Ammrit Sancār* instead of 6 *paūrīs*). No one, including the Jathedār of Akāl Takht, has the authority to amend this document. If the Panth is to see any form of unity today, it is imperative that they rally around this *mariādā*, until we can be free to come up with something better. We would encourage all Sikhs to read and live by *Rahit's* letter and spirit.

Vāhgurū jī kī Khālsā, Vāhgurū jī kī Phatah!

Sikh Reht Maryada

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PREFACE TO THE ENGLISH VERSION OF REHT MARYADA

This English version of the Sikh Reht Maryada is a faithful translation of the Punjabi original. Translations do not generally need prefaces. Why the author of this version has chosen to write a preface, therefore, needs to be explained.

Translation of any work is an extremely hard job: translation of a book of laws is very much harder, particularly if the laws in question are moral or religious rules or social conventions which inevitably embody subtle nuances of a religion's metaphysical, moral and social philosophy. The translator in this case becomes burdened with the dual responsibility of ensuring that his translation embodies the full as also the exact import of the original.

In the specific context of the Sikh Reht Maryada, that was essential for two reasons. Like any book of laws and rules promulgated by any other religion, the English version of the Sikh Reht Maryada may be taken as a key to the Sikh spiritual and social philosophy. It must, therefore, most faithfully, reflect the views of its exalted authors (men of profound learning, who had not only deeply meditated on Sikhism but lived it and who drew upon the collective wisdom of an extraordinarily fervent generation of Sikh divines and intellectuals, apart from a large number of texts, for compiling these rules) untainted by the translator's own moral or cognitive predilections which may affect his interpretation of these rules without his being even aware of it.

The second reason why the English version should embody the full and exact import of the original is that with the Sikh diaspora over the globe, the links of the Sikh migrants to other Indian states and foreign countries with Punjabi are loosening. Also, people, the world over, have begun to evince interest in Sikhism and some have embraced this religion. For ensuring uniformity of observances and avoiding unintended heresy, it was absolutely necessary that the English version of the Reht Maryada was not just a translation but a totally exact version of the Reht Maryada.

For securing that, the author of this Version has tried his level best to translate the original Punjabi text literally. Where the words used in the original did not have exact equivalents in English or embodied exotic concepts, he has employed descriptive phrases to bring the ideas they convey within an English knowing reader's ken.

For these very reasons, he has religiously adhered to the original text, appending footnotes where elaborations were necessary. At one or two places, he has interpolated a phrase. But that was to impart specificity to the context after making sure that the interpolation did not, in the least, affect the sense or tenor of the text. As regards the footnotes in the ensuing version, these fall into two categories. The original (Punjabi) version, had some footnotes. For the author of this version, they were the part of the sacrosanct text. They appear in this version against numerals. The footnotes contributed by him appear against astrick marks.

But, the author of this version has made a rather radical departure from the system of division of the original text and recast the text into divisions and sub-divisions devised entirely by him without rearranging the text. He submits it in all humility that he had found the division and classification of the original text some-what confusing. He felt that dividing the text into sections, chapters and articles would place the subject matter of the text in a clear and intelligible perspective. So, without tempering with the text in the slightest and preserving the subject-wise classification in the original, he has organised the entire text into six sections, thirteen chapters and twenty seven articles. Headings for most of the chapters were available in the original text. Where they were not, they have been provided by him.

And now, a few remarks which are indirectly but nonetheless, vitally relevant to the essence of this translator's mission : producing an English version of the Sikh Reht Maryada with the object of promoting uniformity in the Sikh conduct and observances in the interest of deeper religious cohesion. The Sikh Reht Maryada, as the ensuing preface to the original Punjabi text will show is the product of collective Panthic wisdom. What is more, some of the greatest Sikh scholars and savants of all times contributed to it and deliberated on its contents. So this work should take precedence on any sectional beliefs and preferences. In a wider context, the contents of the Reht Maryada should be taken as the final word as to the matters they deal with. That will foster panthic cohesion.

And finally, this English version of the Reht Maryada is in a very real sense the product of a collective endeavor. Into its making have gone not only this translator's modest talent for translation and labour but also the initiative taken by Dr. Surjit Singh Gandhi, who, in fact, prepared a version himself for the S. G. P. C. and put that at this translator's disposal -- this translator thankfully acknowledges having relied on it for guidance in relation to several subjects and constant goading by Principal Satbir Singh, a well-known Sikh Scholar and a member of S. G. P. C. and S. Manjit Singh, during whose earlier tenure of office as Secretary, S. G. P. C., the preparation of this version was taken up. No less valuable is the contribution of those who went through the manuscript to ensure that it completely corresponded to the Punjabi original. Considering the high status of these persons in the realm of Sikh religious learning, their approval of this English version of the Reht Maryada should bestow on it the status of an authentic version. Omitting to mention the name of Mr. Mewa Singh (who so painstakingly prepared the type-script from a none too neat manuscript) in this context, will be an unpardonable lapse. And finally, equally valuable in the production of the work has been the contribution, in its laser typesetting, of Mr. Gurvinder Singh of Standard Data & Word Processors, Patiala, a young man endowed with extraordinary competence and immense patience.

This translator humbly dedicates his labour to all those who search for guidelines as to the truly Sikh conduct for self-education or for regulating their secular and religious life.

Patiala, 31st August, 1994 - Kulraj Singh

One Absolute-Manifest. Eternal Destroyer of darkness. Grace Incarnate

SIKH REHT MARYADA

The code of Sikh conduct and conventions

PREFACE

The All India Sikh Mission Board accorded their acceptance to the Shiromani Gurdwara Prabandhak Committee's Conduct and Conventions Sub-Committee's draft of conduct and conventions by their resolution no. 1 of 1st August 1936 and the Shiromani Gurdwara Prabandhak Committee, by their resolution No. 14 of 12th October, 1936. The SGPC's Advisory Committee on Religious Matters again considered the draft in its meeting on 7th January 1945 and made recommendations for certain additions to and deletions from it. The under mentioned gentlemen were present at this meeting of the Advisory Committee:

1. Singh Sahib Jathedar Mohan Singh, Jathedar Sri Akal Takhat;
2. Bhai Sahib Bhai Achhar Singh , Head Granthi, Sri Darbar Sahib, Amritsar;
3. Prof Teja Singh M A, Khalsa College, Amritsar;
4. Prof. Ganga Singh, Principal, Shahid Sikh Missionary College;
5. Giani Lal Singh, Professor, Sikh Missionary College, Amritsar;
6. Prof Sher Singh Msc, Government College, Ludhiana;
7. Bawa Prem Singh of Hoti;
8. Giani Badal Singh, Incharge, Sikh Mission, Hapur.

The additions and deletions as per the Advisory Committee's recommendations received the SGPC's acceptance by its resolution No. 97 passed at its meeting held on 3rd Feb, 1945.

*'One Absolute-Manifest. Eternal Destroyer of darkness. Grace Incarnate***Introduction**

The code and conduct and conventions recorded in the pages that follow was received by the SGPC from its Code of Conduct and Conventions Sub-Committee with its report reproduced here-in-below:

Report of SGPC's Code of Conduct and conventions Sub-Committee

To
The Secretary
SGPC
Amritsar

Sir,

The Shiromani Gurdwara Prabandhak Committee had constituted a sub-committee comprising the under mentioned gentlemen for preparing a draft of code of conduct and conventions to enable it to determine and prescribe a proper set of conventions for Gurdwaras (Sikh places of worship).

Giani Thakar Singh, Amritsar; Giani Sher Singh; Bhai Budh Singh; Akali Kaur Singh; Sant Sangat Singh of Kamaliya; Bhai Kahn Singh of Nabha; Sant Gulab Singh of Gholiya; Bhai Labh Singh, Granthi, Sri Harmandar Sahib; Bhai Hazur Singh of Hazur Sahib (or a representative of his); Pandit Basant Singh of Patiala; Bhai Vir Singh of Amritsar; Giani Hira Singh Dard; Bawa Harkishan Singh, Principal, Guru Nanak College, Gujranwala; Bhai Trilochan Singh of Sur Singh, district Lahore; Giani Hamir Singh of Amritsar; Pandit Kartar Singh of Dakha, district Ludhiana; the Jathedar of Sri Akal Takhat; the Jathedar of Takhat Sri Kesgarh Sahib; the Jathedar of Takhat Sri Patna Sahib; Prof Ganga Singh; Prof Jodh Singh; Sant Man Singh of Kankhal; justice Teja Singh; Bhai Randhir Singh; and Prof Teja Singh (who was to the convenor of the sub-committee).

The meetings of this sub-committee were held on October 4 and 5, 1931, January 3, 1932 and January 31, 1932 at the Akal Takhat. The following members kept attending these meetings and participating in the deliberations: Akali Kaur Singh; Giani Sher Singh; Sant Man Singh of Nirmala sect; Prof Ganga Singh; the Jathedar of the Akal Takhat; the Jathedar of Takhat Sri Kesgarh Sahib; Giani Hira Singh Dard; Bhai Labh Singh Granthi; Giani Thakar Singh; Giani Hamir Singh; Bawa Harkishan Singh, MA; Justice Teja Singh; Bhai Trilochan Singh; and the undersigned, the convenor. Apart from these, the following gentlemen, attended occasionally: S. Dharam Anant Singh, Principal, Sikh Missionary college; S. Bhag Singh, Advocate, Gurdaspur; S. Wassawa Singh, Secretary, SGPC; S. Tara Singh (President Shiromani Akali Dal); among others.

The draft is submitted to the Shiromani Prabandhak Committee. We hope you will get this draft printed and published for ascertaining the general Panthic opinion as to it and after receiving various opinions, present it in the SGPC's general meeting for final acceptance.

After this the draft was again deliberated upon on May 8, 1932, at the behest of the SGPC. The following gentlemen were present at the meeting on May 8: Justice Teja Singh; Sant Teja Singh, Granthi, Sri Nankana Sahib; Giani Gurmukh Singh Musafar; Giani Nahar Singh; S. Wassawa Singh, Secretary SGPC; Bhai Kartar Singh Jhabbar; S. Waryam Singh Garmula (member incharge, Nankana Sahib); Bhai Pratap Singh, bookseller; S. Lal Singh (SGPC); Jathedar Mohan Singh (Sri Akal Takhat); et al.

Later, on insistence of several gentlemen, another meeting of the Conduct and Convention Sub-Committee was held on September 26, 1932 to consider the draft once again. The following members attended the meeting: Giani Sher Singh; Giani Thakar Singh; Giani Hamir Singh; Bhai Labh Singh, Granthi, Sri Darbar Sahib; Giani Gurmukh Singh Musafar; Bhai Joginder Singh (Mit-Jathedar Takhat Sri Kesgarh Sahib); Justice Teja Singh; Giani Nahar Singh; and the undersigned, the convenor. Apart from these, Sant Teja Singh MA also participated in the deliberations. The committee deliberated upon the entire draft with utmost care and corrected it minutely.

Now this draft is again being submitted by the Conduct and conventions Sub-Committee to the SGPC. Kindly get this draft printed and circulated among the congregations for final opinion. Besides, a special session of the SGPC may be convened to consider it and accord to the approved draft the SGPC's final acceptance.

