

**THE PUNJAB PROBLEM: A CASE STUDY ON  
THE RISE OF SIKH NATIONALIST IDENTITY IN INDIA**

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## **ABSTRACT**

Sikhs are among the many religious groups present in India. They are also one of the many minorities who have suffered since India's independence in 1947. Since then, issues including the keeping and maintaining of its identity, growing fears of assimilation by Hindu fundamentalists and religious discrimination has surrounded the Sikh minority. The events of 1984 have also presented a new development in the Sikh identity, particularly the emergence of a separate and nationalist Sikh identity.

What has caused the feeling of insecurity and the sudden rise of Sikh nationalistic identity within post-independent India? Through the use of evidence, historical and detailed case analysis, this thesis attempts to answer the growing Sikh problem by analyzing the possible causes on the sudden rise of a Sikh nationalist identity. Apart from religious and political groups which have influenced the development and expansion of the Sikh identity, the author argues that the chosen policies by India's Hindu-dominated political Center during the critical stages of the Punjab problem, including the use of both coercive and non-coercive methods have significantly contributed to the development of a Sikh nationalist identity, as well as influenced the growing turmoil, dissatisfaction and bloodshed faced by many members of the Sikh minority. Although calls for separatism have significantly decreased since the mid-1990s, relationship between the Sikhs and the Hindu-dominated Center has not been fully resolved. This study posits that the lack of minority-sensitive laws aimed in the protection of minorities in the country have significantly contributed to an insecure and aggressive minority resulting in the formation and development of a separate Sikh nationalist identity.

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## DEDICATION

*To,*

*My respected and beloved parents  
whose continuous support and patience  
has made this work possible*

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## LIST OF ABBREVIATIONS

AISSF	All India Sikh Students Federation
ASR	Anandpur Sahib Resolution
BHC	Benzene Hexachloride
BJP	Bharatiya Janata Party
CCDP	Committee for Coordination on Disappearances in Punjab
CSE	Center for Science and Environment
GRI	Government Restriction Index
HMA	Hindu Marriage Act
HYV	High Yielding Varieties
IAS	Indian Administration Services
ICCPR	International Convention on Civil and Political Rights
ICERD	International Convention on the Elimination of all forms of Racial Discrimination
ICESR	International Convention on Economic, Social and Cultural Rights
IDRC	International Development Research Center
IHRR	International Human Rights Research
MAF	Million Acre Feet (Unit of Measurement)
MASR	Movement Against State Repression
MP	Member of Parliament
NHRC	National Human Rights Commission
SGPC	Shiromani Gurdwara Prabhandak Committee
SHI	Social Hostilities Index
SYL	Sutlej-Yamuna Link
UNCSD	UN Conference on Sustainable Development
UNWGEID	UN Working Group on Enforced and Involuntary Disappearances
USCIRF	United States Commission on International Religious Freedom

## CHAPTER ONE: INTRODUCTION

Much of the scholarship surrounding Punjab and Sikh studies often involve the study of minority issues and the Sikh identity. Several scholars including Sidhu, C. (2012), Singh, P. & Barrier, G. (2001) argue that the Sikhs from its inception have constituted their own unique and established identity separate from the other groups present in India. Their existence as a minority community has at the same time resulted in the fundamental continuity of the Sikh history and a central factor in the formation and continuous reformation of the Sikh identity. The presence of minorities in India has played a critical role in the country's rich diversity, enrichment and nation development. Although overwhelmingly Hindu, India is considered as a 'nation of minorities' and has provided for its minorities an impressive array of constitutional and legislative guarantees, an established range of institutions, autonomous bodies and commissions. It has also ratified the International Convention on the Elimination of all Forms of Racial Discrimination<sup>1</sup> (ICERD), the International Covenant on Civil and Political Rights<sup>2</sup> (ICCPR) and the International Covenant on Economic, Social and Cultural Right<sup>3</sup> (ICESCR). Nonetheless, minority groups in the country continue to face issues and concerns in safeguarding their identities.

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<sup>1</sup> ICERD was ratified in 1994 and deals primarily with racism and racial discrimination at the local level. The commission also focuses on Issues concerning police brutality, a person's access to services, prison conditions and even death penalty issues that often have disparate racial impact.

<sup>2</sup> The ICCPR is a key international human rights treaty, providing a range of protections for civil and political rights. The ICCPR, together with the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, are considered the International Bill of Human Rights.

<sup>3</sup> ICESCR is a multilateral treaty adopted by the UN which commits its parties to work toward granting of economic, social and cultural rights (ESCR) to individuals, including the right to work, to just and favorable conditions, to form and join trade unions, to family life, to an adequate standard of living, to the highest attainable standards of health, to education and to take part in cultural life. Together, the ICESCR, ICCPR and UDHR are known as the International Bill of Rights.

In India, religious and national identities are often equated in the terminology *Hindutva*, which implies that an Indian is a Hindu who belongs in the imagined state of Hindustan<sup>4</sup>. This, as a consequence, puts many minorities and religious communities outside the nation and therefore aids in the construction of “the other” in the community, including the Sikh minority. Given the Sikh situation, what often remains unexplored is the emergence and sudden development of a strong and separate ‘nationalistic identity’ seen among the Sikh minority, particularly after India’s independence in 1947. Kinnvall, in quoting Anderson, insists that identity awareness in most cases tends to arise during periods of intense crisis<sup>5</sup>. What has caused the extreme feeling of distinction and separation of Sikhs among other groups in India especially towards the Hindu-dominated majority? Through the use of historical and detailed investigatory analysis, this thesis attempts to contribute to an understanding of the Sikh identity by analyzing the presence of the various actors and events which possibly contributed and resulted in the sense of separation and the development of a strong national identity among the Sikhs.

In the second chapter, the author attempts to explore and understand the concept of identity within India. Since India is a combination of numerous languages, religions, cultures and traditions, it is hard to establish a single and solid state identity. A constant problem faced by many minority groups in the country is the dominance and hegemony of an overpowering “Hindu-India” identity, wherein the nation’s state-identity is subsequently affixed to the majority Hindu population of the country<sup>6</sup>. Several scholars

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<sup>4</sup> See article by Kinnvall, Catarina, “Nationalism, religion and the search for chosen traumas: Comparing Sikh and Hindu identity constructions”, 2002

<[http://etn.sagepub.com/content/2/1/79.full.pdf?origin=publication\\_detail](http://etn.sagepub.com/content/2/1/79.full.pdf?origin=publication_detail)>, 2 February 2014.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

argue that India does not possess a single or distinct state identity, but is instead a mixture of the various traditions that have existed within its territories. In this case, identities are viewed as ‘stable formations where communities are driven by the logic of their respective cultures’<sup>7</sup>. Understanding the concept of identity within the Indian context is critical as it plays a significant role in the foundation of a society, the development of the country’s minorities, as well as an influential moving force which can trigger ethnic clashes and collective mobilizations. Since the Sikhs are among the groups which experienced successions of violence as a minority community and a targeted identity during post independence India, including the Sikh genocide and riots of 1984 which resulted in a high number of Sikh deaths, it is imperative to understand the gravity of the nation-state identity and how it leads people from distinguishing various groups as the ‘other’ and the ‘outsider’<sup>8</sup>. Given that identities have played a tremendous role toward the violence directed toward the Sikhs, an analysis on the Sikh identity would also be a focus.

The third chapter is dedicated to a broad and general understanding of the Sikh peoples. Apart from being a religious group, the Sikhs also form a divergent cultural and ethnic union<sup>9</sup>. People belonging in this group tend to identify not only through their faith and ethnicity, but also through their history, language, culture and tradition distinct from the many other groups present in India. In this chapter, the author attempts to put into focus three important aspects, which are essential in understanding the Sikh identity.

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<sup>7</sup> See United Nations Educational, Scientific and Cultural Organization (UNESCO), Universal Declaration on Cultural Diversity, World Summit on Sustainable Development. 26 August 2002, <<http://unesdoc.unesco.org/images/0012/001271/127162e.pdf>> 18 November 2012.

<sup>8</sup> Gupta, Dipankar, *The Context of Ethnicity: Sikh Identity in a comparative perspective*, (New Delhi, Oxford University Press, 1997) 29.

<sup>9</sup> Crawford, Beverly and Lipschutz, Ronnie, “The Myth of ‘Ethnic Conflict’: Politics, Economics and Cultural Violence”. 1 January 1998, <<http://www.escholarship.org/uc/item/7hc733q3>> 18 November 2012.

These include Sikhs as a religious group, Sikhs as a minority community and Sikhs as a distinct 'nation'. Analyzing these aspects is crucial as it will aid in recognizing the various movements and perceptions of the other groups toward the Sikh minority. At the same time, it will help recognize the various social and political actors present in the development of the Sikh identity. In this chapter, the author argues that part of the collective distinction and sense of separation seen among most Sikhs is dependent upon the various social and political factors and events surrounding majority-minority relations in India, particularly soon after its independence. Understanding these various factors will help contribute to an understanding on the development of the Sikh dilemma as referred by the government, its relevance to the Punjab problem and the evolution of a Sikh National identity. Consequently, the study of ethnicity gives us a framework of the varying cultures and traditions that make up the Indian subcontinent and highlights the extent to which the Indian government protects its minorities' autonomy.

Chapter 4 will focus on an important and critical era in Sikh history known to many as the 'Punjab Problem'. This era, stretching from the late 1970s to the early 1990s showcased the expanse and extremity of the emerging Punjab Problem which has affected minority-majority relations among the Sikhs and the Hindu-dominated Center. In particular, it has presented several possible causes on the emergence, expansion and development of Sikh Nationalism. During this time, the Sikhs have experienced both a growth and decline in its social, economic and religious advancement within Punjab and in India. The era also presented new problems in Punjab, including a widening economic gap among its peoples, the deterioration in health and development in some parts of society, as well as the rise of separatism within Punjab. Analyzing the underlying factors

existing within the wider Punjab Problem will help us determine and assess possible factors which have contributed in the expansion and amplification on the emergence and growth of a Sikh Nationalistic identity.

The fifth chapter of the thesis serves as a continuation of the Punjab Problem but primarily focuses on three key events which have greatly affected Sikh-Center relationship. Mainly, this chapter looked at the consequences and potentialities of the 1984 Sikh attacks, the role generated by external actors, as well as the Indian government's response towards the growing 'Sikh problem' during the time. Some scholars argue that the attacks toward the Sikh minority in Punjab have come out to be one of the bloodiest and most controversial in India's post-independence history<sup>10</sup>. Consequences of the 1984 riots have led to issues of inequality, religious intolerance and record human rights abuses across Punjab. It has also brought about problems of militancy, fundamentalism and the growth of separatism from the Sikh community. By evaluating the causes, effects and potentialities resulting from the wider Punjab Problem, it will help in the development and re-evaluation of a stronger hypothesis toward the formation and exaggerate development of a separate nationalistic identity seen among Sikhs. More importantly, by evaluating the government's response toward the crisis, the author intends to relate the Center's actions and how it has consequently contributed to the development and escalation of a Sikh National identity.

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<sup>10</sup> Dhillon, Gurdarshan Singh, "Truth About Punjab",  
<<http://www.globalsikhstudies.net/pdf/white%paper.pdf>> 11 May 2011.

## CHAPTER TWO: INDIAN IDENTITY AND MINORITY

In recent years, many scholars have taken intense interest in the study of *identity*, particularly in the field of political science<sup>11</sup>. *Identity* encompasses how a person views one's self, how s/he is viewed by others, and suggests a person's early stages of origin and belonging<sup>12</sup>. Given this scope, understanding *identity* has nevertheless remained to be a complicated field for many. As suggested by Philip Gleason in 1983, "the meaning of 'identity' as we currently use it is not well captured by dictionary definitions, which reflect older senses of the word; our present idea of '*identity*' is a fairly recent social construct, and a rather complicated one at that"<sup>13</sup>.

In India, we find that despite the adoption of a liberal democratic polity after independence, communities and collective identities have remained powerful and continue to claim recognition. Identity politics has become a prominent subject in Indian politics that factors such as caste differences, religious identities, linguistic groups and ethnic diversities have all greatly contributed to the significance of India's identity politics today<sup>14</sup>. As India is formed by these various defining identities, understanding these components becomes critical in defining what the Indian nation is today.

### 2.1 IDENTITY

Identity is a complicated and unclear concept, but nonetheless plays a central role in every subfield of political science. It has been argued that its use and concept is

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<sup>11</sup> See working paper by Fearon, James, "What is Identity?" 3 November 1999 <<http://www.stanford.edu/~jfearon/papers/iden1v2.pdf>>, 12 November 2012.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Rehman, Ibn Abdur, United Nations High Commissioner for Refugees, "Minorities in South Asia", 5 May 1993 <<http://unhcr.ch/Huridocda/Huridocda.nsf/0/.../G0314163.doc>> 18 November 2012.

somehow problematic since it may result in the over simplification or lack of analysis in a given problem or topic<sup>15</sup>. According to Fearon, the term *identity* has come to mean so many things that by itself means nothing and has ceased to perform the function of a verbal sign<sup>16</sup>. In its general sense, *identity* can be best described as a multidimensional set of categories which define the sense of self. It is characterized as both culturally and historically produced in relation to a given region's available cultural texts. The varying school of social and political thought has defined identity in its own separate and distinct ways. In International Relations, it is argued that the idea of “state identity” is based on the analyses of state and state sovereignty. In political theory, Kymlicka maintains that questions of *identity* mark countless arguments on issues of gender, nationality, ethnicity and culture<sup>17</sup>. While studies in comparative politics assert that *identity* plays a central role in work on nationalism and ethnic conflict.

According to Fearon, in order to understand *identity*, it is critical to divide it into two parts, first (a) as a social category, defined by group membership, or (b) by socially distinguishing features or views that are socially consequential, or both (a) and (b) at once<sup>18</sup>. Using Fearon's hypothesis, this paper attempts to define *identity* as two linked senses which may be termed "social" and the other "personal"<sup>19</sup>. In its former sense, *identity* would refer to a social category or a set of persons marked by a label or

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<sup>15</sup> See working paper by Groves, Randall, “The Aryan Hypothesis & Indian Identity: A case study in the Postmodern Pathology of National Identity”. Michigan: Ferris State University, February 2006, <[http://www.google.ca/#output=search&scient=psy-ab&q-The+Aryan+Hypothesis+and+Indian+Identity&oq=The+Aryan+Hypothesis+and+Indian+Identity&gs\\_l=h p.12...1280&bih=930](http://www.google.ca/#output=search&scient=psy-ab&q-The+Aryan+Hypothesis+and+Indian+Identity&oq=The+Aryan+Hypothesis+and+Indian+Identity&gs_l=h p.12...1280&bih=930)> 18 November 2012.

<sup>16</sup> Fearon (1999).

<sup>17</sup> See article by Deaux, Kay, “Social Identity”, March 2001, <[www.utexas.edu/courses/stross/ant393b\\_files/ARTICLES/identity.pdf](http://www.utexas.edu/courses/stross/ant393b_files/ARTICLES/identity.pdf)> 18 November 2012, and Fearon (1999).

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.



distinguished by group membership and has similar characteristic features and/or attributes. In the second sense, *identity* refers to some distinguishing characteristic(s) which a person takes pride in or views as socially consequential.

## 2.2 INDIAN IDENTITY

Given its diverse and multifarious background, it is difficult to establish what makes or defines 'Indian identity'. The description or construction of a simplified Indian identity often leads to a disagreement between scholars<sup>20</sup> as aiming to produce one basis or definition for *identity* in the Indian context sometimes lead to a negative characterization of some groups, over generalization or even the exclusion or oppression of other groups<sup>21</sup>. Within its borders alone, India contains some 1,652 languages and dialects spoken all over the country, numerous religions, and still, the many thousands of castes and ethnic groups. As many people identify themselves through various factors, including religion, ethnic groups or caste classifications, identifying or establishing what 'Indian identity' is seems to have more complex divisions within the fold of the Indian culture. In attempting to describe what 'Indian identity' is through single units such as religion, ethnicity or language alone discriminates millions of others who see themselves a part of the Indian nation.

One major problem in attempting to define 'Indian identity' is the belief that prior to independence, there was not a unified 'Indian nation' to begin with. According to Chakrabarty, the belief in an Indian nationhood as a historical fact was based on Western

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<sup>20</sup> Refer to discussions on "Indian identity" by Bidyut Chakrabarty (2005), Armando Barucco (2007) and Randall Groves (2006).

<sup>21</sup> Bharat, Shalini, "Racism, Racial discrimination & HIV/AIDS", Office of the High Commissioner for Human Rights, 19-20 February 2002  
<<http://www.ohchr.org/Documents/Issues/Racism/.../RacismAIDS.doc>> 18 November 2012.

models<sup>22</sup>. Prior to colonization, India was then made up of several fragmented middle kingdoms, governed by various powers and empires. Cunningham (1812-1851), writes Chakrabarty, argued that India was never one nation but a collection of different entities and cultures with no sense of identity; each part was governed by various rulers from different regions and empires where different cultures, manners and languages exist<sup>23</sup>. Cunningham argues that India cannot have been a nation because it neither had a common language nor a common culture to begin with. What India represented was in reality a combination of nationalities with different languages and cultures of their own<sup>24</sup>. The construction of even a vaguely defined Indian nationhood was a daunting task simply because India lacked the basic ingredients of a conventionally conceptualized notion of nation<sup>25</sup>.

In an attempt to explain the establishment and meaning of the Indian identity, Mahatma Gandhi regarded the Indian Identity as a link to 'the nation's cultural distinctiveness and singularity', emphasizing that a culture cannot survive if it attempts to be exclusive<sup>26</sup>. In his argument, Gandhi maintained that though there are various groups and traditions existing within the subcontinent, the peoples combined culture includes all divisions of the India fold, giving the nation its combined individuality and identity<sup>27</sup>. This combined communal culture gives India its collective and established identity. Alternatively, Rabindranath Tagore (1861-1941) argued that the view of Identity in the

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<sup>22</sup> Chakrabarty, Bidyut ed., *Communal Identity in India: Its construction and articulation in the Twentieth Century*, (New Delhi: Oxford University Press, 2005) 29.

<sup>23</sup> Ibid, 29.

<sup>24</sup> Ibid, 32.

<sup>25</sup> Ibid, 32.

<sup>26</sup> Krishna Kripalani, ed., *All men are brothers: The life and thoughts of Mahatma Gandhi as told in his Own Words* (Switzerland: United Nations, 1969) 47.

<sup>27</sup> Ibid.

subcontinent is uni-dimensional and insists that the forceful attempts to bind the identification of the Indian nation leads to an undermining of the multi-layered Indian identity<sup>28</sup>. Tagore maintains that more than simply insisting on one primary unit of identification such as a unifying religion or culture; it is the combined roles of the 'little' and 'great' traditions which shape what he loosely defined as the Indian nation<sup>29</sup>. In particular, Tagore emphasized the importance of the various religious groups present in the State and how the religions more than any other tradition have shaped India's culture and identity<sup>30</sup>. Given the tremendous diversity present in India, it makes it difficult to establish a single and solid unifying identity for all peoples. Although the combined varying traditions generally make up what is now presently known as the Indian identity, it is important to note that each group in India does represent a separate form of *identity*, based on various cultures, traditions and religions, and are not necessarily meant to be unified or joined into a singular group in aims to produce a solid or singular 'Indian identity'.

### **2.2.1 BEGINNINGS OF INDIAN IDENTITY**

The beginnings on the construction of the Indian Identity following independence have started as a social reform movement with an intention to change the Hindu-Indian society. In the Indian context, the present significance of national identity has been, for better or worse, a product of governance<sup>31</sup>. Due to the compulsions arising out of the struggle against the British for freedom, a concerted attempt was made to evolve a

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<sup>28</sup> Chakrabarty, ed. (2005) 37.

<sup>29</sup> Ibid, 39.

<sup>30</sup> Ibid, 41.

<sup>31</sup> Barucco, Armando, "National Identity in the Age of Globalization – Changing Patterns of National Identity in India" (Harvard University, 2007)  
<<http://programs.wcfia.harvard.edu/files/fellows/files/barucco.pdf>> 18 November 2012.

minimum set of shared identities for self-recognition along with the recognition of the "others"<sup>32</sup>. The now 'Indian identity' came about as a reaction to the general feeling of people in an oppressed nation, subjected to a foreign power which arose among the Indian peoples, including the non-Hindus<sup>33</sup>.

Although India lacks a unifying solution in its construction of a solid state identity, one factor which has connected many of its peoples and prevented the further division of the subcontinent was due to the large portion of its residents sharing the common Hindu religious custom and background. Although Hinduism is extensive and vary in their beliefs and prayer practices depending on region and culture, 80.5 percent of India's population identify themselves as followers of the Hindu religion<sup>34</sup>. Although this share in a common belief brought together many of its people after India's independence, the 'Hindu-India' identification has at the same time failed to include many of the rest of the religious minorities as part of the Indian identity who have come to identify themselves' based on their religious beliefs, practices and background.

Another key component of the Indian Identity involves India's colonial and post-colonial experience<sup>35</sup>. In quoting Franz-Fanon, Groves insists that it is imperative for the colonized to come to terms with its colonial experience of defeat and domination<sup>36</sup>. According to Groves, culture during pre-colonial India represents a critical part that it is hard to identify a single, binding identity for all Indian peoples<sup>37</sup>. Chakrabarty argues that a person's identity is 'neither unalterable nor fixed, nor a voluntarist project to be

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<sup>32</sup> Chakrabarty, ed. (2005) 41.

<sup>33</sup> Ibid, 43.

<sup>34</sup> Census India (New Delhi, 2011) <<http://censusindia.gov.in>> 15 February 2012.

<sup>35</sup> Groves (2006).

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

executed as it pleases, but a matter of slow-reaction within the limits set by the past'<sup>38</sup>. The issue of Identity politics has also become prominent as caste affiliations, varying religious identities and linguistic groups, as well as ethnic conflicts have all greatly contributed to the significance of India's national identity.

The problem is that given India's current economic and political environment, it has become more difficult for its people to establish who they are, given the plurality of identities that modernity has to offer<sup>39</sup>. Among the several contributing factors in the establishment of the Indian identity, two factors have continuously proven to play a critical and distinct role in the establishment of the Indian identity - social identity and religious identity.

### **2.2.1.1 SOCIAL IDENTITY**

Social identity is a term widely used and, as a consequence, can be interpreted in many different ways by different people<sup>40</sup>. It often helps predict and explain a variety of social behaviors<sup>41</sup>. Traditionally, social identity has been regarded as one which specifically relates to the aspects of a person in terms of group membership<sup>42</sup>. Fearon explains social identity as 'the use of attributes derived from a man's identification with social groups to describe himself'. It is the contribution of man to his answer "Who am I?", by his sense of belonging to some specified part of human society, a community, a professional society, a church, a nationality group, and even sometimes a

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<sup>38</sup> Chakrabarty, ed. (2005) 49.

<sup>39</sup> Ibid.

<sup>40</sup> Fearon (1999).

<sup>41</sup> Tajfel, Henri and Turner, John, *The Social Identity theory of Intergroup Behavior* (Chicago: Nelson-Hall, 1986)

<<http://books.google.ca/books?hl=en&lr=&id=q0wFY3Dcu1MC&oi=fnd&pg=PR11&dq=social+identity+theory+of+intergroup+behavior&ots=qtuoxb9sLx&sig=FHoy7Q7->>.

<sup>42</sup> Deaux (2001) 1.

neighborhood"<sup>43</sup>. At the same time, Deaux relates social identity as the embodiment of an individual and yet is produced by the experiences we have in relation to other individuals and groups<sup>44</sup>. Although most people are members of several varying groups, only some groups are meaningful that we use it to define ourselves<sup>45</sup>. Social identity is the process by which a person defines one's self using the categories we share with other people, or through how we are perceived as members in a social group<sup>46</sup>.

