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'Just another riot in India': remembering the 1984 anti-Sikh violence

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In this article,[1] I aim to problematize the 'riots' label that defines the 1984 anti-Sikh pogrom following Prime Minister Indira Gandhi's assassination. Focused in, though not limited to Delhi, the pogrom included the death of approximately 3 000 Sikhs, the destruction of homes and gurdwaras, and mass rape. By remembering the attacks as 'riot', both the government and the public depict the violent acts as unorganised and spontaneous mob activity, trivialising the systematic nature of the pogrom and denying central government and police complicity. This effectively silences the victims who have yet to earn any recognition or rights as victims, including death certification and arrests of perpetrators. Using interviews, unpublished police reports and court affidavits, I explore the ways in which voices are silenced for the sake of preserving national integrity, and how national narratives can continue to oppress victims.

1 I was able to complete this research with funding from the University of Southern California and the direction of many scholars, especially Dr. Wolf Gruner. I would also like to thank all those whom I interviewed, some of whose names have been changed for anonymity.

On the morning of 31 October 1984, Prime Minister of India, Indira Gandhi, was walking to her office when two of her bodyguards stopped to first salute and then shoot her. After receiving thirty-one bullets in her torso and arms, the Prime Minister died almost instantly. Her bodyguards, both of whom were Sikhs, were reacting against against her organisation of an armed attack on the holiest Sikh temple, the Golden Temple. This attack, known as Operation Blue Star, occurred just months before Indira was shot.

In the months before the assassination, Indira and her Congress Party had worked hard to convince the Indian public of the threat Sikhs posed to national unity, as she campaigned for upcoming elections. Her assassination by Sikh bodyguards confirmed fears of Sikh sedition and separatism in light of increasing Sikh militancy. By the morning after the assassination, on 1 November, mobs combed the streets of many of India's urban areas, especially across the north-eastern region along the Yamuna River, for Sikhs – killing, attacking, looting, and raping thousands. The attacks quickly became very personal, so that, even though Sikhs are and have always been Indian, perpetrators systematically burned gurdwaras, destroyed scriptural texts, and either spat or urinated on religious artefacts. Sikh men wear long beards and turbans, as unshorn hair is a symbol of faith for Sikhs, and perpetrators would often pull on beards, knock off turbans, and even scalp Sikh men. Meanwhile, Sikh women faced humiliation, sexual harassment, mutilation, abduction and rape during the pogrom.

Led by Congress Party members and state ministers who provided weapons and directions, perpetrators systematically targeted Sikh persons and properties with access to local buses, address lists, and even local police assistance. Judging from figures in official reports, over 2 500 Sikhs died in the capital Delhi in the three-day pogrom.[2] The real death toll is likely to exceed this number, as it does not include cities in eastern and southern India and is still based on faulty police reports.

Following the massacres, the ruling Congress Party failed to acknowledge the violence as organiszed or take any responsibility for any minister's involvement. Victims still struggle to relate their stories in courts and media outlets and have failed in convicting complicit government leaders. The ruling Congress Party remembered the violence as a 'riot', and as such the government can refuse

2 In 1984, Lt Governor M K Wali officially announced 458 deaths in Delhi, although the Ahooja Committee of 1987 arrived at an official estimate of 2 307 deaths in Delhi. However, this was also in contention with the Citizens Justice Committee's own estimate of 3 949 deaths. It is important to note that all three figures estimate only those deaths in Delhi and there is no report about the total death toll nationwide ('458 killed in riots, admits Wali,' *Indian Express*, Nov 5 1984, 2). Ahooja's (1987) report lists both its own and the Citizen Justice Committee's conclusions.

to take responsibility for what it explains as ground-level disorder beyond the control of the government or police. Currently, the label '1984 anti-Sikh riots' persists in public consciousness to cover up Congress's involvement in organising and promoting the violence.

In this article, I explore how this narrative of violence as 'riot' was constructed from the 1984 anti-Sikh violence, and the ways in which 'riot' silences contesting narratives of pogrom. While 'pogrom' implicates the governing body for responsibility for this violence, riot preserves national integrity, though still rendering silent survivors who have yet to earn recognition or rights as victims. Victims of 1984 still seek to gain status as victims not of rioting, but of violence organised by agencies of the executive power – as victims fight in court for due compensation, not state welfare. I focus on the institutional memory of 1984, beginning first with the Delhi Police's records and characterisations of the events and, subsequently, the incumbent Congress Party's appropriation of the police narrative into their own public rhetoric. This shared police-Congress narrative of 'riot' has come to inform the remembrances of witnesses and victims as survivors who then place their own memories within this national narrative.