Signed October 1, 1932

Teja Singh

Convenor
Conduct and Conventions Sub-Committee

The list of Individuals and Associations who sent their opinions regarding the Draft

The names of the individuals who sent their opinions as to the draft of the Code of Conduct and Conventions and its contents:

Bhai Sajjan Singh, custodian of the office of Gurdwara Sri Hazur Sahib, Nander;
S. Hazara Singh, Patiala, Government Contractor, Bhawanigarh;
Giani Hira Singh Dard, Lahore;
Bhai Harnam Singh Naacheez, Village Naushehra Soon Sakesar, district Shapur.
Bhai Pratap Singh, Publisher and Bookseller, Amritsar.
Bhai Ram Singh, Dera Baba Mishra Singh, Chowk Lachhmansar, Amritsar;
Giani Nahar Singh of Asli Qaumi Dard, Amritsar;
Giani Nahar Singh of Asli Qaumi Dard, Amritsar (Reacting to the second draft);
S. Ganda Singh VCO (Retired), Examiner Persian Writings, Office of the Deputy Commissioner, Jalandhar City;
Vaid Naurang Singh, Gurbachan Singh Tanghi, Amritsar;
Bhai Mala Singh, Gurdwara Churasti Attari, Amritsar;
Sardar Bahadur Bhai Sahib Kahn Singh, Nabha;
Anonymous devotee;
Anonymous devotee;
Sant Tehl Singh Ji, Majitha, Amritsar;
Bhai Narain Singh, Masit Palkot, PO Garhdiwala (Hoshiarpur);
Bhai Uttam Singh Chittagong (Bengal), PO Railway Building, Chittagong;
Editors, The Khalsa and The Khalsa Advocate, Amritsar;
Bhai Amrik Singh, Lime Merchant, Gujranwala;
Sant Gulab Singh, Khalsa Anand Bhawan, Moga (Ferozepur);
Giani Hira Singh, Dhudial, Jhelum;
Bhai Nand Singh Engineer c/o Baba Bakhtawar Lal Sharma, Bathinda.
Master Bachan Singh 'Bachan', Sidhwan Kalan (Ludhiana);
Bhai Bishan Singh Suhana, GD Khalsa High School Jalandhar;
Bhai Nazam Singh Sadhaar, Dinapur (Patna);
Sant Gulab Singh Gholiya, Moga;
Ganda Singh Jaachak, Amritsar;
Master Puran Singh Anandpuri, Chowk Karori, Amritsar;
Giani Bachittar Singh c/o Khalsa Trading Agency, Calcutta;
Bhai Tripat Singh, Nagoki Sarli (Amritsar);
Giani Ran Singh, Gurdwara Damdama Sahib, Mirpur (via Jhelum);
Bhai Chattar Singh, Gurdwara Saranban City, Malaysia;
Bhai Thakar Singh Sansaar, Village Fatehgarh Ghanayian, PO Gurdaspur;
Pandit Kartar Singh, Dakha (Ludhiana);
Bhai Prem Singh Giani, Khalsa High School, Kalar (Rawalpindi);
Bhai Gurdit Singh Dars, Chak No 132, PO Multan;
Bhai Sunder Singh Duberan (Rawalpindi);
Giani Bhagat Singh, Khalsa High Scholl, Baba Bakala, Amritsar;
Bhai Saran Singh, Granthi, Gurdwara Ratan Tala, Sri Guru Singh Sabha, Karachi;

Bhai Chhehbar Singh, Head Master, Khalsa Updeshak College, Orphanage Gharjakh (Gujranwala);
 Bhai Mal Singh Khosla, Kashmir State;
 Dr Teja Singh Giani, Fateh Chak (Tarn Taran);
 Bhai Gurmukh Singh, Granthi, Barhundi (Ludhiana);
 Bhai Mohan Singh Vaid, Tarn Taran (Amritsar);
 Bhai Jodh Singh, Kripan Bahadar, Alowal, (Malay State);
 Bhai Prem Singh, Government Pensioner, Mangat (Gujrat);
 Bhai Mahan Balbir Singh Akali, Village Patto Singh Wali PO Ferozepur;
 Bhai Manohar Singh First Head Clerk, Local Gurdwara Committee, Amritsar;
 Bhai Mahinder Singh, President, Gurdwara Committee Samadh Bhai, Village Anuke (Ferozepur);
 Bhai Gurbachan Singh (Ketrygess MP nett Jormun'e BSc);

Opinions as to the draft of the Code of Conduct and Conventions and its contents were received from the following Panthic associations.

Gurdwara Prabhandhak Committee, Khadoor Sahib (Amritsar)
 Khalsa Committee (School), Hoti;
 Sri Guru Singh Sabha, Gujranwala;
 Sikh Women's Educational Committee, Shaankar (Jalandhar);
 Sangat Takhat Sri Kesgarh Sahib, Anandpur;
 Sri Guru Singh Sabha, Gujarkhan;
 Sri Guru Singh Sabha, Chak Jhumra Mandi (Lyallpur);
 Sri Guru Singh Sabha, Kuntrila (Rawalpindi);
 Akali Jatha Amritsar City;
 Sikh Teachers' Association, Khalsa School, Khaaria (Gujrat);
 Khalsa Central Diwan, Shiromani Panth, Malouni Jatha, Majha;
 Sri Guru Singh Sabha, Dhudial (Jhelum);
 Sri Guru Singh Sabha, Bombay;
 Guru Nanak Khalsa Mission School, Dehra Sahib, Jama Rai;
 Khalsa Diwan Lahore Cantonment;
 Central Sikh Naujuwan Sabha, Burma Jaunji (S S S) and Khalsa Diwan Burma;
 Secretary, Akali Jatha, Tehsil Ambala;
 Sri Guru Singh Sabha, Khushab (Sargodha);
 Pacific Coast Khalsa Diwan, Stockton (America) [USA];
 Gurdwara Committee, Momeo (Burma);
 Jathedar Budha Dal Nihang Singh Chalda Vehir, Dhobi Mandi , Lahore.

'One Absolute-Manifest. Eternal Destroyer of darkness. Grace Incarnate'

SIKH CODE OF CONDUCT AND CONVENTIONS

Section One

Chapter 1 - The definition of Sikh

Article I

Any human being who faithfully believes in

One Immortal Being,

Ten Gurus, from Guru Nanak Dev to Guru Gobind Singh,

The Guru Granth Sahib,

The utterances and teachings of the ten Gurus and

The baptism bequeathed by the tenth Guru, and who does not owe allegiance to any other religion, is a Sikh.

Section Two

Chapter II - Sikh Living

Article II

A Sikh's life has two aspects : individual or personal and corporate or Panthic.

Chapter III - A Sikh's Personal Life

Article III

A Sikh's personal life should comprehend - meditation on Nam (Divine Substance*) and the scriptures, leading a life according to the Gurus' teachings and altruistic voluntary service.

* Also translated as God's attributed self.

Article IV

A Sikh should wake up in the ambrosial hours (three hours before the dawn), take bath and, concentrating his / her thoughts on One Immortal Being, repeat the name Waheguru (Wondrous destroyer of darkness).

He / She should recite the following scriptural compositions every day:

the Japu, the Jaapu and the Ten Sawayyas (Quartets) – beginning with 'Sarawag sudh' – in the morning.

Sodar Rehras comprising of the following compositions:

nine hymns of the Guru Granth Sahib, *occurring in the holy book after the Japuji Sahib*,* the first of which begins with 'Sodar' and the last of which ends with 'saran pare ki rakho sarma',

the Benti Chaupai of the tenth Guru (beginning 'hamri karo hath dai rachha' and ending with the words 'dusht dokh te leho bachai'

the Sawayya beginning with the words 'pae gahe jab te tumre',

the Dohira beginning with the words 'sagal duar kau chhad kai',

the first five and the last pauris (stanzas) of Anand Sahib **1**

the Mundawani and the Slok Mahla 5 beginning 'tera kita jato nahi' in the evening after sunset.

* The phrase in italics has been interpolated by the translator to help locate the hymns.

1 The object of reciting the Anand as part of Sodar Rehras or at the conclusion of the congregational gathering is just to express joy and gratitude for the communion with the Guru.

the Sohila – to be recited at night before going to bed.

The morning and evening recitation should be concluded with the Ardas (formal supplication litany).

3. The text **2** of the Ardas: *

One Absolute Manifest; victory belongeth to the Wondrous Destroyer of darkness. May the might of the All-powerful help !

Ode to his might by the tenth lord.

Having first thought of the Almighty's prowess, let us think of Guru Nanak. Then of Guru Angad, Amardas and Ramdas – may they be our rescuers ! Remember, then, Arjan, Hargobind and Har Rai. Meditate then on revered Har Krishan on seeing whom all suffering vanishes. Think then of Tegh Bahadur, remembrance of whom brings all nine treasures. He comes to rescue everywhere. Then of the tenth lord, revered Guru Gobind Singh, who comes to rescue everywhere. The embodiment of the light of all ten sovereign lordships, the Guru Granth – think of the view and reading of it and say, "Waheguru (Wondrous Destroyer of darkness)."

Meditating on the achievement of the dear and truthful ones, including the five beloved ones, the four sons of the tenth Guru, forty liberated ones, steadfast ones, constant repeaters of the Divine Name, those given to assiduous devotion, those who repeated the Nam, shared their fare with others, ran free kitchen wielded the sword and overlooked faults and shortcomings, say “Waheguru”, O Khalsa.

Meditating on the achievement of the male and female members of the Khalsa who laid their bodies dismembered bit by bit, got their skulls sawn off, got mounted on spiked wheels, got their bodies sawn, made sacrifices in the service of the shrines (gurdwaras), did not betray their faith, sustained their adherence to the Sikh faith with sacred unshorn hair up till their last breath, say, “Wondrous Destroyer of darkness”, O Khalsa.

Thinking of the five thrones (seats of religious authority) and all gurdwaras, say, “Wondrous Destroyer of darkness”, O Khalsa.

Now it is the prayer of the whole Khalsa. May the conscience of the whole Khalsa be informed by Waheguru, Waheguru, Waheguru and, in consequence of such remembrance, may total well being obtain. Wherever there are communities of the Khalsa, may there be Divine protection and grace, the ascendance of the supply of needs and of the holy sword, protection of the tradition of grace, victory of the Panth, the succour of the holy sword, ascendance of the Khalsa. Say, O Khalsa, “Wondrous Destroyer of darkness.”

Unto the Sikhs the gift of the Sikh faith, the gift of the untrimmed hair, the gift of the discipline of their faith, the gift of sense of discrimination, the gift of trust, the gift of confidence, above all, the gift of meditation on the Divine and bath in the Amritsar (holy tank at Amritsar). May hymns-singing missionary parties, the flags, the hostels, abide from age to age. May righteousness reign supreme. Say, “Wondrous Destroyer of darkness.”

May the Khalsa be imbued with humility and high wisdom! May Waheguru guard it’s understanding !

O Immortal Being, eternal helper of Thy Panth, benevolent Lord, bestow on the Khalsa the beneficence of unobstructed visit to and free management of Nankana Sahib and other shrines and places of the Guru from which the Panth has been separated.

O Thou, the honour of the humble, the strength of the weak, aid unto those who have none to rely on, True Father, Wondrous Destroyer of darkness, we humbly render to you...**3** Pardon any impermissible accretions, omissions, errors, mistakes. Fulfil the purposes of all.

Grant us the association of those dear ones, on meeting whom one is reminded of Your Name. O Nanak, may the Nam (Holy) be ever in ascendance! In Thy will may the good of all prevail !

2. This is a model for the Ardas. It may be adapted to different occasions and for different purposes. However, the initial composition with 'Pritham Bhagauti. . . ' and the concluding phrases commencing 'Nanak Nam' must not be altered.

3. Mention here the name of the scriptural composition that has been recited or, in appropriate terms, the object for which the congregation has been held.

On the conclusion of the Ardas, the entire congregation participating in the Ardas should respectfully genuflect before the revered Guru Granth, then stand up and call out, 'The Khalsa is of the Wondrous Destroyer of darkness : victory also is His. ' The congregation should, thereafter, raise the loud spirited chant of Sat Sri Akal (true is the timeless being).

While the Ardas is being performed, all men and women in the congregation should stand with hands folded. The person in attendance of the Guru Granth should keep waving the [fly]-whisk standing.

The person who performs the Ardas should stand facing the Guru Granth with hands folded. If the Guru Granth is not there, the performing of the Ardas in any direction is acceptable.

When any special Ardas for or on behalf of one or more persons is offered, it is not necessary for persons in the congregation other than those persons to stand up.

Section Three

Chapter IV - **Joining the congregation for understanding of and reflecting on Gurbani**

Article V

One is more easily and deeply affected by gurbani (the holy bani bequeathed by the Gurus) participating in congregational gatherings. For this reason, it is necessary for a Sikh that he visits the places where the Sikhs congregate for worship and prayer (the gurdwaras), and joining the congregation, partakes of the benefits that the study of the holy scriptures bestows.

The Guru Granth should be ceremonially opened in the gurdwara every day without fail. Except for special exigencies, when there is need to keep the Guru Granth open during the night, the Holy Book should not be kept open during the night. It should, generally, be closed ceremonially after the conclusion of the Rehras (evening scriptural recitation). The Holy Book should remain open so long as a granthi or attendant can remain in attendance, persons seeking darshan (seeking a view of, or making obeisance to it) keep coming, or there is no risk of commission of irreverence towards it. Thereafter, it is advisable to close it ceremonially to avoid any disrespect to it.

The Guru Granth should be opened, read and closed ceremonially with reverence. The place where it is installed should be absolutely clean. An awning should be erected above. The Guru Granth Sahib should be placed on a cot measuring up to its size and overlaid with absolutely a clean mattress and sheets. For proper installation and opening of the Guru Granth, there should be cushions/pillows of appropriate kind etc. and, for covering it, romalas (sheet-covers of appropriate size). When the Guru Granth is not being read, it should remain covered with a romal. A whisk, too, should be there.