In line with Tajfel & Turner's conception of social collective identity, we come to determine that this typically include a person's feeling of belongingness of relevant social categories such as gender, race, ethnicity or nation<sup>47</sup>. Since there are several categories of an individual's social identity, it is necessary to construct a format broad enough which will tap the various identifications of social group and measure an individual's social identity. Harman maintains that as identity is a complex construct, certain indicators are valuable. These various classifications describe statements of the relationship between the varying social identifications and its dependent variables<sup>48</sup>. It is only after determining the various social groups present can one begin to identify and categorize individuals with a certain social group, regardless of whether or not the members of the group interact. According to Hooper, an individual's social identity links him with social groups, an individual's social background or how he defines or identifies

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<sup>43</sup> Hooper, Michael, "The Structure and Measurement of Social Identity", *Oxford Journals* Vol. 40 Issue 2 (1976) 154-164.

<sup>44</sup> Deaux (2001) 3.

<sup>45</sup> Ibid, 3.

<sup>46</sup> Turner, John and Oakes, Penny, "The significance of the social identity concept for social psychology with reference to individualism, interactionism and social influence", *British Journal of Social Psychology*, Vol.25, Issue 3(1986) 237–252; Deaux, (2001) 3.

<sup>47</sup> Tajfel and Turner, 1986, 46; Also see working paper by Lilli, Waldemar and Diehl, Michael, "Measuring National Identity" (Mannheimer Zentrum für Europäische Sozialforschung, 1999) <<http://www.mzes.uni-mannheim.de/publications/wp/wp-10.pdf>>.

<sup>48</sup> Harman, Harry H., *Modern Factor Analysis* (2<sup>nd</sup> Ed.), (Chicago: University of Chicago Press, 1967) 345-374.

his identity also influences his behavior in society<sup>49</sup>. The core procedure in measuring one's identity is not how a group or government sees or identifies another, but rather how one identifies with the group or how one sees himself.

In India, varying factors such as religion, language, caste and a person's culture all play an important part and are considered as the leading identifying factors in establishing a person's feeling of belongingness in a certain group or social identity. Even individuals who identify themselves as members of similar or single religious group may belong to distinct and varying social identities<sup>50</sup>. At the same time an individual's social status and their corresponding roles also generate strong feelings of identity<sup>51</sup>. This in turn becomes the basis for the opinions about entitlement on various social policy issues in the country<sup>52</sup>.

The contemporary debate on Indian communal and social identity revolves around concerns that as a community, Indians 'lack' or have lost its identity or that it has become diluted, eroded, corrupted and confused<sup>53</sup>. According to Chakrabarty, Identity is not something 'we have', rather it is "what we are; It is not a 'property' but a mode of being." To share a social identity with others does not necessarily mean that we know or interact with every other member of the designated category<sup>54</sup>. It does mean, however, that we believe that we share numerous features with other members of the category, and that to some degree, the events that are relevant to the group as a whole can also have

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<sup>49</sup> Hooper (1976) 154-164.

<sup>50</sup> Chakrabarty, ed. (2005) 54.

<sup>51</sup> Fearon (1999).

<sup>52</sup> Goyder, John, "Measuring Social Identities: Problems and Progress", *International Journal of Public Opinion Research*, Vol. 15, No. 2 (2003) 180-191.

<sup>53</sup> Chakrabarty, ed. (2005) 54.

<sup>54</sup> Fearon (1999).

significance to the individual member<sup>55</sup>. Therefore, it can be said that social identity can be a feature of a group or a community as much as it is a feature of some individuals within a given community<sup>56</sup>. This also means that the various social influences that an individual is subjected to can embody what later becomes the persons' social identity<sup>57</sup>.

### **2.2.2.2 RELIGIOUS IDENTITY**

Given the various religions present in India, most people closely link their individual or personal identity to their religious identity. According to Khamis<sup>58</sup>, apart from language, gender, culture and tradition, Indians have most closely identified themselves through religious and caste affiliations more than anything else. Although a majority of the population is composed of Hindus, there are several other religions also present in the country. According to the 2011 Census of India, approximately 80.5 percent of the Indian population is Hindu, although there are also a large number of Muslims at 13.5 percent, Christians 2.3 percent, Sikhs 1.9 percent, and many other religious groups, as shown in the table below. Some of these groups are regionally concentrated with each religious group having their own distinctive social identities, cultures, customs and norms.

A State's social and political situation also affects how a person establishes its identity. Chakrabarty argues that individual identity is only temporary and remains in constant flux as a State's political and social situations change. One of the reasons for the

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<sup>55</sup> Ibid.

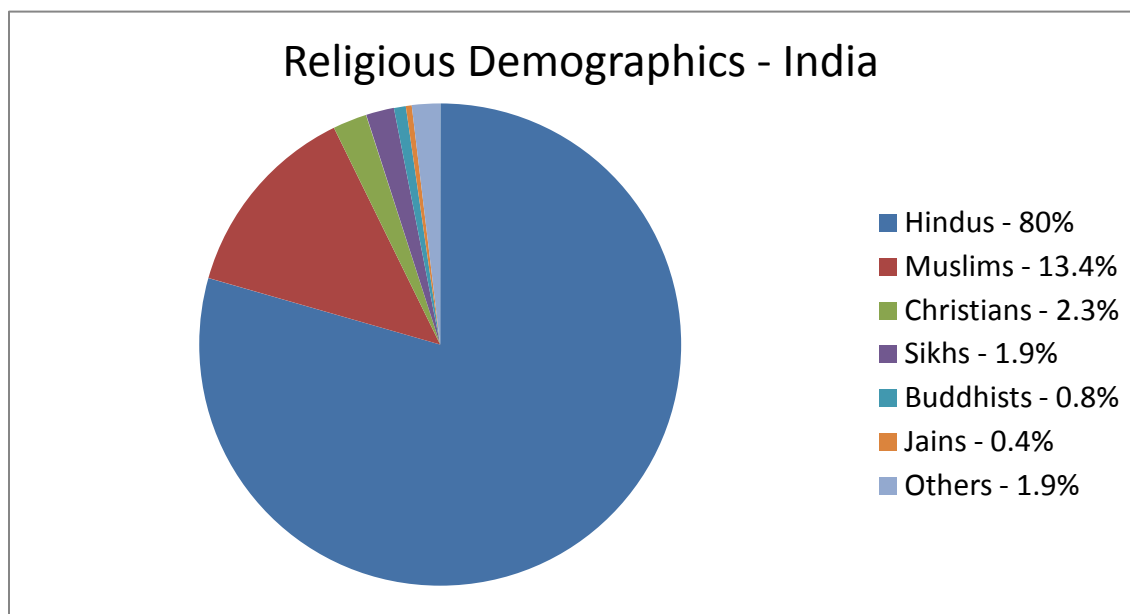
<sup>56</sup> Little, Daniel, "Components of One's Social Identity" August 2008  
<<http://understandingsociety.blogspot.ca/2008/08/components=of-ones-social-identity.html>> 18 November 2012.

<sup>57</sup> Ibid (2008).

<sup>58</sup> Khamis, Melanie, "Consumption and Social Identity" <<http://www.econ.uconn.edu/working/2012-28.pdf>> 18 November 2012.



**FIGURE 1. RELIGIOUS DEMOGRAPHS IN INDIA**



Source: Census India, 2011. (Original in Color)

radical shift in Indian Identity as an outcome of divisive politics was seen during the partition of India and Pakistan in 1947<sup>59</sup>. Amartya Sen notes that people's identities as Indians,

seemed to give way - quite suddenly - to sectarian identification with Hindu, Muslim or Sikh communities. The broadly Indian of January was rapidly and unquestionably transformed into the narrowly Hindu or finely Muslim of March. The carnage that followed had much to do with unreasoned herd behavior by which people, as it were, 'discovered' their new divisive and belligerent identities and failed to subject the process to critical examination. The same people were suddenly different<sup>60</sup>.

This obsession with boundaries has also led to the division of groups and exclusion of individuals and communities, which were originally part of India's cultural and historical fabric<sup>61</sup>.

Given that Hinduism preceded and prevailed over all other religions in India does not change that India still remains to be an ethnically and religiously diverse nation. In pointing out the importance and acceptance of state diversity, Tagore argued that in order for a state to survive peacefully, it should be accepting of all its varying cultures and religions<sup>62</sup>. He designed an alternative culture of education - looking at both east and west beyond the frontiers of India - to build "upon the spiritual unity of all races"<sup>63</sup>. His

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<sup>59</sup> Chakrabarty, ed. (2005) 67.

<sup>60</sup> Ibid, 68.

<sup>61</sup> Ibid, 68.

<sup>62</sup> See article by Collins, Michael on "Tagore, Gandhi and the National Question", *South Asian and Comparative Politics*, 11 November 2008,

<[http://academia.edu/894027/Tagore\\_Gandhi\\_and\\_the\\_National\\_Question](http://academia.edu/894027/Tagore_Gandhi_and_the_National_Question)> 11 November 2012.

<sup>63</sup> Ibid, 2008.

objective was for all the people of United India to be "free from all racial and national prejudice"<sup>64</sup>.

Since identity is a multidimensional set of categories which defines the sense of self, people belonging to either ethnic or religious minorities should not be subjected to unfair treatment within their country<sup>65</sup>. The many people in India hold religion as the key and central factor in establishing their identity, and hence it is critical to maintain a secular and equal position in holding one's identity<sup>66</sup>. Religious and ethnic prejudice and one sidedness have led to a divide within the nation, where many minority groups, including minority religious groups, feel oppressed and discriminated against.

## 2.3 MINORITIES

All States have one or more minority groups within their national territories, characterized by their own national, ethnic, linguistic or religious identity which differs from that of the majority population<sup>67</sup>. In the study of politics, no minority or minority groups exist without a corresponding majority<sup>68</sup>. Minorities are typically defined as a subordinate group in contrast to the majority whose members have significantly less control or power over their lives than members of a dominant or majority group<sup>69</sup>. Although minorities are often linked with the identification through their numerical

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<sup>64</sup> Ibid, 2008.

<sup>65</sup> Dalton, Lisa "Professional Socialization and Identity Formation in Rural Health Education", June 2008, <<http://www.eprints.utas.edu.au/7748/2/02whole2.pdf>> 12 November 2012.

<sup>66</sup> See "The Politics of Cultural Pluralization and Ethnic Conflict" June 2010, 18 November 2012, <[http://www.pearsonhighered.com/assets/hip/us/hip\\_us\\_pearsonhighered/samplechapter/0205791239.pdf](http://www.pearsonhighered.com/assets/hip/us/hip_us_pearsonhighered/samplechapter/0205791239.pdf)>

<sup>67</sup> "Enforced and Involuntary Disappearances", Office of the High Commissioner for Human Rights (2008), <<http://www.ohchr.org/EN/Issues/Disappearances/Pages/DisappearancesIndex.aspx>>.

<sup>68</sup> See United Nations Fact Sheet on Minority Rights, 1992, <<http://www.ohchr.org/Documents/Publications/FactSheet18rev/1en.pdf>> 18 November 2012.

<sup>69</sup> Schaefer, Richard "What is a Minority Group?", July 1993, <[http://racism.org/index.php?option=com\\_content&view=article&id=280:minor101&catid=15&Itemid=118](http://racism.org/index.php?option=com_content&view=article&id=280:minor101&catid=15&Itemid=118)> 20 July 2011.

difference, its identification is not limited by its numbers<sup>70</sup>. According to Schaefer, a group that experiences any narrowing opportunities which are disproportionately low compared to their numbers in society is to be considered minorities<sup>71</sup>.

### **2.3.1 MINORITY RIGHTS AND MINORITY SITUATION IN INDIA**

Within India, there also exists a wide range of minorities. Apart from caste affiliation, religion is one of the primary factors which people in India identify with. During the 1940s, Jawaharlal Nehru drew on a vision of the country which was heterogeneous, yet united in its diversity<sup>72</sup>. Through the establishment of various laws, the Indian Government pledged its recognition on the rights of its minorities. Some of these rights can be seen under Articles 14, 15, 16, 19 and 29 of the Indian Constitution, the guarantee to the Right of Freedom under Article 25, and the Freedom to manage Religious Affairs under Article 26. Despite this India has failed to put into practice its special constitutional arrangements as the number of minority related problems continue to rise.

A study conducted by the Pew Research Center focusing on the 'Global Restrictions on Religions and Religious Intolerance' ranks India as "high" in 'Government Restriction Index' (GRI) and "very high" in 'Social Hostilities Index' (SHI)<sup>73</sup>. According to the study, the presence of certain government restrictions often causes high incidents of religious violence, intimidation and discrimination by

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<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Tillin, Louise, "United in Diversity? Asymmetry in Indian Federalism" August 2006, *Oxford Journals* <<http://publiux.oxfordjournals.org/content/37/1/45.full.pdf+html>> 12 November 2011.

<sup>73</sup> See Appendix G for a report on the Global Ranking on Religious Intolerance.

governments and private actors<sup>74</sup>. Some of these restrictions include: (1) constitutional restrictions or restrictions based on law or policy; (2) restrictions imposed by government officials on any level whether codified in law or not; (3) use of force or coercion against religious groups by government agencies or their representatives, and; (4) government favoritism toward particular religious group; all of which were shown to be persistent and a growing problems in India<sup>75</sup>.

The US Commission on International Religious Freedom (USCIRF) also listed India among the top countries which have failed to adequately protect its religious minorities<sup>76</sup>. In the past two decades alone, cases of riots and pogroms towards religious minorities in India had a disturbing increase<sup>77</sup>. Among other religious groups, some argue that the Sikhs have been one of the most victimized, discriminated and targeted minorities in India<sup>78</sup>. The Sikhs are a distinct religious, ethnic and minority group, having their own culture, tradition and language. Sikhs are also easily identifiable which make them easier targets for attacks and discrimination.

Although India has existing laws for its minorities, it has failed to implement many of these laws to fully protect the rights of its minorities. Under the current Indian Constitution, the Sikhs, including people belong to Jain and Buddhist faith are not

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<sup>74</sup> See report on “Global Restrictions on Religion” <[http://www.pewforum.org/Goverment/Rising-Restrictions-on-Religion\(2\).aspx](http://www.pewforum.org/Goverment/Rising-Restrictions-on-Religion(2).aspx)> 15 February 2011.

<sup>75</sup> Ibid, 2009.

<sup>76</sup> U.S. Department of State, *Report on International Religious Freedom*, June 2006, <<http://www.state.gov/j/drl/rls/irf/2006/>> 18 November 2012.

<sup>77</sup> “Global Restrictions on Religion” (2009).

<sup>78</sup> See United Nations report on “State of the World’s Indigenous Peoples”, (2009) <[http://www.un.org/esa/socdev/unpfii/documents/SOWIP\\_web.pdf](http://www.un.org/esa/socdev/unpfii/documents/SOWIP_web.pdf)> 12 November 2012.

regarded as a separate religion but rather as part of the Hindu faith<sup>79</sup>. The *Anand Karaj* or the Sikh's holy wedding ceremony is regarded as irrelevant unless married under the ways of Hinduism<sup>80</sup>. According to Nandy, the Hindu-Indian culture does not have space for the 'Other', but instead has an open blurred definition of the self which allows it to accommodate 'others' with which it might be in conflict. Despite being protected under the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, many minorities still continue to face serious threats of discrimination, assimilation and subjugation by the ruling majority which result in the exclusion of minorities from taking full part in the economic, political and cultural life only made available to majorities.

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<sup>79</sup> Freedom of Religion under Article 25, Explanation II, Sub-clause B of the Indian Constitution states that the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.

<sup>80</sup> According to the Government of India, the Hindu Marriage Act of 1955 "extends to any persons of India that belong by the Hindu religion in any forms,... (b) including any person who is Buddhist, Jaina or Sikh."

### CHAPTER THREE: SIKHS IN INDIA

Sikhs are one of the most visible yet misunderstood minorities in the world. They are one of India's religious minorities belonging to the religion Sikhism and are mostly concentrated in the northwestern part of India's Punjab state. Members of the Sikh faith share a common religious tradition, a scripture, a common language, *Punjabi*, and a way of writing known as the *Gurmukhi* script<sup>81</sup>. The Sikhs also share several social, political and economic institutions.

In an attempt to elucidate Sikhism, several western scholars often attributed the Sikh religion as an offshoot of Hinduism, or as a mix of both Islamic and Brahmanic traditions. As A.C. Bocquet writes, Sikhism 'is the fruit of hybridization between Islam and Hinduism'<sup>82</sup>. In quoting Noss, Mcleod also stated that Sikhism is 'an outstanding example of conscious religious syncretism'; 'a noble attempt to fuse, in a single system, elements drawn from two separate and largely disparate religions'<sup>83</sup>. According to this interpretation, Sikhism is regarded not as a unique and separate religion but as a blend of both Hindu beliefs and Islam.

Distinctly, followers of the Sikh faith and those who study the Sikh tradition argue that Sikhism is not adherent to any other religions traditions but is in fact, bound with its own deep history, including a unique and defined set of teachings and doctrines<sup>84</sup>. Members of the Sikh faith do not follow any religious leader but only the teachings of the Guru Granth Sahib. As Sidhu argues, a Sikh is considered a learner and is shaped by the

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<sup>81</sup> Singh, Mohinder, *Sikhs: Forms and Symbols*, (New Delhi: Manohar, 2000) 27.

<sup>82</sup> Mcleod, William H., *Exploring Sikhism* (New Delhi: Oxford University Press, 2000) 9.

<sup>83</sup> Ibid, 11.

<sup>84</sup> Ibid.

‘essentially rationalist and humanist view of man, the world and the creator, as presented to them by the Gurus’, and therefore cannot be absorbed into nor dismissed as a mere sect or as part of any other faith, and should be considered as an independent religion distinct from other<sup>85</sup>. Thus, although the Sikh identity does not seem to be primarily a question of religious domination, it has become the basis on which a Sikh will first distinguish himself from a Hindu or a Muslim<sup>86</sup>.

According to the *Rehat Maryada* or the Sikh Code of Conduct, a Sikh is defined as any person, male or female, "who faithfully believes in One Immortal Being (*Ik Onkar*); the ten Gurus, from Guru Nanak to Sri Guru Gobind Singh; the Guru Granth Sahib; the teachings of the ten Gurus and the baptism bequeathed by the tenth Guru; and who does not owe any allegiance to any other religion".

Guru Arjan Dev, the fifth of the Ten Gurus responsible for the completion of the structure of the Harmandir Sahib or the Golden Temple in Amritsar, and the compilation of the *Adi Granth* or the Sikh holy book stated:

I observe neither Hindu fasting nor the ritual of the Muslim Ramadan month; Him I serve who at the last shall save. The Lord of universe of the Hindus, Gosain and Allah to me are one; From Hindus and Muslims have I broken free. I perform neither Kaaba pilgrimage nor at bathing spots worship; One sole Lord I serve, and no other. I perform neither the Hindu worship nor the Muslim prayer; To the Sole Formless Lord in my heart I bow. We neither are Hindus nor Muslims; Our body and life belong to the One Supreme Being who alone is both Ram and Allah for us<sup>87</sup>. (Guru Granth Sahib).

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<sup>85</sup> Chakrabarty, ed. (2008) 128.

<sup>86</sup> Chakrabarty, ed. (2008), 128.

<sup>87</sup> Verse taken from the Holy Guru Granth Sahib.



### 3.1 BEGINNINGS OF SIKHISM

The history of Sikhism can be said to have started with the life and teachings of Nanak (1469-1539). When Guru Nanak, the founder of the Sikh religion and considered as the first Guru of the Sikhs first began to preach his message, it was not with the intention of starting a new religion. According to Macauliffe, Guru Nanak “was neither priest either by birth or education, but a man who soared to the loftiest heights of divine emotionalism, and exalted his mental vision to an ethical ideal beyond the conception of Hindu and Muhammadan”. Guru Nanak's creation of a new order or *Panth* successfully challenged and questioned the existing religious tenants and laid the foundations of Sikhism<sup>88</sup>.

Guru Nanak's creed based on a simple monotheistic belief and sustained by a deep set of humanitarian principles made an impact on the Indian population then suffering from the tyranny of the Mughals and ritualized Hindu observances. His teachings were based on his personal experience of the ‘command’ or *hukum*, and its chief doctrines involved the unity of God and human, the rejection of caste and the futility of idol worship<sup>89</sup>. The Guru also aspired for equality and spiritual liberation, including the accessibility of religion for all peoples including those ‘trapped’ in the web of social and patriarchal hierarchy<sup>90</sup>.

As the disciples of Guru Nanak grew, so did the Sikh community. Those who gathered around him were called Sikhs, meaning disciples, and he in turn was seen as

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<sup>88</sup> Singh (2001) 85.

<sup>89</sup> Ibid, 89.

<sup>90</sup> Shackle, Christopher, *Sikh Religion, Culture and Ethnicity* (London: Routledge, 2000) 119.

their spiritual leader or Guru, and so referred to him as Guru Nanak. As Sidhu points out, Nanak's creation of a new *panth* was 'the beginning of a new religious fellowship, which in course of time developed into a well-defined faith'. Before he died, Guru Nanak appointed one of his closest disciples, Angad, to be the next Guru of the Sikh community<sup>91</sup>. In total, there were ten human Sikh Gurus, each appointed by his predecessor. The last of the living Gurus, Guru Gobind Singh died on 1708. On his death bed, the tenth Guru declared that the leadership of the Sikhs will be passed to the Sikh's Holy Scripture, the Sri Guru Granth Sahib which since then became the primary spiritual authority for the Sikhs and is considered as the Sikh's last and perpetual living Guru<sup>92</sup>.

### **3.2 SIKH IDENTITY**

Western scholars and British administrators before them have long grappled with 'the problem of Sikh identity'. Although some argue with the validity and distinction of a separate Sikh identity, most Sikhs and certain scholars including Cunningham (1849), Macauliffe (1910), Mcleod (2002) and Oberoi (1994), believe in the existence of a single, homogeneous and universal Sikh identity. The formation and articulation of the Sikh identity rely on the perceptions of both past and contemporary events<sup>93</sup>. Although occasionally associated with Hinduism and Islam, Sikhism is a distinct and original faith, autonomous, complete and born of a direct and definitive revelation like many of the world religions today. The Sikhs neither fall within the category of Hindus or the Muslims but instead possess their own separate and authentic faith.

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<sup>91</sup> Singh (2001) 127.

<sup>92</sup> Ibid, 128.

<sup>93</sup> Ibid, 132.

Soon after the collapse of the Sikh kingdom in 1849, the Sikhs have been in the process of reconstructing their identity and asserting their religion, firmly distinguishing it from the rest of the denomination particularly of the Hindu identity. Their existence as a minority community <sup>94</sup>has at the same time become a fundamental continuity in the history of the Sikhs and a central factor in the formation and continual reformulation of the Sikh identity<sup>95</sup>. Singh, in quoting Macauliffe (1910) argued that often, the crisis surrounding Sikhs includes threats of assimilation or absorption either by Muslim, Hindu and later British leaders and has sparked a stronger sense of urgency and pressure toward clearly differentiating doctrine, ritual and way of life<sup>96</sup>. This urgency also resulted in the production of Kalhan Singh Nabha's *Ham Hindu Nahin*, 'We are not Hindus', published in 1898, and became a key text of the period asserting Sikh identity distinct from Hinduism.

Apart from being a diverse religious group, it is argued that the Sikhs are also ethnically and physically different than the rest of the Indian population. During colonial times, the British recognized the dissimilarity of the Sikhs among other Indians and termed them as peoples belonging to the 'martial race'<sup>97</sup>. During the Anglo-Sikh wars (1845, 1846, 1849) they were known as fierce fighters who put up tough resistance against the British. The Sikhs were considered valiant and 'built for fighting' and were

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<sup>94</sup> Under section 2 (c) of the National Commission for Minorities Act, 1992, there are five religious communities recognized in India. These include the Muslims, Christians, Sikhs, Buddhists and Zoroastrians (Parsis).

<sup>95</sup> Singh (2001) 139.

<sup>96</sup> Ibid, 26.

<sup>97</sup> The term "martial race" was used by the British towards the Sikhs of India in reference to their 'warrior-like features and qualities'. The Sikhs were regarded as 'brave and built for fighting' and were primarily recruited in the British-Indian army. This "martial" tradition seems to have its roots in the militarization of the Sikhs by the 6<sup>th</sup> and 10<sup>th</sup> Gurus.

recruited heavily in the British Army. This martial aspect of Sikh identity has been a dominant feature in the public perception of the Sikh religion.