This discussion is limited to institutional memory and its influence on the individual's memory, because a longer argument on public memory, including the effects of media and journalism, popular culture (film, novel, celebrity), public memorialisation, or religious leaders (Sikh leaders, in particular) is beyond the scope of this paper. This article is also limited by a lack of available historiography on the subjects of the 1984 anti-Sikh violence, trauma and memory in South Asia, and problematizing 'riot'.[3] For this purpose, I rely heavily on oral history from over 70 interviews I conducted with victims and witnesses in India, the UK and the USA between 2010 and 2014. I also examine political speeches and debates, unpublished Delhi Police reports, including wireless logs and First Information Reports (FIRs), and affidavits from both the Misra (1987) and the Nanavati (2002) Commissions – government-sponsored inquiries into the 1984 post-assassination violence.[4]

Because of state censorship following the assassination of Indira Gandhi, it was and remains difficult to research 1984. In addition, any memorialisation of

3 Selected references on the 1984 anti-Sikh pogrom: Das 2007, Mitta & Phoolka 2007, People's Union for Democratic Rights and People's Union for Civil Liberties 1984. Selected references on violence, trauma and memory in South Asia: Brass 1997, Das 1990, Pandey 2006. Selected references on theoretical discussions of riots: Davidson 2008, Gerlach 2010, Hoffman et al. 2002, Horowitz 2001.

4 Lawyers collected these police reports for the Nanavati Commission (2002) and then deposited all the materials at the offices of the Delhi Sikh Gurdwara Management Committee (DSGMC) in Rakabganj Gurdwara, Delhi, where I viewed them on 23 May 2011. The affidavits from the Misra and Nanavati Commissions were also accessible at the DSGMC, although affidavits are also available online at Carnage84 <http://carnage84.com/homepage/front.htm>.

the events is controversial in both the public and the private spheres. However, the greatest danger for both the victim and even the nation is to remember 1984 as 'just another riot in India'.[5] By understanding how institutional and individual memory has travelled in the past 30 years, I hope to problematize the 1984 anti-Sikh violence in order to break the silence that the term 'riot' tends to enforce.

1. Constructing 'riot'

In April 1985, Rajiv Gandhi set up the Misra Commission, headed by Supreme Court Judge Ranganath Misra, to investigate responsibility for attacks against Sikhs in 1984. Misra (1987) ultimately decided that the violence following Gandhi's assassination began "spontaneously", although "anti-social elements" later took advantage of the situation and organised the violence that followed. He did not specify the nature of these anti-social elements and failed to recognise or even suggest police, army, or government complicity. Dating from the earliest reports, journalists and politicians spoke of the carnage as a 'riot' that was, as Additional Commissioner of Police (ACP) H C Jatav first described the events a week after the attacks, "a spontaneous and natural way [to react] to the situation arising out of the assassination of the Prime Minister" and that subsequent violence directed against Sikhs could be justified, given the public's shared grief.[6] Because Delhi is a union territory, the Delhi Police are under the central government's jurisdiction, with the Home Minister at the top of the hierarchy.[7] 'Spontaneous' and 'natural' became the official stance of the government as these police reports constructed the narrative that still informs institutional memory.

Initially, the officers highlighted the spontaneity of the violence to explain their own inability to control it. ACP S C Tandon (1984)[8] argued that "we cannot deal with the situation of this nature", because the Delhi Police Force was "in a state of total shock" after hearing of the Prime Minister's assassination. Likewise,

5 Interview with Jaginder Kaur on 23 July 2010 in Amritsar, Punjab (conducted in Punjabi). Many interviewees shared this exact line. Some references: Interview with Bhagwanti Kaur on 22 May 2011 in Tilak Vihar, Delhi (conducted in Hindi). Interview with Bhupinder Singh on 2 December 2013 in Batala, Punjab (conducted in Punjabi).

6 Additional Commissioner of Police (ACP) H C Jatav, 'Diary of Police Control Room', 11 November 1984, found at DSGMC.

7 The Delhi Police is organised with the Home Minister at the highest leadership, followed by the Commissioner of Police (S K Singh in 1984), then Additional Commissioners of Police (H C Jatav, S C Tandon, Gautam Kaul), Deputy Commissioners of Police who have jurisdiction over their assigned neighbourhoods in Delhi, and finally Station House Officers and Constables belonging to their specific police office.

8 'Delhi Police a Daze', *Indian Express* Nov 1 1984: 2.

ACP Jatav later defended his officers of the northern and eastern colonies (or neighbourhoods) of Delhi and explained that "all possible precautionary measures had been taken" and any lapse in security could be attributed only to "the inadequacy of the force … [in] a situation that was out of our control".[9] He wrote that he and other head officers had called for more forces and that the lawlessness in the city was beyond the capacities of the police. With the claim that the "magnitude of the rioting, arson and killing was so large that it totally swept the police off its feet", the police deflected blame through *post-factum* legitimisations for not acting in favour of targeted Sikhs.[10] Immediately, the police pointed to external forces, namely the army, as accountable for controlling the situation and dismissed its own duty to act against the rioters. Although the Delhi Police had called for a curfew, Deputy Commissioner of Police (DCP) S K Singh claimed that the curfew was unsustainable "in the absence of adequate police/paramilitary force" and, for this reason, the police could do nothing to protect the targeted Sikhs.[11] Nevertheless, the army did not arrive until 3 November, by which time the violence had already begun to subside and military presence was arguably needed more for Gandhi's funeral proceedings.

