

INSTITUTE OF CURRENT WORLD AFFAIRS

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"Just Another Day"

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4 West Wheelock Street
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Dear Peter,

Some time ago, I mentioned to one of my favorite uncles that I was interested in Canada's Sikh minority as a transnational ethno-religious community with subdivided allegiances to God, Canada, and sacred homeland in the Punjab region of India. He gave me a strange look, and uttered this quasi-cryptic remark: "You wouldn't want to mess with a Sikh." The admonition sprung to mind just the other day, when I went out very early in the morning to get a newspaper, and saw half a dozen burly turbaned Sikh men wearing high school-style athletic jackets and high-topped basketball shoes emerge from the back end of a battered blue Ford utility van, the kind without windows. After a bit of hubbub on a street corner near our apartment, they dispersed, some ambling away in opposite directions along the sidewalk, the rest disappearing into an alley. The van did a U-turn and then crept along slowly going who knows where, headlamps off in the dim morning light.

I didn't know what to make of it then, and I still don't. Perhaps they were collecting recyclable beverage cans or performing some other innocuous and innocent chore. Like what? The question lingered in my mind as I later climbed aboard a city bus; it made me stop and think how easy it is to view Sikhs with a wary eye, and how they must see this all the time themselves, and resent it. Surveys show that East Indians (of which Sikhs are the predominant subgroup in Vancouver) suffer more overt discrimination than any other ethnic minority in Canada, including blacks. Perhaps it's partly because people like me don't want to mess with them, especially when they're doing something weird.

Stephen Maly is an Institute Fellow studying the ethnic and cultural "nations" of Canada.

Since 1925 the Institute of Current World Affairs (the Crane-Rogers Foundation) has provided long-term fellowships to enable outstanding young adults to live outside the United States and write about international areas and issues. Endowed by the late Charles R. Crane, the Institute is also supported by contributions from like-minded individuals and foundations.

I got off the bus on Robson Street downtown and found my way to the British Columbia Law Courts. It was easy. Designed by Arthur Erickson, one of Canada's most outstanding architects, the five-story complex occupies most of a city block and could easily be mistaken for a tamped down version of a Hyatt Regency hotel. It has an enormous sloping glass roof on the west side, under which is a spacious concourse adorned at one end with a bronze statue of Themis, goddess of justice. There are widely-spaced clusters of cushioned seats for lawyers and litigants to huddle together for consultation and broad staircases as well as elevators that lead up to 35 courtrooms on five floors. The interior has an ultramodern feel without any hint of coldness or sterility. There's even a restaurant; a piano bar would not look out of place. On my way up the stairs I spied a small aluminum pie pan filled with birdseed placed discreetly behind a giant planter with a tree growing out of it. Not a bad place at all to be a captive starling: plenty of room to fly, lots of foliage, a great view of the neighboring bank towers, people who care.

I went to the Law Courts to witness the proceedings of an extraordinary trial. Inderjit Singh Reyat is a 37 year-old electrician from Duncan, a town on Vancouver Island. He is also a Sikh with a professed devotion to helping create an independent Sikh state, called Khalistan, in India. Reyat has been charged with 2 counts of manslaughter and 5 counts of illegal possession of explosives in connection with a June 23, 1985 bombing incident at Narita airport in Tokyo. The bomb was intended for an Air India flight from Tokyo to New Delhi, but it went off prematurely as the luggage it was hidden in was being transferred from a Canadian Pacific plane from Vancouver. Two Japanese baggage handlers were killed and several others were injured by the blast. The main piece of incriminating evidence against Reyat is a Woolworth's receipt bearing his signature. Shards of the Sanyo stereo tuner he bought there were turned up in the airport wreckage by forensic specialists who also determined that it had housed the bomb.

The accused has admitted to helping Talwinder Singh Parmar, a Kalistani kingpin, test fire a bomblet in the woods near his Duncan residence three weeks before the incident. He also claims he gave the tuner to a third party whom he can only remember as being named Mr. Singh. No help for the prosecution there, as nearly all male Sikhs bear the surname Singh, a Punjabi word meaning "lion." Parmar, by the way, was acquitted in 1989 of charges linking him to the downing of an Air India jumbo jet that same fateful day nearly six years ago. Flight 182 blew apart in mid-air off the coast of Ireland, killing all 329 passengers and crew. It was, and still is, the worst at-sea airline disaster of all time. It also engendered Canada's longest, most expensive criminal investigation, to no avail. Militant Sikhs based in Canada are almost surely to blame for the massacre, although the allegation has been made by several reporters that Indian secret agents either planned or abetted the operation as a way of casting Canadian Sikhs in a bad light.