This expansive range and diversity of the Sikh identity allows them to make use of the various identifying factors aside from their religious background and ethnicity. Although not all members of the Sikh faith follow the prescribed religious attire, the mobs which assaulted the Sikhs and their properties following Indira Gandhi's assassination had little difficulty identifying and attacking the Sikhs. In an attempt to clarify the various identities that a Sikh holds, this section aims at understanding the three main identities primarily used in the Sikh community, namely Sikhs as a religious group, Sikhs as a minority community, and Sikhs as a distinct 'nation'.

### **3.2.1 SIKHS AS A RELIGIOUS GROUP**

Singh, in quoting Robert Hefner noted that world religions are 'the longest standing civilization's primary institutions' and have long been a primary source of 'self-identification'<sup>98</sup>. The establishment of Sikhism as a world religion provided the Sikhs with a strong claim to collective identity. As stated by Oberoi, the Sikhs in the early twentieth century began to 'think, imagine and speak in terms of a universal community of believers united by uniform rites, symbols and scripture'<sup>99</sup>.

Although people belonging to the Sikh faith strongly identify with their religion, the Sikhs for decades have ceaselessly been trying to separate itself from other groups who try to assimilate it<sup>100</sup>. The launch of a stronger Sikh religious identity has been

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<sup>98</sup> Singh (2004) 135.

<sup>99</sup> Ibid, 133.

<sup>100</sup> Ibid.

developed by the various movements initiated by the urban Sikhs, aimed at controlling the Nation's gurdwaras and in obtaining a separate Punjabi *Suba*<sup>101</sup>. Sikh political parties such as the Akali Dal, the Chief Khalsa Diwan and the Shiromani Gurdwara Prabhandak Committee (SGPC) all played significant roles in successfully establishing the Sikhs as a separate religious community<sup>102</sup>. At the same time, the success of the Gurdwara Reform Movement<sup>103</sup> during the 1970s contributed to the re-institutionalization of proper Sikh customs and effectively rid the community of its Brahmanical or Hindu influences<sup>104</sup>. Through this, Sikhism has gained an institutional mechanism which further separated Sikh religious authority from its Hindu influences<sup>105</sup>. To fully understand the Sikh identity, this section attempts to shed light on the complexity of the Sikh faith and identity, through a review of their principal beliefs and customs, as well as an understanding of the identity-markers that Sikhs use within their community.

### 3.3 PRINCIPLES OF SIKHISM

In the construction of a Sikh, it is critical to make sense of the various elements which are formed within the Sikh community. Generally, religious groups make use of their beliefs and traditions unique from others, as their group's primary symbols and identity markers. In many cases, the use of identity markers become the basis where people come to interpret, understand or even accept one's identity<sup>106</sup>. As Pashaura Singh

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<sup>101</sup> 'Punjabi *Suba*' was a movement led by the Akali Dal during the 1950's which aimed in the creation of a linguistically-based Punjabi province. This resulted in the formation of a Punjabi majority Punjab, Hindi majority Haryana & the Union Territory of Chandigarh.

<sup>102</sup> Chakrabarty, ed. (2002) 273.

<sup>103</sup> The Gurdwara Reform Movement was a campaign led by the Akalis in the early 1920's to bring reform to the Gurdwara's across India. This led in the establishment of the Sikh Gurdwara Bill of 1925 which placed all the Sikh Shrines under the control of the SGPC and away from traditional and ritualized clergymen.

<sup>104</sup> Chakrabarty, ed. (2002) 273.

<sup>105</sup> Singh (2004) 133.

<sup>106</sup> Ibid, 177.

points out, 'outward religious practices and inward beliefs are always the important factors that define human beings'.

Although Sikhism is composed of various beliefs and traditions similar to many other religions, they have also largely struggled to maintain both their faith and identity against religious syncretism<sup>107</sup>. This struggle can primarily be seen through the incorporation of the various symbols and traditions used in the Sikh tradition, including the use of the *Khanda* or the Sikh coat of arms, the usage of *Ik Onkar* pertaining to the 'Oneness of God' and the *Nishan Sahib* or the Sikh flag<sup>108</sup>. Each of these symbols and traditions not only provide a feeling of religious security and respect to their Gurus, but is also a method where members of the group are able to display the uniqueness of their faith, including the declaration of spiritual sovereignty and representation of their religious identity.

The Sikh faith is based on a simple monotheistic creed as symbolized by "*Ik Onkar*" and is one of the primary foundations of Sikhism. According to Raj, the Sikh faith has grown from the interactions of various cultural milieus and carries with it a consistent and involved reality. Although similar to Hinduism in its belief in the cycle of reincarnation, Sikhism both in its content and teachings prohibits any form of superstitious practices, including the denouncing of the caste system which is concurrent with the Hindu faith. The Sikh faith's primary devotion revolves around the culture of service, where one can serve his fellow men and ultimately be of service of God..

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<sup>107</sup> Raj (1987) 147.

<sup>108</sup> For a detailed description on the representation of the Sikh symbols, please see <[http://www.indif.com/nri/sikhism/sikh\\_symbols.asp](http://www.indif.com/nri/sikhism/sikh_symbols.asp)>.

### **3.3.1 SYMBOLS OF SIKHISM: IDENTITY MARKERS**

Like many religion, Sikhism incorporates in its thought and practice a variety of symbols and representation which help in the formation and strengthening of its identity<sup>109</sup>. For Sikhs, their distinctive identity is marked by their well distinguished belief system, the establishment of socio-religious institutions and exclusivity of their symbols of faith<sup>110</sup>. These symbols which serve as primary identity markers for Sikhs also assisted in the shaping of the Sikh faith, including the formation and the continual representation of the Sikh identity.

#### **3.3.1.1 THE TURBAN**

The wearing of the turban, particularly for male Sikhs, have become one of the most distinct and well known identity markers for Sikhs. The turban's function has to do wholly with Sikhism's religious and social identity and cohesion<sup>111</sup>. At the same time, the turban served as a symbolic proclamation against the curtailment of civil liberties and the Sikhs quest for equality<sup>112</sup>.

Additionally, the turban has become one of the most notable features in a Sikhs' organization and clothing and has served as a uniform where Sikhs could publicly proclaim their faith and visibly stand out from others<sup>113</sup>. During the 1970s Punjab Problem, the turban became a symbol of both protest and pride for many Sikhs. In an attempt to show their dissimilarity and visibly distinguish themselves from other faiths,

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<sup>109</sup> Singh (2000) 31.

<sup>110</sup> Singh (2004) 80.

<sup>111</sup> Raj (1987) 165.

<sup>112</sup> Ibid, 87.

<sup>113</sup> Raj (1987) 165.

particularly the Hindu faith, thousands of Sikhs vowed to take *Amrit* which made them easily distinguishable from the rest of the non-Sikhs. Although this protest has strengthened and united the Sikh identity, it has also, in turn, become one of the primary reasons why Sikhs were easy targets during the Pogroms of 1984.

### **3.3.1.2 THE KHALSA IDENTITY**

Since its inception, the evolution of the Sikh identity has been in the process of both reformulation and crystallization. Often referred to as the militarization of the Sikh identity, the Khalsa meaning 'the Pure' originally began as a form of protest by the fifth and sixth Gurus, Arjun and Hargobind, against Mughal tyranny and brutality<sup>114</sup>. The Khalsa, which was later fortified by the tenth Guru, Guru Gobind Singh, created a community of 'baptized' or initiated Sikhs, now known as the Khalsa Panth<sup>115</sup>. As argued by Shackle, the creation of the Khalsa has changed the Sikh identity and created a new brand of Sikhs maintaining an elevated value of commitment, dedication and social consciousness<sup>116</sup>.

To become a member of the Khalsa, one is required to undergo the Sikh baptism ceremony of Amrit. Once baptized, the member is referred to as an '*Amritdhari*' Sikh, meaning 'one who has taken Amrit'. Once initiated into the Khalsa, the baptized Sikh is expected to have knowledge of the *Gurbani*, or the teachings from the Guru Granth Sahib and strictly follow the guidelines of the Sikh Code of Conduct and its Conventions<sup>117</sup>. Concurrent with the wearing of the turban, members of the Khalsa are required to wear

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<sup>114</sup> Chakrabarty, ed.(2004) 271-272.

<sup>115</sup> Ibid.

<sup>116</sup> Shackle (2000) 122.

<sup>117</sup> Singh (2000) 44.



on his person the Five articles of faith prescribed by the tenth Guru, known as the 5 Kakkars or 5Ks. These 5Ks evidently transformed the outward identity of the Sikhs and became primary symbols of the Sikh faith and identity.

### **3.3.1.3 THE FIVE KAKKARS (Ks)**

The establishment of the five Ks signified and strengthened the outward display of Sikh identity and became a highly visible and public symbol on the declaration of the Sikh faith. These symbols, as argued by Kapoor were not created in aims of exclusivity or as means of spiritual advancement of the soul, but primarily to serve as aids for the preservation of the community's identity<sup>118</sup>. The symbols, at the same time became effective instruments of faith which aided its members to be united and their ideas intact<sup>119</sup>. Each of the five K's is represented through symbolism, which possess both distinct spiritual and outwardly meanings.

#### **A. Kesh (Unshorn hair)**

Based on the Indian tradition, the keeping of unshorn hair is often associated with man's oneness with God and his commitment for spiritual accomplishment. In accordance with the Sikh custom, the *kesh* or keeping of unshorn hair of the head and beard symbolizes for Sikhs a life of spiritual devotion and strength of conviction<sup>120</sup>. At the same time, the Sikh perspective of keeping unshorn hair represents the complete and natural person in whole, as God has created<sup>121</sup>.

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<sup>118</sup> Kapoor (1992) 104.

<sup>119</sup> Singh (2000) 86.

<sup>120</sup> Ibid, 80.

<sup>121</sup> Ibid.

According to Sikh history and tradition, the keeping of unshorn hair also became a strong symbol of a Sikh's courage and valor. Together with the tying of the turban, keeping of the unshorn hair became a symbol of the Sikhs public proclamation of their distinct identity, even at times of religious persecution. Known as the defenders of peoples who are forcibly being converted to other religions, this visible declaration on distinctness in belief showcased the Sikh's commitment to defend and protect those who are in need. At the same time, the keeping of the *kesh* also represents for the Sikhs its renunciation of the material world and asceticism or its abstinence from worldly pleasures.

## **B. Kangha (Comb)**

Invariably, the unshorn hair is also associated with the *Kangha* or comb, which performs the function of keeping the hair clean and orderly<sup>122</sup>. This tradition of cleanliness and orderliness in relation to the use of the *kesh* and *kangha*, can be seen in connection with the importance and the symbol of the turban for the Sikhs<sup>123</sup>. Therefore, both the *kesh* and *kangha* form a unitary pair of symbols, each evoking the meaning of the other.

The Kangha also represents the discipline of mind where a Sikh is reminded to not let his thoughts wander aimlessly, but instead keep it orderly and well disciplined<sup>124</sup>. As asserted by Mohinder Singh, 'the spirit, through intuition should rule the intellect, and the intellect should rule the emotions'. The *kangha* thus

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<sup>122</sup> Singh (2000) 65.

<sup>123</sup> Ibid.

<sup>124</sup> Ibid, 80.

becomes the Sikh's symbol of self-control, the avoidance of anger and the non-attachment to worldly possessions<sup>125</sup>.

### **C. Kirpan (Sword)**

The *kirpan* or sword is another symbol where the Sikh element of courage and valour are exemplified. In addition to its symbol of self-defense, the *kirpan* also signifies freedom from oppression and persecution. Appropriately taken from the word '*kirpa*', meaning compassion and dignity, the *kirpan* is not meant to create fear or violence, but is instead used as an instrument of last resort in defending the weak and oppressed, and in upholding human dignity. Spiritually, the *kirpan* is also representative to the victory of man over ignorance and evil (including superstitious beliefs). Therefore, the *kirpan* is a proclamation of 'heroic affirmation of a valorous life for the vindication of ethical principles'.

### **D. Kara (Steel bracelet)**

The *kara* or steel bracelet is an accessory worn by many Sikhs, including those who have not taken the *Amrit*, and is a symbol of continuity, awareness, restraint and carefulness. Originally, the *kara* was a pragmatic accessory to the *kirpan*, and was used as a protective armour and served as a shield for the warrior's arm during battle. The steel composition of the *kara* also suggests that the human soul must be as strong and as unbreakable as the bracelet.

Spiritually, the *kara's* circular shape also signifies perfection and the unbroken continuity of existence, which is 'without a beginning and without an ending'<sup>126</sup>. In

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<sup>125</sup> Ibid.

traditional India, the circle is an important symbol and represents Supreme Law and Divine Justice. It serves as a reminder for all Sikhs to be aware with God's immortality and timelessness<sup>127</sup>. Overall, the *kara* serves as a symbol of both a just and lawful life and of self-discipline and control.

#### **E. Kachha (Breeches)**

The *kachha* is a set of long breeches or shorts, and is last of the 5Ks. Initially, the *kachha* was used by Sikh warriors during battle ensuring briskness of movement in times of action and serving as an easy under garment during times of rest<sup>128</sup>. The *kachha* is not only a symbol of both alertness and saintliness, but has also evolved into a symbol of one's fidelity in ones state of life, as well as a mental break away from the traditional dress and thought<sup>129</sup>.

In all, the 5Ks present an authenticating 'sign and seal' of Sikhism<sup>130</sup>. These five Ks serve not only as identifying markers signifying the distinctive identity of the Sikhs but also as a reminder of their responsibility towards man and God, as Sikh-soldiers. As argued by Singh, the association of the Khalsa symbols of the five Ks 'is not in association with places of things, but an ever-living personality that itself is a symbol of the Highest Personality'. Ultimately, the Sikh identity under the Khalsa shows the Sikhs dedication in protecting the oppressed and the proclamation of its identity.

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<sup>126</sup> Singh (2000) 81.

<sup>127</sup> Ibid.

<sup>128</sup> Ibid, 21.

<sup>129</sup> Ibid, 81.

<sup>130</sup> Ibid, 71-88.

### 3.4 SIKHS AS A RELIGIOUS MINORITY

Throughout most of their history, the Sikhs have often lived as a minority community governed by a more powerful, non-Sikh majority<sup>131</sup>. Since its inception, the Sikhs were under the rule of the Mughals or the Muslim Empire, followed by the British and most recently, under the Hindu-majority state of the Republic of India. Even during the brief period of the Sikh Empire under Maharaja Ranjit Singh where they became the governing power, the Sikhs remained to be a numerical minority<sup>132</sup>.

According to the National Commission for Minorities (1992), there are five religious minorities<sup>133</sup> that are declared to be minority communities by the Indian government. These religious groups include the Muslims, Christians, Sikhs, Buddhists and Zoroastrians<sup>134</sup>. Although the Sikhs currently make up about 2 percent or an estimated 20 million of India's total population, they constitute as the majority in their home state of Punjab with an estimated 60% of the population in the state (See Figure 2).

Due to the overwhelming majority of the Hindus and its disparity among other religious groups, many religious minorities often become targets of violence and brutality. Since India's independence, cases of communal riots and violence against minorities have risen in India. Among the most noted include clashes between Christians vs. Hindus, Muslims vs. Hindus and Sikhs vs. Hindus, where minority communities suffered a similar fate

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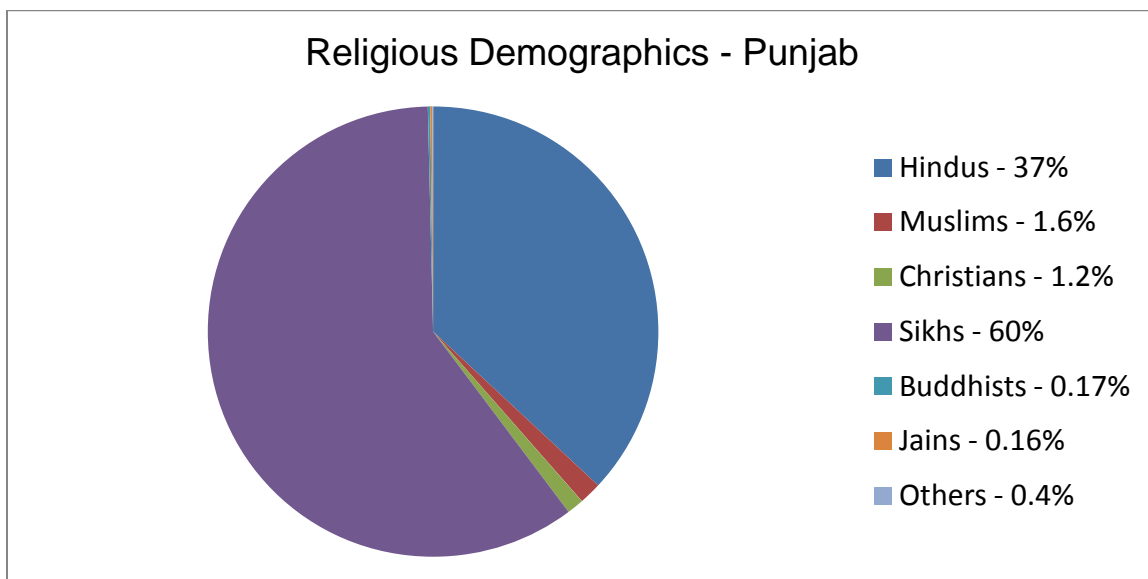
<sup>131</sup> Singh (2004) 147.

<sup>132</sup> Singh (2004) 147.

<sup>133</sup> Although the Constitution does not define a minority or provide details relating to the geographical and numerical specification of the concept, it is clear that the constitutional scheme envisages this to be determined at the national level. Minority rights can be seen under Articles 29 and 30 of the Indian Constitution.

<sup>134</sup> See Figure 1.

**FIGURE 2: RELIGIOUS DEMOGRAPHICS IN PUNJAB**



Source: Census India, 2011 (Original in Color)

under the ruling majority. The case of the 1984 Pogroms against the Sikhs became one of the biggest and deadliest attacks against the Sikh community. While the minority situation is constantly changing in India, it has at the same time transformed and strengthened the Sikh's objective of separating itself from Hindu fold<sup>135</sup>. As the Sikhs continue to face issues of inequality and forced assimilation by the Hindu majority even after India's independence, the Sikhs have developed a new system of re-establishing their own socio-political and religious institutions, including the creation of the SGPC and the Akali Dal. This situation also forced them to construct a stronger and distinct Sikh identity through the advancement and propagation of their faith. As a consequence, the Sikhs minority status created a new sense of belonging and assisted in the creation and development of the Sikh identity.

#### **3.4.1. THE SHIROMANI AKALI DAL**

The Shiromani Akali Dal or Akali Dal is a Sikh-Centric political party and considers itself the primary representative of all the Sikhs of India. Established in December 1920 under British controlled India, the Akali Dal has been successful in combining both religion and politics in its mission, with its primary goal focused in the maintenance and protection of the Sikh identity, including the protection and/or representation of Sikhs in the socio-political entity within independent, multi-national India<sup>136</sup>.

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<sup>135</sup> Growing tensions between the Sikhs and the Indian government during the 70's and 80's led to a secessionist movement calling for a separate Sikh country called *Khalistan*.

<sup>136</sup> Shani, Giorgio. "The Construction of a Sikh National Identity"  
<<http://sar.sagepub.com/content/20/1/1.full.pdf.html>> 1 March 2000.

The inseparability of politics and religion in the Akali Dal's goals can be seen throughout its many projects. Among its earlier accomplishments, the Akali Dal was directly responsible for the creation of the Shiromani Gurdwara Parbandhak Committee or SGPC. Due to fear of losing the Sikh values and the escalation of other violent problems between local and smaller Sikh groups across the country, the Akali Dal successfully aided in the creation of the SGPC which transferred the control of all Gurdwara's or Sikh places of worship from the various local groups spread throughout the country, to a more general and secured group which only focused on the Sikh faith, its values and traditions. The Akali Dal was also responsible for the creation of the *Punjabi Suba*, which demanded a majority Punjabi speaking state and resulted in the formation of the current Punjabi-majority Punjab state. The group and many of its leaders are also responsible in the development of the Anandpur Sahib Resolution (ASR) in the late 1970s (See Chapter 4). Often referred to as the "Sikh Manifesto" by some scholars, the ASR was a declaration presented toward the Indian Government which demanded change and recognition, focusing primarily on the Sikh minority and their rights. Issues raised on the ASR also contributed to what some argue as the beginning of the "Sikh's social awakening",<sup>137</sup>.

### 3.5 SIKHS AS A NATION

Numerous scholars, including Cunningham, Dusenbery and Oberoi argue that Sikhs are a nation<sup>138</sup>. In 1974, Paul Brass argued that "of all the ethnic groups and peoples of north India, the Sikhs come closest to satisfying the definition of a nationality

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<sup>137</sup> Singh (2010), et. al.

<sup>138</sup> Singh (2004) 130.



or a nation”. Using Nenad’s definition, we use the term nationalism in this thesis to describe two phenomanas. First is the attitude that members of a nation have when they care about their national identity, and second, the actions that members of a nation take when seeking to achieve or sustain self determination<sup>139</sup>. Both these definitions raises important questions about the concept of a nation or national identity. The first definition prescribes that nation or national identity is affixed and defined in terms of a persons ethnicity, origin, cultural ties and group membership, whether voluntary or involuntary. While the second definition raises questions about self determination and that it must be understood as involving full statehood with complete authority over domestic and international affairs<sup>140</sup>. Despite the descriptive characterization of what constitutes nationhood, we are presented with a wider domain of problems on the issue of nationalism, including the treatment of ethnic and cultural differences within a democratic polity<sup>141</sup>.

In recent years, many Sikhs, especially those promoting the territorial sovereignty for the proposed state of Khalistan emphasized how Sikhs are ‘varying and in contrast’ with the current State of India and how their ‘collective identity’ meet the standards required on what constitutes nationhood<sup>142</sup>. In his book ‘Are Sikhs a Nation?’, Chaddah points out that Sikhs are bound by ‘a common race, common language, common history, common religion, common joys and sorrows, and common political aims and aspirations,’ which are the primary factors that make up a nation<sup>143</sup>. This increasing link

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<sup>139</sup> Nenad, M., “Nationalism” The Stanford Encyclopedia of Philosophy (Summer 2010) <<http://plato.standord.edu/archives/sum2010/entries/nationalism/>> 30 April 2014.

<sup>140</sup> Ibid.

<sup>141</sup> Ibid.

<sup>142</sup> Singh (2004) 123.

<sup>143</sup> Ibid.

in identity has affected how most Sikhs see themselves, as belonging to the Indian subcontinents and at the same time, as peoples with a separate identity.

### **3.5.1 BRIEF HISTORY**

Both in India and the Diaspora, Sikhs have been in the position of soliciting states, international bodies and organizations for their recognition as a separate nation<sup>144</sup>. History tells us that in between 1710 to 1716, the Khalsa army of Banda established the first independent Sikh state. Although short lived, they regained power in 1799 under Maharaja Ranjit Singh and was considered as a major leading empire in the Indian subcontinent. During the Anglo-Sikh wars in 1849, the Sikh Empire was defeated and was annexed into the British India colony. During the British reign, the Sikhs were recognized as one of the three distinct groups occupying British India, apart from the Hindus and the Muslims<sup>145</sup>. Having existed as an ethnic community under colonial rule, the Sikhs evolved into a nationality within post-colonial India<sup>146</sup>. As India achieved its independence in 1947 and a new majority power has been put into place, many Sikhs saw themselves as a minority group unlikely to survive a heavily Hindu-dominated society. The most recent attempt of several members of the Sikh faith to identify themselves as a separate nation, particularly Khalistan's proponent Jagjit Singh Chauhan, was due to the 1984 Sikh pogroms, where it accuses the Indian Government of being directly involved in the Sikh riots and for (purposely) providing an unsafe environment for most of its minorities. It was during this time that an independent Punjab, or Khalistan, became the

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<sup>144</sup> Similar to the Quebec sovereignty movement, Sikh separatists during the 1980s aimed in creating an independent Sikh country called Khalistan, based primarily on religious, ethnic, cultural, linguistic and political factors.

<sup>145</sup> Ibid.

<sup>146</sup> Singh (2001) 44.