Anything except the aforementioned reverential ceremonies, for instance, such practices as the arti* with burning incense and lamps, offerings of eatables to Guru Granth Sahib, burning of lights, beating of gongs, etc., is contrary to gurnat (the Guru's way). However, for the perfuming of the place, the use of flowers, incense and scent is not barred. For light inside the room, oil or butter-oil lamps, candles, electric lamps, kerosene oil lamps, etc., may be lighted.

*Waving of a platter with burning lamps and incense set in it in vertical circular motion

No book should be installed like and at par with the Guru Granth. Worship of any idol or any ritual or activity should not be allowed to be conducted inside the gurdwara. Nor should the festival of any other faith be allowed to be celebrated inside the gurdwara. However, it will not be improper to use any occasion or gathering for the propagation of the gurnat (The Guru's way).

Pressing the legs of the cot on which the Guru Granth Sahib is installed, rubbing nose against walls and on platforms, held sacred, or massaging these, placing water below the Guru Granth Sahib's seat, making or installing statues, or idols inside the gurdwaras, bowing before the picture of the Sikh Gurus or elders — all these are irreligious self-willed egotism, contrary to gurnat (the Guru's way).

When the Guru Granth has to be taken from one place to another, the Ardas should be performed. He/she who carries the Guru Granth on his/her head should walk barefoot; but when the wearing of shoes is a necessity, no superstitions need be entertained.

The Guru Granth should be ceremonially opened after performing the Ardas. After the ceremonial opening, a hymn should be read from the Guru Granth Sahib.

Whenever the Guru Granth is brought, irrespective of whether or not another copy of the Guru Granth had already been installed at the concerned place, every Sikh should stand up to show respect.

While going into the gurdwara, one should take off the shoes and clean oneself up. If the feet are dirty or soiled, they should be washed with water.

One should circum-ambulate with the Guru Granth Sahib or the gurdwara on one's right.

No person, no matter which country, religion or caste he/she belongs to, is debarred from entering the gurdwara for darshan (seeing the holy shrine). However, he/she should not have on his/her person anything, such as tobacco or other intoxicants, which are tabooed by the Sikh religion.

The first thing a Sikh should do on entering the gurdwara is to do obeisance before the Guru Granth Sahib. He/she should, thereafter, have a glimpse of the congregation and bid in a low, quiet voice, "Waheguru ji ka Khalsa, Waheguru ji ki Fateh."

In the congregation, there should be no differentiation or discrimination between Sikh and non-Sikh, persons traditionally regarded as touchable and untouchable, the so-called high and low caste persons, the high and the low.

Sitting on a cushion, a distinctive seat, a chair, a stool, a cot, etc. or in any distinctive position in the presence of the Guru Granth or within the congregation is contrary to gurmata (Guru's way).

No Sikh should sit bare-headed in the presence of the Guru Granth Sahib or in the congregation. For Sikh women, joining the congregation with their persons uncomfortably draped and with veils drawn over their faces is contrary to gurmata (Guru's way).

There are five Takhts (lit., thrones, fig., seats of high authority)

namely –

- (I) The holy Akal Takhts, Amritsar,
- (II) The holy Takhts, Patna Sahib,
- (III) The holy Takhts, Kesgarh Sahib, Anandpur,
- (IV) The holy Takhts Hazur Sahib, Nanded,
- (V) The holy Takhts Damdama Sahib, Talwandi Sabo.

Only an Amritdhari (baptized) Sikh man or woman, who faithfully observes the discipline ordained for the baptized Sikhs, can enter the hallowed enclosures of the Takhts. (Ardas for and on behalf of any Sikh or non-Sikh, except a fallen or punished (tankhahia) Sikh, can be offered at the Takhts.

At a high-level site in every gurdwara should be installed the nishan sahib (Sikh flag). The cloth of the flag should be either of xanthic or of greyish blue colour and on top of the flag post, there should either be a spearhead or a Khanda (a straight dagger with convex side edges leading to slanting top edges ending in a vertex).

There should be a drum (nagara) in the gurdwara for beating on appropriate occasions.

CHAPTER V - Kirtan (Devotional Hymn Singing by a Group or an individual)

Article VI

Only a Sikh may perform kirtan in a congregation.

Kirtan means singing the scriptural compositions in traditional musical measures.

In the congregation, kirtan only of Gurbani (Guru Granth's or Guru Gobind Singh's hymns) and, for its elaboration, of the compositions of Bhai Gurdas and Bhai Nand Lal, may be performed.

It is improper, while singing hymns to rhythmic folk tunes to traditional musical measures, or in team singing, to induct into them improvised and extraneous refrains. Only a line from the hymn should be made a refrain.

CHAPTER VI - Taking Hukam* (Command)

Article VII

Doing obeisance to the Guru Granth Sahib, respectfully, taking a glimpse of the congregation, an embodiment of the Guru's person, and taking the command : these together constitute the view of the Satguru (Immortal destroyer of darkness, the true guru). Raising the drapery covering the Guru Granth Sahib and merely taking a look or making others take a look at the exposed page, without taking the command (reading the prescribed hymn) is contrary to gurmata (Guru's way).

In the course of the congregational sessions, only one thing should be done at a time: performing of kirtan, delivering of discourse, interpretative elaboration of the scriptures, or reading of the scriptures.

Only a Sikh, man or woman, is entitled to be in attendance of the Guru Granth during the congregational session.

Only a Sikh may read out from the Guru Granth for others. However, even a non-Sikh may read from it for himself / herself.

For taking the command (Hukam), the hymn that is continuing on the top of the left hand page must be read from the beginning. If the hymn begins on the previous page, turn over the page and read the whole hymn from the beginning to the end. If the scriptural composition that is continuing on the top of the left hand page is a var (ode), then start from the first of the slokas preceding the pauri and read upto the end of the pauri. Conclude the reading at the end of the hymn with the line in which the name 'Nanak' occurs.

Hukam must also be taken at the conclusion of the congregational session or after the Ardas.

* Reading or Reading out to others, including the congregation, of a Shabad (hymn) or a unit of one or more slokas (short scriptural compositions normally of two to four lines) and a pauri (short stanza of four or more lines) from the Guru Granth Sahib after, or even without performing, Ardas is an important Sikh ritual. It is called Hukam laina (taking the order or command), Vak laina (taking the word), Awaz laina (taking the voice). The hymn or unit goes by the name of Hukam (order, command) Vak (uttered word) or Awaz (voice).

CHAPTER VII - Sadharan Path

(Completion of Normal Intermittent Reading of the Guru Granth Sahib)

Article VIII

Every Sikh should, as far as possible, maintain a separate and exclusive place for the installation of Guru Granth Sahib, in his home.

Every Sikh, man, woman, boy or girl, should learn Gurmukhi to be able to read the Guru Granth Sahib.

Every Sikh should take the Hukam (Command) of the Guru Granth in the ambrosial (early) hours of the morning before taking meal. If he / she fails to do that, he / she should read or listen to reading from the Guru Granth some time during the day. If he / she cannot do that either, during travel etc., or owing to any other impediment, he / she should not give in to a feeling of guilt.

*It is desirable that every Sikh should carry on a continuous reading of the Guru Granth and complete a full reading in one or two months or over a longer period.

*While undertaking a full reading of the Guru Granth, one should recite the Anand Sahib (the first five and the last stanzas) and perform the Ardas. One should, thereafter, read the Japuji.

** In the original leaflet clauses **d** and **e** have mistakenly been designated as **e** and **f**, while while there is no clause **d**.

Akhand Path (Uninterrupted – Non-stop – Completion of the Reading of the Guru Granth Sahib)

Article IX

The non-stop reading of the Guru Granth is carried on at hard times or on occasions of elation or joy. It takes approximately forty-eight hours. The non-stop reading implies continuous, uninterrupted reading. The reading must be clear and correct. Reading too fast, so that the person listening in to it cannot follow the contents, amounts to irreverence to the Scriptures. The reading should be correct and clear, due care being bestowed on consonant and vowel, even though that takes a little longer to complete.

Whichever family or congregation undertakes the non-stop reading should carry it out itself through its members, relatives, friends, etc., all together. The number of reciters is not prescribed.

If a person, himself, cannot read, he should listen in to the reading by some competent reader. However, it should never be allowed to happen that the reader carries on the reading all by himself / herself and no member of the congregation or the family is listening in to the reading. The reader should be served with food and clothing to the best of the host's means.

Placing a pitcher, ceremonial clarified-butter-fed lamp, coconut, etc. around, during the course of the uninterrupted or any other reading of Guru Granth Sahib, or reading of other Scriptural texts side by side with or in the course of such reading is contrary to the gurmat (Guru's way).

Commencing the Non-Stop Reading

Article X

While undertaking the intermittent reading of the whole Guru Granth Sahib, the sacred pudding (Karhah Prashad) for offering should be brought and after reciting the Anand Sahib (six stanzas) and offering Ardas, Hukam should be taken.

While beginning the unbroken reading, the sacred pudding should first be laid. Thereafter, after reciting the Anand Sahib (six stanzas), offering the Ardas and taking the Hukam, the reading should be commenced.

Concluding the Reading

Article XI

The reading of the whole Guru Granth Sahib (intermittent or non-stop) may be concluded with the reading of the Mundawani or the Rag Mala according to the convention traditionally observed at the concerned place. (Since there is a difference of opinion within the Panth on this issue, nobody should dare to write or print a copy of the Guru Granth Sahib excluding the Rag Mala). Thereafter, after reciting the Anand Sahib, the Ardas of the conclusion of the reading should be offered and the sacred pudding (Karhah Prashad) distributed.

On the conclusion of the reading, offering of draperies, fly-whisk and awning, having regard to the requirements of the Guru Granth Sahib, and of other things, for Panthic causes, should be made to the best of means.

CHAPTER VIII - Karhah Prashad (Sacred Pudding)

Article XII

Only the sacred pudding which has been prepared or got prepared according to the prescribed method shall be acceptable in the congregation.

The method of preparing the Karhah Prashad is this : In a clean vessel, the three contents (wheat flour, pure sugar and clarified butter, in equal quantities) should be put and it should be made reciting the Scriptures. Then covered with a clean piece of cloth, it should be placed on a clean stool in front of the Guru Granth Sahib. Thereafter, in the holy presence of the Guru Granth, the first five and the last stanza of the Anand Sahib should be recited aloud (so that the whole congregation can hear)*, the Ardas, offered and the pudding tucked with the sacred Kirpan for acceptance.

After this, before the distribution to the congregation of the Prashad, the share of the five beloved ones should be set apart and given away. Thereafter, while commencing the general distribution, the share of the person in attendance of the Guru Granth Sahib** should be put in a small bowl or vessel and handed over. The person who doles out the Karhah Prashad among the congregation should do so without any discrimination on the basis of personal regard or spite. He should dole out the Karhah Prashad equally to the Sikh, the non-Sikh or a person of high or low caste. While doling out the Karhah Prashad, no discrimination should be made on considerations of caste or ancestry or being regarded, by some, as untouchable, of persons within the congregation.

The offering of Karhah Prashad should be accompanied by at least two pice in cash.

* If another vessel of the sacred pudding is brought in after the recitation of the Anand, it is not necessary to repeat the recitation of the Anand Sahib. Offering of the pudding brought later to the sacred Kirpan is enough.

** Giving double share to the person in attendance constitutes improper discrimination.

CHAPTER IX - Exposition of Gurbani (Sikh Holy Scriptures)

Article XIII

The exposition of the Gurbani in a congregational gathering should be carried out only by a Sikh.

The object of the exposition should only be promoting the understanding of the Guru's tenets.

The exposition can only be of the ten Gurus' writings or utterances, Bhai Gurdas's writings, Bhai Nand Lal's writings or of any generally accepted Panthic book or of books of history (which are in agreement with the Guru's tenets) and not of a book of any other faith. However, for illustration, references to a holy person's teachings or those contained in a book may be made.

Expository Discourse

Article XIV

No discourse contrary to the Guru's tenets should be delivered inside a gurdwara.

Gurdwara Service

Article XV

In the gurdwara the schedule of the congregational service generally is:

ceremonial opening of the Guru Granth Sahib, Kirtan, exposition of scriptures, expository discourses, recitation of Anand Sahib, the Ardas (See Article IV (3) (a) above), the raising of Fateh slogan and then the slogan of Sat Sri Akal and taking the Hukam.