Reyat moved to England in 1986. British police arrested him in

February, 1988, and he was extradited to British Columbia last year. His trial, before a B.C. Supreme Court judge (no jury), has so far taken 44 days spread over four months. The three-man team of prosecutors called 91 witnesses, including RCMP officers and members of the Canadian Security and Intelligence Service (CSIS). Agents of the domestic spy agency had wiretapped some of Reyat's phone conversations with Parmar, whom they were keeping under tight surveillance for some months back in 1988. Reyat's attorney, a man named Hilford with longish curly hair gathered stylishly at the back of his neck, is trying now to have the charges dropped because of alleged destruction of "exculpatory" evidence by CSIS agents. As a matter of policy, they erased the tapes, and Hilford says what was on them might have exonerated Reyat. This is the argument I happened to hear the day I went to witness the trial proceedings.

I had to go through an airport-style security gate at the entrance to the courtroom. The attendants, (both East Indians, incidentally), confiscated the Swiss Army knife I'd forgotten I was carrying, and then sat back on their stools and returned to reading their Punjabi language paperbacks. I sort of expected a crowd in the courtroom, as this case has received lots of media attention, but the only people there besides four lawyers, a clerk, and a stenographer were a couple of guys in suits who I took to be CSIS employees and a lone reporter, who was busily sketching the floor plan of an addition to his house when I took a seat behind him in the observers' section. A bit later on eight boys in the blue blazer/white shirt/fat tie/gray slacks uniform of a local private school sauntered in. They were on a field trip.

I listened to the attorneys banter about weekend hockey scores while the G-men kept looking at me from across an aisle with "who are you and what are you doing here?" written all over their stolid faces. The Chief prosecutor, a long-nosed man named James Jardine, dominated the sports talk, and much of the room. (He liked to put his hands on his hips and take short, crisp little steps forwards and backwards; I figured he played rugby in his youth, and that now he probably coaches a junior soccer league.) With an eye on the slouching students, he abruptly switched the subject to the Japanese education system, and told a horrible little story about how on one of his trips to Tokyo in pursuit of evidence in this case he heard about a Japanese cop who was involved in three separate auto accidents in one day and couldn't bear the shame so he jumped headfirst off a freeway bridge.

A few minutes before ten the lawyers slipped long black robes over their other required dress--black waistcoats and starched white collars. (They don't wear the old-fashioned wigs this far west.) Then a hush fell over the room. The clerk announced the arrival of his lordship, Justice Raymond Parish, a slightly-built man, mostly bald, with big-framed glasses. What followed for several hours thereafter was for me an interesting display of legal procedures and a demonstration of lawyerly reasoning. Hilford for the Defense did his best to divert critical

attention toward CSIS and away from his client. He first stated the facts, and then gave an overview of the pertinent law, taking his lordship on a brief tour of precedents, stopping at page X, line Y in a case called Livingstone, and then proceeding to the next legal coordinate, at paragraph Zed in Darcy. All this, and his repetitive summary argument, took several hours. The judge nodded a few times and offered several quiet asides about the difference between Roman, continental, and common law principles. Then he ordered a recess for lunch.

It was a drab, overcast day outside. I took an elevated walkway through some well-tended trees and bushes and down a cascade of concrete steps to the cafeteria at the Vancouver Art Museum. I had a bowl of navy bean soup and a sourdough roll. Halfway through my lunch I made the mistake of opening up a book by Clark Blaise and Bharati Mukherjee entitled *The Sorrow and the Terror*. I say mistake because I've discovered time and time again that eating words and food at the same time just doesn't work for me. (Nothing gets digested.) Anyway the soup got cold and this passage about the Air India bombing in the book's introduction gave me a bit of a chill as well:

To the planners of this carnage, "Canada" was evidently abstract and irrelevant next to the urgency and clarity of the Khalistan struggle for independence... Threats to Canadian lives must have seemed equally abstract and irrelevant to intelligence officers entrusted with the monitoring of would-be terrorist cells... We link this indifference to more than complacency or shoddy intelligence work. We see it deriving from a "many Canadas" or "mosaic" cultural policy. Deep down, the opponents in this tragedy--the terrorists and police surveillance units--made the assumption that both the victims and perpetrators were "not quite Canadian."

