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Lecture - 22 Woman in the Context of Partition - II

Good morning and welcome back to my course Partition of India in Print Media and Cinema. Today, we are going to start with Woman in the Context of Partition, a topic that we have been discussing through the last several lectures. As regards Pakistan, we see when we talk about the question of legitimate and illegitimate child, Pakistan had already developed a hostile relationship with India's national interests.

So, it was perceived that Pakistan has violated Hindu women's sexuality through abduction and compulsory cohabitation, conversion of their religions, and this raised the issue of legitimacy of the children that were born as a result of wrong or unnatural unions/wrongful unions and what would be the position of such children in the future formation of community. (Refer Slide Time: 01:15)

Question of Legitimate/Illegitimate Child

- Pakistan, which has a hostile relationship with India's national interests and has violated Hindu women's sexuality through abduction and compulsory cohabitation, has raised the issue of the "legitimacy" of children born of wrongful unions as future community members.
- Several leaders like Sardar Bhupinder Singh Mann and Chaudhary Ranbir Singh in their speeches portrayed India as morally superior - who took it as a liability on themselves to protect and return abducted Muslim women to Pakistan under the Abducted Persons (Recovery and Restoration Act of 1949) and etched how such reciprocal agreement was acquiesced but deferred by Pakistan.

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What would be their position as members of the new nations that were being shaped/being fashioned? So, leaders such as Sardar Bhupinder Singh Mann and Chaudhary Ranbir Singh would portray India as morally superior to Pakistan; [India as] a country that took it as its liability and responsibility to protect and return the abducted

Muslim women to Pakistan under the Abducted Persons Recovery and Restoration Act of 1949.

Through this paternalistic welfarist behavior, India was expecting similar reciprocation from Pakistan. According to Indian records, Pakistan was constantly acquiescing but deferring the process of returning of the Hindu women.

So, during the rehabilitation process, a lot of historians and feminist critics put this entire operation and procedure into question. There were a number of problematic aspects that were observable during the procedure of recovering and repatriating women. Police for example, were given the authority to search and seizure and it would mean that they were protected from civil or criminal punishment for any of the excesses that they were committing in the process of recovering/during the recovery process. (Refer Slide Time: 03:19)

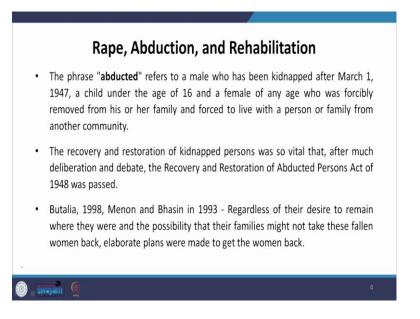
Question of Legitimate/Illegitimate Child

- During the rehabilitation process, police were given the authority to "search and seizure," which means they were protected from civil or criminal punishment for any excesses committed during the recovery process.
- All democratic and fundamental rights of women and children "abducted person" virtually suspended.
- A comparison of "honouring the moral obligation" was raised, with Pakistan as the abductor's nation and India as the parent protector. Muslim women abducted were the exceptions or aberrations.

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At the same time, all democratic and fundamental rights of the abducted women and children were virtually suspended. So, they did not may get to make any choice regarding the future. A comparison of honouring the moral obligation was raised with Pakistan being portrayed as the abductor's nation and India as the parent protector nation.

According to India, the Muslim women that were abducted were only cases of exceptions or aberrations. So, the stock image of the Hindu was that of the tolerant, restrained male that shaped the spirit and the core essence of the post-colonial Indian nation-state. (Refer Slide Time: 04:39)



The term 'abducted' had a very specific meaning in the post-partition [period], starting from pre-Partition time and this meaning was given temporal and specific conditional boundaries.

Abduction or 'the abducted' was not a very loose term. It had its own specific range of meanings, and so the references were limited. We see 'abducted' refers to [someone] that has been kidnapped after March 1 1947 - a child under the age of 16 and a female of any age that has been forcefully removed from his or her family and forced to live with a person or family from another community.