Section Four

CHAPTER X - Living in Consonance with Guru's Tenets

Article XVI

A Sikh's living, earning livelihood, thinking and conduct should accord with the Guru's tenets. The Guru's tenets are:

Worship should be rendered only to the One Timeless Being and to no god or goddess.

Regarding the ten Gurus, the Guru Granth and the ten Gurus' word alone as saviours and holy objects of veneration.

Regarding ten Gurus as the effulgence of one light and one single entity.

Not believing in caste or descent, untouchability, magic, spells, incantation, omens, auspicious times, days and occasions, influence of stars, horoscopic dispositions, shradh (ritual serving of food to priests for the salvation of ancestors on appointed days as per the lunar calendar), ancestor worship, khiah (ritual serving of food to priests – Brahmins – on the lunar anniversaries of the death of an ancestor)*, pind (offering of funeral barley cakes to the deceased's relatives), patal (ritual donating of food in the belief that that would satisfy the hunger of a departed soul), diva (the ceremony of keeping an oil lamp lit for 360 days after the death, in the belief that that lights the path of the deceased), ritual funeral acts, hom (lighting of ritual fire and pouring intermittently clarified butter, food grains etc. into it for propitiating gods for the fulfilment of a purpose), jag (religious ceremony involving presentation of oblations), tarpan (libation), sikha-sut (keeping a tuft of hair on the head and wearing thread), bhadan (shaving of head on the death of a parent), fasting on new or full moon or other days, wearing of frontal marks on the forehead, wearing of thread, wearing of a necklace of the pieces of tulsi** stalk, veneration of any graves, of monuments erected to honour the memory of a deceased person or of cremation sites, idolatry and such like superstitious observances. ***

Not owning up or regarding as hallowed any place other than the Guru's place – such, for instance, as sacred spots or places of pilgrimage of other faiths.

Not believing in, or according any authority to Muslim seers, Brahmins' holiness, soothsayers, clairvoyants, oracles, promise of an offering on the fulfilment of a wish, offering of sweet loaves or rice pudding at graves on fulfilment of wishes, the Vedas, the Shastras, the Gayatri (Hindu scriptural prayer unto the sun), the Gita, the Quran, Bible, etc. . . . However, the study of the books of other faiths for general self-education is admissible.

* Two words, shradh and khiah, occurring in this clause connote what appears to be the same thing – the ritual serving of food to the priests (Brahmins). The difference between the connotations of the two words is implicit in the dates on which the ritual is performed. The ritual of serving of food on the lunar anniversary of the death goes by the name khiah; whereas the ritual of serving food on the lunar date corresponding to the date of death during the period of the year designated shradhs is known as sharadh. [I cannot understand this explanation ! Editor Surbut Khalsa].

** A plant with medicinal properties. Bot. Ocimum sanctum.

*** Most, though not all, rituals and ritual or religious observances listed in this clause are Hindu rituals and observances. The reason is that the old rituals and practices, continued to be observed by large numbers of Sikhs even after their conversion from their old faith to the new faith and a large bulk of the Sikh novices were Hindu converts. Another reason for this phenomenon was the strangle-hold of the Brahmin priest on Hindu's secular and religious life which the Brahmin priest managed to maintain even on those leaving the Hindu religious fold, by his astute mental dexterity and rare capacity for compromise. That the Sikh novitiates included a sizeable number of Muslims is shown by inclusion in this clause of the taboos as to the sanctity of graves, shirni, etc.

The Khalsa should maintain its distinctiveness among the professors of different religions of the world, but should not hurt the sentiments of any person professing another religion.

A Sikh should pray to God before launching off any task.

Learning Gurmukhi (Punjabi in Gurmukhi script) is essential for a Sikh. He should pursue other studies also.

It is a Sikh's duty to get his children educated in Sikhism.

A Sikh should, in no way, harbour any antipathy to the hair of the head with which his child is born. He should not temper with the hair with which the child is born. He should add the suffix 'Singh' to the name of his son. A Sikh should keep the hair of his sons and daughters intact.

A Sikh must not take hemp (cannabis), opium, liquor, tobacco, in short, any intoxicant. His only routine intake should be food.

Piercing of nose or ears for wearing ornaments is forbidden for Sikh men and women.

A Sikh should not kill his daughter; nor should he maintain any relationship with a killer of daughter.

The true Sikh of the Guru shall make an honest living by lawful work.

A Sikh shall regard a poor person's mouth as the Guru's cash offerings box.

A Sikh shall not steal, form dubious associations or engage in gambling.

He who regards another man's daughter as his own daughter, regards another man's wife as his mother, has coition with his own wife alone, he alone is a truly disciplined Sikh of the Guru.

A Sikh woman shall likewise keep within the confines of conjugal rectitude.

A Sikh shall observe the Sikh rules of conduct and conventions from his birth right up to the end of his life.

A Sikh, when he meets another Sikh, should greet him with "Waheguru ji ka Khalsa, Waheguru ji ki Fateh" ****. This is ordained for Sikh men and women both.

It is not proper for a Sikh woman to wear veil or keep her face hidden by veil or cover.

For a Sikh, there is no restriction or requirement as to dress except that he must wear Kachhehra***** and turban. A Sikh woman may or may not tie turban.

****Rendered into English The Khalsa is Waheguru's; victory too is His !

*****A drawer type garment fastened by a fitted string round the waist, very often worn as an underwear.

Chapter XI - Ceremonies pertaining to Birth and Naming of Child

Article XVII

In a Sikh's household, as soon after the birth of a child as the mother becomes capable of moving about and taking bath (irrespective of the number of days which that takes), the family and relatives should go to a gurdwara with prashad (sacred pudding) or get karah prashad made in the gurdwara and recite in the holy presence of the Guru Granth Sahib such hymns as 'parmehar dita bana' (Sorath M 5)*, 'Satguru sache dia bhej' (Asa M. 5)** that are expressive of joy and thankfulness. Thereafter if a reading of the holy Guru Granth Sahib had been taken up, that should be concluded. Then the holy Hukam (command) should be taken. A name starting with the first letter of the Hukam (command) should be proposed by the granthi (man in attendance of the holy book) and, after its acceptance by the congregation, the name should be announced by him. The boy's name must have the suffix 'Singh' and the girl's, the suffix "Kaur". After that the Anand Sahib (short version comprising six stanzas should be recited and the Ardas in appropriate terms expressing joy over the naming ceremony be offered and the karah prashad distributed.

*The almighty Lord has granted support. (Sorath M. 5, Guru Granth Sahib P. 628)

**The true Lord has sent this gift. (Asa M. 5, Guru Granth Sahib P. 396)

The superstition as to the pollution of food and water in consequence of birth*** must not be subscribed to, for the holy writ is: 'The birth and death are by His ordinance; coming and going is by His will. All food and water are, in principle, clean, for these life-sustaining substances are provided by Him.'

***There is a wide spread belief among certain sections of Indian people that a birth in a household causes pollution (sutak) which is removed by the thorough bathing of the mother, the baby and persons attending on her as also by a thorough cleaning of the house, the utensils and the clothes, after prescribed periods of ten, twenty-one and forty days.

Making shirts or frocks for children out of the Holy Book's draperies is a sacrilege.

Anand Sanskar (Literally Joyful Ceremonial : Sikh Matrimonial Conventions and Ceremony)

Article XVIII

A Sikh man and woman should enter wedlock without giving thought to the prospective spouse's caste and descent.

A Sikh's daughter must be married to a Sikh.

A Sikh's marriage should be solemnized by Anand marriage rites.

Child marriage is taboo for Sikhs.

When a girl becomes marriageable, physically, emotionally and by virtue of maturity of character, a suitable Sikh match should be found and she be married to him by Anand marriage rites.

Marriage may not be preceded by engagement ceremony. But if an engagement ceremony is sought to be held, a congregational gathering should be held and, after offering the Ardas before the Guru Granth Sahib, a kirpan, a steel bangle and some sweets may be tendered to the boy.

Consulting horoscopes for determining which day or date is auspicious or otherwise for fixing the day of the marriage is a sacrilege. Any day that the parties find suitable by mutual consultation should be fixed.

Putting on floral or gilded face ornamentation, decorative headgear or red thread band round the wrist, worshipping of ancestors, dipping feet in milk mixed with water, cutting a berry or jandi (*Prosopis spicigera*) bushes, filling pitcher, ceremony of retirement in feigned displeasure, reciting couplets, performing havans,* installing vedi (a wooden canopy or pavilion under which Hindu marriages are performed), prostitutes' dances, drinking liquor, are all sacrileges.
*Sacrificial fire

The marriage party should have as small a number of people as the girl's people desire. The two sides should greet each other singing sacred hymns and finally by the Sikh greetings of Waheguru ji ka Khalsa, Waheguru ji ki Fateh.

For marriage, there should be a congregational gathering in the holy presence of Guru Granth Sahib. There should be hymn-singing by ragis or by the whole congregation. Then the girl and the boy should be made to sit facing the Guru Granth Sahib. The girl should sit on the left side of the boy. After soliciting the congregation's permission, the master of the marriage ceremony (who may be a man or a woman) bid the boy and girl and their parents or guardians to stand and should offer the Ardas for the commencement of the Anand marriage ceremony.

The officiant should then apprise the boy and the girl of the duties and obligations of conjugal life according to the Guru's tenets.

He should initially give to the two an exposition of their common mutual obligations. He should tell them how to model the husband-wife relationship on the love between the individual soul and the Supreme Soul in the light of the contents of circumambulation (lavan) hymns in the Suhi measure (rag) section* of the Guru Granth Sahib.

He should explain to them the notion of the state of 'a single soul in two bodies' to be achieved through love and make them see how they may attain union with the Immortal Being discharging duties and obligations of the householders' life. Both of them, they should be told, have to make their conjugal union a means to the fulfilment of the purpose of the journey of human existence; both have to lead clean and Guru-oriented lives through the instrumentality of their union.

He should then explain to the boy and girl individually their respective conjugal duties as husband and wife.

The bridegroom should be told that the girl's people having chosen him as the fittest match from among a whole lot, he should regard his wife as his better half, accord to her unflinching love and share with her all that he has. In all situations, he should protect her person and honour, he should be completely loyal to her and he should show as much respect and consideration for her parents and relations as for his own.

The girl should be told that she has been joined in matrimony to her man in the hallowed presence of the Guru Granth Sahib and the congregation. She should ever harbour for him deferential solicitude, regard him the lord and master of her love and trust; she should remain firm in her loyalty to him and serve him in joy and sorrow and in every clime (native or foreign) and should show the same regard and consideration to his parents and relatives as she would, to her own parents and relatives.

The boy and girl should bow before the Guru Granth Sahib to betoken their acceptance of these instructions.

Thereafter, the girl's father or the principal relation should make the girl grasp one end of the sash which the boy is wearing over his shoulders and the person in attendance of the Guru Granth Sahib should recite the matrimonial circumambulation stanzas (lavan of the fourth Guru in the Suhi musical measure section of the Guru Granth)** After the conclusion of the recitation of each of the stanzas, the boy, followed by the girl holding the end of the sash, should go round the Guru Granth Sahib while the ragis or the congregation sing out the recited stanza.

The boy and girl, after every circumambulation, should bow before the Guru Granth Sahib in genuflexion, lowering their forehead to touch the ground and then stand up to listen to the recitation of the next stanza. There being four matrimonial circumambulation stanzas in the concerned hymn, the proceeding will comprise four circumambulations with the incidental singing of the stanza. After the fourth circumambulation, the boy and girl should, after bowing before the Guru Granth Sahib, sit down at the appointed place and the ragis or the person who has conducted the ceremony should recite the first five and the last stanza of Anand Sahib. Thereafter, the Ardas should be offered to the conclusion of the Anand marriage ceremony and sacred pudding, distributed.

*The bulk of the Guru Granth (the Sikh holy book) is divided on the basis of the ragas (measures) of the Indian Classical music. Suhi is one of the ragas featuring in the Guru Granth Sahib.

**Pp. 773-4

Persons professing faiths other than the Sikh faith cannot be joined in wedlock by the Anand Karaj ceremony.

No Sikh should accept a match for his / her son or daughter for monetary consideration.

If the girl's parents at any time or on any occasion visit their daughter's home and a meal is ready there, they should not hesitate to eat there. Abstaining from eating at the girl's home is a superstition. The Khalsa has been blessed with the boon of victuals and making others eat by the Guru and the immortal Being. The girl's and boy's people should keep accepting each other's hospitality, because the Guru has joined them in relationship of equality*.