DCP Singh justified police inaction by reasoning that acting against the mob would be counter-productive, because "shooting to kill in the beginning would have boomeranged because there was no adequate force to back up such action".[12] Victim and eyewitness affidavits, collected for the hearings of the Misra Commission, repeatedly point to idleness among officers at scenes of violence and a sense of aversion to protecting Sikhs. Gulshanjit Singh of Central Delhi testified that "there were two policemen posted just near my house […] but they did not bother at all to stop the mob […] I made innumerable calls to the police for help but nobody came to my rescue".[13] Victims expressed helplessness in their testimonies, as government institutions meant to protect citizens failed them during the violence. Baljit Singh of Central Delhi also mentioned the fire department's and the public hospital's inaction: "the fire brigade was also telephoned but their response was that they do not have any arrangement at that time […] We rang up police for help. The response was that they were coming but nobody turned up".[14] Assuming the attacks were a 'spontaneous' and 'natural' reaction to the Prime Minister's assassination, the administration's refusal to

9 ACP H C Jatav, 'Diary of Police Control Room', 11 November 1984, found at DSGMC.

10 Deputy Commissioner of Police (DCP) S K Singh, 'Report of Deputy Commissioner of Police', 2 January 1985, found at DSGMC.

11 *Ibid.*

12 *Ibid.*

13 Gulshanjit Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

14 Baljit Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

assist victims remains unexplained. Characterising the pogrom as 'spontaneous' absolves the police of their ineffectiveness, because officers can claim that they were unprepared, without resources, or in grief themselves.

The officers claimed that they had taken "adequate steps for the maintenance of law, order and communal harmony [...] suitable preventive action [...] against known bad characters and anti-social elements, who usually create problems at the time of disturbances, and against rabid communal elements who may create mischief".[15] Tandon displaces blame for the violence from actual individuals leading and inciting the mobs to vague, unnamed "anti-social elements" trivialising the pogrom to a "time of disturbances". As a matter of record, the police took all steps towards controlling the violence, and it appears that anything that escaped the police's efficiency was a result of the 'rabid' animal-like nature of the perpetrators. As Das (2007: 141) argues in her ethnographic examination of the violence, police officers and concerned party representatives "construct[ed] agency in terms of madness. Settling for this particular representation of the crowds would have exonerated the authorities from fixing responsibility since madness is said to be its own explanation". Violence that is 'rabid', 'spontaneous', and the work of 'anti-social elements' need not have a leader; it is inherently unorganised, and is the result of impassioned reaction – 'madness' that takes over the affected persons who respond with violence.

Whereas 'pogrom' implicates a perpetrator group that attacks a victim group, 'riot' suggests that both parties remain unclear, because the violence is reactionary and not limited to any particular group responding to an event or catalyst. By representing this post-assassination violence as without a leader, natural, unplanned and spontaneous, these officers constructed the 'riot' narrative as early as the days in which the violence took place. The violence in Tandon's representation remains at the ground level and without the state as an actor. Varshney's (2003: 11) study of Hindu and Muslim conflict in modern India distinguishes pogrom clearly from riot: "the main distinction between riots on the one hand and pogroms or civil wars on the other is that in the latter case the state takes sides. That is, when ethnic riots occur, there may be doubts about where the state stands, but the principle of state neutrality is still in effect".[16]

Reports from high officers of the Delhi Police do not mention ministers or government officials, and the police are represented as dutiful, attentive officers

15 S C Tandon, 'Statement of Commissioner of Police for Nanavati Commission', (26 January 2002, found at DSGMC.

16 See also Varshney 2002. Brass (1996: 26) includes the state in his definition of pogrom, "when it can be proved that the police and the state authorities more broadly are directly implicated in a 'riot' in which one community provides the principal or sole victims". See also Horowitz 2001.

who fail to protect victims because of limited resources. In the reports, state agents, where present, are not agents of violence, but neutral throughout, so much so that they cannot define victim or perpetrator along Hindu or Sikh identities.

Tandon does not point to any specific perpetrator and can dismiss holding any individual or any group responsible by collectively labelling them 'known bad characters', as though criminals had led these 'disturbances' to take advantage of the situation. It is important to note that Tandon also fails to locate a victim group in his reports. Instead, 'communal elements' vaguely points to arguably artificial divisions between Sikhs and Hindus. The argument for communal violence, in this instance, suggests that Sikhs were not only victims of, but also participants in the attacks as perpetrators. Police reports fail to label Sikhs as victims, and police actions to disarm Sikhs during the attacks only worked to present Sikhs as criminals to the media, and the nation at large who saw images of handcuffed Sikhs or Sikhs behind prison bars. Such police efforts also thwarted the victims' opportunities to defend themselves with any firearms they may have held. In East Delhi, a police chief arrested twenty-five Sikhs on 1 November, based on a list of licensed gun holders. Bhag Singh was among these men, as he detailed in his interview:

> They told me they had an order from above so they took me to the station. They handcuffed me and beat me too [...] they cut my *kes* [unshorn hair covered by a turban]. The police officer told his boss that this *sardaar* [turbaned Sikh] was guilty and needed to be in jail. I never even fired but they kept me for three days while my family was on its own.[17]

DCP Singh later justified the disarming of Sikhs, because "any resistance or provocation from the Sikhs made the mobs instantaneously violent who did not hesitate killing and burning them in full view of the public", thereby placing responsibility for mob incitement on the victims.[18] Disarming and arresting Sikhs, often very publicly in front of mobs, presented the turbaned Sikh men as criminals. Whether the police truly did support the anti-Sikh violence became irrelevant at this point to the perpetrator who was already operating under the assumption that Sikhs are a threat to his nation and livelihood. The police had confirmed their support – imagined or not – to the perpetrator with the message that the Sikh is the offender.

