

## JUSTICE FOR ALL- SAFIYA'S POST MORTEM

- By Navaz Kotwal

I met Safiya in a hospital. She lay in a corner, adjacent to the toilet. The stench was unbearable. She was in no condition to talk. She tried but her mouth wide open, was filled with blisters. She was on I.V drips unable to eat or drink anything because her intestines had been ruptured. Suddenly somebody removed the sheet covering her body. Her intestines were exposed, raw and infected. I felt faint. It took an effort to draw closer. As I stroked her head I saw the pus oozing from the wounds. There was no skin. I felt helpless--frozen. Her daughters and family were all beside her. They told her story. I had no words then but I write for Safiya now.

Safiya lived in Jhalod, a town in Dahod district of Gujarat, seven hours drive from Ahmedabad. Hindus and Muslims - the majority of them landless agricultural labourers - had been living together for years sharing their poverty and small joys. Living under the same yoke of want had blurred any differences of religion. Occasionally there had been minor clashes between the two communities but none too serious. They went to the fields together, celebrated each others' festivals respectfully and pulled along as best they could. March 1<sup>st</sup>, the day after the Godhra carnage changed all this forever.

Safiya's brother Mohammadbhai tells the story. Returning home from his daily namaaz in the afternoon he saw a well armed mob of about 500 people, in khaki shorts with saffron headbands attacking his modest home. On second thoughts, it was not a mob. Their faces were familiar. They all had names. Most of them were his neighbours. The door was being broken in. They entered his house – his sole possession after a long and struggling life. As most of the mob left after looting and burning, a few remained behind to perform more devious crimes. His mother, Bibiben, 80 years and too old to move, was beaten on the chest, kicked in the abdomen and then hacked to death. His wife Khairon was also stabbed in the abdomen. She collapsed. They left her for dead. His eleven-year-old niece was also stabbed in the abdomen and upper arm. By some luck she was spared from further injury. A few men grabbed his widowed sister Safiya who had come home for Eid and beat her till she could no longer stand. Then raped her, stabbed her repeatedly in the abdomen and pelvis, and for good measure beat her with metal pipes till her abdomen tore open and her intestines spilled out. They left her for dead and moved on for more. Three long hours passed. Mohammadbhai hid near the masjid, frozen, his senses not responding to anything that he saw. He watched it all. Even today he asks himself why he did nothing as a son of 45, a husband, a brother and an uncle to protect his family?

The police arrived. By then every one had left save Mohammadbhai, and a disturbing calm had settled down on his mohalla. He was taken away to another locality where he would be safe. But by some twisted official logic, the injured women were left behind. Hours later some villagers gathered courage to take Safiya and her mother to hospital. Her mother was declared dead on arrival but Safiya was operated upon. Later the police came to record her statement. She could barely speak but she told her story. The FIR records "minor injuries".

Complications developed from Safiya's first operation and she was shifted to Baroda Civil Hospital and operated upon for a second time. Still there was no improvement. After a

month Safiya was shifted to Dahod Anjuman Hospital, where I met her at the end of April 2002. How she had survived for 2 months amazed me. I knew that if she lay in that hospital she would never make it. I had to shift her to Ahmedabad. But it was not an easy task. We were up against a system, which was proud of its deliberate and prolonged incompetence. Hindu owned private hospitals refused to accept her. Others demanded impossible sums of money. A Muslim owned private hospital was the last resort. The seven-hour journey from Dahod to Ahmedabad was a gamble. There were chances of complications arising on the way. The ride was a nightmare. The two doctors, her daughters and I sat in silence as we all prayed that nothing would go wrong.

Safiya was operated on for a third time the same day. For the first time in two months she thought she was going to live. When I was leaving she joined her hands. I thought she said 'thank you' and 'come again.' I promised I would. She died a week later on the 6<sup>th</sup> of May.

But Safiya's story does not end with her life. The private hospital could not do a post mortem, so Safiya had to return to Dahod. That meant another seven-hour journey, this time with a rotting dead body. At Dahod District hospital the authorities refused to do the post mortem. The body had come from a private hospital in Ahmedabad; the history of the case was not clear; and there were no supporting papers – some reasons for refusing to do a post-mortem. No amount of pleading could change their minds. No amount of questioning or pleading could change their minds or give the family any reason. Authority needs never to explain anything. So poor dead Safiya was taken to Jhalod hospital another hour's journey away and finally after six more hours of haggling the doctors agreed to do the post mortem. The final report, which came two weeks later, said it all. Death was due to '*Renal Failure and Septicemia*'.

The FIR with its record of 'minor injuries' and the cruel end-joke of 'death due to renal failure and septicemia' in the post-mortem made certain that there will be no official record of the savagery that Safiya suffered; no recognition of the pain of those first hours; no punishment for her rapists and tormentors; no compensation for her family for all the neglect and agony of her months in hospitals and of course no investigation into her death.

Safiya was an Indian woman. She was raped, stabbed and beaten until she died of it. It took a long time to accomplish all this. In life the State could not protect her. But did it have to cheat her with so much deliberate and premeditated care in death?