'imagined homeland' for a significant section of Sikhs, particularly the Sikh diaspora. According to Tatla, 'Operation Bluestar' was one of the primary reasons which encouraged many Sikhs on their search for a separate statehood and was one of the primary reasons why there have been stronger calls for a separate Sikh nation.

## CHAPTER FOUR: THE PUNJAB PROBLEM

The Punjab Crisis has transformed the northern state of Punjab from the country's most leading and prosperous state, into the center of one of the bloodiest conflicts in India's post-independence history<sup>147</sup>. Although its problems started during the beginnings of independent India, its current conflict has spiraled into a mixture of social, economic and political factors<sup>148</sup>.

Since 1947, millions of Sikhs became homeless as a result of the division of more than half of the Punjab to make way for the creation of the new State of Pakistan<sup>149</sup>. Prior to partition, Nehru committed to the creation of an autonomous state structure under a Federal state system, which protects and guarantees the rights of all minorities. In his speech, Nehru states that, "The Indian union as an independent, sovereign republic comprising of autonomous units with residuary powers, wherein the ideals of social, political and economic democracy would be guaranteed to all-sections of people, and, adequate safeguards would be, provided for minorities, backward communities and areas<sup>150</sup>,".

Confirming his declaration towards an autonomous state structure, Nehru proceeds that the resolution is a "Declaration, a pledge and an undertaking before the world, a contract of millions of Indians, and therefore in the nature of an oath which we

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<sup>147</sup> Ballard, Roger, "Azad Kashmir: the View from Mirpur", *Economic and Political Weekly* (Bombay, 1991) 513-517.

<sup>148</sup> Helweg, Arthur W., "India's Sikhs: Problems and Prospects", *Journal of Contemporary Asia*, Vol. 17, Issue 2, 140-159.

<sup>149</sup> Singh, Pashuara and Barrier, Gerard, *Sikh Identity: Continuity and Change*, (New Delhi: Ajay Kumar Jain Publishing, 2001).

<sup>150</sup> Jaijee, Inderjeet Singh, "Politics of Genocide: Punjab, 1984-1998"

<<http://www.scribd.com/doc/4656778/Politics-of-Genocide-Punjab-1984-1998>> 11 August 2011.

want to keep<sup>151</sup>”. Given the guarantee of the resolution and the testament by Nehru and the Congress Party, several religious minority groups including the Sikhs, represented by the Akali Dal submitted its loyalty towards the Indian Union<sup>152</sup>. Shortly after India's independence, the draft for the proposed Indian Constitution was cancelled and instead of autonomous states, the draft only presented a purely unitary type of government<sup>153</sup>. Malik, in his report about the Punjab Problem writes that “although India is an example of a plural society where several sub-national identities exist, it is questionable that the plurality would lead to political integration or coerce a homogenous national political culture”. Given the structure, the minorities quickly became a disfavored group with the State heavily favoring the majority<sup>154</sup>.

The deviation in approach and policy, as well as the promises not followed through by the Central government are argued to be the pinnacle of the present Punjab Problem. Although it is deceptive to reduce the roots of the Punjab crisis to religion, it is critical to note that the conflicts are also rooted in ecological, economic and political impacts generating from a series of events beginning with the introduction of the Green Revolution in the 1960s<sup>155</sup>. Since the minorities have continued to suffer in independent India through growing minority disadvantage, this chapter aims to analyze the Sikh

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<sup>151</sup> Ibid.

<sup>152</sup> In July 1946, Jawaharlal Nehru reassures the Sikhs that an autonomous state will be provided to the Sikhs after independence. In his speech at the Round Table Conference in Calcutta, Nehru states “The brave Sikhs of Punjab are entitled to special consideration...I see nothing wrong with an area set up in the north where the Sikhs can experience the glow of freedom”

<sup>153</sup> In 1950, despite protests by Sikhs, the Indian constitution was adopted, which failed to recognize the Sikhs as a separate religion or "quam," instead Sikhs were categorized as Hindus, and remained defined as such under Article 25 of the Constitution.

<sup>154</sup> See report by Office of the High Commissioner on Human Rights, “Fact Sheet No. 18”  
<<http://www.ohchr.org/Documents/Publications/FactSheet18rev.1en.pdf> > 18 November 2012.

<sup>155</sup> Patial, Sushil Kumar, “Impact of Green Revolution” (2008)  
<<http://www.indiastudychannel.com/resources/16174-Impact-Green-Revolution.aspx>> 18 November 2012.

experience, and the processes and transformation from a peaceful state to a problem-ridden Punjab.

#### 4.1 GREEN REVOLUTION

In the 1960s, as droughts across India threatened food and self-sufficiency for the newly independent country, the Indian Government decided to pursue the 'Green Revolution'<sup>156</sup>. The Green Revolution was termed as a series of increased development both in research and technology, particularly in the areas of agriculture and cultivation<sup>157</sup>. According to the Indian Government, this 'modernization' of Punjab's agriculture aimed at increasing yields per acre on every farm land, which rose at a high rate during the mid-70s<sup>158</sup>. Although termed as the "miracle seeds" by both its developer, Norman Borlaug and the Central government, the peoples of Punjab who experienced its adverse effects define the Green Revolution as the beginning of 'the polarization of Punjab society'.

Instead of regenerating Punjab's farmland, the Green revolution resulted in the dereliction of Punjab, severely affecting the region and resulted in long lasting negative impacts in the state including "reduced genetic diversity, increased vulnerability to pests, reduction in soil fertility, micro-nutrient deficiencies, soil contamination, reduced availability of nutritious crops for the local population, the displacement of vast numbers

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<sup>156</sup> For an extensive study on the effects of the Green Revolution, see "State of Environment Report: Punjab," Punjab State Council for Science and Technology, (Chandigarh, 2007) Accessed from <[http://www.npr.org/documents/2009/apr/punjab\\_report.pdf](http://www.npr.org/documents/2009/apr/punjab_report.pdf)>, "Chemical fertilizers in our water. An analysis of nitrates in the groundwater in Punjab," Greenpeace Research Laboratories (2009) Accessed from <<http://www.greenpeace.org/raw/content/india/press/reports/chemical-fertilisers-in-our-wa-2>>, "Green Revolution reconsidered," International Food Policy Research Institute (IFPRI) (2003), and "The impact of the Green Revolution and prospects for the future," United States Agency for International Development (USAID), (1985) Accessed from <[http://pdf.usaid.gov/pdf\\_docs/PNAAZ044.pdf](http://pdf.usaid.gov/pdf_docs/PNAAZ044.pdf)>.

<sup>157</sup> Ibid.

<sup>158</sup> The Government of Punjab, "Human Development Report 2004" (Punjab, 2004).

of small farmers from their land, rural impoverishment and increased tensions and conflicts<sup>159</sup>”. The failures of the Green Revolution also resulted in the heightened increase on the prices of crops and the enforced use of tube-well<sup>160</sup> irrigation resulting in soil erosion and extreme water shortages in the Punjab which severely affected the agriculture dependent region<sup>161</sup>.

## **4.2 PROBLEMS OF THE GREEN REVOLUTION**

Although many scholars argue that during the time of the Green Revolution, the Punjab did in fact “feed the nation”; there are several factors which challenge the assumption of many that the Green Revolution was a success, especially for Punjab<sup>162</sup>.

### **4.2.1 EXHAUSTION OF SOIL PRODUCTIVITY**

The pressure to cultivate in rapid rate, more than what the land can produce has led to many diverse effects for the state. Although Punjab covers a tiny 0.0003 per cent of the world’s geographical land area, its gross share in global production including staple food sources are immense, accounting for 2.27 per cent of wheat production, 2.04 per cent of rice and 2.05 per cent of cotton<sup>163</sup>. This overwhelming increase in production has left Punjab farmers with no choice but to over use their lands in order to cope with the doubling demands from the Center. As argued by Loyn, the use of high-yielding seeds

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<sup>159</sup> Shiva, Vandana “The Green Revolution in the Punjab”, *The Ecologist*, Vol. 21, No. 2: 150-169.

<sup>160</sup> A tube-well is a type of water well using a stainless pipe (5-8 inches wide) drilled in the ground, directly accessing the water table below. Most farmers and landowners in Punjab have their own tube-wells in order to sustain irrigation requirements for their fields.

<sup>161</sup> Kaur, Mallika, "The Paradox of India's Bread Basket: Farmer Suicides in Punjab" <<http://fletcher.tufts.edu/Praxis/Archives/~/.media/DD8E2 DF1EA6C47028E B789 DCD7ED5D37.pdf>> 20 July 2011.

<sup>162</sup> Ibid.

<sup>163</sup> See analysis by the Punjab Foundation on the effects of the Green Revolution. Available from <<http://www.punjabfoundation.org/2008>>.

led to the drastic reduction of healthy land, the reduction in the state's forest cover, and the deterioration of healthy soil due to the over use of fertilizers from over production.

This abuse in production and exhaustion of the state's soil productivity can be seen in many areas of the Punjab even today. According to a study conducted by Singh, the district of Ludhiana in Punjab which prior to the Green Revolution led India and the world in wheat yields per acres have in recent years sunk to 3<sup>rd</sup> within Punjab as a result of depleted soil fertility<sup>164</sup>. Due to the rapid increase in demand and as means to offset growing inflation, the farmer is forced to increase productivity even further through the overuse of land and overdoses of chemical fertilizers<sup>165</sup>. Given this problem and the increase of expensive inputs required to sustain production, small farmers are unable to afford the intensification of land use, while at the same time having their holdings becoming progressively less profitable<sup>166</sup>. Given the intensity of cultivation all over Punjab, the Ludhiana experience is certainly being felt all over the state<sup>167</sup>.

#### **4.2.2 LOSS OF DIVERSITY**

Another adverse reaction resulting from the Green Revolution is the loss of diversity in Punjab agriculture. Diversity is a central principle of traditional agriculture both in the Punjab and the rest of India. Such diversity, as argued by Shiva, contributed to ecological stability, and hence to ecosystem productivity of the state; the lower the diversity in an ecosystem, the higher its vulnerability to pests and diseases. A study conducted by the Central Rice Research Institute in Cuttack, focusing on the effects of

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<sup>164</sup> State of Environment Report: Punjab, 2007.

<sup>165</sup> Jaijee (2008) 36.

<sup>166</sup> Kaur (2010).

<sup>167</sup> Jaijee (2008) 36.



high-yielding varieties (HYV) similar to what was used in Punjab concluded that HYV's are in fact highly susceptible to pests resulting to crop loss ranging from 30 to 100 percent.

Additionally, this reduction in Punjab's genetic diversity, as argued by Patial, can be seen at two levels. First, the Green Revolution has replaced the state's rotation of crops into a monoculture of only wheat and rice. And second, the varieties of wheat and rice introduced came from a very narrow genetic base, leading to homogenous outputs and lowering crop diversity.

#### **4.2.3 LACK OF CENTRAL AID TOWARDS PUNJAB**

During this time, the Punjab also received minimal support from the Central government. The Punjab, argues Jaijee, was being milked to alleviate poverty for the rest of India. I.K. Gujral, the former Prime Minister of India has pointed out that: "The Punjabi protest is against being treated as a producer of raw materials while value-added benefits go to others". Although the Punjab has been transformed as the bread basket of the country, its negative impacts has resulted in the state's disadvantage. The lack of support and much needed aid from the Center are argued to be the primary cause of the state's underdevelopment.

Central aid to states, during this time was determined on the basis of a formula evolved by Y.N.Gadgil as the chief of the planning commission. According to Gadgil's formula, the state of Punjab would be awarded 15 *paisa* or cents, in return for every rupee given to the Center; this formula Jaijee argues was the lowest given to any state in India. The unfair system of budget distribution towards Punjab also resulted in an increased

load burden for the state. This means that although the output coming from the Punjab is benefiting some states, it has become detrimental for Punjab itself.

The need for financial assistance and aid from the Central government is very crucial for any state's development, since state projects, developments and welfare are all dependent on the amount of subsidies given by the Center<sup>168</sup>. Further, the lack of state development also risks the spread of underdevelopment of the state. When a state lacks amenities such as infrastructure, social and civil developments, it represses both the state and its people and prevents it to prosper<sup>169</sup>.

During this time, the creation of factories and other heavy industry has also been denied to Punjab by the Center<sup>170</sup>. Already suffering from the failures of the Green Revolution, the Punjab was forced to only depend on its agriculture sources for living and not on heavy industry production<sup>171</sup>. Although Punjab grows 22 percent of India's cotton, it only spins and weaves 3.3 percent of it; It also produces 30 percent of the nation's sugar, but farmers are only able to sell an estimated 13 percent of their crop due to the lack of mill capacity provided by the Center towards Punjab<sup>172</sup>. The denial of introducing heavy industry in the Punjab resulted in losses for the state's income per capita, as well as severe losses for the farmers of Punjab.

Many saw this lack of support and aid coming from the Center as a form of discrimination towards the state. The Indian Government argues that Punjab is a crucial border state and the establishment of vital heavy industry makes it more vulnerable to

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<sup>168</sup> Jaijee (2008) 36.

<sup>169</sup> Ibid, 39.

<sup>170</sup> Ibid.

<sup>171</sup> Ibid.

<sup>172</sup> Ibid.

possible attacks from Pakistan. The rise of Sikh secessionist movements during this time also contributed to the Center being critical over Punjab's request on the establishment of heavy-industry factories in the State. Jaijee, on the other hand, argues that the reason for denying qualified Punjabi's the license to manufacture heavy-industry factories, such as harvester-combines was due to the fear of displacing other laborers coming from neighboring states<sup>173</sup>. This action by the Center has resulted in the severe maintenance of the steady underdevelopment in Punjab. As Jaijee pointed out, Punjab's 'revolutionary' rise in production has greatly contributed in the overall underdevelopment of the state<sup>174</sup>.

#### **4.2.4 SOCIAL DIVISION**

Social division was also exacerbated with the coming of the Green Revolution in the Punjab. As early as 1983, experts showed concerns regarding the effects of the Green Revolution toward the livelihood of small scale farmers. According to Mahajan, gains from the Green Revolution were directly correlated with the initial size of land holding. In his report on the effects of Green Revolution and income distribution in Punjab, G.S. Bhalla points out that "serious doubts have been raised, both in India and abroad, regarding the impact of new technology or income distribution and specially on the level of marginal and small farmers and landless labor households<sup>175</sup>"; As large farmers gained information, credit and other benefits from the new technologies, marginal and small scale farmers were not in a position to do so. Bhalla further argues that by making profits

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<sup>173</sup> Ibid, 39.

<sup>174</sup> Ibid, 37.

<sup>175</sup> Bhalla, G.S., "Green Revolution and the Small Peasants – A study of Income Agriculture," *Economic and Political Weekly*, <<http://www.epw.in/special-articles/green-revolution-and-small-peasant-study-income-distribution-punjab-agriculture.h-0>>.

dependent on expensive and large-scale inputs, the Green Revolution severely affected the small farmer by further “reducing the economically viable size of holding<sup>176</sup>”.

#### 4.2.5 HEALTH PROBLEMS CAUSED BY THE GREEN REVOLUTION

Apart from its adverse agricultural and social effects, the Green Revolution has also severely impacted the health of the peoples of Punjab. Since the use of high-yielding seeds heavily depended on the extreme usage of synthetic fertilizers and pesticides in maintaining crops, the outcome has led to the simultaneous and unregulated use of hazardous chemicals<sup>177</sup>. Since the advent of the Green Revolution in Punjab, the state has the highest rate of pesticide use in all of India with an estimated 90 cases of cancer for every 1,000 people, exceeding the national average of 80 patients for every 1,000 people<sup>178</sup>. This excessive and unregulated use of pesticides and chemical fertilizers has resulted to high cancer rates and birth defects among farmers of the Punjab, where cancer sufferers have more than tripled since its introduction in the 1960s<sup>179</sup>.

Although the rise of cancer in the region was always a contentious issue, studies suggest that populations with high use of pesticides have an increased risk of cancer, as seems to be the case in the Punjab<sup>180</sup>. A study from the Punjab University in 2008 ruled out other potential factors such as age, alcohol intake and smoking, and concludes that

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<sup>176</sup> Ibid.

<sup>177</sup> Menon, Sreelatha and Mukherjee, Sanjeeb, “Punjab’s killing fields,” *Business Standard*, <<http://www.business-standard.com/india/news/punjab-killing-fields/433198/>> 10 December 2011.

<sup>178</sup> See article “Cancer in Punjab – the Beginning of the End”, *Dateline Punjab*, Available from <<http://sindharni.com/2012/04/cancer-in-punjab-the-beginning-of-end.html>> 18 February 2012.

<sup>179</sup> See report by the Punjab Foundation, “Cancer belt of Punjab,” Available from <<http://www.punjabfoundation.org/belt.html>> 20 April 2012.

<sup>180</sup> See article “Leaving Punjab on the cancer train,” Available from <<http://www.thelangarhall.com/punjab/leaving-punjab-on-the-cancer-train/>> 18 February 2012.

the chemicals as well as the method its being used is causing cancer<sup>181</sup>. A study by the NPR shows how villages that use pesticides were seen to have higher rates of cancer than villages that did not use pesticides<sup>182</sup>. Experts argue that the problem here is that the benefit of high yields from new seed types were not long lasting, and the pests keep ahead of the pesticides. This, in turn, requires farmers to keep spraying pesticides round-the-clock which are very harmful for their bodies<sup>183</sup>.

The Malwa region in Punjab, also known as the state's cotton belt became one of the hardest hit where the numbers of cancer patients have dramatically increased since the introduction of the Green Revolution<sup>184</sup>. A study conducted by Punjab's School of Public Health found that among the rural community in Punjab and in Northern India, there has been a statistically significant increase in cancer rates among high-pesticide areas, with 136 cancer cases out of every 1,000 people. Since cotton are more prone to pests, and have become increasingly more sensitive since the Green Revolution, farmers are forced to use at least 15 types of pesticide sprays. According to SN Dharmi, of the top pesticides used in this region, the US Environmental Protection Agency considers seven used on cotton in the US as 'possible', 'likely', 'probable', or 'known' human carcinogens. With the dramatic rise of cancer cases, the Malwa region has since become more known as the 'cancer belt of Punjab'.

Moreover, many locals feel that the excessive use of pesticides which is required for production of HYV's has also contaminated their supply of ground water<sup>185</sup>. A study

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<sup>181</sup> Loyn, David, "Punjab reaps a poisoned harvest," BBC News (2008).

<sup>182</sup> Dharmi (2012).

<sup>183</sup> Ibid.

<sup>184</sup> Ibid.

<sup>185</sup> Punjab Foundation, 2002.

conducted by the Punjab Foundation together with the Pollution Control Board showed traces of Dichloro-Diphenyl-Trichloroethane (DDT) and Benzene Hexachloride (BHC) to be found in the canal-based drinking water supply in the region<sup>186</sup>. Similar pollutants were also found in various foods and vegetables grown in the area<sup>187</sup>. The presence of insecticides and pesticides including aldrin, heptachlor and endosulfan were also detected in the blood samples of people living in some areas of the region<sup>188</sup>.

#### **4.2.5.1 RISE IN FARMERS' SUICIDES**

Cases of farmer suicides in Punjab expose the extreme rural plight of the farmer. The financial stress caused by the Green Revolution became the primary cause in the rise of suicide cases across the state. According to the UNCSD, financial burden and other factors including farmer's loss of independence and control, sense of hopelessness and loss, sense of geographical and political isolation, and depression arising from exposure to agricultural chemicals and pesticides are the primary factors that contributed to the dramatic rise of farmer suicides in Punjab.

During the late 1980s, the over use of chemicals combined with the drought experienced in parts of India including Punjab, produced a zero-yield in agricultural production and resulted in a dramatic rise in cases of suicides. Various reports for the total number of farmer suicides in Punjab have emerged, including reports from NGOs such as the Movement Against State Repression, which reported 1,738 cases of suicides between 1988 and 2010 in 91 villages across Punjab. MASR also estimate at least 50,000 suicides to have occurred across Punjab over the last two decades. At the same time, the

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<sup>186</sup> Ibid.

<sup>187</sup> Ibid.

<sup>188</sup> Ibid.

Bhartiya Kisan Union, a farmer's union in Punjab, estimates 90,000 suicides between 1990 and 2006<sup>189</sup>. Reports by the Punjab Agricultural University, a State-commissioned study reports 2,890 cases of suicides in the two districts of Bathinda and Sangrur between 2000 and 2008, while the Punjab State Government in 2005 estimates 2,000 farmer's suicides per year. Though exact numbers are unknown, these estimates show how farmer suicides are a significant and growing problem in India<sup>190</sup>.

In 2007, although Prime Minister Manmohan Singh admittedly described India's agricultural state to be poor, with more farmers continuing to suffer from the 'increasing un-viability' of the farming sector<sup>191</sup>, it has failed to recognize Punjab's suicide statistics as one of the effects of the Green Revolution. This neglect, as argued by Dharmi, exacerbates marginalization and raises issues of security, development and issues of human rights in the Punjab.

#### **4.2.6 RISE IN FARMERS DEBT**

Due to overwhelming demands from the Center and farmer's lack of capital, one of the biggest social effects linked to the Green Revolution in Punjab was the sudden increase in farmer's debt and the dramatic rise in farmer suicides<sup>192</sup>. According to a study conducted by the United Nations Conference on Sustainable Development (UNCSD), the impact of dramatically boosting crop yields has stripped down many of the farmers' self-sufficiency, making them extremely dependent on external inputs for the maintenance of

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<sup>189</sup> See article "Cancer in Punjab – the Beginning of the End", *Dateline Punjab*, Available from <<http://sndharni.com/2012/04/cancer-in-punjab-the-beginning-of-end.html>> 18 February 2012.

<sup>190</sup> Ibid.

<sup>191</sup> Loyn, 2008.

<sup>192</sup> Agriculture is the main occupation of the people of Punjab, with two-fifths of its population engaged in the farming sector.

their crops. As the prices of these inputs continue to rise, including the costs of seeds, fertilizers and pesticides, a farmer with limited resources can only depend on borrowed money to purchase the necessary inputs needed to sustain his crops. This problem has forced many farmers to borrow money from lenders, wealthy farmers and other financial institutions. The problem has also evolved in the development of the staggering levels of farmer-debt burdens since the Green Revolution.

A study carried out by the economists of the Punjab Agricultural University revealed that a farmer who 'owned 15 acres or more could hope to make holdings, but inevitably resulted in a deepening of spiral debt'<sup>193</sup>. The rise in the state's food production coupled with the Center's monopoly in keeping food prices in a low value meant that even with the increased work and capital, the Punjab farmer did not increase in profit<sup>194</sup>. Studies also show that small farmers owning 2.5 to 5 acres of land and marginal farmers owning 2.5 acres or less were not able to meet consumption needs on household income<sup>195</sup>. Since not more than 2 percent of Punjabi farmers would own more than 14 acres, it was inevitable that farmers were to suffer as a cause of the Revolution.

#### **4.2.6.1 GOVERNMENT'S ACTION ON FARMERS DEBT AND SUICIDES**

Although there had been committees occasionally appointed for the study on the prevalence of cancer in Punjab, there have been no concrete support given to the region<sup>196</sup>. Studies conducted by several independent research groups and the Center show

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<sup>193</sup> Mahajan, Navita, "Reversing the Gaze: exploring the imbrications in history of post partition Punjab," <[http://www.safhr.org/index.php?option=com\\_docman&task=cat\\_view&gid=129&Itemid=403](http://www.safhr.org/index.php?option=com_docman&task=cat_view&gid=129&Itemid=403)> 18 November 2012.

<sup>194</sup> Jaijee (2008) 71.

<sup>195</sup> Kaur (2010).

<sup>196</sup> Punjab Foundation, 2002.



conflicting outcomes regarding the health effects on the use of pesticides in the region<sup>197</sup>. In 2005, a study by the Center for Science and Environment (CSE) reported high levels of pesticides found in human blood samples in the state<sup>198</sup>. This report was countered by a government-commissioned study, only conducted in four days on 450 samples, showing no traces of pesticides on subjects<sup>199</sup>. Other studies also show of harmful chemicals found in water samples, including traces of uranium in the area of Faridkot, as conducted by the Bhabha Atomic Research in 2007<sup>200</sup>. The Postgraduate Institute of Medical Education and Research in Chandigarh also found traces of the same chemical in the area of Bhatinda, where there is an estimated 125 cancer cases per 100,000 people<sup>201</sup>.