In some cases, police officers' support for anti-Sikh violence was more transparent. Victims testified in courts that officers would often be pointing in

17 Interview with Bhag Singh on 22 May 2011 in Tilak Vihar, Delhi (conducted in Hindi).

18 Deputy Commissioner of Police (DCP) S K Singh, 'Report of Deputy Commissioner of Police', 2 January 1985, found at DSGMC.

the direction of their houses to direct the mob towards Sikh properties.[19] Victims and witnesses from Central Delhi also spoke of officers opening fire on Sikhs directly. Sohan Singh explained that "policemen in three jeeps [...] started firing on us. They did not fire on the crowd. I asked the SHO [Station House Officer] to disperse the mob, but he did not listen and continued aggression against us".[20] Because victims had to rely entirely on the police to record these events, there is no administrative record regarding either police firings or inaction, effectively absolving police officers and leaving victims judicially handicapped.

In many instances the police refused to write FIRs for victims who reported to their local stations. Those reports that officers did write often misrepresented events, did not include the victims' full testimonies, grouped crimes together under generalisations, or did not note perpetrator names or specifications. Most often, Station House Officers would write sweeping reports to list victims together under the same attack or report one incident and tag on victims' names at the end of that report. As one interviewee lamented, "if one Sikh's cycle was burnt then all Sikh's cycles were burnt. They wrote the same crimes for everyone as if everyone had the same problems".[21] These sweeping reports also contributed to the persisting debate on the number of victims.

Figures of crimes are further skewed, because many officers arrested Sikhs, often for carrying arms, and then forced them to sign compromising reports, which they had neither read nor understood. These reports would list false criminal offences made by the detained Sikhs, but many who were forced to do this were often illiterate or intimidated. After realising the consequences of his signature, Sarup Singh of East Delhi stood to testify before the Misra Commission remembering,

> the police officers told me that they want to record my statement. I was so terrified that I could not say anything. They had written something on a paper and asked me to sign on that paper. I do not know what was written on that paper nor [did] they read out to me what was written on that paper. Being terrified, I put my signatures.[22]

Officers would later use these reports, in which the detainees had signed to criminal offences, to issue false cases of murder, theft, or criminality against the Sikh citizen who now had no evidence or police report in support of his innocence.

19 Chanan Singh, 'Affidavit submitted before Nanavati Commission', undated, 1985, found at DSGMC. Among others, also Gurcharan Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

20 Sohan Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

21 Interview with Karnal Singh on 23 July 2010 in Batala, Punjab (conducted in Punjabi).

22 Sarup Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

Nevertheless, DCP Singh upheld that "no misreporting was made. Local police rose to the occasion and took effective action".[23]

Victims needed an FIR for all future court cases to convict someone, receive compensation for property, or even a death certificate; faulty reports severely delayed the judicial processes for victims, if not halting their cases entirely. Moreover, victims could not receive treatment from hospitals for injuries resulting from any possible criminal behaviour without a First Information Report. Das also discusses the difficulties victims faced in receiving relief aid dependent on misrepresentative First Information Reports:

> What is haunting in this case is that these very FIRs, which encoded what one might call the lie of the state, were also required by other organizations engaged in relief work as proof of the victim status of the claimant [...] Thus, ironically, those who were locked in a combative relation with the state and who had direct evidence of the criminality of the state nevertheless ended up being pulled into the gravitational force of the state through the circulation of documents produced by its functionaries (Das 2007: 165).

Faulty or sloppy reports proved particularly impeding before commissions of inquiry intended to seek compensation for victims. The commissions seemed to favour FIRs as evidence, particularly as court cases continued well until 2002 and victim testimonies became questionable with age and deteriorating memory.[24]

Rioting occurs on the ground, among citizens, and policing bodies have historically played a compromising role in rioting, often due to a confusion and bias as to which group to assist.[25] In the case of 1984 though, Sikhs were the only victims in need of protection. Perpetrators travelled in mobs with voting lists identifying Sikh properties, so that only Sikh properties and visible turbaned Sikhs were attacked. Inaction from the forces present (however limited), efforts to disarm and detain Sikhs, firings on Sikhs, and misreporting the violence, in particular, indicate police complicity. However, the police's misrepresentation of

23 Deputy Commissioner of Police (DCP) S K Singh, 'Report of Deputy Commissioner of Police', 2 January 1985, found at DSGMC.

24 For more on the inquiry commissions, see Mitta & Phoolka 2007.

25 On the 1917 St Louis riots, ee Lumpkins 2008. For another example in the United States, particularly with Tulsa, see Williams 1972. From South Asia, Rai (2002: 211-3) is especially useful. In this instance, a senior officer of the Indian Police Service wrote of the partisanship of the police in response to the 2002 Gujarat pogrom: "Whatever happened in Gujarat is not something new. It only once again underlines the fact that the senior leadership of the police will have to sit down and think as to why after every riot the same story is repeated: that of incompetence, inactivity and criminal negligence [...] None of [the] steps [to protect citizens] can be taken effectively if we ourselves are infected with a communal bias".

the events successfully characterised the violence as 'natural' and 'spontaneous' rioting, which the government also affirmed. Consequently, these reports left victims helpless in court where they had only their memory and testimony as evidence, while the courts relied on police reports that depicted police officers as dutiful and effective, the violence as communal minded, and victims as an unspecific group and even participatory in the violence.