The question that arises in this context is what happened to people who have experienced similar situations but before 1 March 1947, or who were a little older than 16 years of age in the case of males. And so, I mean people would ask... there were no reasons... the

question of defining the 'abducted' in terms of a temporal bracket and an age bracket was something that left out a lot of other experiences that were similar.

So, the recovery and restoration of kidnapped persons was deemed so vital that after a lot of debate and deliberation, the Recovery and Restoration of Abducted Persons Act of 1948 was passed - it became a Concrete Act. As it materialized into a concrete Act, Butalia, Menon and Bhasin note that regardless of the desire of the people to remain where they were and the possibility that they would not be taken back by their families or not be espoused with significant/ considerable respect and dignity, elaborate plans were being made at the level of governmental policies/ at the level of governmental bills, and acts were being passed which [organized] the process of bringing back the women. So, the Ministry of Relief and Rehabilitation which later became the Ministry of Rehabilitation was established by the Indian government in 1948 with a Branch Secretariat in Calcutta for East Pakistani refugees. (Refer Slide Time: 07:56)

Rape, Abduction, and Rehabilitation

- The Ministry of Relief and Rehabilitation, which later became the Ministry of Rehabilitation, was established by the Indian government in **1948**, with a branch secretariat in Kolkata for East Pakistani refugees.
- Considering the need for a specific category, a plan was developed in collaboration with the government to investigate the requirements of the Dalits and women.
- The Ministry of Rehabilitation drew up detailed plans to provide housing, education, and employment for the refugees.
- A section of Dalits and women were also constituted with the Ministry to look at the needs of these groups, keeping in mind the question of an unique category.



Considering the need for a specific category, a plan was developed in collaboration with the government to investigate the requirements of the Dalits and the women separately. So, the Ministry of Rehabilitation drew up elaborate plans to provide housing education and employment for the refugees.

In fact, when we look at the case of the Western part...the Partition in the Western part of India, the Congress government actually played a major and commendable role in supporting and rehabilitating the refugees. At the outset it was, however, understood that the number of people migrating to India was so large that it was difficult for the government of India - the newly independent India - to cope up with the sheer number of refugees... the influx of refugees.

So, a section of Dalits and women were also made part of the Ministry of Rehabilitation, who could look at the needs of the respective groups, and this kept in mind the question of unique categories and their unique demands and requirements. So, post-March 1947 we see the leaders and representatives of the Indian and Pakistani government meeting in Lahore in September 1947 and taking steps to recover and restore the Abducted Person's right. (Refer Slide Time: 09:48)



Different circumstances of "abduction" –

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- Some women left behind as hostages for the safe passage of their families. Others separated/strayed from their group and picked up; some given protection and later incorporated into the host family.
- In some special cases (as in Bhawalpur state), all the women of a single block kept back, many of whom changed hands several times and sold to the highest or lowest bidder, and some became second or third wives and many were converted and married, with considerable dignity and respect.

And we have already discussed how the definition of the abducted person was constrained to temporal and age boundaries, and other cases were thereby being overlooked. So, there were some typical circumstances of abduction, such as some women being left hostages by their own families for the safe passage of the rest of the family members or their kin.

There were many other cases, where women strayed or separated from their group and they were picked up later by criminals in other cases; they were sometimes given protection and later incorporated into the host family. There was this typical, a peculiar situation in the Bhawalpur state, where all the women in a single block had been left behind while the rest of the family had crossed the border.

And many of these women from the block had changed hands several times, somewhere sold to the highest and the lowest bidders. And some went on to become second or third wives of males from the other community, and many were converted and married and they were treated with significant and considerable dignity and respect in the abductor's family.