According to Manjeet Singh Jeota, a Doctor at the Guru Gobind Singh Medical College in Faridkot, there are an estimated 60 cancer patients in the area of Faridkot attempting to seek help every day, 20 of them being new patients<sup>202</sup>. Business Standard reported between 70 to 100 people coming from distant villages and neighboring districts who travel to Bikaner to get checked in, while 30-35 new cases are reported daily at the Faridkot Medical College<sup>203</sup>.

#### **4.2.8 WATER SHORTAGES**

Conflicts on diminishing water resources have also been one of the primary issues affecting the Punjab since the Green Revolution. The introduction of High-Yielding Varieties (HYV's) required farmers to supply three times more water than the traditional

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<sup>197</sup> Ibid.

<sup>198</sup> Menon, et al. (2011).

<sup>199</sup> Ibid.

<sup>200</sup> Ibid.

<sup>201</sup> Ibid.

<sup>202</sup> Ibid.

<sup>203</sup> Kaur (2010).

varieties originally used prior the Revolution<sup>204</sup>. At the same time, the introduction of tube-wells<sup>205</sup> which also began during the Green Revolution has contributed in the declining state of water resources in the Punjab. Tube-well irrigation, resulted in the over exploitation of underground water resources, resulting in the lowering of the total water levels<sup>206</sup>. During this time, the estimated rate of decline in water resources is at one-third to half a meter per year, severely affecting the farmer's income as well as Punjab's agricultural needs and crop sustainability<sup>207</sup>.

The Punjab Directorate of Water Resources<sup>208</sup> in 2007 report that 60 out of 118 development blocks are not able to sustain any further increase in the number of tube-wells<sup>209</sup>. Originally, tube-well irrigation is only used as last resort during times of severe drought or crop failure<sup>210</sup>. The HYVs, however, are not sustainable without extensive water irrigation. Therefore, although HYVs may yield over 40 percent more than the traditional varieties, it has also severely affected the water situation in the Punjab region<sup>211</sup>.

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<sup>204</sup> Ibid.

<sup>205</sup> A tube-well is a type of water well using a stainless pipe (5-8 inches wide) drilled in the ground, directly accessing the water table below. Most farmers and landowners in Punjab have their own tube-wells in order to sustain irrigation requirements for their fields.

<sup>206</sup> Shiva (1991).

<sup>207</sup> Ibid.

<sup>208</sup> Ministry of Water Resources, Government of India (2007)  
<[http://cgwb.gov.in/District\\_Profile/Punjab/](http://cgwb.gov.in/District_Profile/Punjab/)>.

<sup>209</sup> Kaur (2010).

<sup>210</sup> Shiva (1991), Kaur (2010).

<sup>211</sup> Ibid.

#### 4.2.9 RIVER-WATER PROBLEMS

Tensions between Punjab and the Indian Government also grew as the state's water resources, particularly its river water's came under threat<sup>212</sup>. Apart from overuse of tube wells as implemented by the Center, the Indian Government also aimed at dividing Punjab's river waters towards other states, including Rajasthan and Haryana (See Figure 3 below). The Center's increasing campaign to control Punjab's river waters has contributed in the depletion of its water resources which agricultural Punjab heavily relied upon<sup>213</sup>.

Since the partition of Punjab between India and Pakistan, the Indian Punjab lost two of its five rivers from Pakistan and was left with the rivers Ravi, Beas and Sutlej<sup>214</sup>. In 1976, the Center allocated Punjab's river waters to the state of Haryana and a possible extension to the desert state of Rajasthan and to New Delhi, without compensation to the state of Punjab<sup>215</sup>. This decision severely contributed to the decline of Punjab's water resources, affecting its agricultural and farming sectors<sup>216</sup>.

In a study conducted at the Punjab Agricultural University in Ludhiana, researchers argue that for a land to produce an acre of crop under the normal paddy-wheat rotation using HYVs, an acre of land would require an estimated five to six acre feet of water annually<sup>217</sup>. This means that Punjab requires an estimated 52.5 MAF(s) per annum to maintain a continuous and healthy growth of its crops<sup>218</sup>.

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<sup>212</sup> Kaur (2010).

<sup>213</sup> Ibid.

<sup>214</sup> Ibid.

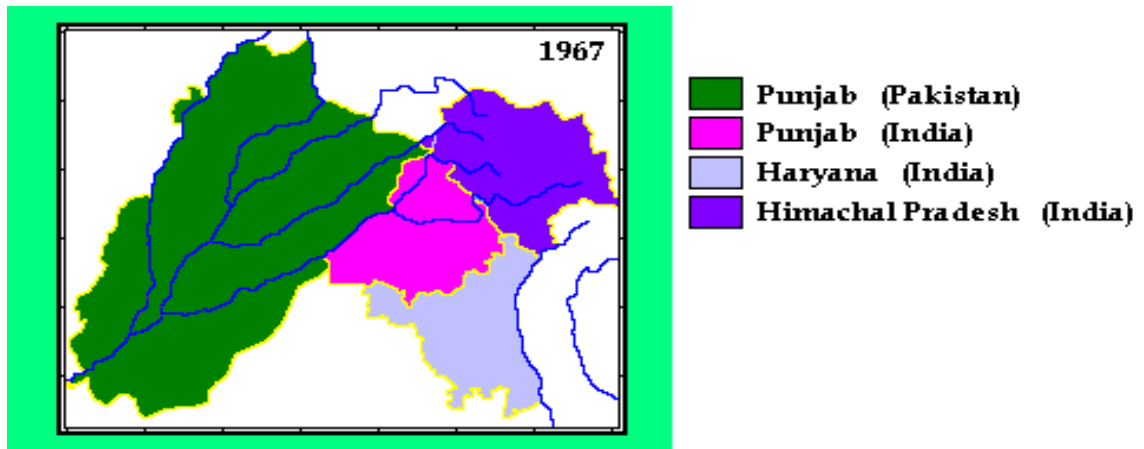
<sup>215</sup> Ibid.

<sup>216</sup> Ibid.

<sup>217</sup> Ibid.

<sup>218</sup> Ibid.

**FIGURE 3: RIVER WATER DIVISION IN PUNJAB: 1967**



Source: Punjabonline.com, “Historical Map of Punjab”, July 2012 (Original in Color)

During the 1980s, water-sharing agreements<sup>219</sup> have led to conflict over its control and quality<sup>220</sup>. In India, the principle of riparian rights<sup>221</sup> suggests that only those who are subject to flood damage by the river may take advantage of the river's benefits<sup>222</sup>. Jaijee argues that neither Haryana, Rajasthan nor Delhi are near the Punjab rivers; and although both Punjab's water resources as well as the electricity produced by it are sent to other states, it is only Punjab that suffers from flood damaged by its rivers. Although the Center in 1988, admitted to the loss suffered by Punjab amounting to 27,000 Crore<sup>223</sup> or \$9 Billion CDN, no compensation was given to the State.

Both International Law and the Indian Constitution declare that a state's river waters, as well as the electricity generated from it belong only to the state which the rivers flow from<sup>224</sup>. It is only when the rivers flow into another state, or matters involving another riparian state can claims be made by another state<sup>225</sup>. Articles 162 and 346 of the Indian Constitution also assure full and exclusive legislative rights given to states over water and hydro power issues. By transferring Punjab's water rights to non-riparian states, the Center has violated Article 162 of the Indian Constitution on the extent of power of the State<sup>226</sup>.

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<sup>219</sup> The Sutlej-Yamuna Link (SYL) is a canal linking the river's Ravi and Beas which passes through Punjab and transferring its waters to Haryana, drastically reducing Punjab's annual water requirement.

<sup>220</sup> Singh (2000).

<sup>221</sup> Riparian Rights are a system of rights and duties which determine the reasonable use, allocation and distribution of water in a given area.

<sup>222</sup> Kaur (2010).

<sup>223</sup> In the Indian Unit of Measurement, 1 Crore = 10 Million (Rupees).

<sup>224</sup> Jaijee (2008).

<sup>225</sup> Ibid.

<sup>226</sup> See Indian Constitution, 1947.

As seen on Entry 56 of List I of the Indian Constitution, it states that:

Regulation and development of inter-state rivers, and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interests.

Given this, the Center's introduction of the Punjab Reorganization Act in 1966 violated Article 14 of the Indian Constitution and gave sweeping powers towards the State in controlling the Punjab Rivers. Both Sections 78 to 80 of the Punjab Reorganization Act granted exclusive rights to the Yamuna and Haryana, and made the Punjab rivers not only distributable by the Center but also now under its control. This sudden redistribution of Punjab waters was regarded as both unjust and unconstitutional<sup>227</sup>. Throughout India, Punjab is the only state that has lost the full and exclusive power over the control and development of its own rivers, the utilization of its waters and the exploitation of its hydro power potential<sup>228</sup>. The Center's decision to distribute Punjab's water resources to non-riparian states also meant that Punjab was only left an estimated Five MAF<sup>229</sup> out of the total<sup>230</sup>. As argued by Jaijee, the sudden diversion of Punjab's water resources towards other states has led to the scarcity of water, the depletion of its water resources through the use of tube-wells and increased the plight of the suffering Punjabi farmers.

With the worsening condition of the Punjab peasantry, which is largely made up of Sikhs, experts argue that the water dispute between the Punjab and the Center

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<sup>227</sup> Jaijee (2008).

<sup>228</sup> Ibid.

<sup>229</sup> Million Acre Feet (Unit of measurement).

<sup>230</sup> Jaijee (2008).

contributed to the rise of militancy and the growing sense of nationalism in the state<sup>231</sup>. The construction of the Sutlej-Yamuna Canal in particular sparked large scale protests and increased appeals for state autonomy and ultimately the deepening of the Punjab Problem<sup>232</sup>.

### **4.3 ANANDPUR SAHIB RESOLUTION**

Since 1947, the Sikhs appealed for the recognition of their religion under the Indian Constitution and for some autonomy to be given to the state of Punjab. One of the main issues surrounding the struggle was due to the Indian government's policy of centralization of powers under a federal type of government, where little power was given towards states. This struggle also resulted in a series of demonstrations led by various Sikh groups where grievances and issues were presented to the Central Government. Decades later, the issue was revitalized due to the growing problem and difficulties brought about by the Punjab Problem, particularly the issues surrounding the Green Revolution and the state's river-water conflict. On October of 1973, the political group Akali Dal formalized its requests and submitted to the Center the 'Anandpur Sahib Resolution'. This resolution entails the Center to show a "more genuine form of federalism", raising specific political, economic and social issues<sup>233</sup>.

#### **4.3.1 WHAT IS THE ANANDPUR SAHIB RESOLUTION?**

The Anandpur Sahib Resolution (ASR) has generated a lot of controversy, particularly when it comes to defining it. For some, the ASR "provides the ideological

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<sup>231</sup> Singh (2000).

<sup>232</sup> Jaijee (2008).

<sup>233</sup> Tillin (2007).

basis for the demand for Khalistan,” while others believe it is simply a demand for a more “autonomous Sikh dominated Punjab”.<sup>234</sup> A more balanced view argues that the ASR is neither a call for *Khalistan* nor a demand for devolution, but rather “a comprehensive statement” of the Akali Dal’s principles, similar to “most manifestoes.”<sup>235</sup>

One of the primary statements seen in the resolution was the need on the establishment of a “more independent and transparent state, away from a highly centralized government”, arguing that its objectives are based on a detailed ‘historic, geographic and political context’ aimed at helping not only Punjab and the Sikhs, but India as whole<sup>236</sup>. In its letter to the Center, the Akali Dal criticized India’s foreign policy as ‘highly detrimental to the interests of the country and its people’ and requested the Center to recast the Indian Constitution, establishing it on ‘real and meaningful federal principles’<sup>237</sup>. In particular, the group requested that the Center's interference with its states be restricted to issues of ‘defense, foreign relations, currency and general administration, similar to the Federal System of the United States’<sup>238</sup>. All other departments outside those mentioned should be left in the jurisdiction of each state, where state members and officials are entitled to frame and administer their own state laws, as it benefits them.

Although there were secessionist groups present in Punjab, the Shiromani Akali Dal (SAD) argued that one of the motivations of the resolution was to ‘safeguard the Sikh

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<sup>234</sup> Telford, Hamish, “The Political Economy of Punjab: Creating Space for Sikh Militancy”, *Asian Survey*, Vol. 32, No. 11 (November 1992) 969-987. 12 July 2012.

<sup>235</sup> Ibid.

<sup>236</sup> Guha, Ramachandra, “The Punjab Crisis”, *The Hindu* (10 March 2005) <<http://hindu.com/mag/2005/03/27/stories/2005032700160300.htm>> 18 November 2012.

<sup>237</sup> Mahajan (2010), Telford (1992) 973.

<sup>238</sup> Ibid.



identity' and not as means of inciting secession in Punjab. SAD also pushed that the resolution's objectives were primarily based on the requests for the implementation on the assurances given to the Sikhs by the Center before 1947. The anomaly in the resolution wasn't the resolution itself, but the declaration of the Sikh's as a "*quam*" or a nation, which deepened the Center's suspicion of the Sikhs seeking a separate homeland<sup>239</sup>. By 1978, the resolution was readopted eliminating much of its nationalistic rhetoric and instead followed a more moderate approach<sup>240</sup>.

In its totality, the resolution outlines twelve objectives. These include:

1. The transfer of the federally administered city of Chandigarh to Punjab.
2. The transfer of Punjabi speaking and contiguous areas to Punjab.
3. The 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 or 'Sikh house of worship' act, and grant permission to install a broadcasting station at the Golden Temple in Amritsar, to administer daily prayers for the benefit of many Sikhs outside of Punjab and India.
6. The protection of minorities residing outside Punjab, but within India.

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<sup>239</sup> Telford (1992) 973.

<sup>240</sup> Ibid, 973.

7. The revision of government's recruitment quota restricting the number of Sikhs in the armed forces.
8. To abolish the excise of duty on tractors due to the mechanization of farming or the Green Revolution.
9. To make suitable amendments on the Minimum Wages Act in order to improve the economic lot of the laboring classes.
10. To appoint second-language status<sup>241</sup> to states with a high Punjabi population.
11. To make necessary amendments which would benefit the agricultural classes, including an amendment on the Hindu Succession Act and enable women have rights of inheritance in properties (of their father-in-law); and exempting farmers (especially poor/marginal) on Wealth and Estate Taxes.
12. To stop the unconstitutional diversion of Punjab's river waters to non-riparian states.

The resolution also attempted to point out several statements of historical and political related facts concerning the Sikh religion and its people, including the Center's recognition regarding Sikh history, past mistakes and the Sikh tradition. Some of these include:

Whereas, the Sikhs of India are a historically recognized political nation ever since the inauguration of the Khalsa, in AD 1699;

Whereas, this status of Sikh nation had been internationally recognized and accepted by the major powers of Europe and Asia, ... and again by the outgoing British as

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<sup>241</sup> The Eighth Schedule on the Indian Constitution contains a list of 22 scheduled languages which are entitled to representation on the Official Languages Commission.

well as by the Hindu-dominated Congress and the Muslim League of India in the middle of the 20<sup>th</sup> century;

Whereas, the brute majority in India, in 1950, imposed a constitutional arrangement in India which denied the Sikhs of their political identity and cultural popularity, thus liquidating the Sikhs politically and exposing them to spiritual death and cultural decay leading inevitable to their submergence and dissolution and;

Whereas, the Sikhs have been shackled and enslaved in unethical and cynical repudiation of solemn and binding commitment and public promises earlier made to the Sikhs<sup>242</sup>.

These statements according to Human Rights Watch, is a clear argument put forward by the Shiromani Akali Dal (SAD) demanding the recognition and equality of the Sikh minority. The demands of having an autonomous Punjab, similar to what has been granted in the state of Kashmir<sup>243</sup>, will help in the 'advancement of Sikh interests', as well as ensure their 'honorable survival and salvage their dignity within India...<sup>244</sup>'. The advancement of a more autonomous state-system would also put forward the needs of the various minorities and caste groups within the State<sup>245</sup>. As argued by the Shiromani Akali Dal, it is only through the recognition and admission of these demands will the survival of the Sikh community and the rest of the minorities within India be ensured and recognized as 'fundamental State policy'<sup>246</sup>.

Although decades have passed since it was first presented to the Indian government, many Sikhs are still waiting for the demands to be addressed. For many, the ASR have

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<sup>242</sup>See Anandpur Sahib Resolution, Available at [www.sikhmissionarysociety.org/sms/smsarticles/advisorypanel/Anandpur\\_Sahib\\_Resolution.pdf](http://www.sikhmissionarysociety.org/sms/smsarticles/advisorypanel/Anandpur_Sahib_Resolution.pdf).

<sup>243</sup> From 1846 to 1947, Kashmir was recognized as a 'princely state' under British India, which granted it some form of autonomy even during colonization. Although it wanted to remain as an independent country, threats of assimilation by the newly formed country of Pakistan forced it to join India where the state was also granted some form of autonomy.

<sup>244</sup> See report by Human Rights Watch (HRW) "Dead Silence" (1994) Available from <http://www.hrw.org/sites/default/files/reports/India0594.pdf> 18 November 2012.

<sup>245</sup> Ibid, 1994.

<sup>246</sup> Ibid.

never been dealt with by the Center and has instead, become a symbol of unresolved tensions between the Center and those who claim to represent the Sikh minority, contributing to the agitation experienced by many Sikhs during the beginnings of the Punjab agitation.

## CHAPTER FIVE: BHINDRANWALE, OPERATION BLUE STAR AND HUMAN RIGHTS VIOLATION IN PUNJAB

### 5.1 BHINDRANWALE

Although Bhindranwale was not the only Sikh to vie for hegemony in the Sikh community under secular terms, he did become the most prominent<sup>247</sup>. Sant Jarnail Singh Bhindranwale can be described as one of the most influential Sikh preachers, inspiring passionate discourse and remarkably little dispassionate analysis<sup>248</sup>. He is regarded either as a saint, a religious reformer, or as a simple-minded terrorist created and manipulated by larger political forces<sup>249</sup>. Although he was defined differently by different groups and people, he was, rather, the leader of a small Sikh seminary<sup>250</sup>, known to have a charismatic personality and maintained close contact with the Sikh people, aspiring to promote himself as a leader in the community<sup>251</sup>. To understand the Punjab Problem, it is critical that we look at Bhindranwale as a rational actor, having his own personal and religious goals. Primarily, his concerns on the urgent need for the “rejuvenation of the Sikh faith” and establish himself as the primary religious leader for the Sikhs<sup>252</sup>. Bhindranwale also became one of the most important characters leading up to the events of 1984.

Several scholars argue that Bhindranwale’s role as a religious leader for the Sikhs became highly effective that those around him are often impressed with his clear

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<sup>247</sup> Telford (1992) 974.

<sup>248</sup> Ibid.

<sup>249</sup> Ibid.

<sup>250</sup> The seminary is known as the *Damdami Taksal*.

<sup>251</sup> Ibid, 974, Pettigrew (1995) 35.

<sup>252</sup> Ibid, 974.

thinking, personal charm and simple ways of living<sup>253</sup>. Although he did not redefine the Sikh identity per se, he did establish the importance of keeping the Sikh symbols, particularly his attempt to narrow the definition of a true Sikh to only those formally baptized into the Khalsa<sup>254</sup>. As his movement progressed, he increasingly turned to the “external threats” that he perceived Sikhism was facing and launched an ideological crusade against the ‘cultural corruption’ of Punjab<sup>255</sup>.

Through his teachings, Bhindranwale has led a religious revival which resulted in a large number of Sikhs, especially the youth, receiving initiation into the Sikh faith<sup>256</sup>. Sikhs in their thousands took oaths to maintain the values of Sikhism and live a religious life<sup>257</sup>. During his stay at the Golden Temple in 1982 and 1983, a record four to five hundred persons were administered *Amrit* each Wednesday and Sunday. This revival of the Sikh faith was extremely significant and Bhindranwale was emerging as the leading figure in the Sikh faith and a role-model for the youth.

### 5.1.1 ISSUES AND CONTROVERSIES

As Bhindranwale’s popularity continued to grow, so did the negative propaganda which surrounded him. Scholars argue that the growing success surrounding the Sikh faith revival was slowly viewed with concern by the leaders of the country<sup>258</sup>. That the Indian Government feared that Bhindranwale’s leadership would “strengthen, spread and eventually result in the emergence of a cohesive Sikh nation... possibly demanding the

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<sup>253</sup> Pettigrew, Joyce, *A study on the political system of the Sikh Jat*, (London: Routledge and Regan Paul, 1975) 61.

<sup>254</sup> Telford (1992) 975.

<sup>255</sup> Shiva (1989) 129-130.

<sup>256</sup> Ibid.

<sup>257</sup> Singh, Khushwant et. al., *Fundamental Issues in Sikh Studies*, (Chandigarh: Institute of Sikh Studies, 1991) 329.

<sup>258</sup> Sandhu (1997) 22.

separation of Punjab from the Indian State”<sup>259</sup>. In his speeches, Bhindranwale argued that the Sikhs were suffering from “internal decline and external threat”, and insisted on the importance of establishing the Sikhs as religiously separate due to “assimilation dangers” and “losing the original Sikh identity”<sup>260</sup>. This emphasis on the distinct identity of the Sikhs and the Sikh religion were often misconstrued as a form of political separatism by the Indian Government<sup>261</sup>.

Prompted by the Congress Party<sup>262</sup>, his role as a Sikh preacher and leader was soon intertwined into the politics of Punjab and of India. As argued by several scholars, Bhindranwale’s reputation soon turned from a religious person into a preacher intentionally picked up by Congress with the intention to divide the Akali Dal and ensure the persistence of Congress rule in Punjab. Instead of joining the Congress Party, he later developed his own methods and became an independent political force in Punjab. As Chandra argued, Bhindranwale became such an influential and strong figure that he was both respected and feared by many Punjabi politicians who refused to oppose any of Bhindranwale’s stands<sup>263</sup>.

Several scholarly writings also argue that Bhindranwale was used as a scapegoat by Congress in order to deflect attention from their own role in the Punjab crisis. Morris argues that one of the greatest tragedies of the Crisis was the support offered by the Congress Party towards Bhindranwale, which was primarily used for their own political

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<sup>259</sup> Ibid.

<sup>260</sup> Telford (1992) 975.

<sup>261</sup> Ibid.

<sup>262</sup> The Indian National Congress Party (INC), commonly known as Congress, is one of the two major political parties in India and is one of the oldest democratically operating parties in the world.

<sup>263</sup> See article by Stewart Morris, “How did India’s Punjab Crisis Arise and How has it been Resolved?” Available from <<http://www.stewartmorris.com/essays/27Chandra3.pdf>>.

gain. During the 1970s, Congress leaders supported Bhindranwale and his followers in exchange for his support in the 1980 general election. This move, argues Morris, was not made so that issues involving the Punjab crisis would be settled, but instead to have full political control of the state of Punjab.

### **5.1.2 CHARGES TOWARDS BHINDRANWALE**

Although Bhindranwale was an important figure during the Punjab agitation, the crisis wasn't centered on Bhindranwale himself, but more about the symbols which he represented. These symbols include the importance given on Sikh values and tradition, including Sikh unity and Sikh communal identity. During the 1980s, as Bhindranwale continued to gain more popularity and support, the Indian Government accused Bhindranwale of masterminding several random crimes committed across the Punjab. Many scholars argue that these crimes, which were both personal and political, were grossly exaggerated and Bhindranwale's name was used to justify government control over the state<sup>264</sup>. The Indian Government, on the other hand, defends its actions arguing that the steps made were conducted not to oppress the people of Punjab, but to aid in the 'preservation of national unity in India'. Ultimately, the conflict between Bhindranwale and the Center has resulted in the passage of severe laws<sup>265</sup>, which has grossly limited and restricted the rights of the people in Punjab<sup>266</sup>. Scholars including Sandhu point out

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<sup>264</sup> Singh, Khushwant (1991) 345.