2. Endorsing 'riot'

Most famously and publicly, Indira Gandhi's son, Rajiv Gandhi, who became Prime Minister immediately following her assassination, dismissed the violence as consequential of the assassination at an event remembering the late Indira on 19 November. He explained, "Some riots took place in the country following the murder of Indiraji. When a mighty tree falls, it is only natural that the earth around it shake a little" (Gandhi 1987: 46).[26] In his first nationally televised comment on the violence, Rajiv cemented the Delhi Police's position that the violence was 'natural' and further trivialised the events as 'some riots', as though this really was 'just another riot in India' without victim or perpetrator identity.

Rajiv's unequivocal 'riots' label established a national narrative that took on the more localised narrative put out by the Delhi Police. The media also continued to address the attacks as riots and, even nowadays, the events have been historicised and remembered as the '1984 anti-Sikh riots'. Congress leaders and police officers were in direct dialogue throughout the pogrom; acting Home Minister Narasimha Rao seemed to display similar attitudes of indifference towards victims and the violence. When historian Patwant Singh visited Rao's home on 1 November to ask for greater actions for the protection of victims, he noticed that

> there was nothing in the house suggestive of any meetings taking place with officials etc. We found him totally unresponsive to the crisis [...] We also suggested that the army should be called in to control the situation immediately. His reply was that he was well informed about the happenings in Delhi and the army would be deployed by that evening. In fact the army was not called till the evening of November 3.[27]

Although officers also noted in their reports that the situation was beyond their control and that army presence was needed, the army did not appear in Delhi until

26 Rajiv Gandhi. Towards peace, progress and prosperity: Selected Speeches of Shri Rajiv Gandhi, 1984-1986 (New Delhi: Publications Division Ministry of Broadcasting Government of India, 1987), 46.

27 Patwant Singh, 'Witness Statement for Nanavati Commission', 21 April 2001, found at DSGMC.

3 November, and it remains unclear whether this was due to the police's inaction in calling for aid or to the Home Minister's delay in calling the army.

Although Patwant Singh and his colleagues, who visited the Home Minister with him, testified against Rao before the Misra Commission, Rao's negligence was not investigated, and Rao went on to become Prime Minister in 1991. In the same way 'riot' absolved police officers responsible for promoting and even participating in the violence since, 'riot' also exempted complicit Congress leaders who instigated, organised and encouraged perpetrators. Eyewitness testimonies and victim statements overwhelmingly pointed to criminal activity by Congress leaders, especially Members of Parliament (MP) Sajjan Kumar and Jagdish Tytler, labour union leader and MP Lalit Maken, and Minister of Information and Broadcasting H K L Bhagat.[28] These politicians held rallies throughout Delhi to gather and motivate mobs, distributed voting lists, and even paid perpetrators for their crimes. Satu Singh of East Delhi remembers, "[H K L] Bhagat-ji uttered the words to the rioters that *yeh saap ke bacha hai, isko maro, mat choro* [this is the snake's child, kill him, don't let him go]".[29] Similarly, Jasbir Singh of South Delhi recalled Sajjan Kumar "watching and saying *salon ko khub maro, inko jalo do* [kill the bastards, burn them]".[30] However, the victims have only their memories and testimonies as evidence against these leaders. Since the police failed to record any of these complaints, allegations against Congress leaders rarely held up in court.

In March 1985, Rajiv initially denied pleas for an investigation into the riots by explaining that such an investigation would "raise issues which are really dead", although the attacks had only taken place months earlier ('Mr Ghandi's almost bright start',1985: A30). He reasoned that a commision of inquiry would only cause further tensions between Sikhs and Hindus and that he had to protect both groups by not investigating the events. In April 1985, he finally appointed Justice Ranganath Misra to conduct the Misra Commission of Inquiry. The Citizens Justice Committee (CJC) formed in June 1985, gathered affidavits, testimonies, and any other evidence to present before the committee on behalf of the victims. However, the inquiry commission operated in ways that effectively questioned the validity of the victims' statements and discredited their testimonies. While attorneys could cross-examine victims, they could not do so with police officers or government officials. Misra also refused to show the CJC any affidavits the CJC had not yet seen and, therefore, could not prepare for. In March 1986, the CJC refused to participate in the inquiry commission because of the inability to present a fair case for the victims in light of Misra's biases. The Misra Report ultimately concluded that the violence following

28 For a longer discussion of Congress leader's complicity, see Mitta & Phoolka 2007.

29 Satu Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

30 *Ibid.*

the assassination could be characterised as riots, for which no government official or individual police officer could be held accountable.