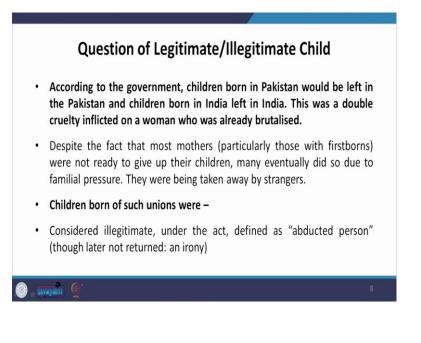
We cannot call certain situations as abductions, where we see their own families had actually abandoned them while crossing the border. And that is why subsequently women face a kind of situation, such as conversion and so on. The adverse situation they face is actually created by a decision that is initiated in their own family and not necessarily by the abductor. (Refer Slide Time: 12:22)

Duration of Legitimate/Illegitimate ChildIn the official process of "rescuing", resistance came from the "abductors" as well as the "captors", many of whom escaped from the centers to which they were brought - repatriation not carried out under women's volition. **Ameshwari Nehru, Honorary Advisor to the government in the Ministry** of Relief and Rehabilitation - "By sending women away, we have brought about grief and dislocation of their accepted family life without in the least promoting human happiness." Women who were pregnant in Lahore, for example, were sent to Jalandhar where they underwent "complete medical check-up", (that is, abortion) and then reunited to their family, lest they be abandoned by their folks in pregnant condition.

In the official process of rescuing, resistance came from the abductors as well as the captors. So, women in many instances actually resist - they do not want to come back. There were examples of women...there were cases of women that escaped from the centers where they were brought for being sent back to the natal homes. And so, repatriation was in many instances not carried out under women's own volition.

We see Rameshwari Nehru, Honorary Advisor to the government in the Ministry of Rehabilitation saying, "By sending women away we have brought about grief and dislocation of their accepted family life without in the least promoting human happiness." So, there were situations where women had become pregnant as a result of forceful cohabitation.

So, there was a case where women that were pregnant in Lahore were sent to Jalandhar where they underwent complete medical checkup - it is a euphemism used for abortion; and then they were reunited with their family. [This was done] for the fear that their family would abandon them, desert them in pregnant conditions. The debates that were raised at the level of the Central government... so, children born in Pakistan would be left in the Pakistan and children born in India should be left in India. So, this was a cruelty that was being inflicted on a woman that was already brutalized. (Refer Slide Time: 14:19)



So, the question of number became more than individual choice or preference. A woman was reduced to a womb. So, repatriating a younger woman that was capable of giving birth became more important and urgent than bringing back an old woman.

So, a woman's national service/service to nation was necessary in terms of giving birth in her homeland, and it was tacitly understood that giving birth to male children, increasing the number of males in the community where she had originally belonged [was her main duty or service]. That is why it was important to bring back the woman, but leaving back the illegitimate child born of 'wrongful' union. So, this once again went on to say that the father was the original claimant of the child; the child should be consigned to the father.

He could actually bring up the child more properly. He was the original guardian. The mother as a guardian was not recognized. Despite the fact that most women, especially the mothers of the firstborn, had become mother for the first time [and] were not at all ready to give up their children. Many eventually had to acquiesce and comply with the familial pressure, with the tacit pressure at the level of the government and so, these newborns were taken away by the abductor and his family.

So, children born of such unions were considered as illegitimate under the Abducted Persons Act. Children born under such unions were considered as illegitimate under the Abducted Persons Act.

However, the irony lay in the fact that they were recognized under abducted persons, but never quite returned. In this debate, we see leaders, such as Pandit Thakur Das Bhargava saying that while abduction was a shameful crime, it was recognized as something to be condemned, the abductor could not be relied upon to provide security or dignity to the woman that he had forcibly converted and married. And therefore, she should be reunited to her original home. (Refer Slide Time: 17:11)

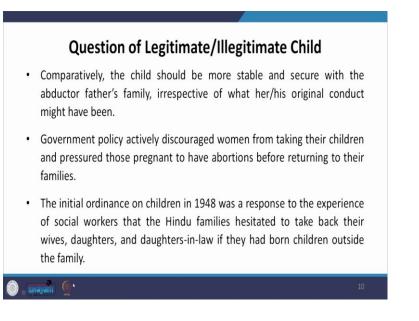
Question of Legitimate/Illegitimate Child Pandit Thakur Das Bhargava - While abduction was obviously a "shameful crime", the abductor could not be relied upon to provide either security or dignity to the woman who he had forcibly converted and married, and hence she should be reunited to her original home, yet there is no reason why children born India should not be citizens of India (contradicting the 1949 bill defining abducted person). Yet counter logics from Pakistan was that illegitimate children born of a Muslim woman will be marginalised in caste system designed by Hindu society in India. Question raised by Pandit Kunzru: If a woman keeps her child with her and takes him or her to her 'original home', they will normally not be treated as members of their mother's family.