*Prem Sumarag

If a woman's husband has died, she may, if she so wishes, finding a match suitable for her, remarry. For a Sikh man whose wife has died, similar ordinance obtains.

The remarriage may be solemnized in the same manner as the Anand marriage.

Generally no Sikh should marry a second wife if the first wife is alive.

A baptised Sikh ought to get his wife baptised.

Funeral Ceremonies

Article XIX

The body of a dying or dead person, if it is on a cot, must not be taken off the cot and put on the floor. Nor must a lit lamp be placed beside, or a cow got bestowed in donation by, him / her or for his / her good or any other ceremony, contrary to the Guru's way, performed. Only Gurbani should be recited or 'Waheguru, Waheguru' repeated by his / her side.

When some one shuffles the mortal coil, the survivors must not grieve or raise a hue and cry or indulge in breast-beating. To induce a mood of resignation to God's will, it is desirable to recite Gurbani or repeat 'Waheguru'.

However young the deceased may be, the body should be cremated. However, where arrangements for cremation cannot be made, there should be no qualm about the body being immersed in flowing water or disposed of in any other manner.

As to the time of cremation, no consideration as to whether it should take place during day or night should weigh.

The dead body should be bathed and clothed in clean clothes. While that is done, the Sikh symbols – comb, kachha, karha, kirpan – should not be taken off. Thereafter, putting the body on a plank, Ardas about its being taken away for disposal be offered. The hearse should then be lifted and taken to the cremation ground. While the body is being carried to the cremation ground, hymns that induce feelings of detachment should be recited. On reaching the cremation ground, the pyre should be laid. Then the Ardas for consigning the body to fire be offered. The dead body should then be placed on the pyre and the son or any other relation or friend of the deceased should set fire to it. The accompanying congregation should sit at a reasonable distance and listen to kirtan or carry on collective singing of hymns or recitation of detachment-inducing hymns. When the pyre is fully aflame, the Kirtan Sohila (prescribed pre-retirement night Scriptural prayer) be recited and the Ardas offered. (Piercing the Skull half an hour or so after the pyre has been burning with a rod or something else in the belief that that will secure the release of the soul – kapal kriya – is contrary to the Gum's tenets). The congregation should then leave.

Coming back home, a reading of the Guru Granth Sahib should be commenced at home or in a nearby gurdwara and after reciting the six stanzas of the Anand Sahib, the Ardas, offered and karhah prashad (sacred pudding) distributed. The reading of the Guru Granth Sahib should be completed on the tenth day. If the reading cannot, or is sought not to, be completed on the tenth day, some other day may be appointed for the conclusion of the reading having regard to the convenience of the relatives. The reading of the Granth Sahib should be carried out by the members of household of the deceased and relatives in cooperation.

If possible, Kirtan may be held every night. No funeral ceremony remains to be performed after the 'tenth day.'

When the pyre is burnt out, the whole bulk of the ashes, including the burnt bones, should be gathered up and immersed in flowing water or buried at that very place and the ground levelled. Raising a monument to the memory of the deceased at the place where his dead body is cremated is taboo.

Adh marg (the ceremony of breaking the pot used for bathing the dead body amid doleful cries half way towards cremation ground), organised lamentation by women, foorhi (sitting on a straw mat in mourning for a certain period), diva (keeping an oil lamp lit for 360 days after the death in the belief that that will light the path of the deceased), pind (ritual donating of lumps of rice flour, oat flour, or solidified milk (khoa) for ten days after death), kirya (concluding the funeral proceedings ritualistically, serving meals and making offerings by way of shradh, budha mama (waving of whisk, over the hearse of an old person's dead body and decorating the hearse with festoons), etc. are contrary to the approved code. So too is picking of the burnt bones from the ashes of the pyre for immersing in the Ganga, at Patalpuri (at Kiratpur), at Kartarpur Sahib or at any other such place.

Other Rites and Conventions

Article XX

Apart from these rites and conventions, on every happy or sad occasion, such as moving into a new house, setting up a new business (shop), putting a child to school, etc., a Sikh should pray for God's help by performing the Ardas. The essential components of all rites and ceremonies in Sikhism are the recitation of the Gurbani (Sikh Scriptures) and the performing of the Ardas.

Voluntary Service

Article XXI

1. Voluntary service is a prominent part of Sikh religion. Illustrative models of voluntary service are organised, for imparting training, in the gurdwaras. It's simple forms are sweeping and plastering the floors* of the gurdwara, serving water to or fanning the congregation, offering provisions to and rendering any kind of service in the common kitchen-cum-eating house, dusting the shoes of the people visiting the gurdwara, etc.

a. Guru's kitchen-cum-Eating-House. The philosophy behind the Guru's kitchen-cum-eating-house is two-fold : to provide training to the Sikhs in voluntary service and to help banish all distinction of high and low, touchable and untouchable from the Sikhs' minds.

b. All human beings, high or low, and of any caste or colour may sit and eat in the Guru's kitchen-cum-eating-house. No discrimination on grounds of the country of origin, colour, caste or religion must be made while making people sit in rows for eating. However, only baptised Sikhs can eat off one plate.

* In olden times, buildings, particularly in rural areas had mud and not brick-paved or cement floors. To give to these floors firmness and consistency, they were thinly plastered with a diluted compound of mud.

Section Six

CHAPTER XIII - Facets of Corporate Sikh Life

Article XXII

The essential facets of Panthic life are:

Guru Panth (the Panth's Guru status);

The ceremony of ambrosial initiation;

The statute of chastisement for aberrations;

The statute of collective resolution;

The appeal against local decisions.

Panth's Status of Guruhood

Article XXIII

The concept of service is not confined to fanning the congregation, service to and in the common kitchen-cum-eatinghouse, etc. A Sikh's entire life is a life of benevolent exertion. The most fruitful service is the service that secures the optimum good by minimal endeavour. That can be achieved through organised collective action. A Sikh has, for this reason, to fulfil his Panthic obligations (obligations as a member of the corporate entity, the Panth), even as he / she performs his / her individual duties. This corporate entity is the Panth. Every Sikh has also to fulfil his obligations as a unit of the corporate body, the Panth.

a) The Guru Panth (Panth's status of Guruhood) means the whole body of committed baptised Sikhs. This body was fostered by all the ten Gurus and the tenth Guru gave it its final shape and invested it with Guruhood.

Ceremony of Baptism or Initiation

Article XXIV

a) Ambrosial baptism should be held at an exclusive place away from common human traffic.

b) At the place where ambrosial baptism is to be administered, the holy Guru Granth Sahib should be installed and ceremonially opened. Also present should be six committed baptised Sikhs, one of whom should sit in attendance of the Guru Granth Sahib and the other five should be there to administer the ambrosial baptism. These six may even include Sikh women. All of them must have taken bath and washed their hair.

c) The five beloved ones who administer ambrosial baptism should not include a disabled person, such as a person who is blind or blind in one eye, lame, one with a broken or disabled limb, or one suffering from some chronic disease. The number should not include anyone who has committed a breach of the Sikh discipline and principles. All of them should be committed baptised Sikhs with appealing personalities.

d) Any man or woman of any country, religion or caste who embraces Sikhism and solemnly undertakes to abide by its principles is entitled to ambrosial baptism.

The person to be baptised should not be of very young age; he or she should have attained a plausible degree of discretion. The person to be baptised must have taken bath and washed the hair and must wear all five K's - Kesh (unshorn hair), strapped Kirpan (sword), Kachhehra (prescribed shorts), Kanga (Comb tucked in the tied up hair), Karha (Steel bracelet). He / she must not have on his / her person any token of any other faith. He / she must not have his / her head bare or be wearing a cap. He / she must not be wearing any ornaments piercing through any part of the body. The persons to be baptised must stand respectfully with hands folded facing the Guru Granth Sahib.

e) Anyone seeking to be rebaptised, having committed an aberration, should be singled out and the five beloved ones should award chastisement to him / her in the presence of the congregation.

f) One from amongst the five beloved ones administering ambrosial baptism to persons seeking to be baptised should explain the principles of the Sikh religion to them :

The Sikh religion advocates the renunciation of the worship of any created thing, and rendering of worship and loving devotion to, and meditating on, the One Supreme Creator. For the fulfilment of such devotion and meditation, reflection on the contents of Gurbani and practising of its tenets, participation in the congregational services, rendering service to the Panth, benevolent exertion (to promote the good of others), love of God's name (loving reflection on and experience of the Divine), living within the Sikh discipline after getting baptised etc. are the principal means.

He should conclude his exposition of the principles of Sikh religion with the query : Do you accept these willingly ?

g) On an affirmative response from the seekers of baptism, one from amongst the five beloved ones should perform the Ardas for the preparation of baptism and take the holy Hukam (command). * The five beloved ones should come close to the bowl for preparing the amrit (ambrosial nectar).

* Reading or Reading out to others, including the congregation, of a shabad (hymn) or a unit of one or more slokas (short scriptural compositions normally of two to four lines) and a pauri (short stanza of four or more lines) from the Guru Granth Sahib after, or even without performing, the Ardas is an important Sikh ritual. It is called hukam laina (taking the order or command), Vak laina (taking the word), Awaz laina (taking the voice). The hymn or unit goes by the name of hukam (order, command) yak (uttered word) or awaz (voice).

h) The bowl should be of pure steel and it should be placed on a clean steel ring or other clean support.

i) Clean water and sugar puffs should be put in the bowl and the five beloved ones should sit around it in bir posture 1 and recite the undermentioned scriptural compositions.

1 Sitting in bir posture comprises sitting resting the body on the right leg, the right calf and foot gathered inward and the left leg upto the shin kept in a vertical position.

j) The scriptural composition to be recited are : The Japuji, The Jaap, The Ten Sawayyas (commencing with sarawag sud), The Bainti Chaupai (From 'hamri karo hath dai rachha' to 'dusht dokh te leho bachai'), the first five and the last one stanza of the Anand Sahib.

k) Each of the five beloved ones who recites the scripture should hold the edge of the bowl with his left hand and keep stirring the water with a double-edged sword held in his right hand. He should do that with full concentration. The rest of the beloved ones should keep gripping the edge of the bowl with both hands concentrating their full attention on the ambrosial nectar.

l) After the conclusion of the recitation, one from amongst the beloved ones should perform the Ardas.

m) Only that person seeking to be baptised who has participated in the entire ceremony of ambrosial baptism can be baptised. One who has turned up while the ceremony was in progress cannot be baptised.

n) After the Ardas as per clause (1) above, thinking of our Father, the tenth Master, the wearer of the aigrette, every person seeking to be baptised should sit in bir posture,* putting his / her right hand cupped on the left cupped hand and be made to drink the ambrosial mix five times, as the beloved one who pours the mix into his cupped hand exclaims say, Waheguru ji ka Khalsa, Waheguru ji ki Fateh ! (The Khalsa is of the Wondrous Destroyer of darkness; victory, too, is His !) The person being baptised should after imbibing the ambrosia, repeat Waheguru ji ka Khalsa, Waheguru

ji ki Fateh. Then five handfuls of the ambrosial mix should be sprinkled into the eyes of the person being baptised and another five into his hair. Each such sprinkling should be accompanied by the beloved one administering baptism saying, 'Waheguru ji ka Khalsa, Waheguru ji ki Fateh', and the person being baptised repeating the chant. Whatever ambrosial mix is left over after the administration of the ambrosial baptism to all individual seekers should be sipped by all (men and women) baptised, together.

* Sitting in bir posture comprises sitting resting the body on the right leg, the right calf and foot gathered inward and the left leg upto the shin kept in a vertical position.

o) After this the five beloved ones, all together in chorus, communicating the name of Waheguru to all who have been administered the ambrosial baptism, recite to them the mul mantar (basic creed, seminal chant) and make them repeat it aloud :

ik aunkar satnam karta purakh nirbhau nirwair akal murat ajuni saibhang gur prasad. *

* English translation : One Absolute Manifest. Eternal Reality. Creator Conscious. Without fear. Without ill-will. Timeless Being. Outside the cycle of transmigration. Self-created. Destroyer of darkness. Grace Incarnate.