After the Misra Commission, Congress followed Misra's recommendations to launch the Jain-Aggarwal Committee to investigate crimes, the Ahooja Committee to establish a death toll, and the Kapur-Mittal committee to better understand the role of the police. Although the Jain-Aggarwal Committee recommended that the government file a case against MP Sajjan Kumar for his complicity in the violence and the Kapur-Mittal Committee listed the names of guilty officers, the government did not act on these committees' recommendations. The subsequent Narula Inquiry Commission of 1994 and Nanavati Commission of 2000 also listed guilty Congress members, including Jagdish Tytler and H K L Bhagat as well as Additional Commissioner of Police (Delhi) Gautam Kaul. The government has still failed to convict anyone the Nanavati Commission listed as guilty.[31]

Not only did the Congress Party not effectively challenge the actions of its members, it even seemed to condone the violence, as the most controversial names relating to the riots soon made up Congress leadership. In the elections following the assassination in December 1984, Congress used the massacres to develop solidarity among Hindu voters and gain their support. Madan Lal Khurana, Chief Minister of Delhi from December 1993 to February 1995, remembered, "from 1980 onwards till November 1984 according to a systematic propaganda was going on whereby the Sikhs community was described by government agencies, media and the authorities as terrorists. Thereby an atmosphere was created in which the Sikhs not only in, but also outside Punjab were perceived as terrorists".[32]

The party issued propaganda highlighting the threat to national security by distributing posters with photographs or drawings of a bloody Indira Gandhi. Author Khushwant Singh, once a Member of Parliament for the Congress Party, criticised the party's campaign: "Day after day, all papers in India's 15 languages carried full page advertisements [...] Huge hoardings showed two Sikhs in uniform shooting at blood-stained Mrs. Gandhi against a back-drop of a map of India" (Singh 1992: 101-2). Such posters only tapped into communal fears that Sikhs threatened national unity in light of a recent increase in Sikh militancy.

The propaganda campaign to vilify Sikhs and solidify Hindu votes was incredibly effective, so that, on 27 December 1984, the Congress Party won an unprecedented 401 Lok Sabha (lower house of Parliament) seats out of 508. H K L Bhagat regained his position as Minister of Broadcasting and Information

31 See Mitta & Phoolka (2007: 104-214), in which Phoolka discusses his own work with the CJC in representing the victims before the various inquiry commissions.

32 Madan Lal Khurana, 'Witness Statement for Nanavati Commission', 16 May 2001, found at DSGMC.

after winning the second largest majority, and Lalit Maken, Sajjan Kumar, and Jagdish Tytler kept their seats in Parliament despite victims' accusations of their complicity in the violence, whereas Home Minister Narasimha Rao became Prime Minister in 1991. In 2009, the Central Bureau of Investigation (CBI) investigated Tytler's and Kumar's involvement in the riots in response to Jagdish Kaur's and Nirpreet Kaur's testimonies as well as evidence presented in the Nanavati Commission. The CBI issued a clean chit to both, to the anger of many Sikhs. In light of such controversy, Congress denied the two men party tickets in the 2009 elections; their cases were reopened in 2013 and are still open.

The Congress Party's endorsement and promotion of the 'riot' narrative that the Delhi Police had already started to construct only alienated victims. The Misra Commission failed to adequately incriminate local or administrative perpetrators and thus failed to compensate victims properly. The subsequent commissions followed in the pattern of the initial Misra Commission, so that unsatisfied victims and Sikh leaders continued to protest for another commission, the last of which was the Nanavati Commission, which at best prompted cases against MPs Kumar and Tytler. Rather than bring justice to victims, the Congress-led inquiry commissions instead left victims more vulnerable to continued discrimination and oppression long past the pogrom.

3. Fighting 'riot'

Following the pogrom, Sikhs – victims and non-victims alike – felt unsafe and insecure of their standing in India. The assassination and subsequent anti-Sikh violence realised both the threats to national security and the claims of communal tension perpetuated by politicians over the past decade. The trivialisation of the violence to 'riot' in particular motivated a violent response from some in the Sikh community who became frustrated with the court's inefficiencies and seeming collusion with the Congress Party. Such frustrations effectively strengthened the very militancy against which Indira had fought.[33]

Realising that Congress could or perhaps would do nothing to seek justice for the victims, many Sikhs took matters into their own hands in order to regain the respect they had lost during the post-assassination attacks. On 31 July 1985, doctoral student Ranjit Singh 'Kukki' Gill assassinated MP Lalit Maken and his wife Gitanjali after learning of Maken's participation in the violence. Though he now believes that "heightened emotions and the follies of youth" motivated him to assassinate the Makens, Gill remembers that "at the time we really felt there was nothing else we could do. The government hurt our pride and we

33 For helpful theoretical texts, see Nandy 1995: 1-31, 2003.

were humiliated and shamed. They were not going to help us and we thought this was the right thing to do".[34] The government's inadequate response to the November massacres increased panic among the Sikhs, many of whom no longer recognised their government as legitimate and instead turned to advocate for state separatism with militancy.

Whereas the inquiry commissions could have provided a healing touch to the victims, the commissions' reports proved even more damning, as they diminished the legitimacy of the victims' experiences and reduced them to being either exaggerations or lies. Although some police reports did list names of citizens that victims had identified as perpetrators, these reports more often did not, so that many victims could not make a case for reparations for property loss or damage. Many widows also failed to acquire death certificates for husbands or sons killed in the violence, because they lacked a proper FIR and thus could not collect their rightful life insurances. Had the courts recognised the inaccuracies and manipulations in the police reports, the inquiry commissions could have placed greater value on victim testimonies and corroboration from other witnesses. Instead, the state-led commissions insisted on police reports as primary evidence and worked extensively to falsify victim testimonies by questioning victims' motives and the power of their memory.