Blaise's and Mukherjee's analysis of the still-concealed conspiracies leading up to the 1985 terrorist bombings (and the Reyat trial) reveal a dark side of multiculturalism and the seamy side of Sikh nationalism. The authors are incensed by the Canadian government's seemingly callous disregard for the victims of the bombing, and their families. They report that Canada's Prime Minister promptly phoned Indira Gandhi to offer his condolences when in fact some 90 percent of the deceased were Hindu Canadians, not Indian citizens.

On my way back from lunch I passed a man doing Tai Chi next to one of the fake (but still pretty) waterfalls coming off the roof of the Law Courts complex. I pretended not to notice him--it seemed like the right thing to do. Back in the courtroom, Crown prosecutor Jardine set to the task of convincing the judge that the whole of his "learned colleague's" morning argument was irrelevant. His two partners sat behind him like assistant

coaches, their eyes giving silent applause whenever his little dance step turned his head in their direction. Hilford was granted a few minutes to rebut, but there weren't any fireworks.

I did not imagine that the trial of an alleged terrorist could be so mundane, so devoid of passion. There were a few instances when the two opposing attorneys upped the volume and changed the cadence of their arguments, but these verbal motions seemed forced. There was no playing to the audience, no jury to impress, no Matlock/Mason melodrama, no unctuous or irreverent muttering under the breath, a la Rumpole; instead, just a lot of flipping of pages and references to tabs in thick binders of documents. The sharpest words I heard all day were unsheathed in the Men's washroom during a 5-minute break, when one of the Crown attorneys exclaimed, "He's not arguing Livingstone! What bullshit!"

All the while Mr. Reyat sat impassively between two armed guards in drab uniforms and bushy mustaches. He turned around once, caught my eye, smiled a bit, cupped a hand under his chin and made a slight adjustment in his royal blue turban with the other. The man seemed slightly amused, but mostly bored. I wondered where his thoughts were--at home with his wife, perhaps, back in his electrician's shop in Duncan, or halfway across the world, in the dust and swirling politics of the Punjab.

Court was adjourned for the day at 3:30. I took the elevator this time. It was full of attorneys, most of them carrying those triple-wide thick leather monstrosities--the original "brief"case? The elevator took a very long time getting started. I kept pushing "Street" after the doors closed, but nothing happened. A very well-dressed woman eased the mounting tension by saying "Imagine how expensive it would be if this thing broke down just now, considering our collective hourly rates." Everyone had a little chuckle, and finally the lift clunked into gear.

I stopped for a tall cappuccino at Starbuck's (this area's primo java hut), read some more--coffee and words DO mix well--found a phone booth and made an appointment with a Mr. Singh (of course) to visit a Sikh temple later in the week. That's another story, for another day.

On the bus trip home I overheard a portly, middle-aged man preaching to his quiet female companion about the situation in the Middle East. He was explaining all the historical animosity in the region and then stopped, in mid-sentence, shook his head slowly from side to side, and said, "Too much religion--that's what it is, Shirl, too much damn religion."

My first inclination was to lean over the seat back and say Amen. After a moment of reflection, and another look at the pamphlet I'd been glancing through, a little gift from the Sikh Missionary College in Amritsar (reading on buses makes me carsick, but, stupidly, I do it anyway), I found myself

wondering if the opposite statement would be just as appropriate. The real problem is too little honest-to-God religion. Here's the way author Harbhajan Singh puts it:

What the Sikh Gurus earnestly wish is that a Hindu, Muslim, Christian or a Yogi, etc., etc., etc. should become a faithful Christian, a pious Hindu and a true Muslim. Real religion does not teach to hate and persecute persons of other faiths. All are judged before God and rewarded for their good actions towards others and not by the mere fact that they profess or have the label of any particular sect. All are equal in the Court of God as he made human blood of one color.

A fitting epitaph, don't you think, for a day spent amidst trial proceedings for a man accused of helping to blow up innocent people in the name of a sacred cause.

Cheers,

Stephen Maly

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