At the same time, the paradox in this particular perspective that many ministers or leaders at that time adopted - the paradox lay in the fact that they were asking the children to be left with the father. So, the children in the case of Thakur Das Bhargava who was inhabitant of India, a Hindu, he would say that there is no reason why a child born in India should not be a citizen of India.

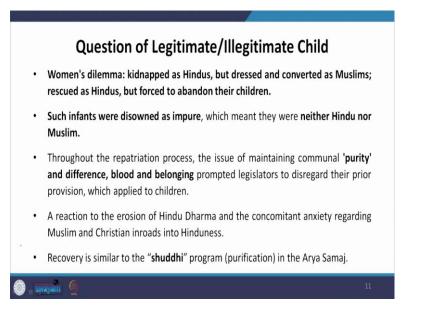
In other words, if it is a child born of a Hindu male abductor, the child should be given the father's name. So, this contradicted the 1949 bill defining abducted person and there were counter logics coming from Pakistan that illegitimate children born of a Muslim woman will be marginalized in the caste system that defined and shaped the Hindu society in India.

In fact, the question of illegitimacy or impurity were considered more seriously by the Hindus than the Muslims because of the caste system that is intrinsically a part of the Hindu society. So, Pandit Kunzru raised the question if a woman keeps a child with her and takes the child to her original home, will the child be treated as a normal member of the mother's family?

Here is where we see the patriarchal values coming in - the question of blood and lineage being identified with the father's name and the father's family. So, just like in normal times the father, albeit an abductor, was considered as the suitable person that could give his name to the child, regardless of the community. This was the decision/ agreement that both nations had reached. So, a child would be more comfortable and secure with the abducted father's family, although the man had originally committed or conducted a heinous crime. (Refer Slide Time: 19:48)



So, government policies actively discouraged women from taking the children and pressured the pregnant women to terminate the pregnancy and return to their families. The initial ordinance on children in 1948 was a response to the experience of social workers. So, why were women being asked to terminate? Social workers saw that this was more in the case of the Hindus that hesitated to take back their female kin, especially if a child was born as a result of a union outside of the community. (Refer Slide Time: 20:51)



Women's dilemma lay in the fact that they were kidnapped and identified as part of one community, dressed and converted into another, and then they were again rescued and sent back to the original community and forced to leave back their children.

It would not be wrong to say that women face the brunt of the partition, and their children were being disowned as impure who were neither Hindu nor Muslim. So, throughout the repatriation process the issue of maintaining communal purity and difference, the question of blood and belonging actually prompted these bills and these policies, these acts and they were being etched on the bodies of women and children.

The law-makers, the policy-makers were necessarily the enactors and the makers of the nation - the males, whereas they were being etched on the bodies of the women and the children. So, a reaction to the erosion of Hindu dharma and the concomitant anxiety was there regarding the Muslims and the Christians making inroads into the chaste and the sacrosanct Hinduness.