The last two phrases are more often popularly translated as Attained by the Guru's (Divine Preceptor's) grace.

p) After this, one from amongst the five beloved ones should explain to the initiates the discipline of the order : Today you are reborn in the true Guru's household, ending the cycle of migration, and joined the Khalsa Panth (order). Your spiritual father is now Guru Gobind Singh and, spiritual mother, Mata Sahib Kaur. Your place of birth is Kesgarh Sahib and your native place is Anandpur Sahib. You, being the sons of one father, are, inter-se yourselves and other baptised Sikhs, spiritual brothers. You have become the pure Khalsa, having renounced your previous lineage, professional background, calling (occupation), beliefs, that is, having given up all connections with your caste, descent, birth, country, religion, etc. You are to worship none except the One Timeless Being – no god, goddess, incarnation or prophet. You are not to think of anyone except the ten Gurus and anything except their gospel as your saviour. You are supposed to know Gurmukhi (Punjabi alphabet) (If you do not, you must learn it). And recite, or listen in to the recitation of, the under-mentioned scriptural compositions, the daily repetition of which is ordained, every day : (1) The Japuji Sahib, (2) The Jaap Sahib, (3) The Ten Sawayyas (Quatrains), beginning 'sarawag sudh', (4) The Sodar Rahiras and the Sohila. Besides, you should read from or listen in to the recitation from the Guru Granth. Have, on your person, all the time, the five K's : The Keshas (unshorn hair), the Kirpan (sheathed sword) 1, the Kachhehra 2, the Kanga (comb), the Karha (steel bracelet). 3

1. The length of the sword to be worn is not prescribed.
2. The Kachhehra (drawers like garment) may be made from any cloth, but its legs should not reach down to below the shins.
3. The Karha should be of pure steel.

The undermentioned four transgressions (tabooed practices) must be avoided :

1. Dishonouring the hair;
2. Eating the meat of an animal slaughtered the Muslim way;
3. Cohabiting with a person other than one's spouse;
4. Using tobacco.

In the event of the commission of any of these transgressions, the transgressor must get rebaptised. If a transgression is committed unintentionally and unknowingly, the transgressor shall not be liable to punishment. You must not associate with a Sikh who had uncut hair earlier and has cut it or a Sikh who smokes. You must ever be ready for the service of the Panth and of the gurdwaras (Sikh places of worship). You must tender one tenth of your earnings to the Guru. In short, you must act the Guru's way in all spheres of activity.

You must remain fully aligned to the Khalsa brotherhood in accordance with the principles of the Khalsa faith. If you commit transgression of the Khalsa discipline, you must present yourself before the congregation and beg pardon, accepting whatever punishment is awarded. You must also resolve to remain watchful against defaults in the future.

q) The following individuals shall be liable to chastisement involving automatic boycott :

1. Anyone maintaining relations or communion with elements antagonistic to the Panth including the minas

(reprobates), the masands (agents once accredited to local Sikh communities as Guru's representatives, since discredited for their faults and aberrations), followers of Dhirmal or Ram Rai, et al, or users of tobacco or killers of female infants;

2. One who eats / drinks left-overs of the unbaptised or the fallen Sikhs;
3. One who dyes his beard;
4. One who gives off son or daughter in matrimony for a price or reward;
5. Users of intoxicants (hemp, opium, liquor, narcotics, cocaine, etc.);
6. One holding, or being a party to, ceremonies or practices contrary to the Guru's way;
7. One who defaults in the maintenance of Sikh discipline.

r) After this sermon, one from among the five beloved ones should perform the Ardas.

s) Thereafter, the Sikh sitting in attendance of the Guru Granth Sahib should take the Hukam. If anyone from amongst those who have received the ambrosial baptism had not earlier been named in accordance with the Sikh naming ceremony, he should renounce his previous name and be given a new name beginning with first letter of the Hukam now taken.

t) And finally, the karhah prashad should be distributed. All the newly launched Sikh men and women should eat the karhah prashad together off the same bowl.

Chapter XIII - Method of Imposing Chastisement

Article XXV

a) Any Sikh who has committed any default in the observance of the Sikh discipline should approach the nearby Sikh congregation and make a confession of his lapse standing before the congregation.

b) The congregation should then, in the holy presence of Guru Granth Sahib, elect from among themselves five beloved ones who should ponder over the suppliant's fault and propose the chastisement (punishment) for it.

c) The congregation should not take an obdurate stand in granting pardon. Nor should the defaulter argue about the chastisement. The punishment that is imposed should be some kind of service, especially some service that can be performed with hands.

d) And finally an Ardas for correction should be performed.

Method of Adopting Gurmatta

Article XXVI

The Gurmatta* can only be on a subject that affects the fundamental principles of Sikh religion and for their upholding, such as the questions affecting the maintenance of the status of the Gurus or the Guru Granth Sahib or the inviolability of Guru Granth Sahib, ambrosial baptism, Sikh discipline and way of life, the identity and structural framework of the Panth. Ordinary issues of religious, educational, social or political nature can be dealt with only in a Matta. **

* Holy resolution

** Resolution

A Gurmatta can be adopted only by a select primary Panthic group or a representative gathering of the Panth.

Appeals against Local Decisions

Article XXVII

An appeal can be made to the Akal Takht against a local congregation's decision.

SIKH SYMBOLS AND CONFORMISM

Sirdar Kapur Singh (1973)

Sardar Pushpinder Singh Puri has written a very interesting and informative article in the February issue of the Sikh Review. He informs us that the younger generation of Sikhs in Canada defines Sikhism 'in a slightly different way than it is defined in the native Punjab.'

He goes on to tell us that there, in Canada, 'a Sikh especially the young one, considers that so long as he expresses his faith in the teachings of Guru Nanak to Guru Gobind Singh and considers the Guru Granth Sahib as the holy scripture of the Sikh religion, he is a Sikh.' He goes on, 'the hint is clear, he is not prepared to accept the traditional physical outlook (sic) of a Sikh, which was made compulsory by Guru Gobind Singh by imposing on the Sikhs the five Ks. He advocates the essence of Sikhism in the script and soul and not in the physical requirements.'

The writer concludes the point by informing us that the young Sikh in Canada 'pleads that the need of the time is different and that to fit in the Canadian pattern of life we will have to look like others.'

Mr. Puri offers an apology for all this by adding that, 'though the faith from tradition is shaken, faith in Sikhism stays.'

While it is possible to understand and even appreciate the attitudes of the younger generation of the Sikhs in Canada and elsewhere outside India, it is not easy to accept it either as logical or as otherwise capable of defence from the point of view of the Sikh doctrines and the historical role the Sikhs are required to play according to the vision of the Gurus.

The psychological need to look like others who are in a majority and also in a position to impose their approval-judgements on a strange minority amidst them, is all too obvious. The writer of these lines, while a student at Cambridge in the Great Britain during the forties of this century, was personally made aware of this social stress for a number of years. But the more he has thought over this question, the more he is convinced that those who surrender to the foreign social ethos of non-Sikh societies neither display any exemplary integrity or strength of character, nor much proficiency in logical thinking and nor even practical wisdom. Conformism is the easiest response to antagonism and stresses of a social and emotional character such as the presence of a strange minority in foreign social surroundings generates. Conformism releases an individual from the terrible tension of being different from others all the time, in a foreign social atmosphere, but when this has been said, all has been said in favor of the attitudes of the young Sikhs in Canada and elsewhere.

Firstly, it is not easy to sympathize with a point of view which arrogates to itself the authority to define Sikhism, 'in a slightly different way,' from how it has been defined by the founders of Sikhism and the collective national consensus of the historical Sikh community. This arrogation is escapist cowardice, if words are not to be minced. It would perhaps be less presumptuous and more honest to adopt and declare an attitude of a personal incapacity to act upon and sustain the true definition of religious requirements than to assume the competence to 'redefine' what ought to be the true Sikhism. Heresy, apostasy and defection from a religion are more honest names for the attitude that underlies the claim to 'redefine' a religion. Those who shirk from calling a spade a spade and do not admit this truth to themselves merely push their personalities into emotional conflicts and complexes which do more damage to themselves than the gains they seek to achieve by the circuitous path they thus follow. Is it more profitable from the point of view of individual himself to be utterly honest with oneself and admit what he really intends and does, or is it a cleverer or wiser path to conceal the true contours of one's own hidden urges and temporary emotional problems such as arise in the case of Sikhs when they try to transplant themselves in a social milieu altogether strange from, if not hostile to, the fundamental insights into Reality, represented by the religious way of life of their ancestors? Any psychiatrist or a psychoanalyst practitioner will not hesitate as to what advice to give under the circumstances. By arguing falsely that while they are actually defecting from Sikhism they are merely 're-defining' it, is to create greater problems than those which are sought to be solved. This is one important aspect of the problem to be seriously considered by the younger generation of Sikhs in Canada.

The second point, which is no less important for them, is that in Sikhism, unlike many older religions such as Islam, Mahayan Buddhism, and certain varieties of Christianity, mere verbal assent to a faith is of no avail. The young Sikh

in Canada seems to think that he has the capacity and authority to separate the essence of Sikhism from the formally non-essential, and that thereby he achieves access to the kernel of religion and discards the husks. What that 'essence' and 'kernel' is, he alone presumes to be the final judge of it. It was maintained in the past, in the older religions, that if a votary of religion just makes a true and unreserved assent to a certain verbal formula, which was supposed to enclose the 'truth' of that religion, the devotee was automatically saved thereby. >From Guru Nanak to Guru Gobind Singh, constant and repeated stress was laid on the divergence of religious stand of Sikhism on the point, namely, that the essence of religion is not the dogma or the formula, for, what people think is relatively secondary; what matters is the true substance of the dogma and the formula which is expressed in the acts of men and not in the mere words or utterances of men. This, incidentally, is the new movement of humanism where Catholics, Protestants, and Marxists move in common disregarding different formulae and ideologies that separate them. This central truth of Sikhism is enshrined in the revelation of Guru Nanak himself,

galli[n] bhist[i] na jaii chhuttai sachch[u] kamai

"the goal can be achieved only through the deed and not the word." [1]

It is obvious, therefore, that the very claim which the young Sikhs of Canada thus make of redefining Sikhism for themselves is not only highly presumptuous, but it also constitutes a defiance of the starting point of Sikhism. Thereby, these young Sikhs do not accept or practise Sikhism, but repudiate and defect from it. It is necessary for the young Sikhs to be clear in their minds on this second point also.

The last point to bear in mind is as to what culture, which includes the practice of religion, consists in. In the UNESCO sponsored book, *Traditional Culture in South East Asia*, the following definition of culture is given:

Culture means the total accumulation of all material objects, ideas and symbols, beliefs, sentiments, values and forms which are passed from one generation to another in any given society.

The belief, therefore, of the young Sikhs of Canada that they can diverge from the culture of the older Sikh generations nurtured in Punjab and yet can remain whole Sikhs is shown to be altogether fantastic when this definition of culture is kept in view. What the young Sikhs of Canada are doing is not a continuation of the culture of their ancestors but a hiatus and a break from the culture and let there be no mistake about it. No matter how unpleasant and unpalatable this truth sounds to the rebellious young mind planted in the current chaotic, moral and spiritual, atmosphere of the Western societies, it is the truth.

The keshas, the turban, the iron bangle and all these details which keep the Sikhs and the Sikh life separate from the majority of mankind surrounding them, are of the utmost spiritual importance when they are properly considered. They are the fence surrounding their daily life, they are not the daily life itself. They make it possible for Sikhism to survive, but they are not the reasons for that survival.

The Sikhs from Punjab, who during the unsettled history of the community during the eighteenth and nineteenth centuries, settled in U.P. and Mysore and other parts of India, were completely submerged in the surrounding sea of Hindus by the end of the nineteenth century as soon as they gave up their peculiar Sikh symbols, and outward Sikh forms. They even forgot their origins as Sikhs and it is only now, during the last twenty or thirty years, that evidence has been dug up and discovered from the past memories and other bits of evidence concerning these communities that they are originally Sikhs from the Punjab. The sturdy Sikhs from the Punjab who settled in the early twentieth century in South America, Argentina, Brazil and Mexico, have been almost completely submerged into the majority Catholic Christian community by the middle of the twentieth century once they abandoned their peculiar religious symbols.

It requires no prophetic insight to know the fate of these young Sikhs in Canada once they abandon the peculiar symbols of Sikhism ordained by the Guru himself to whom they profess their total allegiance in this world and the next. This fate shall be no different from the fate of those who turn their backs on the Sun in whose light they hope to walk and move about.

True, Sikhs remain Sikhs inspite of every pressure and temptation, because it is basically good and satisfying to be a Sikh and not because they are forbidden to shingle or shave or to smoke the deadly nicotine poison. And, it is basically good and satisfying to remain a Sikh because of the deep spirituality and the profound faith in the Word of the Guru, and not merely because of observance of certain forms or verbal assent to certain formulae. But this neither detracts from the vital relevance of these forms and formulae to the all-important question of ultimate survival, nor authorizes any one to deviate from or redefine Sikhism as originally revealed by the Gurus. Such a stance is simply impermissible as well as dangerously unwise.