Jagdish Kaur from South Delhi is still actively fighting in courts to convict Sajjan Kumar for the deaths of her husband and son. She described the difficulties she still faces in court:

> Lawyers try to trick me. They want me to make a mistake so they can say that I'm old and I don't remember or that I'm making it up. That I don't remember my son's death. One lawyer will ask me a question one way and then another will come in and try to ask me another way. They say I rehearsed my answer and then say that is wrong too. They say someone wrote the story for me or that I am being too creative.[35]

The limited range of evidence available to these victims had significant shortcomings: police reports were compromised; photographs were uncommmon, because cameras were still unpopular at the time, and oral testimony is vulnerable to problematization. Testimony becomes unreliable as victims and witnesses age and forget, become influenced by various narratives or interpretations of the events, or choose to withhold information for self-protection or to avoid stigmas.

34 Interview with Ranjit Singh "Kukki" Gill on 31 May 2011 in Ludhiana, Punjab (conducted in English and Punjabi). For more on Sikh militancy after 1984 and political assassinations, see Mahmood 1996.

35 Interview with Jagdish Kaur on 3 June 2011 in Amritsar, Punjab (conducted in Punjabi).

Testimony could not stand up to courts compared to the police reports and Congress influence on the commission, despite the falsities in the reports.

'Riot' became oppressive for those who wished to speak out and fight the national narrative. In the context of rising Sikh militancy, Congress likened advocacy for the recognition or rights of Sikh victims with terrorism. Human rights activists and lawyers arguing for government complicity faced death threats from the public and harassment from the police.[36] To prove Congress leaders' responsibility in organising and leading the violence and police participation in the violence would prove the state's inability to protect its citizens and would challenge the Congress Party's platform promoting democracy and secularism. The victims' narrative challenged national integrity and pointed to the hypocrisies in the state's secular agenda as well as the instability that minorities faced in a Hindu-dominated nation. By exploiting lapses in memory and demanding more evidence, Congress discredited victims' testimonies – their only recourse in court – and thereby effectively silenced the narrative of government complicity in a pogrom.

Victims often spoke defensively in their testimonies, even as early as the Misra Commission, spending as much time to demonstrate their commitment to the nation as they did in detailing the crimes they experienced, almost as though purposefully fighting the 'terrorist' image. Captain Manmohanbir Singh Talwar of Central Delhi began his affidavit for the Misra Commission with "I had fought against Pakistan in 1971 war and I was awarded Mahavir Chakra [a military decoration]" almost as if to prove his allegiance to India before proceeding to question the actions of his leaders and police forces.[37] Perhaps aware of the effect their testimony would have on their own reputation and their future ability to re-integrate into their communities alongside their perpetrators, these victims retrospectively shaped their testimonies in a way that still allowed them to show respect for their nation and government – often through a deep reverence for the late Prime Minister. Sarup Singh of East Delhi begins his testimony, "When I came to know of the tragic assassination of our beloved Smt. Indira Gandhi, I felt very sad. I have always been an admirer of Smt. Indira Gandhi. I have been her and her party's supporters".[38] In an affidavit meant to attain federal reparations for damage to his shop, Sarup Singh conveys his devotion to Indira and his disdain

36 For more on the difficulties in studying anti-Sikh violence from 1980 to 1990, see Rao et al. 1985. Most famously, the Punjab Police abducted and tortured advocate and activist Jaswant Singh Khalra for his investigation into the 1984 pogrom and subsequent violence in Punjab that included disappearances and torture of Sikh men in the state's response to militancy.

37 Manmohanbir Singh Talwar, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC.

38 Sarup Singh, 'Affidavit submitted before Misra Commission', undated, 1985, found at DSGMC. Smt. designates 'Srimati' meaning 'Mrs.'

for the assassination, as though he needed to fight the propaganda attaching all Sikhs to the two bodyguards who assassinated Indira.

If the victim who speaks out is threatened by neighbours or even the police and is condemned by the government battling Sikh militancy, then the victim must tailor his or her testimony to fit the national narrative. Therefore, in affidavits for the Misra Commission, victims also started using terms such as 'anti-social elements' or 'rioters' to refer to perpetrators and avoid any specification that might incriminate any particular person or group. In other instances, victims and witnesses detail criminal actions of the police or Congress leaders, but then begin or end their testimony with a statement of allegiance to the nation, the party or the Prime Minister, as if there is a need to self-identify as Indian first and not become other or outsider. To make sure that they were not seen as disloyal or threatening, victims framed their testimonies by an almost overdone demonstration of patriotism.