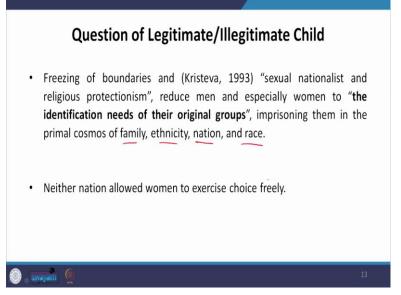
The pristine Hinduness was being besieged by the Muslims and the Christians. Recovery becomes a process that is similar to the shuddhikaran program or purification that was observable in the Arya Samaja; [it was a] process of taking the Dalits, the fringes of Hindu community within the mainstream. Not losing the newly born Hindus to Islam was ensured through preventing their children from being taken away with their mothers. (Refer Slide Time: 23:08)

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This was a way the Hindus could maintain their numbers by preventing the repatriation of the wrongly born children to go back with their mothers to Pakistan; it was a vital part of this project and concern. This anxiety reflected at all levels - the question of legitimate membership at the level of family, community and the larger nation. So, India prevented sexuality [from bring] contaminated by secularism.

This is another paradox that we have to understand. On the one hand, the constitution talks about secularism, about democracy, there are certain values that are glorified in the Indian constitution, but on the other hand, secularism was not something celebrated as far as the question of marriage and sexual union were considered.

There was neither social recognition nor legal sanctioning of alliances formed between Hindus and Muslims, especially in the cases where they were done forcefully. So, relocating a woman's sexuality from 'fake' to 'real' family, where her sexuality could be suitably supervised, became a part of this project. (Refer Slide Time: 25:13)



Julia Kristeva notes that freezing of boundaries and sexual, nationalist and religious protectionism reduce men and especially the women to the identification needs of their original groups. So, going back to the question of the grand narrative and the personal narrative, the personal narrative is obfuscated, almost invisibilized and muffled by force from above, by the grand narrative. [There is] requirement of image formation by the larger group.

And so, these individuals are imprisoned in the primary cosmos of family and then ethnicity, nation and race. They are no longer a separate being in charge of and having the right to decide their own future/entitled to their own future. So, neither of the two abutting nations, India and Pakistan, actually allowed women to exercise choice freely. (Refer Slide Time: 26:52)

Rape, Abduction, and Rehabilitation

- Reality of attacks and abductions:
- Families that had their daughters taken first reported them missing, while some chose to remain anonymous. However, if any of the women were discovered, it often resulted in the social workers being dispatched.
- Their families frequently refused to accept them back, believing they had been contaminated by living with or being raped by a man of another religion.



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We see the realities of attacks and abductions - the families that had their daughters taken first reported them missing. However, they chose to remain anonymous for the fear of losing their face, losing their prestige in a given society. On the other hand, when some of these women were discovered, it often resulted in the social workers being dispatched.

In many cases, it was not even considered as desirable that these women come back. The social workers were not really congratulated for doing the right job by discovering the women. It was expected that they would not be found anymore and families would lodge complaints, but under anonymity. (Refer Slide Time: 27:50)

Rape, Abduction, and Rehabilitation

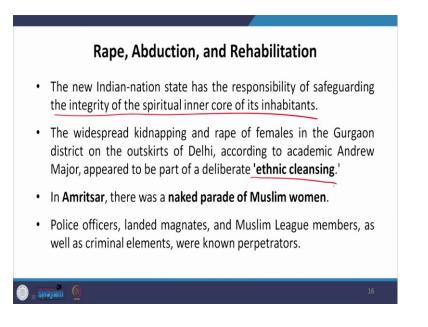
- Both nations felt the necessity for having their women back, since it
 was more a method of solidifying the patriarchal identity of the
 newly constituted nation states.
- This decision was paradoxical because India was a secular country that demanded the return of Hindu women abducted during the Partition and the return of Muslim women to Pakistan.

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The families frequently refused to accept them and considered them as contaminated.

There is a paradox, where India (as I have already talked about this; it is important and so, I restate) after the independence India declared itself as secular, and yet demanded the return of Hindu women that were abducted during the Partition and return of the Muslim women to Pakistan.

So, although India was secular, Hindu women were thought as justifiably belonging to India. The operations were done to bring back the Hindu women and send the Muslim women to Pakistan. So, the natural belonging or natural identification of India was with the Hindus. (Refer Slide Time: 29:00)



The new nation-state was responsible for safeguarding the integrity of the spiritual core of the inhabitants and it drew its inspiration from Hindu principles and values.