When at the location of present-day Muktsar the Sikh elders of Majha, in 1706 A.D. presumed to request Guru Gobind Singh to reshape his posture towards the political power by 'redefining' Sikhism, the response of the Guru was sharp and to the point: Sikh hovat lebe updes[i]. devat ho biprit vises[u], [2] "a true Sikh hears and obeys but you are cursed and contrary and presume to advise and guide the Guru."

The present age calls not for prohibitions, it is true, but for positive contribution of religion though conditions necessary for preserving the ethos and the milieu out of which that contribution is most likely to come, must also be preserved and sustained with utmost care and devotion. One cannot live without the other and this is the arcane meaning of the part of our congregational prayer in which we ask from the Unseen Power that "each Sikh may be given the strength to remain steadfast in his faith in Sikhism upto his last breath on this earth with his sacred hair and symbols unmolested."

The Great Samkracharya taught the fundamental classification of human activity and goals into two categories. The preya thoughts and actions are those which give easement to immediate stresses and problems and lead to the passing pleasures of life. The shreya actions and attitudes in life are those that ultimately lead to enduring satisfaction and spiritual achievements. The claim of religion is to teach men to sift the preya from the shreya. The path which the young generation of Sikhs propose to tread in Canada and elsewhere is the road to the preya mode of life. The path which Sikhism claims to show men is the shreya mode of life. When one is young and feels the pulsations of bewitching spring of sensations and pleasures as the only real thing in life, one is irresistibly drawn to the preya. But when the hectic pulls of sensations and passing pleasures weaken and are slackened and the mind matures and gains strength for appreciating and pursuing enduring values of life, then it is the shreya path which appeals to properly cultured human mind. Throughout the modern western societies, in which are to be included the Communist forms of societies, there is evident the uncontrolled yearning for the preya to the exclusion of the shreya. But this is only a passing phase. As the signs already indicate on the horizon, the mankind must turn its face to the Sun of religion as refuge from the uncertainties and frustrations of the modern western way of life.

Sikhism and its formal life represent the Light to which mankind is destined to return sooner or later and it seems, sooner than later. Has not the Guru prophesied this in the Sikh scripture itself that the eternal Truths of religion cannot be finally abandoned by man: eh vastu taji nah jai nit nit rakh[u] ur[i] dharo. [3]

[1] Var Majh, Slok, M 1, AG, 141.

[2] Sikh hovat lebe updes[i]. devat ho biprit vises[u],

[3] Mundavani M5, AG, 1429.

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NOTES ON ART AND PERSONALITY FROM THE SIKH VIEWPOINT

Puran Singh

First, life. Then, its expression. The plum and the peach, if they are alive, must burst into a white universe of flowers when spring comes. Out of every bud a stream of flowers flows and engulfs them entire. The living peach and plum are thus at that moment unconscious of any outer universe but of their own flowers. This spontaneous expression of the mystery of life, at once so metaphorical and symbolical, gives us a way to approach art. All art activity is silent and intense in the depths of being. The moments of its expression are like the visits of angels few and far between, but its labour at the roots is continuous. And something happens, may be after centuries, after aeons, when all of a sudden, it bursts out into a rain of flowers. What is spring to trees, is inspiration to human race. And it is worth while to put up with a thousand winters for the sake of one day of blossoming as in spring. The highest and most perfect individual is he who brings this spring of inspiration to man. Being anything or any person below this perfection is of no abiding interest to art and the artist. Touched by His breath, the dead and the dying, the mean and the wretched, the sinful and the poor, spring into rage and become perfect and beautiful in a moment. This strange but oft repeated cosmic phenomenon of Nature is generally forgotten by us. The best literature, the best art, the most creative art-impulse of any race, at any time of human history, as to-day always rained and rains from Heaven on man, Greatness flows to him. And the creations of that wondrous period of his inspiration become the noble classics of the human race, in all aspects of its social life. Music, dancing, poetry, painting, sculpture, came out from happy and freed hearts, as the golden oranges bend with their profusion the delicate boughs of the orange tree. The golden harvests then ripen in such abundance that for centuries man reaps them and they still stand there waving in their original glory. For ever, a dream beautiful. This dream lasts for ever. The ideals pervade life. And life grows. There can be no democracy in the soul of Art. 'Democratic Art' is like the growth of grass in the meadows with a few tiny blue bells dancing. It may be pretty, but just pretty and nothing more. Art must agitate our souls. It must churn the blue ocean and, out of it bring a new sun and a new moon for the human race. Anything short of a cosmic upheaval of the soul-consciousness of man as a whole race, its uplift as a whole race even to a few inches higher from where it was, is imitation, not genuine art. Imitation has its uses in schools as forms of training but that constitutes no grand expression of the Divine Inspiration. Slaves alone appreciate microscopic drops on the lotus leaves, the freed men play with the sea and the sun and the moon. Till Beethoven gave his symphonies, all thought their music was perfect. One freed genius freed human thought to a new infinite perspective of the art of music. But Beethoven brought it out of his own soul. Beethoven starts a new epoch in himself. I do not think kingship of any kind is greater than this absolute despotism of an inspired man who opens a new subjective universe before us. Now, painters painting Beethoven's symphonies in colour is criticism of art, not art. The bold and astonishing originality, as I have said, man-transmuting originality, is the first sign of the true artist. Mr. Okakura is rightly bitter against imitation when he says, "Imitation whether of Nature, of the old masters, or above all of self, is suicidal to the realization of the individuality, which rejoices always to play an original part, be it of tragedy or comedy in the grand drama of life, of man and of Nature."

Rich kingship of soul flowers. The artistic consciousness is free, freedom follows. And in a great sense it is true that nothing can make man free but art.

I quote Okakura again when he says so beautifully, "Fragments of nature in her decorative aspects, clouds black with sleeping thunder, the mighty silence of pine forests, the immovable serenity of the snow, the ethereal purity of the lotus rising out of darkened waters, the breath of starlike plum flowers, the stains of heroic blood on the robes of maidenhood, the tears that may be shed in his old age by the hero, the mingled terror and pathos of war, and the waning light of some great splendour—such are the moods and symbols into which the artistic consciousness sinks before it touches with revealing hands that mask under which the universe hides. Art thus becomes the moment's repose of religion, or the instant when love stops half unconscious on her pilgrimage in search of the Infinite, lingering to gaze on the accomplished past and dimly seen future—a dream of suggestion, nothing more fixed—but a suggestion of the spirit, nothing less noble." With this ideal of Art before you, you can now pass before your imagination's eye, the glorious pageant of the Asiatic life that was inspired by the yellow-robed perfected humanity of Lord Buddha. The Buddhistic Art, that blossomed like the flower-floods of that Asiatic spring, is the symbolic and metaphoric expression of the inner sovereignty that was experienced by the poor and the rich alike. The Lotus Throne of Buddha, in fact, became the lotus throne for everyone. If it was democracy of men, each seated on his throne. Lord Buddha was not one of this democracy of the Spring. He was the hidden secret of the Breath of Spring, which made the blossoming of all with that miraculous suddenness possible. To Buddha raised every flower his crown and song in utter thankfulness and all submitted absolutely and unconditionally in joy of the Pure. And sister Nivedita thus sums up in her beautiful words the atmosphere that the Buddha created by his personality. "To him (Okakura), it is not the ornamental or

industrial features of his country's art which really form its characteristic elements, but that great life of the ideal by which it is hardly known as yet in Europe. Not a few drawings of plum blossoms but the mighty conception of the Dragon, not birds and flowers but the worship of Death, not a trifling realism however beautiful but a grand interpretation of the grandest theme within the reach of human mind, the longing and desire of Buddha-hood to save others and not itself—these are the true burdens of the Japanese Art.”

So we see how birth of the Buddha in India agitated the soul of Asia. The life of the Asiatic races of China and Japan was inspired by the Buddha. So true Artistic expression of the soul-consciousness of a people is not so much in the nature of an *acquired achievement* as the spontaneous outflow of a spiritually rich self-realization.

The Gurus have altered our ideals of inner self-realization. “Know Thyself”, is only partially right. The true artistic consciousness or religious consciousness blossoms in its own inner beauty when the inner self of man and the outer self of nature unite. Both partake of Reality which is beyond both. This union is rare and is not an individualistic but a cosmic phenomenon of life. Those who sat in caves, and meditated and found God in their soul, the so-called *Yogin* idealist, the *Zens* of Japan, were not truly spiritual; they were still intellectual, the abstractionists, poor moralists who set themselves, in pride of intellectual abstraction, as gods. On the other hand, those who rejected the subjective realities and sought Truth only in the outer objects and their beauty as realized by the senses, the so-called Realists, also were intellectual Their art too, wholly intellectual, touches in its rare flights the spiritual. There is thus no difference between the Greek ideals of old and the Art-ideals of the East *which are based on metaphysics*. The Greek sculptor rejects human flesh and endeavours to realize his ideal man in Apollo through the imagined pure medium of marble, it is as intellectual a representation of reality as of those who carved the images of the ecstasy of Lord Buddha in the large statues of stone. In fact when artistic consciousness wishes to express itself that way, it assumes the intellectual expression only. It can get to no other, because, after all, it is the intellectual sympathy that the artistic expression wishes to create. Hence it is that the Gurus do not consider *artistic expression* which needs must be intellectual. They insist first on artistic life and most on artistic inside, on the flame of inspiration burning within at the centre. The rest must follow. According to the Is, the spiritual expression of personality can only come through feeling born and bred in the human flesh. Human flesh is the imperfect medium through which the Gurus wish to express the Perfect. Beauty is neither outside, within the reach of the realist, nor inside, within the reach of the idealist, as both are seeking an intellectual abstraction. It is beyond intellectual abstractions, in the actual subjective spiritual union of the spirit of man with that of the universe or Nature. This union takes place rarely as a cosmic phenomenon. And the whole life waits for its happening. And as planets revolve without haste, without rest, so we men have to go on waiting for that great spiritual fulfilment through all our pursuits of pain and pleasure, of vice and virtue, of intellectual realization and of emotional expressions of extraordinary moods of ourselves, till we meet Him—the Artist. Our True Spiritual Religion and Art start after meeting Him, for He is so beautiful that however we may will otherwise we cannot thenceforward forget Him. Near Him or away from Him, we live in aching remembrance of Him. This aching remembrance is our religion, we cannot but be religious after seeing Him. We are driven to be religious. Aching remembrance is spontaneous in the inspired ones when they are away from him. The moments of union are rare and so love, according to the Gurus, is but aching remembrance. It is very unlucky that, according to the Gurus, there can be no religion and no art for you till you have met Him. So, all the Gurus condemn ceremonial, theological routines. It is better to freshen the soil with a few furrows, than to go to a temple to pass through a routine which has no meaning for an unawakened soul. As the expression of the life of disciples can only be spiritual; so the art of the Guru is creation of the Divine Personality out of the Human Substance.

Human flesh that is radiant with life, vital, vitalising nectarian, immaculate, beautiful is the only medium for the artists of aching remembrance. And the chief aim is to make the human flesh worthy enough for enclaying God in it, all else is mere means.

I start all kinds of arts. From my eye, let Leonardo da Vinci remember the eyes of Christ. From my tresses let them remember the braids of Jesus. I not only ache with remembrance, but I produce the same aching pain in others. I am, as the Guru says, the legion. I refuse to be only one flower like the Brahman intellectual. I aspire to be the spring. My own salvation is not what I desire. Let all be saved. “Save them through whichever door of mercy thou mayst choose, O Lord!”

“My disciple is he who aches with love and makes others ache with love.”

O Sikh youth of the Punjab ! I hang my head in shame when I see you buying and selling ugly, obese, flesh-coloured smudges of ink blue and red and yellow, with no eyes, no head, no hands and feet, as the portraits of your Gurus who bestowed Buddhahood on many of their disciples. You read this in your history. No one ever, in the first 500 years or more after the Buddha, painted or sculptured Him. They only had a ladder with steps of the Buddha painted or sculptured on the rungs. This was all the portrait they made of their God. For five hundred years or more of *Dhyani* worship, they lived in silence about it, till they saw the Buddha in *Dhyani* and with that divine aching remembrance becoming ecstatic they met Him. And now, however intellectual a phenomenon, how soothing it is to the soul to look at the ecstatic bliss of *Dhyani Buddha*; the appreciation of the *Dhyani* creations is fugitive.