The alternative was to proceed with one's testimony without any apology for incriminating stories of Congress leaders or Delhi Police culpability. This only left victims vulnerable to the court, which did not falter in questioning witnesses with regards to their honesty, legitimacy, sanity, motives and loyalty. Consequently, many victims fell silent. Even those who spoke in court were only allowed to say so much, or only had the space to say so much in a court that had already accepted a 'riot' narrative. Many others refused to attend the commissions. Convincing themselves that 'these things happen all the time', that 'this was just another riot in India', or that 'it's better to just forget and move on', victims chose to silence their experiences.[39]

Sexual violence, in particular, became an almost completely silent experience. Although women arguably suffered the most, as they had to recover from property and human loss in addition to their own traumatic experiences of rape, harassment and humiliation during the pogrom, there is very little evidence or literature of their experiences. These women were unwilling to voice their stories in courts and their testimonies and affidavits focus almost entirely on the experiences of their dead husbands, children or other relatives. Many women saw and still see silence as their only way of preserving their community's purity and honour and ensuring the future marriages of their own daughters, which often depend on the bride's virginity and even the mother's 'honour'. Sikh women, who are known to have been raped in the pogrom, are ostracised from their original communities, so that their neighbours, relatives, and even parents regard them

39 Particularly interviews with Harjinder Kaur on 26 May 2011 in Govindpuri, Delhi (conducted in Hindi); Roop Kaur on 29 August 2013 in Amritsar, Punjab (conducted in Punjabi), and Kanvar Singh on 23 July 2010 in Batala Punjab (conducted in Punjabi).

as more Hindu than Sikh, with the assumption that their perpetrators must have been Hindus only. Other members of the community, aware of their situation, tease and laugh at these women, so that they are even prohibited from entering some of the nearby gurdwaras.

The topic of sexual violence in 1984 deserves a longer and separate discussion, particularly because the silence surrounding sexual violence is much more complex and nuanced than this article can discuss. However, it is important to note the issue here too, particularly because the government made no efforts to reach out to these women, as though the nation did not wish to memorialise this aspect of the violence or recognise these women as victims. The government did not offer any investigation or aid into the sexual violence, even though it has held investigations into the death toll and property loss. Through self-censorship, which no outside body from the community encouraged breaking, women became silent and unwillingly complicit with their perpetrators by protecting them. By being silent, victims did not have to remember the extent of their humiliation and the perpetrators' success in infiltrating their community, faith, psyche and body. Beyond individual communities, silent women do not incriminate the very government responsible for their trauma.[40]

In the immediate aftermath, thousands of Sikhs immigrated abroad, particularly to England and America, and thousands more fled from pogrom-stricken cities to Punjab.[41] The majority of the victims, however, continued to live in or near their original communities and often alongside their perpetrators. Silence became a means of survival and the only means for rehabilitation and reconciliation, particularly in a nation that did not seem to support a memory that included police or state complicity.

4. Conclusion

With the recent thirtieth anniversary of the pogrom and the heat of the 2014 Prime Minister elections having just ended, the legacy of 1984 continues to be debated. This year, as the opposing Bharatiya Janata Party (BJP) pointed to Congress's complicity in 1984 (often to deflect BJP leader and now Prime Minister Narendra Modi's own involvement in the anti-Muslim violence of 2002 in Gujarat), the wounds of 1984 remain deep, visceral and fresh. It is important that we begin a discussion to remember the violence differently from the current narrative that ignores victims' experiences, memory and rights.

40 There is a lack of studies on sexual violence during the 1984 pogrom. Perhaps, Kishwar (1984) is still the most direct discussion of the subject.

41 For more on the Sikh diaspora, see Tatla 1999.

Using police reports, oral testimonies, and affidavits from inquiry commissions, this article aimed to problematize the 'riot' narrative by presenting some of the ways in which it protects perpetrators who are effectively acquitted in what is remembered as 'natural', 'spontaneous', even routine violence without a specific perpetrator group. I discussed only police and briefly the complicity of Congress ministers, although it is also important to understand the lasting effects of 'riot' on citizens who participated in the violence, the media who propagated the label, and even international bodies who upheld it.

The police reports, in this instance, are particularly interesting, because they have, to a large extent, remained under government control, are unpublished and are still at risk of destruction. However, they add another dimension of state complicity to the pogrom, since the Delhi Police was under direct jurisdiction of the central government. Of course, the police reports are problematic, since the police manipulated many of these records and, for this reason, I relied more heavily on affidavits and testimonies. As historians, we tend to place greater value on documentation than oral history and the case of 1984, in which victims have no evidence except for their deteriorating memories, poses challenging questions for the sources we use and the politics associated with them.

The 1984 pogrom also forces us to ask how a state can reconcile national integrity with victims' rights through events of organised violence. Who do terms like 'riot', 'pogrom', or 'genocide' serve? For 1984, 'riot' is oppressively overbearing for those who have yet to earn a space and opportunity to speak about their experience, because their silence is forced upon them and not voluntary. The perpetrator still exerts power on the victim by silencing him or her, thereby forcing him or her to become complicit in the routine violence that continues long past the act of pogrom in the form of physical and mental trauma, memory, fabricated histories, discrimination, failure of recognition in court, economic disability, and religious humiliation.[42] As scholars, we must provide them with the space to speak, because silence is a choice for the victims to make, not for us to decide for them. In order to gain a fairer, more nuanced understanding of 1984 and to better understand the state's attraction towards conflict, it is important to listen to the victims – ultimately in the hope of preventing future atrocities, which have thus far been too common in India.

42 Pandey (2006) writes about the normalisation of, and desensitisation to violence.

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