There were widespread kidnapping and rape. There were cases in the Gurgaon district on the outskirts of Delhi and so, academic Andrew Major calls this process of violence on women in Delhi as a deliberate process of ethnic cleansing. And in Amritsar, we see women are being unclothed and made to parade. Police, landed magnates, Muslim League members - they all harbored and protected criminal elements, shady elements.

The perpetrators actually belong to one of these prominent umbrellas and so, they could actually go scotfree after committing such acts. Non-Muslim women from Kashmir were abducted and sold by the Pathans in Western Punjab and they were used as slave girls in industries. Pathans had also started abducting and selling Muslim women.

In addition to the Sikhs, Jats and refugees from the Western Punjab, the local police, the Indian military routinely abducted and distributed Muslim women in Eastern Punjab. (Refer Slide Time: 30:43)

	Rape, Abduction, and Rehabilitation
•	The better stuff , according to Anis Kidwai , would be dispersed to the police and troops, while the remainder would be distributed among the assailants. Police and army forces engaged in the rape of Muslim women in areas around Delhi.
•	Both Indian Prime Minister Nehru and Pakistani Prime Minister Liaquat Ali Khan said in September 1947 that they would not accept forced marriages, and both nations approved this agreement in December at the Inter-Dominion Conference , which created the recovery mechanism.
•	The Central Recovery Offices in both nations were in charge of gathering claims for abducted women by their family.

Anis Kidwai looks at the words that are used - the women are treated as commodity. So, the 'better stuff' would be dispersed to the police and the troops, while the remainder would be distributed among the assailants.

So, police army forces were engaged in violating the Muslims in and around Delhi. Both the Prime Ministers Nehru and Liaquat Ali Khan had decided by September 1947 that they would not accept forced marriages. And both the nations univocally approved this agreement in December at the Inter-Dominion Conference, which created the recovery mechanism. So, the Central Recovery Offices in both the nations were in charge of gathering claims for abducted women by their family. (Refer Slide Time: 31:35)

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Social workers, District Liaison and Officers designated by the Punjab Government's Liaison Agency contributed significantly. Non-Muslim women recovered from Pakistan were housed in District transit camps, the Central camp being in Lahore. And similar camp for Muslim women was built in Jalandhar and there were also cases where women were guarded and escorted successfully to their respective countries by both the Indian and the Pakistani Military Evacuation Organizations. (Refer Slide Time: 32:13)

Rape, Abduction, and Rehabilitation

- Recovery operations were delayed, and Nehru admitted in January 1948 that neither side has really worked hard enough to repatriate the victims in the true sense.
- Because Hindu and Sikh refugees in India erroneously believed that the number of abducted non-Muslim women outnumbered the number of abducted Muslim women, they organised a public campaign demanding that Muslim women be kept as hostages during the recovery process.
- The two governments eventually agreed not to publicize the numbers of women who were returned. The rivalry between India and Pakistan delayed recovery as well.

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When recovery operations were being delayed, Nehru admitted by 1948 January that neither side had really worked hard enough to repatriate the victims in the true sense. The Hindus and the Sikh refugees erroneously believed that the number of abducted non-Muslim women outnumbered the number of abducted Muslim women. They organized public campaigns demanding that the Muslim woman be kept as a hostage in India till the Indian women were recovered successfully.

So, this was another form of patriarchal intervention in this very sensitive issue. The Muslim women be kept as hostage in India till Pakistan returns all the Indian women. This was the outlook of several Hindus and Sikhs. The two governments had eventually agreed not to publicize the number of women; it was a kind of contestation centering the woman, the numbers of women that were returned, and the rivalry between India and Pakistan delayed the process of recovery. (Refer Slide Time: 33:34)

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And there were natural disasters such as rain and floods that hampered the recovery process further in places of West Punjab and so, Pakistan banned Indian authorities from accessing the different regions of Punjab that bordered Kashmir, by January 1948. Both governments agreed by 1954 finally, that women should not be deported forcefully. With this, I would like to stop today's lecture.

Thank you.