<sup>265</sup> See National Security Act (NSA), 1980, Terrorist and Disruptive Activities Prevention Act (TADA), 1987, and the Armed Forces (Punjab and Chandigarh) Special Powers Act (AFSPA), 1983, which allowed either the governor or the Central Government to declare any part of the state as a "disturbed" area, allowing security forces to arrest, detain and even kill any persons without impunity, based on a "reasonable suspicion" that they are a threat or that they intend to commit an offense. These laws also instruct courts to not recognize any offense committed by security forces unless instructed to do so by the Central Government.

<sup>266</sup> These laws were widely criticized by human rights organizations, arguing that it contained several provisions violating human rights.



that the Indian Government, along with the rest of the groups backed by the Center including the Akali's and Nirankari's are anxious about defending its territory, policies and beliefs, which in turn promoted misrepresentation and misunderstandings about Bhindranwale<sup>267</sup>. In spite the charges and accusations towards Bhindranwale, to many people, he has remained 'a *Sant* or a holy man, and not a terrorist'.

### 5.1.3 THE AGITATION

Although Punjab is a state with a significantly low crime rate, 1981 marked the early beginnings of the Punjab agitation<sup>268</sup>. Thousands of Sikh youths who hold protests against the Center were often responded with beatings and torture by Government forces<sup>269</sup>. In May 1981, the All India Sikh Students Federation (AISSF) demanded the Center to make illegal the use and sale of tobacco and other intoxicants within the holy city of Amritsar<sup>270</sup>. Headed by Bhindranwale, the demand later led to a protest which clashed with the Hindu group Arya Samaj and the police, killing over a dozen people and injuring several others<sup>271</sup>. Before any investigation could begin, many critics particularly those belonging to the Congress party pointed to Bhindranwale and accused him of encouraging violence and terrorism within the Sikhs<sup>272</sup>. During this time, the Congress Party also became less-representative of the Sikhs and issues including police brutality

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<sup>267</sup> Ranbir Sandhu, "Sant Jarnail Singh Bhindranwale – Life, Mission and Martyrdom" Available from <<http://sikhcoalition.org/documents/pdf/SantJarnailSingh.pdf>> 11 February 2011.

<sup>268</sup> Sandhu (1997) 66.

<sup>269</sup> Ibid.

<sup>270</sup> Grewal, J.S., *The Sikhs: Ideology, Institutions and Identity*, (New Delhi: Oxford University Press, 2009) 217.

<sup>271</sup> Ibid, 219.

<sup>272</sup> Sandhu (1997) 82.

and the abuse of power within the Punjab were justified as ‘critical’ means in avoiding ‘State terrorism’<sup>273</sup>.

In defending its actions, the Indian Government released a White Paper report regarding the Punjab Conflict from August 5, 1982 to December 31, 1983. In this report, the Indian Government presented a detailed list of casualties amounting to 172 persons and civilian deaths. It also presented a total casualty count of 453 peoples, from the period of August 5, 1981 to June 2, 1984 linking it to the Punjab agitation. This report has increased the growing tension between the people of Punjab and the Center, with many Sikhs including several human rights groups accusing the Center of not being fully honest with its report on the agitation.

As a result, several human rights groups including Amnesty International and Human Rights Watch, as well as independent journalists<sup>274</sup> conducted their own investigations related to the casualties suffered due to the Punjab agitation. In their findings, it showed that between 1980 and 1981, the number of murders and casualties suffered in Punjab reached an estimate of 5,422 and 5,086 respectively<sup>275</sup>. These findings show an overwhelming difference on the number of victims, casualties and murders as opposed to the government’s report on the same incident. This disparity in results has not only contributed to the growing tensions in Punjab but also increased Sikh militancy and calls for secessionism in the region. In particular, the Punjab agitation has resulted in the

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<sup>273</sup> Grewal (2009) 217.

<sup>274</sup> Independent journalists Brahma Challaney of the Associated Press and human rights activist Ram Narayan Kumar are both members of the Hindu faith.

<sup>275</sup> See report by Amnesty International, “Human Rights Violations in Punjab: Use and Abuse of the Law”, (London: Amnesty International, 1991), Available from <http://www.amnesty.org/en/library/asset/ASA20/011/1991/ru/d0c5a939-f944-11dd-92e7-c59f81373cf2/asa200111991ar.html>> 18 November 2012.

increased polarization of minority groups in India, especially between the two major religious groups in the community<sup>276</sup>.

#### **5.1.4 SIKH MILITANCY AND SEPARATISM**

Apart from the violence being experienced by the Sikhs from government forces and Hindu fundamentalists, there also emerged the problem of the rise of Sikh militancy across Punjab. From 1978 to 1992, a small section of Sikhs particularly those living overseas<sup>277</sup>, were involved in the growing campaign of separatism<sup>278</sup>. Although Sikh issues date back to the partition, problems including the inadequate recognition being given to Sikhism and the Punjabi language, as well as the mistreatment experienced by Sikhs from the Congress party since the formation of India are argued to be the major turning point for the early calls of separatism. Recent events including the Green Revolution, the overlooking of the Anandpur Sahib Resolution by the Center and most importantly, the attack on the Golden Temple in 1984 were argued to be the primary reasons for the 1980s Sikh uprising and the rise of militancy in Punjab<sup>279</sup>.

The Punjab Militant Movement (PMM) has been defined and characterized by many different groups and political parties on the basis of their own separate and standing ideologies. The Indian Government led by the Indian National Congress has labeled the PMM a 'separatist', 'disintegrationist', and a 'terrorist' movement<sup>280</sup>. The then dominant

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<sup>276</sup> Grewal (1990) 218.

<sup>277</sup> This mostly involved Sikhs living in Canada and the UK.

<sup>278</sup> Singh, Birinder Pal, "Rise of Militancy: An Appraisal of the Economic Factor," (2010) <[http://papers.ssm.com/sol3/papers.cfm?abstract\\_id=303485](http://papers.ssm.com/sol3/papers.cfm?abstract_id=303485)> 11 July 2011.

<sup>279</sup> See report by the United Nations High Commissioner for Refugees (UNHCR) on the disappeared in Punjab, "Determining the fate of the "disappeared" in Punjab", Available from <[http://www.unhcr.org/refworld/country,,AMNESTY,,IND,,3ae6a9848,0.html#\\_ftnl](http://www.unhcr.org/refworld/country,,AMNESTY,,IND,,3ae6a9848,0.html#_ftnl)> 2 August 2011.

<sup>280</sup> Singh, Birinder Pal, (2010).

party Bhartiya Janata Party (BJP) has called it an ‘anti-Hindu’ and ‘anti-national’ movement for its aspirations to secede from India in creation of Khalistan<sup>281</sup>. While the Communist party called the Punjab militancy an ‘extremist’, ‘undemocratic’, ‘fascist’, ‘obscurantist’, ‘ethnic’ and a ‘fundamentalist’ movement<sup>282</sup>. On the other hand, the Shiromani Akali Dal (SAD), a political group representing the Sikhs argued that from their observations, the PMM is a group ‘fighting for a cause, focusing on their rights against political and socio-economic discrimination, and their right on their freedom of belief, expression and action’<sup>283</sup>.

During the increased calls for militancy and separatism in Punjab, many Sikhs involved in the cause have acted in violence, primarily directing it towards the Indian Government, its politicians and its forces. As the situation became more hostile, some militants turned into innocent Hindu and Sikh civilians, which resulted in hundreds of deaths and contributed to the confusion and insecurity being felt by most residents of the Punjab. The Indian Government directly accused Bhindranwale of taking part in the militancy and suspecting him as the ‘leader’ of the group. Since most of the militants are supporters of Bhindranwale’s ideologies and principles, the accusation brought by the Center increased the animosity between the groups and forced Bhindranwale to take refuge in the Harmandir Temple. On June of 1984, in desperate attempt to flush out Bhindranwale and his men from the holy temple, the army launched what is possibly one of its most controversial decisions ever.

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<sup>281</sup> Ibid.

<sup>282</sup> Ibid.

<sup>283</sup> Ibid.

## 5.2 OPERATION BLUE STAR

Nineteen eighty four marked a turning point in the conflict. In a desperate attempt to flush out Bhindranwale and his men from the Temple Complex, the Indian army stormed the Golden Temple in Amritsar<sup>284</sup>. Rather than sending the police, Mrs. Gandhi sent in the army during one of the Sikhs most sacred events<sup>285</sup>. The Indian Government justified its attack as a necessary step to wipe out terrorists believed to be hiding in the Temple Complex. The operation has been described as "a disastrous political decision and a seriously bungled military operation"<sup>286</sup>. Among other things, it ended the more than 400-year continuous recital of the *Gurbani* or prayers in the Golden Temple<sup>287</sup>.

The Operation, as described by Mahmood, was the first full-military action undertaken by the Indian government against fellow Indian citizens. On the pretext of apprehending 'a handful of militants' inside the Golden Temple, the Indian Army unleashed a terror unprecedented in post-independence India. Code named "Operation Blue Star", the Sikh's holiest temple went under a full scale military operation consisting of 70,000 troops in full battle equipage to handle about 500 revolutionaries who was believed to have taken refuge in the temple, including Bhindranwale<sup>288</sup>. Units of the Amry, Navy, Air Force and para-military troops attacked the Golden Temple and 40 other Sikh shrines in Punjab<sup>289</sup>.

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<sup>284</sup> "Indian Prime Minister Shot Dead," BBC News, October 1984. Available from <[http://news.bbc.co.uk/onthisday/hi/dates/stories/october/31/newsid\\_2464000/2464423.htm](http://news.bbc.co.uk/onthisday/hi/dates/stories/october/31/newsid_2464000/2464423.htm)>.

<sup>285</sup> June 4<sup>th</sup> marks the martyrdom of the Sikh's fifth Guru, Guru Arjan Dev Ji, who is also the founder of the Harmandir Sahib (Golden Temple).

<sup>286</sup> See article by Stewart Morris, "How did India's Punjab Crisis Arise?" Available from <<http://www.stewartmorris.com/essays/27Chandra3.pdf>>.

<sup>287</sup> Helweg (2007) 112.

<sup>288</sup> Pettigrew (1995) 22.

<sup>289</sup> Helweg (2007) 112.

During the operation, the state was sealed off from the rest of the world, with an indefinite, state-wide curfew imposed in the whole of Punjab, removing all local and foreign journalists from the state<sup>290</sup>. Independent newspapers and radio stations were shut down, and telephone lines cut which prevented any internal or external communication<sup>291</sup>. The twenty million people of Punjab were placed in a state of siege and imprisonment which resulted in a sense of alienation and shock that many Sikhs have already been feeling in the state.

### 5.2.1 PRE-OPERATION

In July 1981, Harchand Singh Longowal <sup>292</sup>, invited Jarnail Singh Bhindranwale to take up residence at the Golden Temple compound. Since his residency, Bhindranwale began to hold all his meetings at the Temple's rooftop where he was easily accessible to everyone<sup>293</sup>. Several days prior to the attack, President Zail Singh assured temple leaders in Amritsar that the Army would not conduct any type of attack towards the Sikh's holy Shrine<sup>294</sup>.

Due to the growing tensions in and around the Temple, Bhindranwale reminds his supporters on the need to stay peaceful and in avoiding confrontation at all costs. In his speech, Bhindranwale warns his supporters for the coming days:

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<sup>290</sup> Ibid.

<sup>291</sup> See Human Rights Watch report on the Punjab Crisis, Available at <<http://www.ensaaf.org/publications/other/HRW-PunjabinCrisis.pdf>>.

<sup>292</sup> Harchand Singh Longowal was a prominent Sikh politician and the President of the Akali Dal during the Punjab insurgency in the 1980s.

<sup>293</sup> Bernard, et al.,(2004).

<sup>294</sup> Kaur, Jaskaran (2007), "Protecting the killers: A Policy of Impunity in Punjab India", *Human Rights Watch*, <<http://www.hrw.org/reports2007/india1007/india1007webcover.pdf>> 2 August 2011.

The Government is trying very hard to start Hindu-Sikh riots. Avoid this as long as you can. However, if the Hindu's also get in the Government's boat and start to dishonor the daughters and sisters of the Sikhs, then, in order to save our turbans, we shall take what steps the Khalsa, following the path shown by Guru Gobind Singh Ji, has always taken in the past. We might have to adopt these methods but we shall do only when we are forced to. We shall not resort to those methods on our own. We have to be peaceful<sup>295</sup>.

Despite the warning, the days that followed turned into a story of horror for many of the innocent civilians and pilgrims present during the days of the attack<sup>296</sup>. As one scholar puts it, the Indian Government has "as in the past, responded to lawlessness and violence with violence and lawlessness"<sup>297</sup>.

## **5.2.2 BEGINNINGS OF THE OPERATION**

As what several human rights reports later suggest, the attack on the Golden Temple seemed to have been meticulously planned for over a year before June of 1984<sup>298</sup>. In a statement by S. Swami, a member of the Indian Parliament, he argues that the State sought to "make out that the Golden Temple was a haven of criminals, a store of armory and a citadel of the nation's dismemberment conspiracy"<sup>299</sup>. That the operation 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"<sup>300</sup>. The whole of Punjab, and especially the

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<sup>295</sup> Ibid.

<sup>296</sup> Human Rights Watch, 1998.

<sup>297</sup> Morris (2009) in quoting Brass.

<sup>298</sup> Morris (2009).

<sup>299</sup> Kumar (1989) 34.

<sup>300</sup> Ibid.

Golden Temple Complex, 'was turned into a murderous mouse trap from where people could neither escape nor succor of any kind'<sup>301</sup>.

On June 1<sup>st</sup>, the primary day of the attack, despite being in full view, the Army failed to target Bhindranwale and his followers and instead fired at the various buildings of the Temple complex<sup>302</sup>. The Golden Temple itself, suffering from as many as 300 bullet marks due to the continuous and unwarranted firing by the Indian Army<sup>303</sup>. Although the attack that night resulted on the deaths of several innocent civilians, Bhindranwale and his men did not return fire until the second of June, when the Indian Army entered the Golden Temple<sup>304</sup>. Several eyewitness accounts confirm this was due to Bhindranwale's strict orders not to return fire, unless the Indian Army storms the Temple<sup>305</sup>.

Despite the planned attack, thousands of pilgrims were not given any warning and were freely allowed to enter the Temple Complex. On the other hand, outsiders including journalists, both local and foreign were either expelled from the state or placed on temporary 'house arrest' in hotels far from the Temple<sup>306</sup>. Reporting of any kind was also strictly banned with several members of the media later confirming on receiving threats from the Punjab police if any reports were released<sup>307</sup>. By June 3, a state-wide shoot-on-sight curfew was placed, forbidding anyone from moving except the Army<sup>308</sup>. All forms of transportation (including bikes and carts) were suspended and phone lines were cut.

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<sup>301</sup> Pettigrew (1995) 43.

<sup>302</sup> Kaur (2007).

<sup>303</sup> Ibid.

<sup>304</sup> Ibid.

<sup>305</sup> See Human Rights Watch report, 1998.

<sup>306</sup> Ibid.

<sup>307</sup> Kaur (2007).

<sup>308</sup> Reddy, C.K.C., *Army Action in Punjab: Prelude and aftermath*, (New Delhi: Samatra Era Publication, 1984) 79.



Travel entering or leaving Punjab was also prohibited, leaving those inside the state trapped.

On describing the attack, Mahmood insists that the force used by the Army during the Operation was ‘utterly incommensurate’, that instead of getting rid of a ‘handful of militants’, its aim was to destroy the whole Temple and all those in it<sup>309</sup>. Pettigrew also argues that the attack was not aimed at a “political figure or movement...but in suppressing the culture of a people... striking a blow at their spirit and self-confidence<sup>310</sup>”. The day of the attack was conducted during a time where numerous pilgrims were in the temple, following the martyrdom of Guru Arjan Dev, the founder of the Harmandir Sahib or the Golden Temple<sup>311</sup>. The scene turned into a trap where pilgrims caught in the cross fire were neither given a chance to escape nor leave the Temple grounds<sup>312</sup>.

By June 3, an estimated 10,000 pilgrims and 1,300 workers were said to be trapped inside the Temple<sup>313</sup>. Red Cross volunteers who came to assist the injured and trapped civilians were detained by the Indian Army at Jallianwalah Bagh, where they received threats if they were to provide any assistance, including food or water to the victims<sup>314</sup>. The scene at the Temple was reported as a “virtual massacre” where large number of pilgrims, many women and children, were trapped in the temple grounds and gunned down<sup>315</sup>. Post-mortem reports later confirmed how some of those who had been

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<sup>309</sup> Mahmood (1989).

<sup>310</sup> Pettigrew (1995) 49.

<sup>311</sup> Ibid.

<sup>312</sup> Bajwa (2004).

<sup>313</sup> Amnesty International, 1991.

<sup>314</sup> Kumar (2007).

<sup>315</sup> See report by Human Rights Watch, 1994; Amnesty International, 1991, et al.

killed had their hands tied behind their backs, suggesting they have been extra-judicially killed and tortured<sup>316</sup>.

In total, seventy thousand troops in conjunction with the use of tanks and chemical gas were used in the Army Operation<sup>317</sup>. The Akal Takht, also known as the temporal authority for the Sikhs was 'reduced to rubble' as it was heavily fired upon, and the Sikh Reference Library, which houses an irreplaceable collection of books, manuscripts and other important and irreplaceable Sikh artifacts were burned to the ground. Simultaneous to the attack on the Golden Temple, thirty seven other Sikh temples were attacked throughout Punjab on the same day. According to Mahmood, '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 a fulcrum of a possible mass resistance against the state'.

### **5.2.3 DEATHS AND CASUALTIES**

Due to the complete press blackout and state-wide curfew imposed by the Indian Government on Punjab, the official number of casualties during the Operation can only be approximated<sup>318</sup>. On the day of the Operation, Brahma Chalaney a correspondent for the Associated Press who managed to stay in Punjab during the Army action reported staggering number of bodies being taken away from inside the Temple using the city's garbage trucks. The scene was described as 'gruesome' where members of both the

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<sup>316</sup> Ibid.

<sup>317</sup> Mamood (1996).

<sup>318</sup> Ibid.

Punjab police and Indian Army were seen to be moving bodies in heaps of at least 50 throughout the night<sup>319</sup>.

The Indian Army has also suffered casualties, although various accounts show inconsistency between the government's report and investigations made by independent groups and journalists. According to the government's primary report, the Indian Army suffered a total of 83 casualties and has eliminated a total of 433 militants during the attacks<sup>320</sup>. On the other hand, independent sources, including reports by Amnesty International and Human Rights Watch, show the Indian Army suffering at least 700 deaths, with hundreds more reported to be injured.

Evidence of extrajudicial executions was also present during this time. Some of the victims were reported to have died from bullet wounds shot at close range through the back of their heads, and having their hands tied behind their backs. Doctors who conducted post-mortem reports later admit on how they were forced to sign hundreds of the death certificates, particularly those who were found to have been killed extrajudicially<sup>321</sup>.

There was little to no attempt in identifying the thousands of bodies being sent to the crematoriums. The numbers of dead coming into crematoriums also became overwhelming that there eventually was 'not enough wood to burn the dead individually'<sup>322</sup>. Many of the victims included masses of women and children who were

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<sup>319</sup> Kumar (1997).

<sup>320</sup> Ibid.

<sup>321</sup> Ibid.

<sup>322</sup> Ibid.

either trapped or intentionally killed under the suspicion that they might be involved with terrorism.

On accounts of the attack, Government reports conclude an estimated 800 deaths resulting from the Operation. Outside sources, including studies by Human Rights groups show Sikh fatalities between 1,500 to as much as 10,000 victims, mostly civilians<sup>323</sup>. The body of Jarnail Singh Bhindranwale was found the night of June 6<sup>th</sup>. His body endured a total of 72 bullet wounds; with part of his right face partially missing<sup>324</sup>. Many of the dead were immediately sent to the various crematoriums where their bodies would be burned. Thousand others were simply thrown on fire pyres close to the temple.

The army operation on the Golden Temple was soon followed by another government-sponsored initiative code-named "Operation Woodrose", in which the Indian army sought to eliminate all *Amritdharis* in villages across Punjab. During this time, all initiated Sikhs, particularly those wearing Turbans were deemed 'terrorists' from the view point of the Indian State, where Army members were encouraged to capture and extra-judicially kill those who are suspected to have committed terroristic acts. In a leaked Army bulletin in June 1984, an appeal was made to all soldiers to report and disclose any known whereabouts of *Amritdharis* or baptized Sikhs, branding them as 'dangerous people' and 'pledged in committing murder, arson and acts or terrorism'.

Since the Operation, the police and Indian army have adopted increasingly brutal methods to stem insurgency which violates the laws of war both in India and

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<sup>323</sup> See report by Human Rights Watch, 1994; Amnesty International, 1991, et al.

<sup>324</sup> Pettigrew (1975).

internationally<sup>325</sup>. Among these include the increased arrests on civilians and suspected persons without warrant, extrajudicial killings of civilians and suspected militants, prolonged detention without trial and the rise on the cases of torture and ‘disappearances’<sup>326</sup>. This rise in special police powers resulted in more than 6,000 persons illegally detained and several hundred missing<sup>327</sup>.

#### **5.2.4 AFTERMATH OF THE OPERATION**

The desecration of the Temple caused widespread outrage and anger for many Sikhs both in Punjab and overseas. Most Sikhs as well as several scholars felt that the attack was intentionally planned, aiming to hurt Sikh pride, its people and the Sikh identity<sup>328</sup>. For many Sikhs, the Operation also represented a breach of India’s constitution, guaranteeing equal protection on all religions in the country. One of the deadly outcomes came in a form of retaliation four months after the storming of the Temple. On the morning of October 31, 1984, then Prime Minister Indira Gandhi was shot dead by two of her Sikh bodyguards in her compound in New Delhi<sup>329</sup>. Her assassination triggered a series of organized violence targeting Sikhs across India. The<sup>330</sup> assault directed towards the Sikhs were so extensive and widespread, many described it as ‘acts proportionate to genocide.’<sup>331</sup>

On the night of Indira Gandhi’s death, mobs of people attacked and slaughtered thousands of innocent Sikhs in New Delhi and across northern India. Brass compared the

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<sup>325</sup> Amnesty International, 1991.

<sup>326</sup> Human Rights Watch, 1994.

<sup>327</sup> Ibid.

<sup>328</sup> Mahmood (1989).

<sup>329</sup> See BBC News report, “India hit over religious violence,” BBC News (1995) Available from <[http://article.wn.com/view/2009/08/13/India\\_hit\\_over\\_religious\\_violence/](http://article.wn.com/view/2009/08/13/India_hit_over_religious_violence/)> .

<sup>330</sup> Singh (1991).

<sup>331</sup> See report by UNHCR “Determining the fate of the disappeared” (1995).

massacres to 1930s Germany, where pogroms against its religious minority bore a similar and 'ominous resemblance'. The 1984 Sikh Genocide was the four days of continuous violence without any government intervention, which led to the slaughter of the thousands of innocent Sikhs and the further polarization between two religious communities across India<sup>332</sup>.

### 5.2.5 STATE-SPONSORED POGROMS

The riots began on the night of October 31st, and continued for three days immediately killing an estimated 800 Sikhs<sup>333</sup>. The main targets of the mobs were confined only towards the Sikhs, their properties, vehicles and places of worship. Instructions to kill, loot and burn Sikhs and their properties were being heard on government-sponsored television and radio<sup>334</sup>, and shouted on the streets. In the three days of rioting, the capital has witnessed its greatest case of arson, looting and murder worse than during the partition<sup>335</sup>.

The assaults began with threats and discriminatory attacks towards the Sikhs. Mobs of young men armed with steel rods and long wooden sticks stopped vehicles all over the city, pulling out and beating Sikh passengers<sup>336</sup>. Some rioters began to burn anything symbolic of the Sikhs including the turbans of the Sikh men they capture. Mobs slowly swarm into Sikh neighborhoods where Sikhs were being killed indiscriminately. Several government-owned and controlled television stations also began broadcasting

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<sup>332</sup> Mahmood (1993).

<sup>333</sup> BBC News, 1994.

