

INDIA

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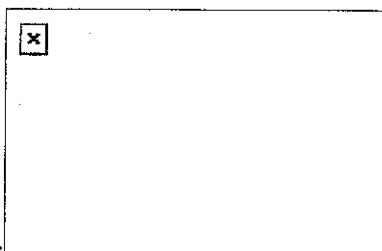
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OPINION – NEW YORK TIMES

India's Blood-Stained Democracy

By MIRZA WAHEED

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Rouf Bhat/Agence France-Presse — Getty Images

Kashmiri women attend a protest organized by the Association of Parents of Disappeared Persons in Srinagar in November 2010.

LAST September, a lawmaker in Indian-controlled Kashmir stood up in the state's legislative assembly and spoke of a valley filled with human carcasses near his home constituency in the mountains: "In our area, there are big gorges, where there are the bones of several hundred people who were eaten by crows."

I read about this in faraway London and was filled with a chill — I had written of a similar valley, a fictional one, in my novel about the lost boys of Kashmir. The assembly was debating a report on the uncovering of more than 2,000 unmarked and mass graves not far from the Line of Control that divides Indian- and Pakistani-controlled Kashmir. The report, by India's government-appointed State Human Rights Commission, marked the first official acknowledgment of the presence of mass graves. More significantly, the report found that civilians, potentially the victims of extrajudicial killings, may be buried at some of the sites.

Corpses were brought in by the truckload and buried on an industrial scale. The report cataloged 2,156 bullet-riddled bodies found in mountain graves and called for an inquiry to identify them. Many were men described as "unidentified militants" killed in fighting with soldiers during the armed rebellion against Indian rule during the 1990s, but according to the report, more than 500 were local residents. "There is every probability," the report concluded, that the graves might "contain the dead bodies of enforced disappearances," a euphemism for people who have been detained, abducted, taken away by armed forces or the police, often without charge or conviction,

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and never seen again.

Had the graves been found under Col. Muammar el-Qaddafi's compound in Libya or in the rubble of Homs in Syria, there surely would have been an uproar. But when over 2,000 skeletons appear in the conflict-ridden backyard of the world's largest democracy, no one bats an eye. While the West proselytizes democracy and respect for human rights, sometimes going so far as to cheerlead cavalier military interventions to remove repressive regimes, how can it reconcile its humanitarianism with such brazen disregard for the right to life in Kashmir? Have we come to accept that there are different benchmarks for justice in democracies and autocracies? Are mass graves unearthed in democratic India somehow less offensive?

The Indian government has long been intransigent on the issue of Kashmir — preferring to blame Pakistan for fomenting violence rather than address Kashmiris' legitimate aspirations for freedom or honor its own promises to resolve the issue according to the wishes of Kashmiri people and investigate the crimes of its army. And almost a year after the human rights commission issued its report on mass graves, the Indian state continues to remain indifferent to evidence of possible crimes against humanity. As a believer in a moral universe, I expected better. But it is an all too familiar pattern.

In March 2000, a day before President Bill Clinton visited India, about 35 Kashmiri Sikhs were massacred by unidentified gunmen in the village of Chattisinghpora, 50 miles from the Kashmiri capital, Srinagar. Soon after, L. K. Advani, then India's home minister, declared that the terrorists responsible for the killings had been shot dead in an "encounter" with the Indian Army. But the truth turned out to be more sinister. Under pressure from human rights groups and relatives, the bodies of the so-called terrorists were exhumed, and after a couple of botched investigations in which DNA samples were fudged, it was revealed that the dead men were innocent Kashmiris.

It took nearly 12 years — primarily because of the Indian government's refusal to prosecute those involved in the murders — to reach the Supreme Court of India. On May 1, in a widely criticized decision, the court left it to the army to decide how to proceed, and the army has opted for a court-martial rather than a transparent civilian trial. In the eyes of Pervez Imroz, a Kashmiri lawyer and civil rights activist, the court's decision "further emboldens the security forces" and strengthens "a process that has appeared to never favor the victims."

But the victims have not forgotten Kashmir's estimated 8,000 "disappeared." Perhaps the most telling reminder is the women who stage a symbolic protest every month in a Srinagar park like the Mothers of the Plaza de Mayo in Buenos Aires, who protested weekly after their children became "desaparecidos" under the Argentine dictatorship of 1976-83. Each woman wears a headband bearing a blank photo — steadfastly refusing to forget in the face of the Indian government's callous and immoral indifference.

IN the long and bloody narrative of India's injustices in Kashmir, there come seasons that are etched in the public consciousness as collective epitaphs of mourning and loss. In the summer of 2010, there was a mass uprising against Indian rule in Kashmir — an Arab Spring before the Arab Spring.

It came after police killed a teenager; thousands of people came out into the streets across Kashmir. The Indian paramilitary forces and police yet again reacted with brute force, keeping the region under virtual siege for over two months and killing 120 people, many of them teenagers. The youngest, Sameer Rah, not even 10, was beaten to death by irate paramilitaries. The provincial government promised "speedy justice." But once again, no one has been charged with these killings, let alone convicted of them.

The Indian government must do what may seem inconceivable to the hawks in the military establishment but is long overdue. Before it can even begin to contemplate negotiating a lasting political solution in consultation with Kashmiris it must act to deliver justice — for the parents of the disappeared; for the young lives brutally extinguished in 2010; for the innocent dead stealthily buried in unmarked graves in the mountains; for the Kashmiris languishing in Indian prisons without any legal recourse; for the exiled Kashmiri Hindu Pandits who fled in 1990 after some were targeted and killed by militants; and for the mother of Sameer Rah, who still doesn't know why her young son was bludgeoned to death and his body left by a curb.

A journalist and the author of the novel "The Collaborator."

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