When I stand before the pictures you call those of the Gurus, I feel as much disgusted as when I look at the ugly idols of Krishna of the Hindus in the temples of Vrindavan. You will be killed by this mean imitation of others' passion. Because Christians have been lucky to illustrate the Bible by the paintings of Italian masters, you must also imitate them to make your religion popular. Woe unto that religious preaching which needs the support of such soul-less imitations. For goodness' sake, burn all your canvases and throw your brushes away. You are not yet risen to the level of men and the craft of the artist is far above your reach. You are not yet able to grasp the essentials even of the intellectual appreciation of the Art of the Beautiful. You need yet learn how to wear a pearl necklace and how to adorn yourself. You must needs be decorated and beautiful to go and dare approach the Beautiful.

I have always thought that as there has risen no new Chaitanya in Bengal, the Bengal school of art is only a farce, an imitation. I feel spiritually happy when I look at the reproductions of the Ajanta cave frescoes, but I am disgusted with seeing the obliqueness of the paintings of the Bengal School, which is merely a mental concept. The imitation of such a specialised and delicate, almost spiritual, technique as of the Ajanta devotees, so apparent in the Bengal School, is sickening.

From the kind of pictures, however, you the Sikhs of the Punjab love, I feel that your soul of art is dead. You fail to show even the instincts of a spiritual aspirant. Pray, be silent, till life gathers in you and bursts out of itself. Till then it is better to cry than to go on rhyming 'him' with 'dim' and call it poetry of any kind. It is better to weep silent tears of prayer than to sing your hymns with the bass sound of the leathern harmonium. It is far more artistic to have a clean house, with pure, snow-white, lime-washed walls or even mud-washed as of the *Janjlis* of the Punjab *bars*, than to hang up the headless Baba Deep Singh Shahid, as you say, with so much unregenerate flesh lumps with that label. Sickening! And you all stand and stare at your walls saying, "what a martyr!"

Let me tell you frankly, your outlook is much too dirty, dusty, weary, busy-bodied, to be anything near the sources of the creation of artistic forms or literature of any kind. All your monthlies are only fit for the dung-heap. Most of us calling ourselves literary lions are but dust-bins in which gathers the dirt of the worldly-wise. People who are spiritually or artistically rich in any way preserve themselves. They shudder at the idea of self-spending in worldly pursuits. They prefer death by starvation to living by deceiving people on a smaller or larger scale.

The philosopher seeks purity in the mineral, more than in the animal kingdom, little knowing, that perhaps what he calls sin in man is more precious a virtue than the dead glitter of gold. Of course, all organic things rot; man too, woman too. But rotting itself shows more life, when I see the oxen eating and eating straw, I look at them for long, since this act of gluttony, when they have such large bodies, is the highest spiritual act, compared with the non-eating of a huge boulder. Senses and their excitements and pleasures too, of animals, including the human animal, are, from this viewpoint, highly interesting spiritual acts. I think the bullock is a saint when eating and the cow when licking her calf. When one prefers the beauty of a snow peak to that of the white brow of a maiden, he shows inferior spiritual taste. Life interests the artist, and not the dead conceptions of it, however grand and sublime they may be, so to say, to look at. The face of the man, more than the sparkle of the diamond. To the artist, the goat that eats grass, gives birth to a kid, and suckles him, is more spiritual a phenomenon than the sunset or the sunrise or a hundred fleeting colours of the sky; the latter are no use, except to choose from, for the colours on his brush to paint a goat. For him nature is diffused, dim personalities in the making and man the spiritualised, sublimated image of it. And he flies, seeking the purity of the union of soul, both to man and to nature. His feelings are personal. And his art converts the universe into the deity of the temple of his heart. Well does Victor Hugo say, "Reduction of the whole universe to a single being and expansion of that single being to God is love." Diamonds and rubies, pearls and gems, art-creations in marble and in colours, the flower and the fruit, are in the hands of artists just a beautiful alphabet which has its full meaning only when it spells the name of the Beloved, This is the great spiritual motif of the Guru's Ideal of Art.

The Guru contemplates on feeling. "Feeling is all in all". Man is conceived as feeling in flesh, as divine act in flesh, as God's word in flesh. And while feeling creates its own new forms, imitation cannot. Imitation is like making dead statues of marble. It is of no interest to the artist of the Guru. Imitation is repetition that has no meaning. The way Potiphar's wife falls in love with Joseph is beyond all repetition.

The Buddha coming between the doe and the hunter, is the final form of that feeling. Jesus saying to Mary "Go, woman, and sin no more," and puffing the Pharisees to shame shall for ever remain above all following.

Mohammed's weeping like a man on the grave of his slave, Sayid, is unique. Omar's way of treating his slaves on an equal footing with himself is beyond all imitation. No one after them in the Moslem world can be capable, in that way, of divine democratic feeling.

Guru Nanak is glad to see feelings being sculptured like this in human history. But he is sick of men who wish to imitate and follow, and be but dead quotations of great things. To the Guru, the human history is the history of such feelings, the rest is of no consequence at all.

It is not quite true that beauty is all within me. Beauty is equally all outside me. But what is true is this, that it is vain to fly after the beauty outside me to possess it. I must receive the supersensation of beauty and absorb it into my blood. One who breathes beauty is an artist, according to the Guru. Man should be the most effective shock-absorber of the self-sensations of beauty. The Guru says, "Eat thrills, absorb joy and be more beautiful than all outside beauty." Man perfected by devouring the lightning flashes of the whole cosmos scintillating with beauty, is invoked by Guru Nanak. His ideal artist is Christ, Buddha, and not the one who makes images of them in colour or stone. The latter is the representative appreciation of this spiritual artist as if by the people. It is the intellectual critic that expresses himself in marble or in colour; all so-called art below that is but purer form of mere criticism. The so-called art is the excitant of higher moods in which one is made capable of true appreciation.

Guru Nanak says, the truest self-restraint that transmutes corruptible flesh into immaculate flesh is born of glorious rapture of the Beautiful in nature and in man. Thus *Simrin* is more artistic than the so-called 'ethical.' Once the human flesh is made immaculate by *Simrins*, Guru Gobind Singh calls it '*Kanchan si Kaya*'—flesh as immaculate as gold. It is worshipful. It is the highest and the noblest art creation. From that standpoint, where flesh by the solution of God's music in it has been transmuted, the Guru condemns both the contrition of saints at the sight of human flesh and their self-abandonment and flesh-mortification and their getting to God through penances; and he also condemns all the pleasures which result in self-putrefaction of human flesh. Hence His ideal of spontaneous self-restrains, effortless effort to chisel one's flesh into the immaculate beauty of the divine. Such spontaneity of the life beautiful and magnetic, is freedom. According to these standards of the Guru, the flesh is made evanescent on the artistic creation of a perfected man, the Temple of God.

Nothing dies. The voice that I have heard, I shall hear again. The eyes that have looked alive once, shall gaze into my eyes again. That intense imagination which can bring before the vision's eyes the face of the Beloved, as the regions of hell and heaven rolled before Dante's eyes, it is intense imagination which is the essential quality of art. And such imagination is not speculative at all, it is the artistic carver of the myriad images of the Beloved.

To get rid of the nausea of visible physical putrefaction of human flesh that is the result of sensual pleasure as sought by the Romans and to get a cure for the sickness of the intellectual putrefaction in mental moralities, as sought for by the Aryan and Non-Aryan priests, it is certainly soothing to look at an ideal woman shaped in marble, almost made a goddess by the Greek sculptors. The woman in the street disgusted the intellect and the woman thus sculptured out of the imagination of the artist recreated the divine worship. It must needs be offered to the real woman. The meanest flower gains unsurpassable beauty when touched by this feeling of worship. A green leaf, touched by Mary Magdalene for her offering to Christ, becomes invaluable. All great art must be similar revelation of feeling, deep and mute and alive, as lightning asleep in the cloud. Then, it may lift a leaf or a flower or cast just a glance; it is the incessant creator of the Beautiful that it has seen.

Just as metaphysics was an intellectual attempt to soothe the ruffled intellect, so were the arts of sculpture and painting, the intellectual attempts of human genius to soothe the disgusted feeling. And a well-carved image of even a prostitute in marble soothes us, while the vileness of a prostitute in life may irritate us. Seeing the painting of a lovely woman, we may fall in love with her for a whole lifetime though if she be found in life it may be difficult to live with

her for a day. Art, thus, is contemplation of the Beautiful by the artist as an unattached witness. This contemplation lifts us above ourselves, above body and mind, and elevate our consciousness; it beautifies our vision. Through art, we see beauty everywhere. A rain of beauty seems to drizzle. Everything grows beautiful. In this bliss of *Nirvana*, the body is not remembered by the buddha; his peace overflows and engulfs it entire. Now, an artist, who has to give us an image in stone of that self-realization, has to ignore the physical. It is wonderful that *Dai Butsa* of Kama Kura sends a thrill of a living awe of the great person of Lord Buddha, and one never knows that He had a body like us. I stood entranced before *Dai Butsa* at Kama Kura, and I only contemplated and contemplated with dosed eyes all open and with open eyes all closed and I saw nothing, and felt nothing physical but only inner peace. Only holiness. Only a strange life shining in the crest jewel that the Buddha's great statue bore, on the glorious knot of his Nepal tresses. Surely both artistic contemplation as in art forms and metaphysical contemplation of man and nature as in mental abstractions are essentially intellectual appreciations only of the Divine that the Buddha realized. The Guru says, if one has that artistic attitude continuously with one, looking at all living things and dealing with all living things in that spiritual sense, then the true art becomes manifest. And who is the greater artist, one who looks at many living things and vibrates in sympathy with them, or one who, to start with, renounces them and then writes poems comparing the quivering of the petals of a rose to the trembling of the petaline lips of a bride that is waiting for her bridegroom? The Hindu *Brahman* seeker renounced his wife and children and sought their likeness in imagined gods, and in suns and stars and trees and rivers and birds, for, in spite of him, they all went with him wherever he went. And the Greek artist renounced his gods in flesh only to find them in marble. Renunciation in both cases was a meaningless vanity; neither got the peace of formlessness, for the one had a form and a frame himself and he could not jump out of his skin, and the other had not the peace of loneliness to contemplate perfection in marble, for, his creations still smiled even in death.

The Guru says, human flesh rots without 'Naming Him.' The state of spiritual immortality is of perpetual youth when man becomes a lyric of love. When one reaches the spiritual depths of the soul and lives attuned to that wondrous richness of the ecstatic life, no misery of whatsoever kind, no suffering how acute, no sorrows how gnawing, can dim the lustre of the smile of that great deep, musical life. It indicates poverty of the spiritual inner life, when the ideals of art or religion seem to incline towards the purity of the marble or the spotlessness of light, except as an intellectual excitement to the realization of the spiritual beauty of the flesh. The black stains of sin on the white apparel of the sinner have more of perfection, if the sinner be made more beautiful of soul thereby. The one diamond shines amidst numerous particles of sand. Saint Francis kisses the leper's wounds, while a man, poor of soul, flies from the sickness to save his life from infection. The other day, when the influenza, epidemic raged, men and women were dying like flies, and some of my dearest friends were lying down with it and no one to look after them. I was down with the physical infirmity. I only wept. My tears called to the unknown St. Francis of the Sikh Punjab. "Puran, I will go and look after your friends!" Apparelled in a white silk gown, an old man beaming with the youthful joy of a new bridegroom of eighteen, goes. He goes and beats with his stick the influenza out of the bed of my dear ones. He sits with them, lies with them, the inner magnet of his attracts the disease out of them to himself and in himself burns a conflagration in which all bacilli die. Immaculate, he comes out and he saves a few lives. Unless this great flame burns within, a mere fatalist is stupid, for he idly courts death. The real victor defeats death and foils the 'foes of the life-spark.' Jesus heals the leper, St. Francis kisses him. There is difference in the inner potential. When one is rich within, of soul, of spiritual life, when one is the veritable King of Glory, one does not despise frail mortal forms to which life clings so tenaciously. The Buddha accepts the invitation of a courtesan, while lovers of God and soul that imagine such realities in an impersonal light fly from such 'moral filths.' He was attracted by the perfection of life that trembled on the lips of the courtesan, the lips that invited him. These distinctions of virtue and vice are unreal to the poet's mind, who is looking at deeper levels of life where there is perennial beauty, music and love. The surface veils part like clouds that are torn asunder with such splendour by the rising sun, and the eye, enamoured of life's mystery is red with wonder that sees but can never voice it forth!