<sup>334</sup> These stations include Doordarshan (television) and All India Radio.

<sup>335</sup> Hardgrave Jr, Robert, "India in 1984: Confrontation, Assassination and Succession", *Asian Survey*, Vol. 25, No. 2, (February 1985).

<<http://www.jstor.org/discover/10/2307/2644297?uid=373882&uid=4&sid=21101605770743>>131-144>18 November 2012.

<sup>336</sup> Kaur (2002).

provocative slogans, including '*khoon ke badla khoon se lenge*' or 'blood for blood'<sup>337</sup>. Homes owned by Sikh families were also being marked and targeted<sup>338</sup>. Transport vehicles including scooters, motor-cycles and cars either driven by Sikhs or in which Sikhs were found traveling also became targets of the attack. By November 1st, the riotous mobs followed an almost uniform pattern everywhere, equipped with iron rods, wooden sticks, kerosene and other inflammable materials, apart from other dangerous weapons including fire arms<sup>339</sup>.

In describing the intensity of the attacks, Ram Narayan Kumar writes: "Murderous gangs of 200 or 300 people led by leaders, with policemen looking on, began to swarm into Sikh houses, hacking the occupants to pieces, chopping off the heads of their children, raping women, tying Sikh men to tires set aflame with kerosene, burning down houses and shops after ransacking them..."<sup>340</sup>. To ensure death, many of those who were killed or were in the process of dying due to their injuries were also burned by the mobs. Women who ran to the rescue of their husbands or sons were also brutally assaulted, and in many cases were also set on fire<sup>341</sup>.

The Punjab police, whose paramount duty was to maintain law and order and protect the lives of the innocent remained passive and were ordered to 'not interfere' during the days of the attack<sup>342</sup>. Those who went about setting fire to various Sikh properties, including *Gurdwaras* and Sikh homes did not face any hindrance from the police who simply stood in the sidelines. Some were seen assisting rioters who according

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<sup>337</sup> Kumar (1984) 42.

<sup>338</sup> Ramdas, Lallita "Thoughts on 1984," *Economic & Political Weekly*, Vol – XL No. 38 (2005).

<sup>339</sup> Ibid.

<sup>340</sup> Kumar (1984).

<sup>341</sup> Ibid.

<sup>342</sup> Hardgrave (1985).

to Khurmi, were ‘Congress workers or mercenaries hired by the Indian Congress’. The police also worked in destroying a lot of evidence by refusing to record reports files by many of the victims after the riots.

Many argue that the attacks toward the Sikhs were an extremely organized affair, where politicians aiming to gain control and power in the Punjab organized the massacre of a minority community. Congress officials including MPs were argued to have taken an active part, organizing the violence logistically, providing mobs with information, weapons, and fuel<sup>343</sup>. Investigations by the Central Bureau of Investigation (CBI) and eyewitness testimonies confirm rallies held throughout the night of October 31st<sup>344</sup> and the morning of November 1st, where Congress leaders met with local supporters to distribute money and weapons<sup>345</sup>. Kerosene, one of the chief weapons used by the mobs was shown to be supplied by a group of Congress Party leaders who owned filling stations. The rioters were also provided with a list of houses and establishments owned and operated by Sikhs. Areas specifically made for re-fuelling the rioter’s kerosene supplies were also made accessible to the rioters. Reports also show town jails being opened the night of the riots, where prisoners were given the means and instructions to “teach the Sikhs a lesson”<sup>346</sup>.

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<sup>343</sup> “Dead Silence,” 1991.

<sup>344</sup> According to eyewitness accounts, Sajjan Kumar, a member of the Congress party, was seen holding anti-Sikh rallies in various Delhi neighborhoods including Palam Colony from 6:30 am to 7:00 am, in Kiran Gardens from 8:00 am to 8:30 am, and in Sultanpuri around 8:30 am to 9:00 am.

<sup>345</sup> Moti Singh, one of the survivors of the attack, gave his account on having heard Sajjan Kumar during one of his speeches offer a prize for every Sikh that would be killed. “*Whoever kills the sons of the snakes will be rewarded Rs 1000 each*”.

<sup>346</sup> The CBI released a report proclaiming the acts of violence towards the Sikhs were ‘well organized’ and backed up by the Delhi police, government and the Central government.



Although a joint-report by two Human Rights group produced sixteen names of politicians<sup>347</sup> believed to have been involved in the pogroms, the Indian government sought no prosecutions or indictments of any persons involved, including officials<sup>348</sup> accused of the cases of murder, rape or arson<sup>349</sup>. The three day Sikh pogroms resulted in the deaths of 4,000 Sikhs, all of them innocent civilians<sup>350</sup>. It was only after three days of rioting in the capital was the Indian army called in to restore order<sup>351</sup>. Amnesty International estimates thousands of innocent Sikhs to have been burned alive, women raped, men's hair and beard cut, Gurdwaras set on fire, and entire families murdered. A further 50,000 Sikhs were reported to have been displaced due to the riots.

The riots also affected the increasing brutal approaches being experienced in Punjab today. Since the attack, the security forces have adopted increasingly brutal methods to stem the insurgency, including arbitrary arrests, torture, prolonged detention without trial, disappearances and summary killings of civilians and suspected militants<sup>352</sup>. The connivance of local officials in the massacres and the failure of the authorities to prosecute the killers alienated many ordinary Sikhs and further polarized Sikh and Hindu communities in Punjab and across northern India<sup>353</sup>.

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<sup>347</sup> According to Kaur (2010), eyewitness accounts show Congress Party MP Sajjan Kumar and Trade Union leader Lalit Makeen handing out 100 rupee notes and bottles of liquor to assailants.

<sup>348</sup> 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" were elected as Members of Parliament, in addition to Kamal Nath who was accused of attacking the Gurdwara Rakab Ganj in Delhi.

<sup>349</sup> Human Rights Watch, 1994.

<sup>350</sup> See reports by Amnesty International, 1991; Mahmood, 1993 & TimesofIndia.com, 2005.

<sup>351</sup> Amnesty International, 1991.

<sup>352</sup> Ibid.

<sup>353</sup> Mahmood (1991).

### 5.3 HUMAN RIGHTS VIOLATIONS

Since the wake of the Punjab agitation in the early 1980s, security officials operating in the state have been granted increasing powers to extinguish and quell any person or group believed to be associated with ‘militancy’ in the Punjab<sup>354</sup>. After declaring Punjab as a ‘disturbed area’<sup>355</sup>, the Punjab Disturbed Areas Ordinance enabled security and police forces to detain suspected persons without trial up to two years for acts committed in the region<sup>356</sup>. The act also empowered security forces to “shoot to kill, with prosecutorial immunity, and search and arrest without warrant” any person suspected to be involved in the state<sup>357</sup>. As a result, the new repressive policy has led to an institutionalization of repression and wide spread Human Rights abuses in the Punjab region<sup>358</sup>.

By the mid-1980s, cases of murder, torture and disappearances in Punjab have rapidly increased. Senior officials, particularly members of the Punjab police participated in extra-judicial executions<sup>359</sup> of civilians and suspected militants<sup>360</sup>. These forces also engaged in the widespread disappearances and the brutal torture of detainees and suspected persons in Punjab<sup>361</sup>. In the same year, a motion to change the National

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<sup>354</sup> See Human Rights Watch, 2011.

<sup>355</sup> Under the Punjab Disturbed Areas Ordinance, the use of lethal force is allowed on anyone who is suspected to have (a) serious breach of the public order, (b) violate laws forbidding the assembly of more than four persons, or (c) contravene laws banning the carrying of weapons.

<sup>356</sup> See Human Rights Watch, 1994.

<sup>357</sup> Kaur (2006).

<sup>358</sup> Ibid.

<sup>359</sup> Former Indian Administrative Service (IAS) officer SR Sankaran (now affiliated with the NGO Peoples’ Union for Civil Liberties), called staged encounter killings a “deliberate and conscious state administrative policy”.

<sup>360</sup> See reports by Human Rights Watch, 1994 & 2011.

<sup>361</sup> Kaur (2006).

Security has led to a wider growth in police and judicial powers<sup>362</sup>. Amnesty International described the act as embodying the State and security forces ‘with a license to torture and kill with impunity’<sup>363</sup>. During the first few months, hundreds of Sikhs were illegally detained, and thousands more missing<sup>364</sup>.

According to the United Nations treaty on Human Rights, minorities are entitled to all the rights accorded to those who live within the jurisdiction of the State<sup>365</sup>. The Indian Government and the forces operating within the state of Punjab have systematically violated massive Human Rights laws as well as laws of war governing international armed conflict<sup>366</sup>. The actions committed by the State during the Punjab agitation need to be examined closely to see whether Article 2 of the Genocide Convention is applicable since the event showed a commitment “to destroy in whole or in part, a national, ethnic, racial or religious group”<sup>367</sup>.

### **5.3.1 EXTRA-JUDICIAL EXECUTIONS**

The actions taken by security forces to crush ‘militants’ or those suspected to be involved have resulted in the arbitrary deprivation of life in the state of Punjab<sup>368</sup>. Extrajudicial executions refer to the deaths at the hands of state agents, without due process of law. An “encounter” is a form of extrajudicial execution framed to look like the deaths resulted from an accidental but successful confrontation between security forces and suspected terrorists or militants. By the mid-1980s, “encounter killings” have

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<sup>362</sup> Helweg (2007).

<sup>363</sup> See report by Amnesty International, 1991, and Kaur, 2006.

<sup>364</sup> Ibid.

<sup>365</sup> See United Nations Treaty on Minority Rights, Available from <[www.ohchr.org/home](http://www.ohchr.org/home)>.

<sup>366</sup> Bernard (2004).

<sup>367</sup> Jaijee (2006) 73.

<sup>368</sup> Human Rights Watch, 1994.

become widespread and were one of the most frequent methods to eliminate suspected militants and sympathizers<sup>369</sup>. The summary execution<sup>370</sup> of civilians and suspected militants has long been practiced by Indian Government forces, particularly in the Punjab<sup>371</sup>. The Punjab Police or members of the Indian Army usually arrest or pick up people from their homes, solely based on their suspicion of involvement. These people are later forced to admit, either through indefinite detention or in most cases, the use of extreme and excessive torture. More often than not, those who had been taken away become likely victims of ‘encounter killings’<sup>372</sup>.

In India, encounter killings have become a “de facto state policy” that it transformed the culture of Indian law enforcement. Human Rights Watch report that officers who ‘specialize’ in encounter killings were often rewarded with medals, bonuses and other tangible benefits<sup>373</sup>. Most significantly, security forces are guaranteed immunity by the Center. In most cases, extrajudicial executions and custodial deaths are reported as ‘encounters’ or ‘escapes’ from custody by security forces<sup>374</sup>. The months which followed the killings has not resulted in a single prosecution or indictment of any persons involved, including government and security officials accused of violating certain Human Rights. As a result, many members of the police and Indian army considered themselves “above the law” which led to the illogical and unrestrained abuse of power and denial of Human Rights.

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<sup>369</sup> Ibid.

<sup>370</sup> A summary execution is a variety of execution in which a person is accused of a crime and is immediately killed without the benefit of a full and fair trial.

<sup>371</sup> Ibid.

<sup>372</sup> Ibid.

<sup>373</sup> See Human Rights Watch report (2011).

<sup>374</sup> Ibid.

### 5.3.2 ENFORCED DISAPPEARANCES

Concurrent with extrajudicial executions, enforced disappearances were also widely used as means of counterinsurgency in the Punjab. According to the International Covenant for the Protection of All Persons from Enforced Disappearances, an enforced disappearance is considered to be:

The arrest, detention, abduction, or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the whereabouts of the disappeared person, which place such a person outside the protection of the law<sup>375</sup>.

The ‘reward system’ employed by the Central government and security agents in the Punjab for the capture of the Sikhs has contributed to the increase in disappearance and extra-judicial murders in the region. The United Nations Working Group on Enforced and Involuntary Disappearances (UNWGEID) has repeatedly communicated allegations of enforced disappearances to the Government of India<sup>376</sup>. These disappearances often begin with illegal detention, often without the knowledge of the victim’s family members<sup>377</sup>. Although it is clear that some are still held in illegal detention, it is feared that most victims of enforced disappearances<sup>378</sup> have resulted in the person’s death.

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<sup>375</sup> See report on International Covenant for the Protection of All Persons from Enforced Disappearances, Available at <<http://www.ohchr.org/EN/Issues/Disappearances/Pages/DisappearancesIndex.aspx>>

<sup>376</sup> Ibid.

<sup>377</sup> Kumar (2003).

<sup>378</sup> Cases also report some victims disfigured bodies often thrown into canals, by railway tracks and roadsides.

To be “disappeared” in India is of particular concern as it violates a person’s civil liberties and human rights. According to the International Covenant for the Protection of All Persons from Enforced Disappearances:

An Act of enforced disappearance places the persons subjected thereto outside the protection of the law and inflicts severe suffering on them and their families. It constitutes a violation of the rules of international law guaranteeing, inter alia, the right to recognition as a person before the law, the right to liberty and security of the person and the right to be subject to torture and other cruel, inhuman or degrading treatment or punishment. It also violates or constituted a grave threat to the right to life<sup>379</sup>.

Although it is difficult to account for all the disappeared in Punjab since the agitation, the Committee for Coordination on Disappearances in Punjab documented 1,691 cases of alleged disappearances between 1988 and 1994. In most cases, *Amritdhari*s or initiated Sikhs are the primary target, although all Punjabi Sikhs, including women and the young were vulnerable to disappearances. Estimates conducted by other Human Rights group, including the total number of deaths and those who have disappeared exceed 20,000<sup>380</sup>.

Under International Law, it is the government’s responsibility to investigate all reports of ‘disappearances’ that occurred within the State’s jurisdiction. Human Rights group argue that a State’s responsibility only ends when those detained or who were missing are safely returned to their families, or if official wrongdoing is uncovered, the responsible parties are tried and punished according to law. Additionally, persons or groups found to be responsible should be granted no amnesty, and no government official

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<sup>379</sup> See report on International Covenant for the Protection of All Persons from Enforced Disappearances, Available at <<http://www.ohchr.org/EN/Issues/Disappearances/Pages/DisappearancesIndex.aspx>>.

<sup>380</sup> Human Rights Watch, 1994.

should be allowed to claim that he or she was mandated to discontinue investigations into the whereabouts of disappeared persons or to not identify those responsible for disappearances<sup>381</sup>.

### **5.3.2.1 METHODS USED ON ENFORCED DISAPPEARANCES**

In a scenario developed by the United Nations Working Group on Enforced and Involuntary Disappearances, a method on the system of extrajudicial disappearance was made using the perspective of a family member:

Some men arrive. They force their way into a family's home, rich or poor, house, hovel or hut, in a city or in a village, anywhere. They come at any time of the day or night, usually in plain clothes, sometimes in uniform, always carrying weapons. Giving no reasons, producing no arrest warrant, frequently without saying who they are or whose authority they are acting, they drag off one or more members of the family towards a car, using violence in the process if necessary<sup>382</sup>.

Several Human Rights groups have gathered extensive amount of evidence showing the various types of abuses committed by Indian security forces, following the Punjab agitation. Between 1984 and 1995, it is reported that the Punjab police as well as members of the Indian Army have 'disappeared' and extra-judicially executed thousands of Sikh militants as well as persons with no known connections in the Punjab militancy. In 1990 alone, Amnesty International reported 346 deaths claimed to as 'encounters' in Punjab. HRW reports a dramatic increase on extrajudicial killings between 1989 and 1990, reaching to 4,000 Sikh deaths by the end of the year. In the 838 forced

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<sup>381</sup> See report of the UN Working Group on Enforced and Involuntary Disappearances (UN-WGEID), Punjab, India. 2004. Available from <[http://hrdag.org/content/India/Punjab\\_2009-01.pdf](http://hrdag.org/content/India/Punjab_2009-01.pdf)>.

<sup>382</sup> Ibid.

disappearances<sup>383</sup> examined by HRDAG, 467 were reported in newspapers as ‘encounters’. In total, estimates on the number of Sikhs extra-judicially killed and disappeared by Indian security forces reach over 10,000. The situation has been described as the Government’s “most extreme example of a policy in which the end appeared to justify any and all means including torture and murder”.

### **5.3.3 TORTURE**

The blatant and systematic use of torture<sup>384</sup> by the Punjab police and the Indian army was widely persistent during the Punjab agitation. Torture is often practiced to force detainees and other civilians to reveal information about alleged militants or as summary punishment for detainees who support or are suspected to support the separatist cause. In a study conducted by the Institute of Correctional Administration in Punjab, at least fifty percent of police officers in the state admitted to having used physical violence or mental abuse toward prisoners. The Punjab police justified its use of torture as their “only means to coerce detainees to confess or reveal information”.

According to International Law, the use of torture or any form of cruel, inhuman and degrading treatment is highly prohibited. Articles 4 and 7 of the Indian Constitution also state the explicit ban on torture, “even in times of National security, or when the security of the State is threatened”.

The practice of torture in Punjab is often facilitated by the fact that detainees are being frequently moved from one police station to another, without access to lawyers,

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<sup>383</sup> Most of the victims’ families were never officially informed about the victims’ whereabouts or death.

<sup>384</sup> Torture was not only frequently used as counterinsurgency tactics but was reported to have been actively encouraged by several senior government officials.



courts, relatives or medical care. Often, family members of suspected militants and supporters are also detained and tortured to reveal the whereabouts of relatives sought by police. Human Rights Watch argues that instead of getting information, the use of torture in Punjab is often used as means of punishment and repression. In most cases, methods of torture were immediately applied as soon as the suspected persons were taken into custody. The Central Government's termination of vital security legislation, including the right of a detainee to see a legal authority within 24 hours of arrest in Punjab has suspended prior safeguards of victims against torture.

#### **5.3.3.1 METHODS USED ON TORTURE**

The provisions set out by the Indian Government serve to increase the use of torture in Punjab. Reports compiled by various human rights groups including Amnesty International show, some of the methods used by the Punjab police. Some of these include:

- Pulling of the victim's legs far apart, causing immense pain and internal pelvic injury;
- Crushing the victim's legs using heavy wooden or metal trunks being rolled over the victim's thighs;
- Stepping on the rollers to increase the weight and intensify the pain. In some cases, the roller is placed behind the victim's knees and the legs are forced back over it, crushing them against the roller;
- Electric shocks, applied to the victim's genitals, head, ears and legs;

- Prolonged beatings with canes and leather straps;
- Tying the victim's hands behind their back and suspending him or her from the ceiling by the arms;
- Rape, threats of rape or molestation

### 5.3.4 ILLEGAL CREMATIONS

Cremation is a common means to dispose of corpses in India. It also became a part of the violence which surrounded the Punjab agitation in the 1980s. Illegal Cremations became handy as a means to dispose evidence, particularly victims of disappearances, deaths from torture and staged encounters<sup>385</sup>. In the case of the 1984 Sikh riots, many of the victims who did not reach the crematoriums were burned in dozens of funeral pyres close to the Temple.

This situation was brought about by the Center's shift in policy through the 'intensification of coordinated counter insurgency' which brought with it 'a shift of violence, from targeted forced disappearances and extrajudicial executions, to large-scale and systematic human rights violations accompanied by mass "illegal" cremations'. The International Human Rights Research indicated that many of the encounter victims were cremated without permission or knowledge from the victim's families<sup>386</sup>. Between 1984 until the 1990s, the Punjab Police had illegally cremated thousands of Sikhs, labeling many as 'encounter victims'<sup>387</sup>.

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<sup>385</sup> Kaur (2006).

<sup>386</sup> Ibid.

<sup>387</sup> Ibid.

#### 5.3.4.1 METHODS USED IN ILLEGAL CREMATIONS

According to several Human Rights report, the police “picked up thousands of Sikhs, mostly young men...killed them in cold blood, and dispatched them as unidentified corpses to various crematoriums”. In 1995, Jaswant Singh Khalra<sup>388</sup>, a human rights activist exposed cases of illegal mass cremations in the state. Khalra and his group focused their research on illegal cremations particularly in Amritsar, putting aside other possible ends of the victim’s bodies, such as dismemberment, entombment, or dumping into rivers and canals. In his research, Khalra uncovered over 6,000 cases of illegal and publicly hidden lists of mass cremations in just one of the then 13 districts of Punjab.

In December 1996, the CBI listed 2,097 cases of illegal cremations at three cremation grounds<sup>389</sup> located in Amritsar. Although it is an overwhelming number, the report does not give a precise account on the total number of victims illegally cremated in the district. Interviews given by several crematorium workers disclose that these records are based on the number of fire wood normally required for completely burning one body. In many cases, the crematoriums where the bodies were taken burned several corpses at a time due to the lack of firewood available, and the need to rid of the bodies as soon as possible. Other cases of illegal cremations in further districts<sup>390</sup> in the Punjab, including reports conducted by the CIIP were documented but were refused to be investigated by the Government.

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<sup>388</sup> After receiving multiple death threats, Jaswant Singh Khalra was taken in by the Punjab Police on September 6, 1995 and was reported “missing” a few days later. Two months after his disappearance, he was found tortured and murdered on October 1995. Several human rights groups believe this was due to his investigations on the widespread violations, torture and illegal cremations during the Punjab agitation.

<sup>389</sup> Places: Durgyana Mandir, Municipal Committee and Tarn Taran.

<sup>390</sup> Districts: Faridkot, Kapurthala, Ludhiana and Mansa.

Those involved in the research and investigation of illegal mass cremations were systematically harassed and in some cases, detained by the Punjab police. Apart from ‘disappearances’ or extra-judicial executions, the Punjab police have used threats including the filing of cases in order to intimidate and discourage activists.. This is consistent not only for Human Rights activists and journalists who investigate illegal mass cremations, but also to the relatives and family members of the ‘disappeared’ who are attempting to seek justice.

In December 1996, the National Human Rights Commission (NHRC) was appointed by the Center to examine the various Human Rights violations in Punjab, in particular the cases of illegal mass cremations. The NHRC ultimately failed to address to various Human Rights violations in Punjab and instead focused its report on whether the bodies cremated followed the proper rules for cremation in India. The commission also failed in holding anyone accountable for the acts committed, and given its power, refused to apply international law to the guilty. In October 2006, ten years after its initial investigation, the NHRC compensated only 1,245 families of victims for “wrongful cremations,” only citing that the Punjab police ‘did not follow the rules, guidelines and procedures required before cremating’. The failings of the commission in conducting proper investigation for the victims of illegal mass cremations has denied its victims their fundamental and basic rights, and has shielded the perpetrators from accountability.

## **CHAPTER SIX: CONCLUSION**

This paper contributes to an understanding of the Sikh identity by examining and analyzing the construction of a 'Sikh nationalistic identity' through the presence of the various actors and events which the author argues have resulted in the growth and development of a separate sense of identity among the Sikh minority. In this thesis, it has been shown how the homogeneity of the Sikh people's identity is dependent upon the various social and political events which reflect their own sense of self. Given that there are multiple factors which surround the Sikh situation, the author maintains that there are two primary elements to consider in analyzing the growth and development of Sikh Nationalism. First, to recognize the presence and influence of the various political and religious groups present in Punjab. In this case, the discussed role of the political group Akali Dal in broadly representing the Sikh minority and the effects of the 'religious revolution' toward the Sikh peoples led by the spiritual preacher Bhindranwale during the beginnings of the Punjab Crisis. The second factor focuses on the Center's chosen action in responding to the Punjab Crisis, in particular, its decision to storm the holiest shrine of the Sikhs during the 1984 Punjab agitation. Both these factors, according to the author, have become primary contributors and have influenced the feeling of fear and insecurity by the minority towards a dominating and powerful Hindu-majority. The Center's response during the 1984 agitation including its aftermaths (discussed in Chapters 4 and 5) has produced especially in Punjab, a severely frustrated and insecure minority fearful of its status in Hindu-dominated India. The Center's actions also became suggestive for the Sikhs that they are a targeted minority which resulted in the sudden rise of separatist

group's post-1984 and the development of an aggressive campaign for the restructuring and strengthening of the Sikh identity.

The author also examined the concept of identity and how it presents an important aspect in a nation's formation and state-development. In this thesis, the author maintains that the concept of identity in India has become highly significant that it can influence and trigger ethnic clashes and violence from occurring. Given the many minorities present in India, it is critical to recognize the presence and possibility of having several or varying identities within the nation. Although the Center has provided its minorities with laws and certain guarantees, this thesis has shown how the repudiation on the wide array of identities present in the country has aided in the construction of the 'other' within the community. As a consequence, the Center's generalization on the presence of one ultimate Indian identity through the concept of *Hindutva* has led to the growth of insecurity and instability for many minorities, and therefore denies them of recognizing and establishing their own identities. In the case of the Sikhs, the presence of political and religious groups during the time has provided them the building blocks in recreating and strengthening of their identity. Both groups have contributed to the change and development seen in the Sikh minority and has provided for many Sikhs a new sense of security and development. Although the Sikhs were successful in rebuilding their identity, the process has also resulted in the disconnection and separation of the Sikh identity from the general Indian identity, producing a more subjective or nationalistic form of identity. Through an analysis of these factors, the author demonstrated how the process on the rise of Sikh Nationalism had been intimately tied not only to Sikh history

but more so through the Sikh experience in post independent, democratic India. An experience which according to Behl, “privilege some, while marginalize others”.

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## 8. APPENDICES

### APPENDIX A.

#### COUNTRY PROFILE: INDIA

<b>Official Name</b>	Republic of India
<b>Total Land Area</b>	3,287,263 sq. km
<b>Population</b>	1.21 billion
<b>Ethnic Groups</b>	72% Indo Aryan, 25% Dravidian, 3% Others
<b>Languages</b>	Hindi, English and 21 others
<b>Geography</b>	Capital: New Delhi Coastline: 7,000 km Irrigated land: 663,340 sq. km (2008 est.) Total area: 3,287,263 sq. km; Land area: 2,973,193 sq. km; Water area: 314, 070 sq. km.
<b>Demographics</b>	Infant mortality rate: 44.6 deaths/ 1000 live births Urban population: 30% of total population (2010 est.) Access to improved water source: 92% Life expectancy at birth: 67.48 % total; 66.38% male; 68.7% woman Total fertility rate: 2.55 children born/woman (2013 est.) Literacy rate: 61% total population; 73.4% male; 47.8% woman (2001 census)
<b>Economy</b>	GDP - \$4.784 Trillion (2012 est.) GDP - Official exchange rate: \$1.947 trillion (2012 est.) GDP - Real growth rate: 6.8% (2012 est.) GDP – Composition by sector, Agriculture: 17%; Industry: 18%; Services: 65% (2011 est.) Labor force: 498.4 million (2 <sup>nd</sup> highest in the world) (2012 est.) Inflation rate – 9.2% (2012 est.) Labor force by occupation – Agriculture: 53%; Industry: 19%; Services: 28% (2011 est.) Exports – 309.1 billion (2012 est.) Imports – 500.3 billion (2012 est.) Debt – External: \$299.2 billion (2012 est.)
<b>Exchange Rate</b>	Indian rupees (INR) per US dollar 53.17 (2012 est.)
<b>Population below poverty line</b>	29.8% (2010 est.)

Source: Data compiled from Census India 2011, World Fact Book available at <https://www.cia.gov/library/publications/the-world-factbook/geos/in.html>, UN Data available at <http://data.un.org/countryprofile.aspx?cname=india>, and Index-mundi available at [www.indexmundi.com/India/](http://www.indexmundi.com/India/).

## APPENDIX B.

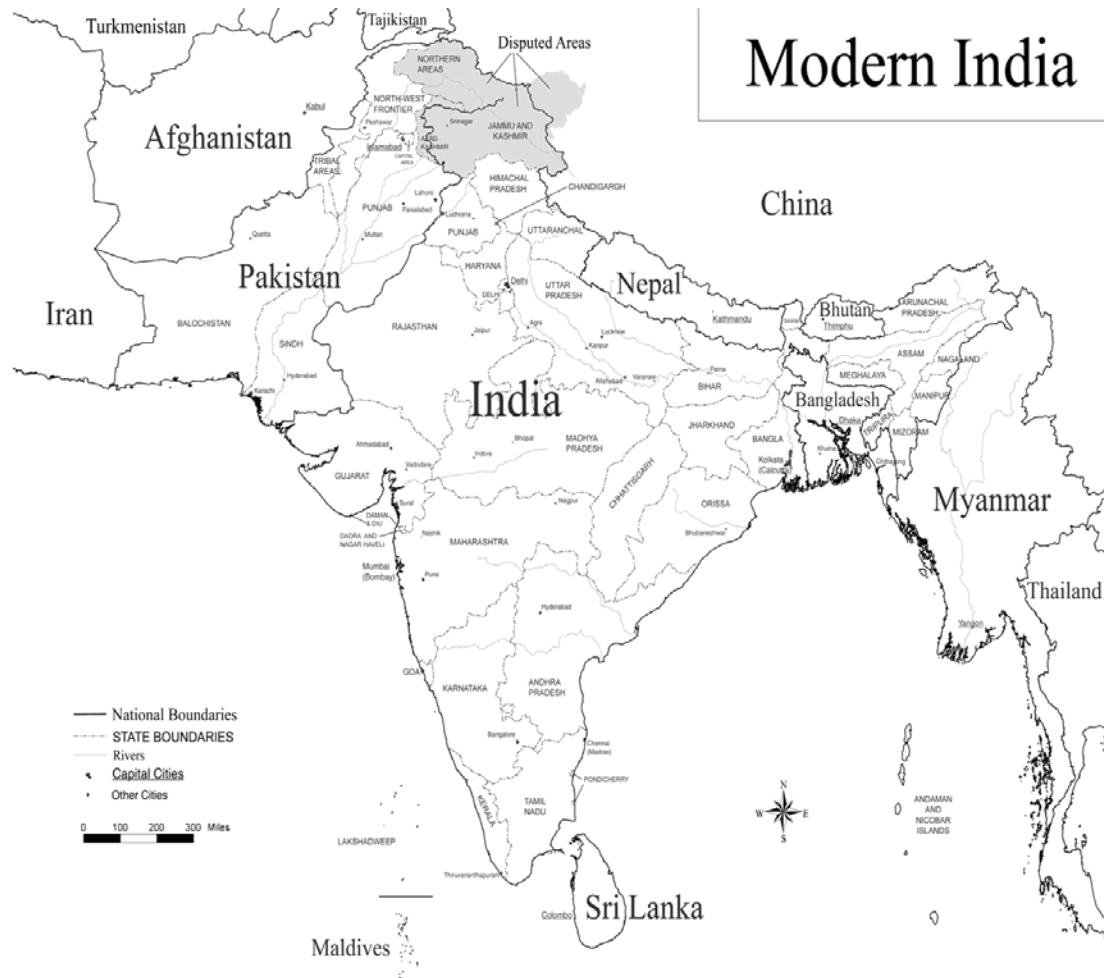
### MAP OF INDIA AND THE BORDERS OF PUNJAB IN 1947



Source: GeoCurrents.info. “Radicalism and the Divisions of Punjab”, August 2010

## APPENDIX C.

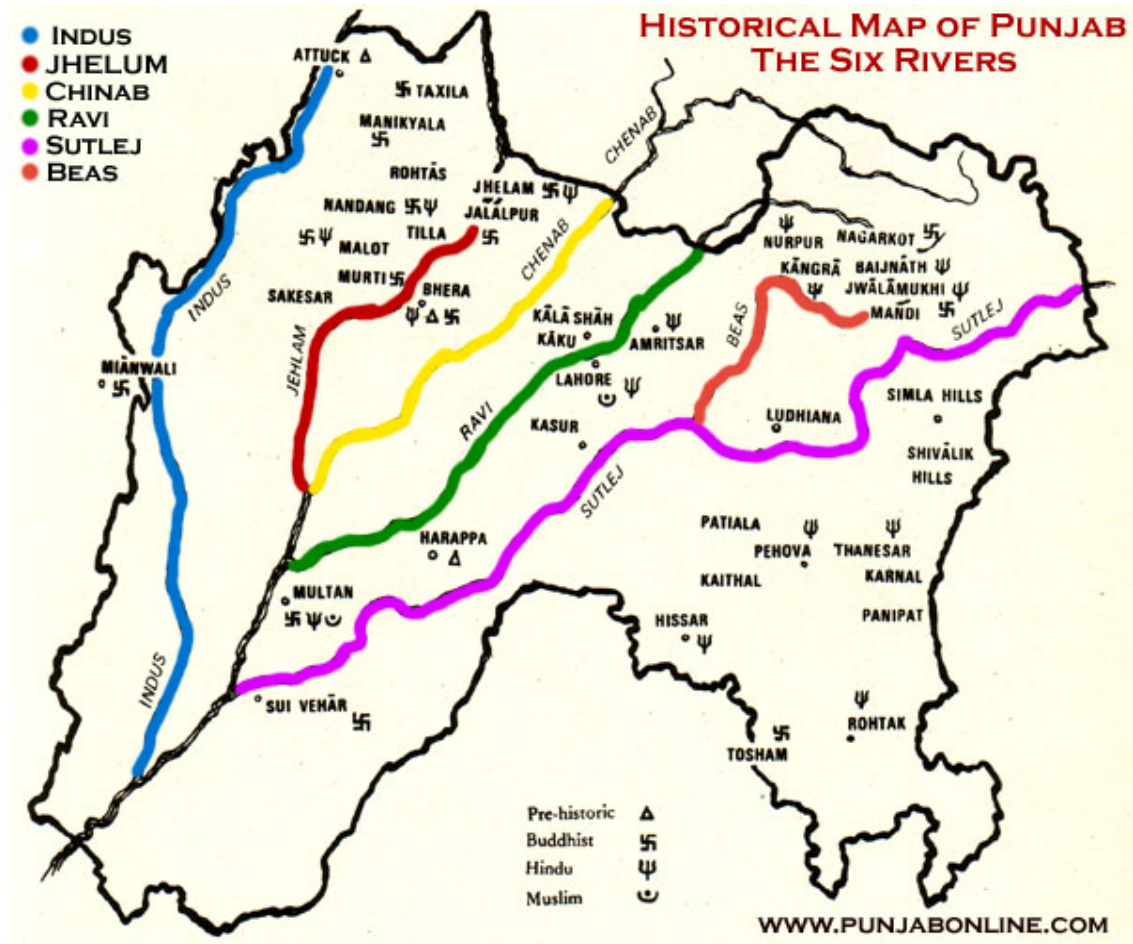
### PRESENT DAY MAP OF INDIA AND ITS BORDERS



Source: Constitution of India, 330, Eighth Schedule, Articles 344 (1) and 351.

## APPENDIX D.

### HISTORICAL MAP OF PUNJAB AND ITS RIVERS

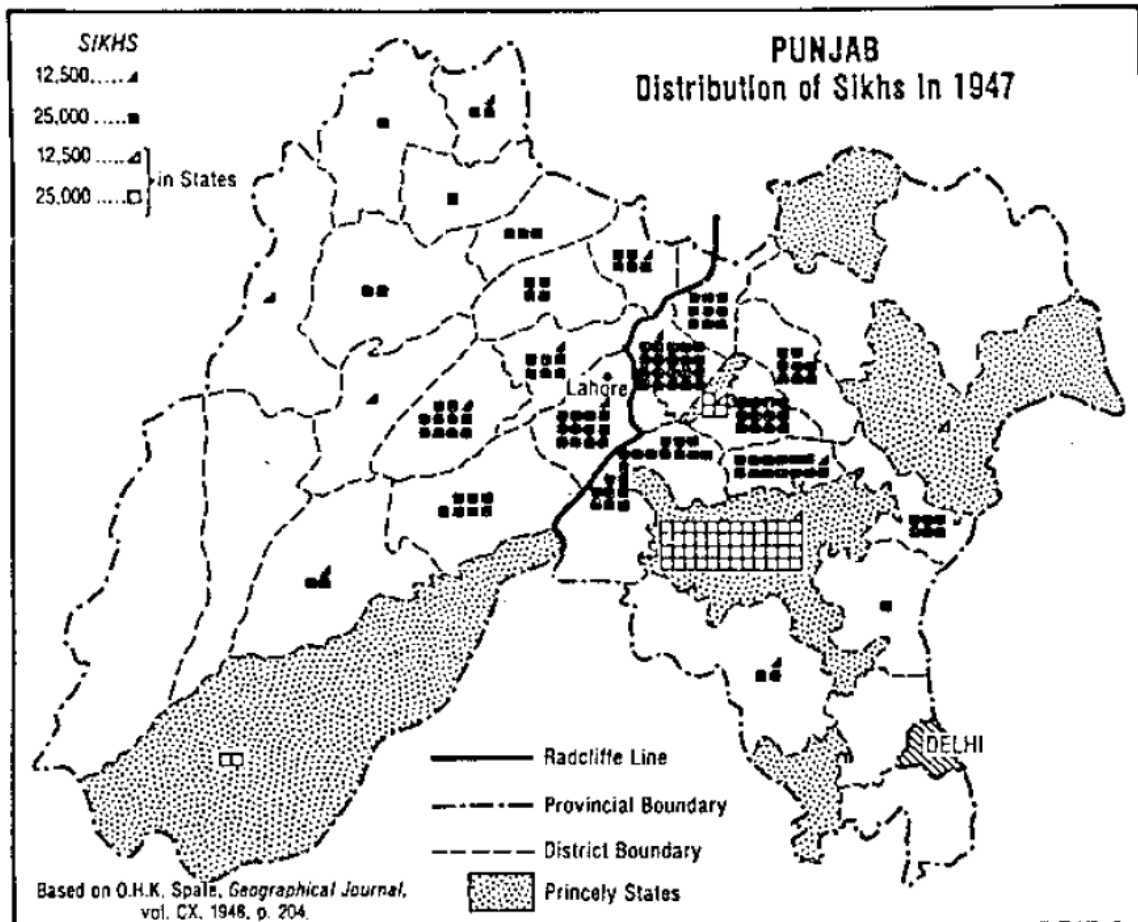


Source: Punjabonline.com, "Historical Map of Punjab", July 2012 (Original in Color)



## APPENDIX E.

### DISTRIBUTION OF SIKHS IN PUNJAB: 1947



Source: GeoCurrents.info. "Radicalism and the Divisions of Punjab", August 2010



## APPENDIX F.

### EIGHTH SCHEDULE OF THE CONSITUTION

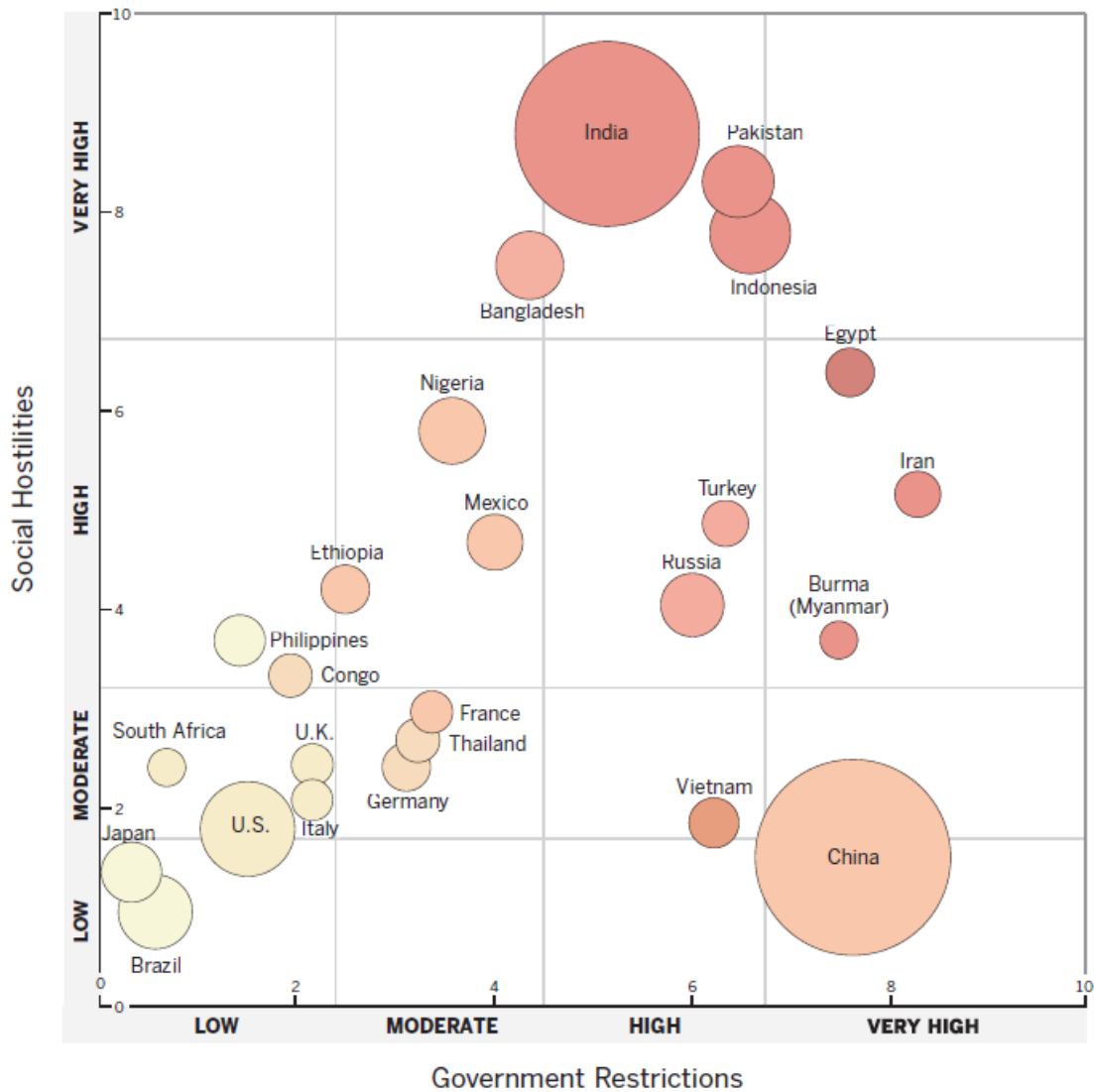
Language	Number of speakers	State(s)/ Union Territories
Assamese	13 Million	Assam Valley, Arunachal Pradesh
Bengali	83 Million	West Bengal, Tripura, Andaman and Nicobar Islands
Bodo	1.4 Million	Assam
Dogri	2.3 Million	Jammu and Kashmir
Gujarati	46 Million	Gujarat, Dadra and Nagar Haveli
Hindi	258 – 422 Million	Himachal Pradesh, Uttar Pradesh, Chhattisgarh, Delhi, Jharkhand, Madhya Pradesh, Rajasthan, Andaman and Nicobar Islands, Bihar and Uttarkhand
Kannada	38 Million	Karnataka
Kashmiri	5.5 Million	Jammu and Kashmir
Konkani	2.5-7.6 Million	Goa, Karnataka, Maharashtra, Kerala
Maithili	12-32 Million	Bihar
Malayalam	33 Million	Kerala, Lakshadweep, Pondicherry, Andaman and Nicobar Islands
Manipuri	1.5 Million	Manipur
Marathi	72 Million	Maharashtra, Goa, Dadra and Nagar Haveli, Madhya Pradesh
Nepali	2.9 Million	Sikkim, West Bengal, Assam
Oriya	33 Million	Odisha
Punjabi	29 Million	Punjab, Chandigarh, Delhi, Haryana
Sanskrit	0.01 Million	Non-regional
Santhali	6.5 Million	Santhal tribes of Chota Nagpur Plateau (comprising the states of Bihar, Chhattisgarh, Jharkand and Odisha).

<b>Language</b>	<b>Number of speakers</b>	<b>State(s)/ Union Territories</b>
Sindhi	6.5 Million	Non-regional
Tamil	61 Million	Tamil Nadu, Pondicherry, Andaman and Nicobar Islands
Telugu	74 Million	Andhra Pradesh, Pondicherry, Andaman and Nicobar Islands
Urdu	52 Million	Jammu and Kashmir, Andhra Pradesh, Delhi, Bihar, Uttar Pradesh and Uttarkhand.

Source: Constitution of India, 330, Eighth Schedule, Articles 344 (1) and 351.

## APPENDIX G.

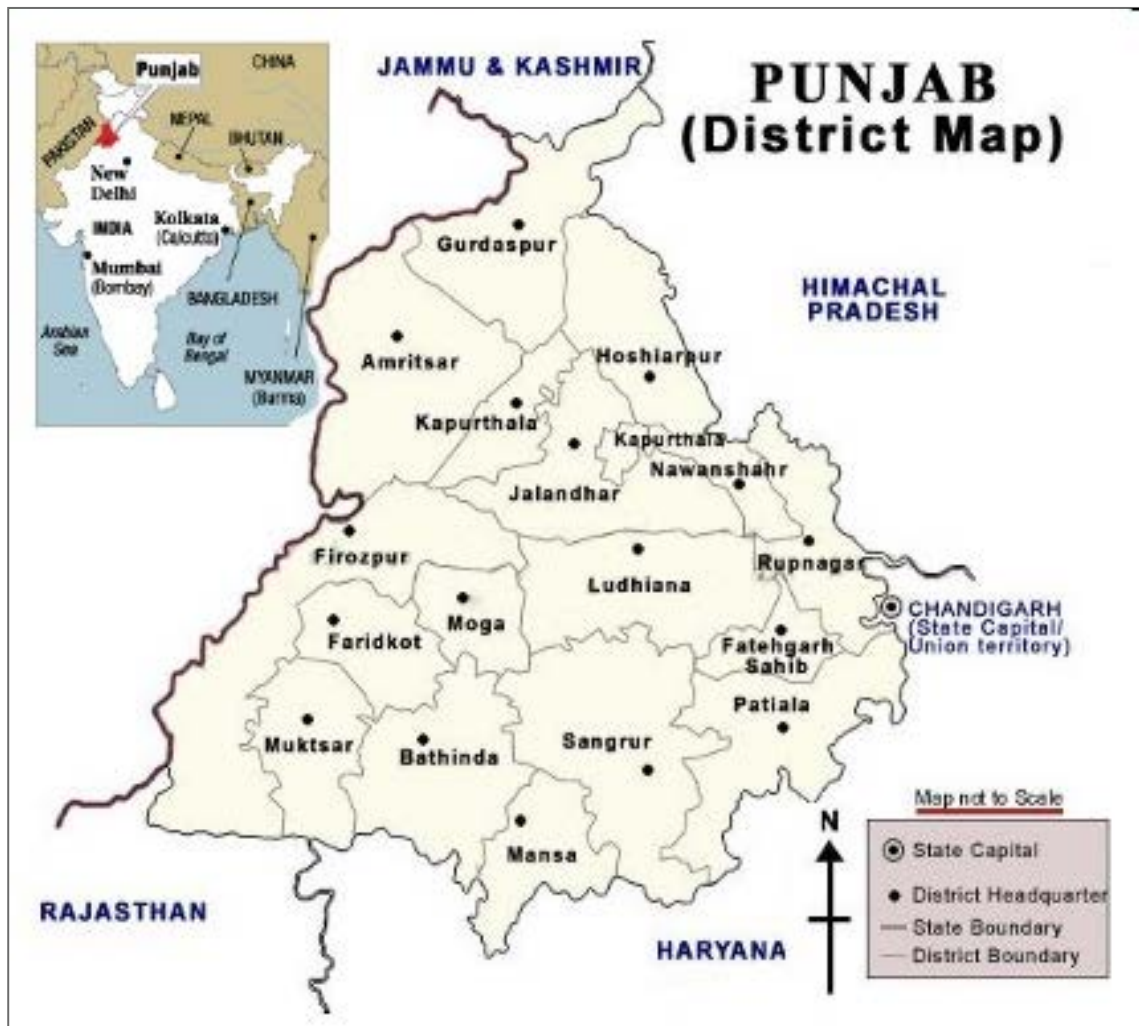
### RELIGIOUS RESTRICTIONS IN THE 25 MOST POPULOUS COUNTRIES



Source: Pew Research Center's Forum on Religion and Public Life. "Rising Tide of Restrictions on Religion" September 2012.

## APPENDIX H.

### DISTRICT MAP OF PUNJAB



Source: Maps of India. "Punjab District Map". April 2012